



April 4th, 2024

Jessica Harper

Principal Planner – Rural Applications

HRM Planning & Development

jessica.harper@halifax.ca

RE: PLANAPP 2024-00385 Lot-RF Hammonds Plains Road (PID: 00346874), Seniors Housing Facility.

Land-Use By-Law Amendment

Dear Jessica,

KWR Approvals Inc. was retained by Mr. JP Sun to submit a letter of planning rationale for a Land Use By-law amendment for a development application that was originally submitted in August 2022. The subject property is Lot-RF (PID: 00346874) on Hammonds Plains Road and the proposed development is for a seniors housing facility. The property is zoned mixed-use (MU-1) under the Beaverbank, Hammonds Plains, and Upper Sackville Municipal Planning Strategy (MPS) and Land Use By-law (LUB). The MU-1 zone allows for senior citizens facilities through Appendix A-1, of which property 00346874 is listed.

The proposed development is a 64-unit seniors housing facility on the 7.74-acre lot (Attachment A). The septic capacity system was completed by Fam Construction Ltd. and met the service requirements for 128-bedrooms or 64 units. The design for a 64-unit facility was generally approved by HRM staff in February 2024 (Attachment B).

The necessary amendment is under Appendix A-1 of the Beaverbank, Hammonds Plains, and Upper Sackville LUB. Under Appendix A-1, the unit limit of the facility is 57 units. However, an updated septic system engineering has shown that the land can support a 64-unit building without detriment to the surrounding environment. This on-site septic was approved by the Province of Nova Scotia Environment act in January 2024 (Attachment C). Attachment C shows the notification receipt with a notification number (2024-3494904-00), that the project's engineered design has been reviewed by the province and is compliant. Please consider amending Appendix A-1 to allow PID: 00346784 to have a maximum capacity of 64-units in a seniors housing facility. Without this amendment, the 64-unit proposed development (which has already been generally approved by HRM staff) cannot receive a building permit.

Nova Scotia has an aging population, with 22% of the population being over the age of 65¹ and needs additional housing options for older adults in the community. The addition of seven units is a modest increase for the site but would allow for more seniors to have housing in the Hammonds Plains Community.

With the proposed small LUB amendment of changing 57 units to 64 units as listed under Appendix A-1, this project can begin construction in Spring/Summer 2024. However, delays on this amendment could cause the project to be significantly delayed, further limiting the housing options for older adults in the Hammonds Plains Community.

¹ Statistics Canada, Census Data 2021. Access from <https://www150.statcan.gc.ca/n1/daily-quotidien/220427/mc-a004-eng.htm>



KWR APPROVALS INC.

Thank you for your consideration,



Jane Rideout
Planning Manager
KWR Approvals Inc.

CC: Kevin Riles – President & CEO; Client

List of Attachments:

- Attachment A: Original Development Application
- Attachment B: General Permit from Planning & Development
- Attachment C: Notification Letter Province of Nova Scotia
- Attachment D: Excerpt from Hammonds Plains LUB

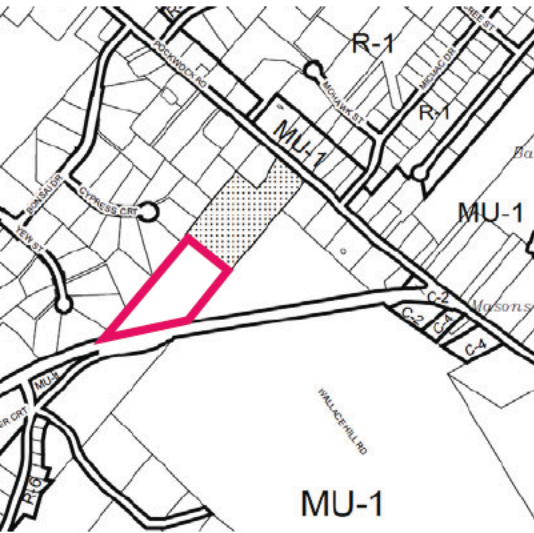
Attachment A

LOT RF-7 Hammonds Plains Road: Development Permit Application (PID 00346874)

To Whom it may concern,

Issued
Aug 19, 2022

The developer (Mr. JP Sun) owns PID 00346874 (7.74 acres) on LOT RF-7 on the Hammonds Plains Road. The land is located in the Beaverbank, Hammonds Plains, Upper Sackville plan area on land that is zoned MU-1. The developer is planning to develop a multi-unit senior citizens building as an as-of-right use. These lands are just outside the water service boundary, so a well and onsite system will be needed for servicing.



