

HALIFAX

Public Hearing

PLANAPP-2023-00563

Development Agreement – PIDs 40074544, 40075087,
and 40074551, Herring Cove

Halifax and West Community Council

July 16th, 2024

Proposed Development

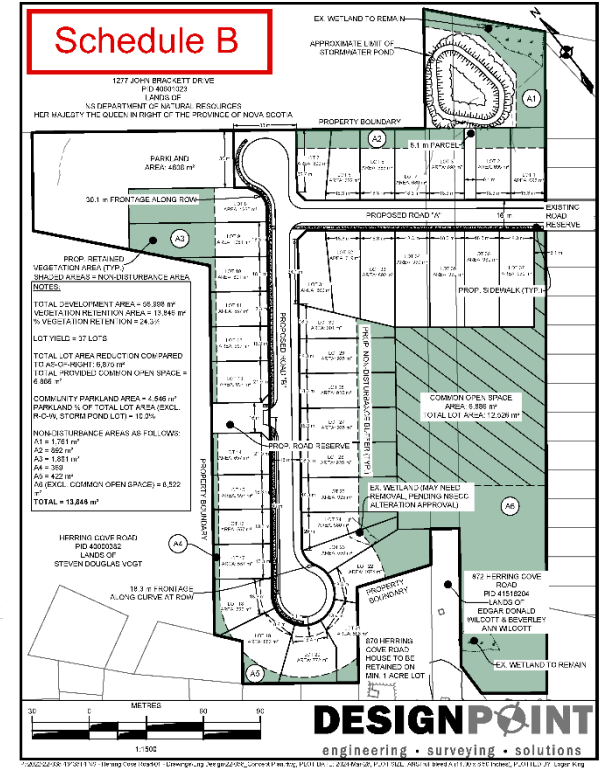
Applicant: Brighter Community Planning and Consulting

Location: 40074544, 40075087, and 40074551, Herring Cove

Proposal: 37 residential lots on new public streets

Application Development Agreement

Type:



Site Context



General Site location in Red

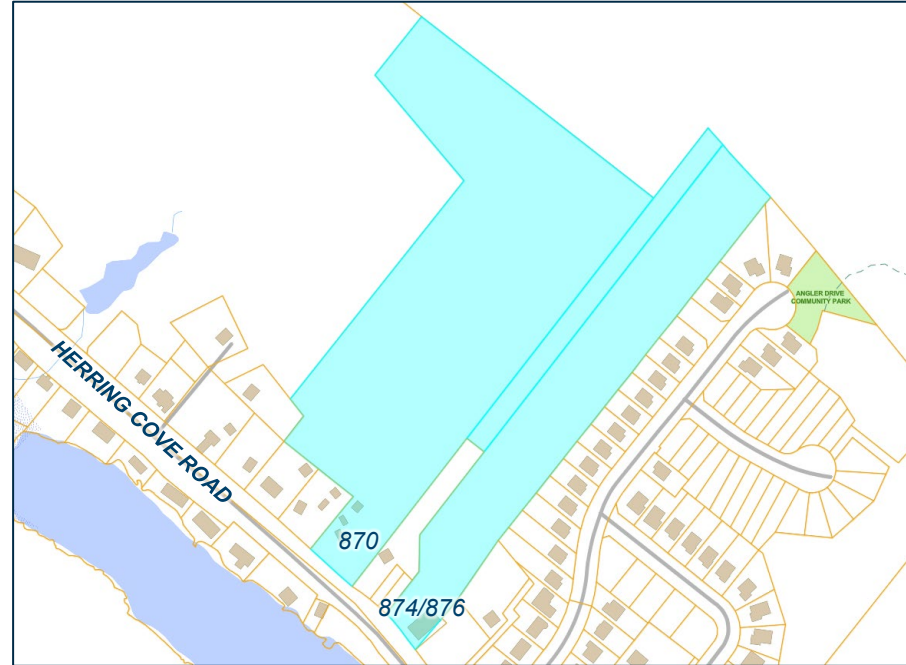


Site Boundaries in Red

Supplementary Report - Background

The subject properties initially included the existing dwellings at 870 and 874/876 Herring Cove Road.

