

January 20th, 2025

Re: Item 10.1.1

HALIFAX

Public Hearing

PLANAPP-2024-00371

Development Agreement
6319 Chebucto Rd, Halifax
Halifax and West Community Council

Proposed Development

Applicant: Peter Henry Architect on behalf of property owner.

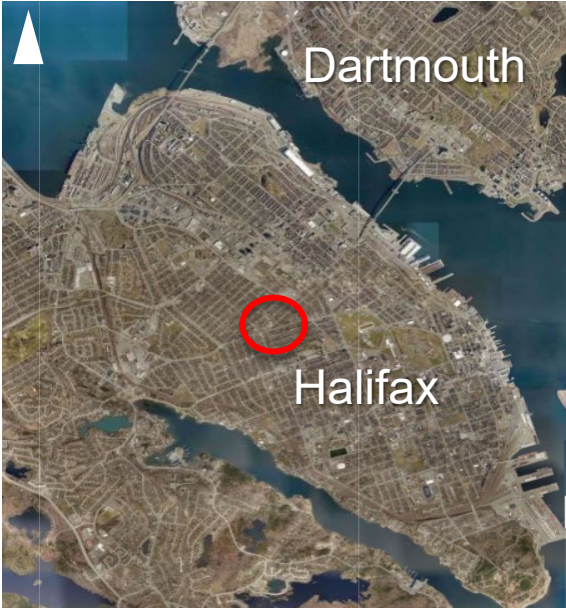
Location: 6319 Chebucto Rd, Halifax

Proposal: Building containing a café and three units.

Type of Application: Development Agreement

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Site Context



General Site Location in Red



Site Boundaries in Red

Site Photos/Context



View from Chebucto Rd.



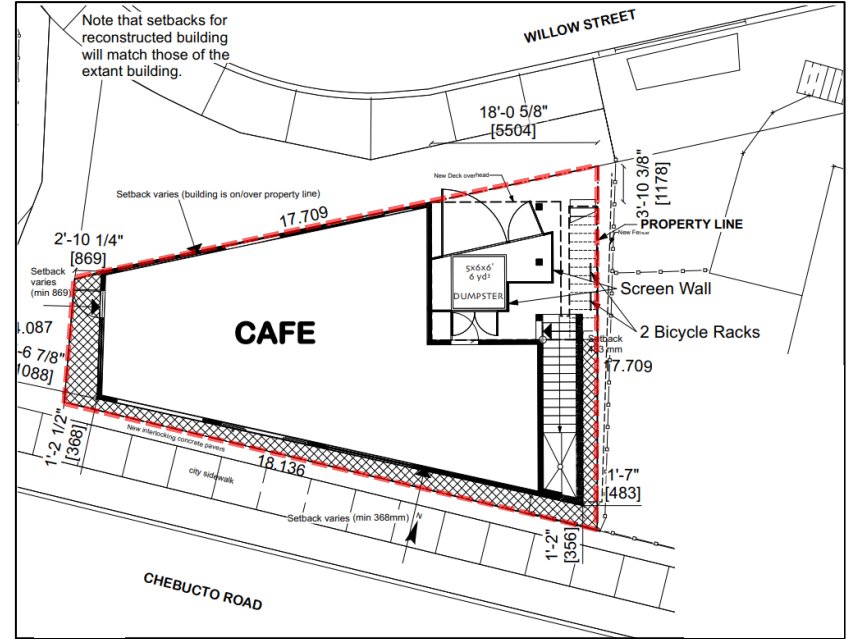
View from Willow St.

Previously Approved Agreement

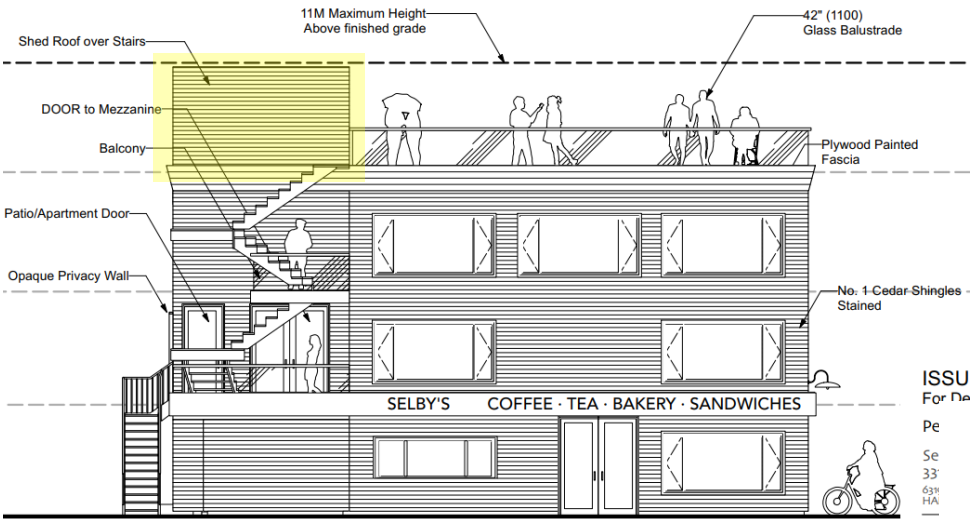
- Case 24111 - Approved by Halifax and West Community Council on May 15th, 2023 but not executed.
- Included cafe and one residential unit.
- Today's proposal introduces:
 - A roof deck
 - Two more residential units
 - Additional height



