

May 6<sup>th</sup>, 2024

Maggie Holm  
holmm@halifax.ca  
Principal Planner, Urban Enabled Applications  
Development Services – Planning & Development  
Halifax Regional Municipality

**RE: Mount Hope Special Planning Area Development Agreement Amendments in Response to Regional Centre Land Use By-law Amendments for Housing Accelerator Fund (MINORREV-2023-01065)**

Dear Ms. Holm:

As discussed with HAF Staff, the incoming Regional Centre Land Use By-law Amendments for the Housing Accelerator Fund have a series of negative impacts on our Mount Hope project currently under construction. These changes impact the development's viability due to the number of unannounced design requirement changes included in the detailed HAF amendment package in the Regional Centre Land Use By-law. This runs counter to the intent of the HAF program, and the agreed language in our development agreements.

We are currently under construction in both Mount Hope, and are in the process of selling land and housing in the development. If these amendments proceed as proposed, this could render future phases of Mount Hope unbuildable. Our understanding is that the impacts to our developments are unintended, and Municipal Staff have concluded that the fastest way to remedy this situation is to lock in the agreement to the version of the Regional Centre Land Use By-Law that is in effect as of the 12<sup>th</sup> day of February, 2024 (Municipal Case Number 2023-00462).

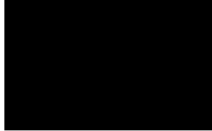
Below are redline versions of the development agreement sections that in our opinion require amendments based on an initial review, other amendments may be required:

- 1.2.1 Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the applicable Land Use By-law **that is in effect as of the 12<sup>th</sup> day of February, 2024 (Municipal Case Number 2023-00462)** and the Regional Subdivision By-law, ~~as may be amended from time to time.~~ **that is in effect as of the 28<sup>th</sup> day of December, 2022 (Municipal Case 22257).**
- 3.3.3 For lands zoned ER-3 (Established Residential 3) on Schedule B, the following shall be permitted:
  - (a) uses permitted within the ER-3 zone, subject to the requirements contained within the Land Use By-law, ~~as may be amended from time to time.~~ **that is in effect as of the 12<sup>th</sup> day of February, 2024 (Municipal Case Number 2023-00462)**, except when other requirements are specified in this agreement;
- 3.3.4 For lands zoned HR-1 (Higher Order Residential 1) and HR-2 (Higher Order Residential 2) on Schedule B, the following shall be permitted:
  - (a) uses permitted within the HR-1 zone and HR-2 Zone, subject to the requirements contained within the Land Use By-law, ~~as may be amended from time to time.~~ **that is in effect as of the 12<sup>th</sup> day of February, 2024 (Municipal Case Number 2023-00462)**, except when other requirements are specified in this agreement;

3.4.4 Subject to 3.4.6(c), View Terminus Sites, as shown on Schedule H, shall comply with the requirements for View Terminus Sites of the Land Use By-law ~~as amended from time to time~~ that is in effect as of the 12<sup>th</sup> day of February, 2024 (Municipal Case Number 2023-00462).

Given the above, please proceed with an HRM initiated amendment to the existing development agreements to correct the above situation. We understand that these amendments will proceed to the Provincial Housing Panel for consideration. Please feel free to contact me with any questions.

Kind regards,



Jared Dalziel, MCIP, LPP  
Senior Planner  
Clayton Developments Limited