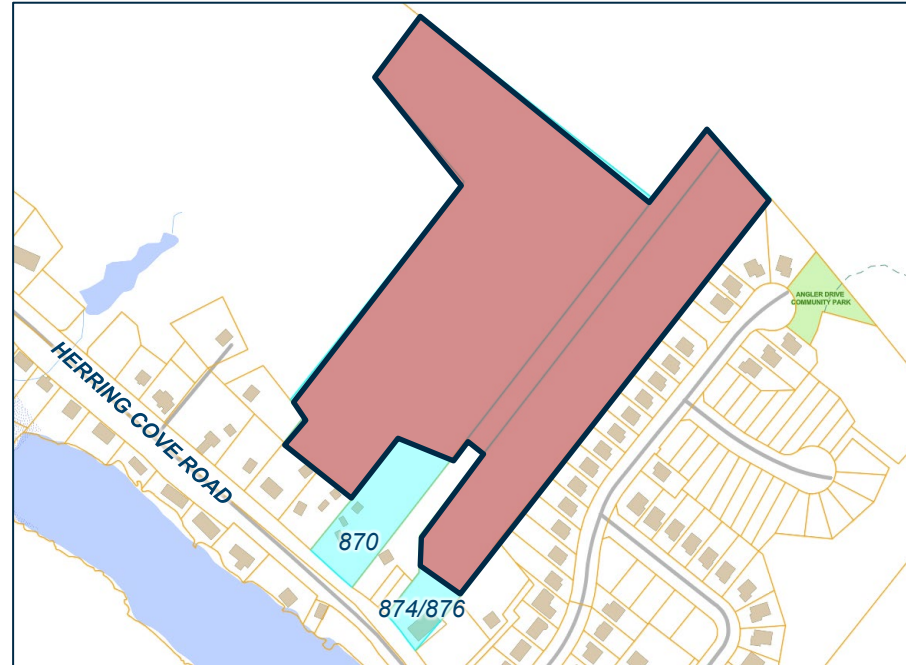
The proposed residential subdivision does not include those dwellings, but the original proposed development agreement provided for their continued use, in accordance with the LUB and Regional Subdivision By-law.



Supplementary Report - Background

In June 2024, the existing dwellings were subdivided into individual lots, leaving a large remaining area that aligns with the proposed area for residential subdivision.

The supplementary report explains that the proposed development agreement has been updated to exclude the provisions related to the existing dwellings. No other changes were made.