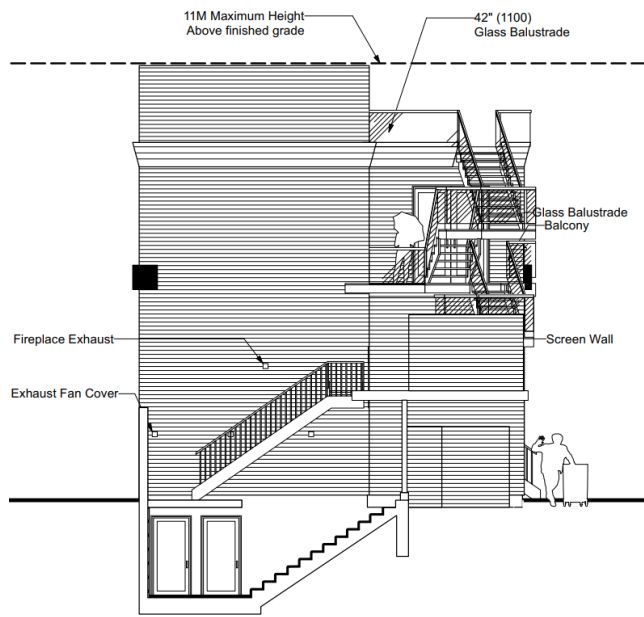
Proposal



Proposal



Facing Willow St.



Rear

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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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Application Policy Overview



Land Use Bylaw:

Regional Centre Land Use Bylaw
ER-3 (Established Residential 3) Zone



Community Plan:

Regional Centre Municipal Planning Strat.
Residential Designation
Enabling Policy: E-5



Existing Use:

Vacant Building
Previously Gibson's Appraisers and 1 Unit

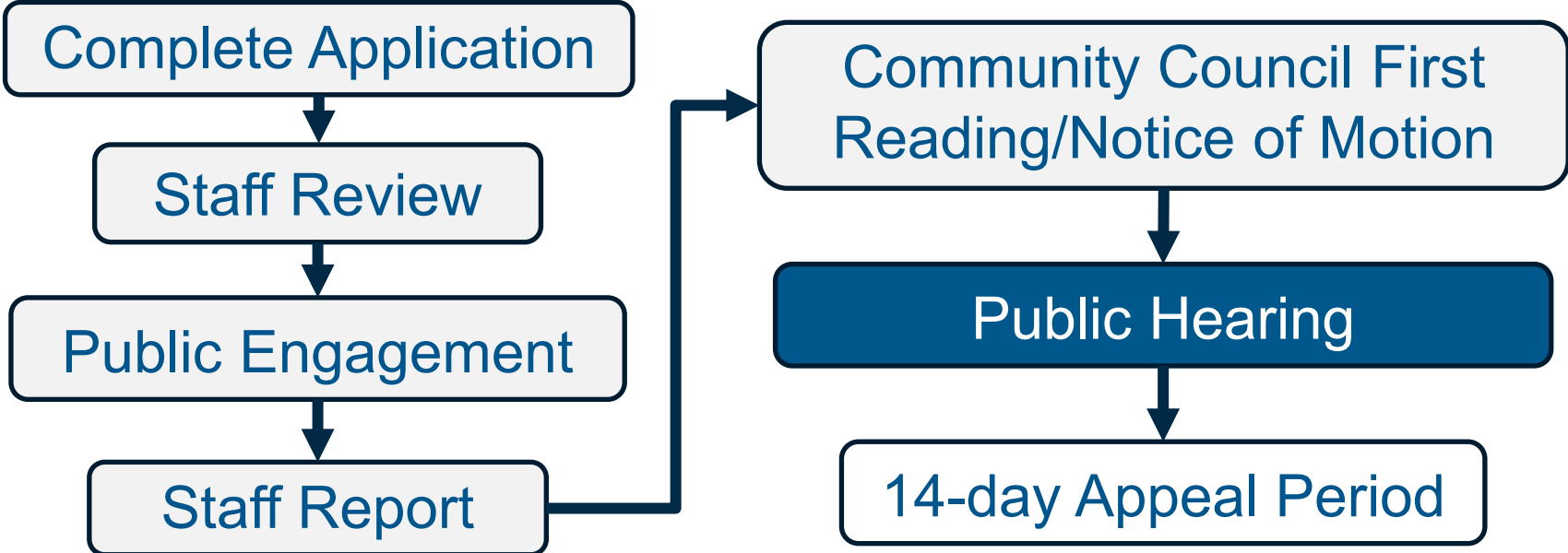
Policy Consideration

Policy E-5: Council may consider neighbourhood-scale commercial and institutional uses within the Established Residential Designation by development agreement.

Council must consider the following in rendering their decision:

- the Established Residential area remains primarily residential in nature;
- that commercial space is limited to 200 square metres;
- that controls will adequately mitigate potential land use conflicts; and
- general development criteria including adequacy of services and transportation infrastructure.

Development Agreement Process



Proposed Development Agreement (1/2)

- Permitted Uses: “Restaurant Use”, maximum 200 square metres and up to three residential units
- Operating hours must be between 7am and 11pm
- Restaurant Use “means premises, excluding a catering use, whose primary purpose is to prepare, serve, and sell food and non-alcoholic beverages for consumption on or off the premises. A restaurant use may be licensed to serve alcoholic beverages, but this shall be incidental to the preparation, serving, and selling of food”

Proposed Development Agreement (2/2)

- Building to substantially conform with attached drawings
- Maximum height: 12 metres (39.4 feet)
- Refuse, mechanical equipment, and outdoor space used for seating of patrons to be screened
- No internally illuminated signage

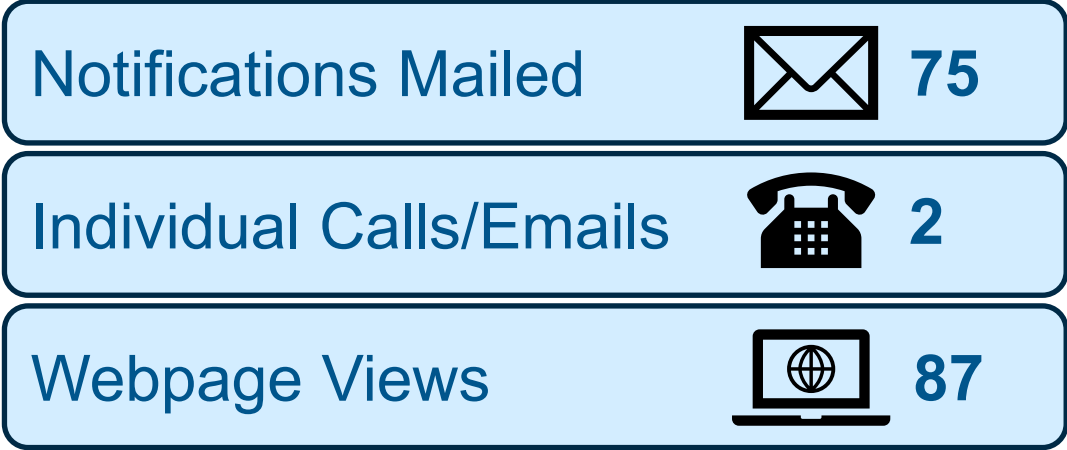
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Non-Substantive Amendments

- Minor changes to building siting, bulk, or scale
- Changes to the permitted uses to include a use permitted by the underlying zoning
- The granting of an extension to required commencement of construction and completion of the development timelines.

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Public Engagement Feedback



Level of engagement completed was consultation achieved through a sign posted on site, a mailed fact sheet, and a webpage on the Halifax website.



Public Engagement Feedback

Feedback for this application generally included the following:

- Concern with impacts on nearby properties (mainly privacy/noise)
- Interest in maximum height

Feedback received for the previous application:

- Generally in favour of the use, kind sentiments for local business
- Interest in reflecting the character of existing building in new design
- Concern regarding the current parking situation on Willow Street

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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:

- Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A

December 16th, 2024

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Thank You

Taylor MacIntosh, Planner II



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