The plan meets the following zone requirements:

- Minimum Lot Area 29,064 square feet (2700 m²)
- Minimum Frontage 100 feet (30.5 m)
- Minimum Front or Flankage Yard 30 feet (9.1 m)
- Minimum Rear or Side Yard 15 feet (4.6 m)
- Maximum Lot Coverage for Structures 50 %
- Maximum Height of Main Building 35 feet (10.7 m)

The attached illustrative plan shows how the seniors building will be configured and setback from the existing roads and adjacent lots. The building will include one level of underground parking and a small surface parking to meet the parking requirement of 1 space per dwelling unit for seniors parking. The building will be no more than 35' high (3-storeys @ 10' floors) and we anticipate an average unit size of about 100 sq.m. and a total unit count of about 64 units with no less than 1 parking space per unit. The plan shows 27 outdoor parking spaces and 62 underground spaces for a total parking count of 89 spaces and a parking ratio of 1.4.

The north portion of the site is a designated wetland and the developer will have it properly delineated in the spring. The plan shows the provincial boundary along with a 20m watercourse setback line. The water and sewer servicing is described in the accompanying letter by ABLE Engineering. If a traffic impact statement is required, please let us know and we'll have it completed.

Stormwater Management System

Stormwater infrastructure has been provided within in the proposed development in accordance with the 2020 Halifax Water Design Standards. All stormwater will discharge to stormwater retention areas equipped with outlet control to match pre and post development flows in the 5, 10, 25, 50 and 100 year storm events.

In addition to matching pre and post development flows, the new development will incorporate new stormwater quantity management requirement as defined in HRM's Stormwater Management Standards for Development Activities where required.

If you have any questions, please feel free to reach out to me at your convenience.

Sincerely,

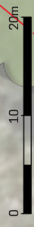


Rob LeBlanc, Planner
902 461 2525 x102 direct, 902 483-2424 mobile
rob.leblanc@fathomstudio.ca

JP HAMMONDS PLAINS ROAD

DEVELOPMENT PLAN

Scale = 1:500



January 2022



DESIGNATED WETLAND

20m WETLAND BUFFER

MULTI-UNIT BUILDING
64 UNITS
(3 STORIES)

62 UNDERGROUND
PARKING SPACES
PARKING RATIO = 1.42

20m WETLAND
BUFFER

6m
SETBACK

UNDERGROUND
PARKING
ENTRANCE

PLAZA

27 SURFACE
PARKING SPACES

HAMMONDS PLAINS ROAD



Attachment B

Development Only Permit

Permit Number: DEVONLY-2022-01930

DATE OF PERMIT ISSUANCE February 6, 2023	DATE OF PERMIT EXPIRY February 6, 2024
APPLICANT Fathom Studio	PROPERTY OWNER(S) J. P. SUN DEVELOPMENTS LTD. 83 SAMAA CRT BEDFORD, NS B4B0Y5
ADDRESS OF PROPERTY No primary address specified Hammonds Plains	LOT DETAILS
RESPONSIBLE CONTRACTOR Fathom Studio dba Fathom Studio Phone: (902) 461-2525	BUILDING STRUCTURE / USE DESIGNATION Dwelling - Multiple Units
TYPE OF WORK Residential	SCOPE OF WORK New Building
ADDITIONAL WORK SCOPES	
DESCRIPTION OF WORK New MU-1 Seniors Building	
CONDITIONS	
TERMS	

Development Only Permit

Permit Number: DEVONLY-2022-01930

TERMS

THIS PERMIT DOES NOT AUTHORIZE CONSTRUCTION ACTIVITY

THIS PERMIT CERTIFIES COMPLIANCE WITH THE LAND USE BY-LAW REQUIREMENTS ONLY

PRIOR TO UNDERTAKING ANY CONSTRUCTION ACTIVITY, A BUILDING PERMIT IS REQUIRED TO CONFIRM COMPLIANCE WITH THE APPLICABLE BUILDING CODE REGULATIONS AND THE REQUIREMENTS OF OTHER REQUIRED REVIEW AGENCIES

• A Traffic Impact Analysis is required with the Civil Design Package and must include data for all new and existing Multi-Unit Dwelling developments on Pockwock.

Attachment C



30 Damascus Road, Suite 115
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January 11, 2024

Our File Number: 96000-30-BED-2024-3494904

MARCO FERRO
468 PARKWOOD DRIVE
HUBBARDS, NS B0J1T0

On-site Sewage Disposal Systems NOTIFICATION RECEIPT

**Province of Nova Scotia
Environment Act, S.N.S. 1994-95, c.1
On-site Sewage Disposal Systems**

NOTIFIER: MARCO FERRO

NOTIFICATION #: 2024-3494904-00

SITE: Lot # RF-7

PID 00346874

EFFECTIVE DATE: January 8, 2024

EXPIRY DATE: January 8, 2027

DETAILS: Multiple Jet Units
29000 (L/D)
Multiple Dwelling
128 Bedroom(s)

Pursuant to Part V of the *Environment Act*, S.N.S. 1994-95, c.1 as amended from time to time, notification from the Notifier is acknowledged. The work done under this notification must follow the Nova Scotia On-site Sewage Disposal Systems Standard.