Site Photos



Site Photos



Planning Policy Overview

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

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

Regional Plan &
Subdivision By-law

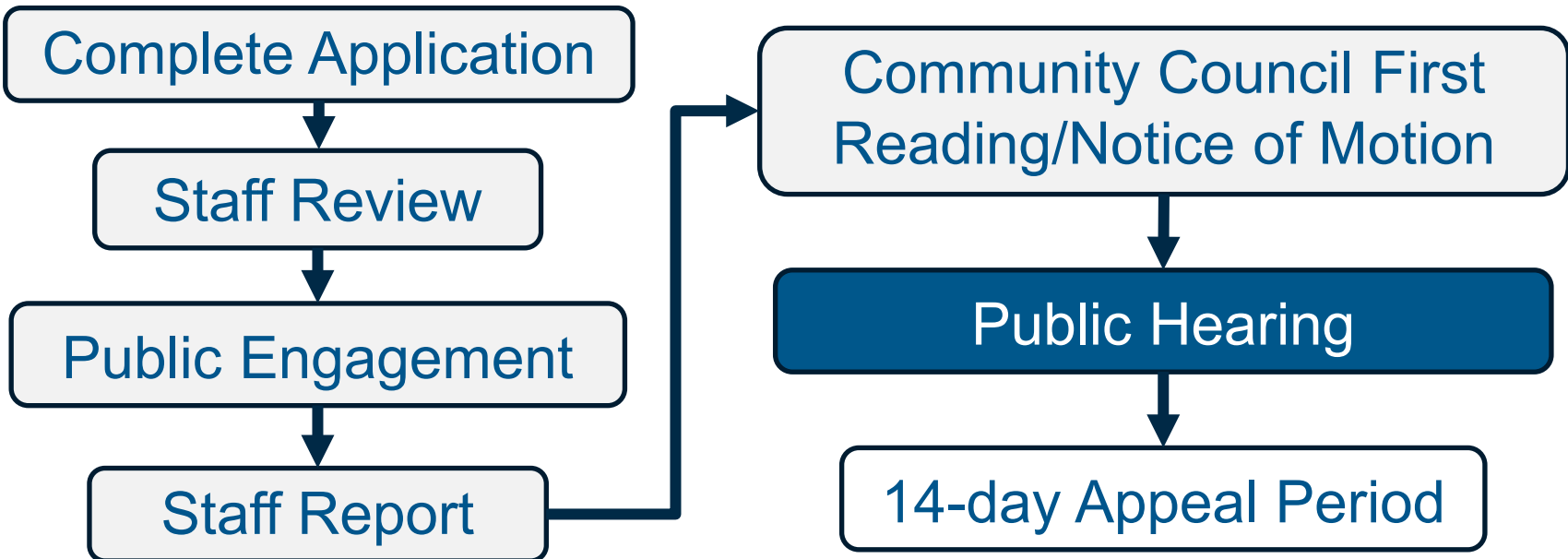
Community Plan

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



Planning Overview



Municipal Sewer and/or Water: Yes



Zone: HCR (Herring Cove Residential)



Designation: RES (Residential)



Existing Use: Vacant



Enabling Policy: RES-2C, RES-2D, RES-2E

Policy Consideration

Enabling Policy RES-2C:

This policy enables Council to consider subdivisions which include new or extended public streets, by development agreement.

Council may only consider new subdivisions by development agreement, where:

- (a) municipal sewer and water services are to be provided;
- (b) sewage treatment facilities are available, and
- (c) a public street is to be constructed.

Policy Consideration

Enabling Policy RES-2D:

It shall be the intention of Council to encourage all new development under Policy RES-2C to meet certain basic design objectives.

- Respect hydrological conditions and preserve natural drainage systems
- Design with the topography of the site and allocate development to most suitable areas
- Attempt to retain 30% natural vegetation

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Policy Consideration

Enabling Policy RES-2E:

In considering a development agreement proposal pursuant to Policies RES-2C and RES-2D, the following development criteria shall be addressed:

- Maximum density is 4 units per net developable acre;
- Only single and two-unit dwelling form may be considered;
- Individual lot frontages per dwelling may be reduced provided that an area equivalent to the amount of lot area reduction for each lot is provided as contiguous common open space

Policy Consideration

Enabling Policy RES-2E:

In considering a development agreement proposal pursuant to Policies RES-2C and RES-2D, the following development criteria shall be addressed:

- Adequacy of erosion and sediment control plans and stormwater management plans;
- Adherence with Municipal Design Guidelines (public road standard);
- Public access to local trails and recreation areas;

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Policy Consideration

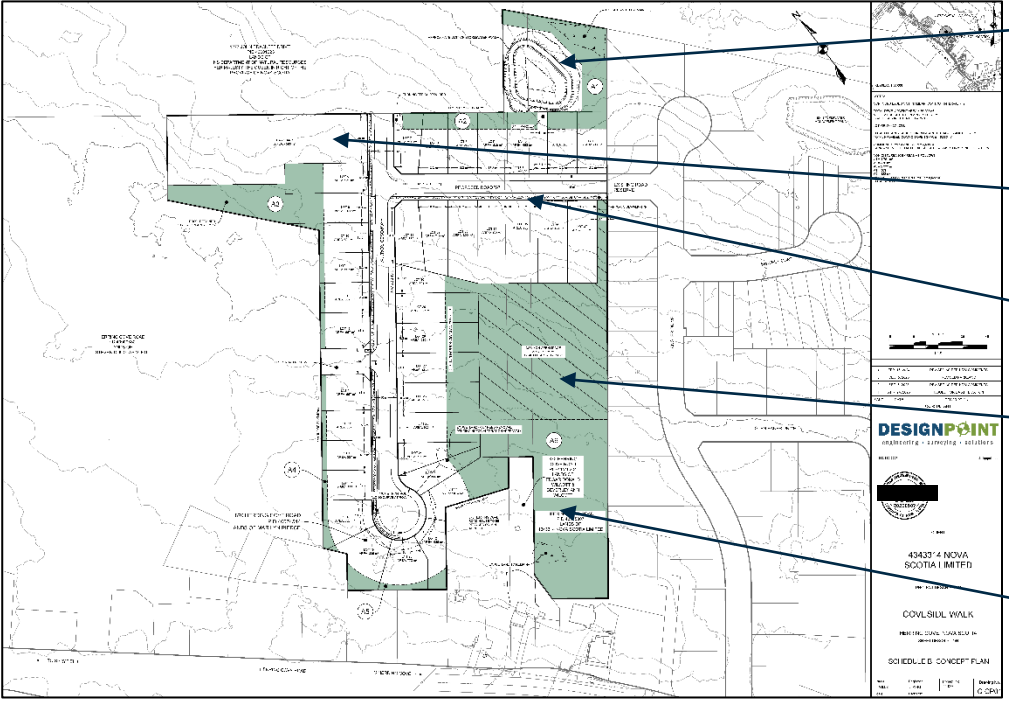
Implementation Policy IM-10

- Intent of Plan
- Financial capacity of Municipality
- Adequacy of servicing
- Schools and community facilities
- Adequacy of road networks
- Pedestrian safety
- Controls are in place relating to type of use, height, and lot coverage
- Traffic generation
- Signage
- Steepness of grades, soil conditions, watercourses and wetlands, flood risk

Proposal Details

- Proposed street extension off Angler Drive;
- 37 new residential lots;
- Total of 56 dwelling units consisting of a mix of single and two-unit dwellings;
- One secondary or backyard suite permitted per lot, accessory to a main dwelling;
- Central sewer and water service;
- 6886 square metres of undisturbed common open space; and
- Non-disturbance area along rear portion of several lots.

Key Aspects



Stormwater management pond





HRM Park

Sidewalks

Neighbourhood common open space

Non-disturbance area

Public Engagement Feedback

Notifications Mailed		79
Individual Calls/Emails		9
Webpage Views		723
Shape Your City Video		57

Level of engagement completed was consultation achieved through a mail out notification and a virtual presentation on the Shape Your City Halifax webpage.



Public Engagement Feedback

- Flood risk and stormwater management;
- Impacts to wetlands and watercourses;
- Traffic impacts;
- Local school capacity;
- Emergency exits and fire protection;
- Walkability;
- Impacts to the wildlife corridor;
- Removal of trees and vegetation;
- Desire for parkland;
- Desire for accessible and affordable housing; and
- Desire for greater density and variety of housing forms.

Changes Made in Response

- Additional information provided to HRM:
 - Wetland and watercourse delineation report
 - Drainage and stormwater management report
- No watercourses were identified, but intermittent drainage channels were confirmed. The stormwater management will generally mimic the existing drainage characteristics of the site.

Elements of Development Agreement

- *New public streets (extension is from Angler Drive);*
- *37 new lots;*
- *56 main dwelling units;*
- *Single and two-unit dwelling housing form;*
- *One secondary or backyard suite per lot;*
- *Non-disturbance area (24% of entire subject area);*
- *Common open space (6886 square metres, undisturbed);*
- *Parkland dedication (10% in the form of land);*

Non-Substantive Amendments

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. These include:

- Changes to the signage provisions;
- Minor changes to the lot layout (no increase in number of lots, number of main dwelling units, or amount of non-disturbance area and common open space); and
- Extension to the dates of commencement and completion of construction.

Staff Recommendation

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 that Halifax and West Community Council:

1. Approve the proposed development agreement as set out in Attachment A; and
2. Require the agreement be signed by the property owner within 120 days.

Thank You

Claire Tusz

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