This Notification or a copy is to be kept on-site at all times as required under Section 22(3) of

the Approval and Notification Procedures Regulations. All personnel involved in the project must be made fully aware of the standards associated with this notification. It is the Notifier's responsibility to ensure that they are followed. Failure to comply with the standards is an offence under the *Environment Act*.

It is the Notifier's duty to advise the Department of any new and relevant information respecting any adverse effect that results or may result from the activity, which comes to the Notifier's attention after the issuance of the Notification. This is required under Section 60 of *the Environment Act*.

If the activity is altered, extended or modified beyond the description given in this Notification, please reapply as a new Notification is required.

Nothing in this Notification relieves the property owner or person responsible of the responsibility for obtaining and paying for all licenses, permits, approvals or authorizations necessary for carrying out the work authorized to be performed by this Notification which may be required by municipal by-laws, provincial or federal legislation, or other organizations. The Minister does not warrant that such licenses, permits, approvals or other authorizations will be issued.

Attachment D

HALIFAX

**LAND USE BY-LAW
BEAVER BANK,
HAMMONDS PLAINS AND
UPPER SACKVILLE**

PART 13: MU-1 (MIXED USE) 1 ZONE

13.1 MU-1 USES PERMITTED

No development permit shall be issued in any MU-1 (Mixed Use) Zone except for the following:

Residential Uses

Single unit dwellings

Two unit dwellings

Shared housing use (RC-Aug 9/22;E-Sep 15/22)

Existing Senior Citizens housing on properties listed in Appendix A-1 (RC-Sep 12/23;E-Oct 10/23)

Existing multiple unit dwellings

Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings

Business uses in conjunction with permitted dwellings

Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms (RC-Feb 21/23;E-Sep 1/23)

Other Uses

Institutional uses, except fire and police stations

Open space uses

Commercial uses permitted in the C-2 (General Business) Zone

Trucking, landscaping, excavating and paving services

Agriculture uses

Forestry uses and wooden furniture manufacturing

Composting operations (see section 4.29)

School Bus Yard (NWCC-Jun 14/21;E-July 3/21)

13.2 MU-1 ZONE REQUIREMENTS: RESIDENTIAL USES

In any MU-1 Zone, no development permit shall be issued for residential uses except in conformity with the provisions of Section 11.2.

13.3 MU-1 ZONE REQUIREMENTS: OTHER USES

In any MU-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m ²)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Lot Coverage for Structures and Storage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

13.4 OTHER REQUIREMENTS: BUSINESS AND DAY CARE USES

- (a) With the exception of outdoor display provisions, where business uses and day care facilities in conjunction with a dwelling are permitted in any MU-1 Zone, the provisions of Section 11.3 and Section 11.4 shall apply.
- (b) Outdoor display shall not be permitted:
 - (i) within 10 feet of the front lot line or within the required side yard;
 - (ii) within any yard which abuts an adjacent residential use, except where a visual barrier is provided;
 - (iii) shall not exceed 200 square feet.

13.5 OTHER REQUIREMENTS: COMMERCIAL USES

Where commercial uses are permitted in any MU-1 Zone, the following shall apply:

- (a) The gross floor area devoted to all commercial uses on any lot shall not exceed two thousand (2,000) square feet.
- (b) No open storage or outdoor display shall be permitted.
- (c) The parking lot shall be demarcated and paved or otherwise maintained with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.
- (d) Except where any commercial use abuts another commercial use in an MU-1 Zone, no portion of any parking space shall be located within any required side yard.
- (e) Where any commercial use abuts another commercial use in the MU-1 Zone, the abutting side yard requirement shall be eight (8) feet.

13.6 OTHER REQUIREMENTS: AGRICULTURE USES

- (a) Notwithstanding the provisions of Section 13.3, where any barn, stable or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals is erected in any MU-1 Zone, no structure shall:
 - (i) be less than fifty (50) feet from any side lot line;
 - (ii) be less than one hundred (100) feet from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use;
 - (iii) be less than three hundred (300) feet from any watercourse or water body;
 - (iv) be less than five hundred (500) feet from any residential (R-1, RR-1) zone.
- (b) No more than two thousand (2,000) square feet of floor area of all structures on any lot shall be used for a retail use accessory to agriculture uses.

13.7 OTHER REQUIREMENTS: FORESTRY AND WOODEN FURNITURE MANUFACTURING

Where forestry uses and wooden furniture manufacturing are permitted in any MU-1 Zone, the following shall apply:

- (a) No more than two thousand (2,000) square feet of gross floor area of all structures on any lot shall be used for a sawmill, other industrial mill related to forestry, wooden furniture manufacturing, or retail use accessory to the above uses;

- (b) No sawmill or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than three hundred (300) feet from any dwelling except a dwelling located on the same lot or directly related to the above use;
- (c) Any area devoted to open storage shall not be permitted within any required front or side yard and shall not exceed twenty-five (25) per cent of the lot area.

13.8 OTHER REQUIREMENTS: INSTITUTIONAL USES

Where institutional uses are permitted in any MU-1 Zone, the provisions of Part 22 shall apply.

13.9 OTHER REQUIREMENTS: TRUCKING, LANDSCAPING, EXCAVATING AND PAVING SERVICES

Where trucking, landscaping, excavating and paving services are permitted in a MU-1 Zone, the following shall apply:

- (a) No development permit shall be issued for any use unless a dwelling is located on the lot.
- (b) The total gross floor area of all structures on any lot devoted to the above uses shall not exceed two thousand (2000) square feet.
- (c) No materials or mechanical equipment which is obnoxious or which creates a nuisance by virtue of noise, vibration, smell or glare shall be used on the lot.
- (d) With the exception of aggregate resources, any materials associated with the above uses shall be contained within a building or otherwise enclosed by a fence, vegetation, or other means which provide a visual and physical barrier.
- (e) Any area devoted to open storage shall not be permitted within any required front or side yard line and shall not exceed twenty-five (25) per cent of the lot area.
- (f) One off street parking space, other than that required for the dwelling shall be provided for every three hundred (300) square feet of floor area used by the above use.
- (g) No product stockpile or processing activity associated with the above uses shall be located within one hundred (100) feet of a watercourse.

13.9.1 OTHER REQUIREMENTS: SCHOOL BUS YARD

Where School Bus Yards are permitted in a MU-1 Zone, the following shall apply:

- (a) Any area devoted to the parking and use of school busses shall not be permitted within 60 metres (200 feet) of a residential use except where a residential use is located on the same lot, exclusive of employee parking.**
- (b) Not more than 25% of a lot may be used for a school bus yard use, exclusive of employee parking.**
- (c) Maintenance and fuelling of school busses shall not be permitted on any lot that contains a School Bus Yard. (d) Derelict school busses shall not be permitted on any lot that contains a School Bus Yard.**
(NWCC – Jun 14/21; E – Jul 3/21)

13.10 EXEMPTION: EXISTING MOBILE HOME PARKS

Notwithstanding Section 13.1, Timber Trails Mobile Home Park, LIC Number 40203622, shall be a permitted use to the extent to which it is in existence on the effective date of this by-law.

13.11 EXEMPTION: EXISTING COMMERCIAL RECREATION USES

Notwithstanding Section 13.1, Woodhaven Campground, LIC Number 425389, and Pin-Hi Golf Course, LIC Number 425512, and Atlantic Playland, LIC Number 40203648 and 40203630, shall be permitted uses to the extent to which they are in existence on the effective date of this By-law.

APPENDIX A-1: EXISTING SENIOR CITIZENS HOUSING USES (RC-Sep 12/23;E-Oct 10/23)

An Existing Senior Citizen Housing Use that was issued a development permit for Senior Citizens Housing prior to First Reading of this Appendix may only be re-issued for that use until May 23, 2026, and shall only be a permitted use for those properties listed below.

Any expansion or alteration of an Existing Senior Citizen Housing use may only be considered if the number of dwelling units does not exceed the Total Number of Dwelling Units listed for the property below.

USE	PID	Total Number of Dwelling Units
Senior Citizens Housing	40531329	74
Senior Citizens Housing	41052978	240
Senior Citizens Housing	41515677	74
Senior Citizens Housing	41517525	120
Senior Citizens Housing	00346874	57
Senior Citizens Housing	00423343	296
Senior Citizens Housing	00468447	424
Senior Citizens Housing	40118648	98
Senior Citizens Housing	40123614	92
Senior Citizens Housing	40161713	76
Senior Citizens Housing	41464512	64
Senior Citizens Housing	41521618	47
Senior Citizens Housing	41521626	46
Senior Citizens Housing	41521634	46
Senior Citizens Housing	41521642	34
Senior Citizens Housing	41521659	46
Senior Citizens Housing	41521667	46
Senior Citizens Housing	41522574	36
Senior Citizens Housing	41522590	8
Senior Citizens Housing	00423103	7
Senior Citizens Housing	00461137	8
Senior Citizens Housing	41233677	71
Senior Citizens Housing	41486309	4
Senior Citizens Housing	41100603	105
Senior Citizens Housing	41522566	98