

September 8, 2025

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Public Hearing

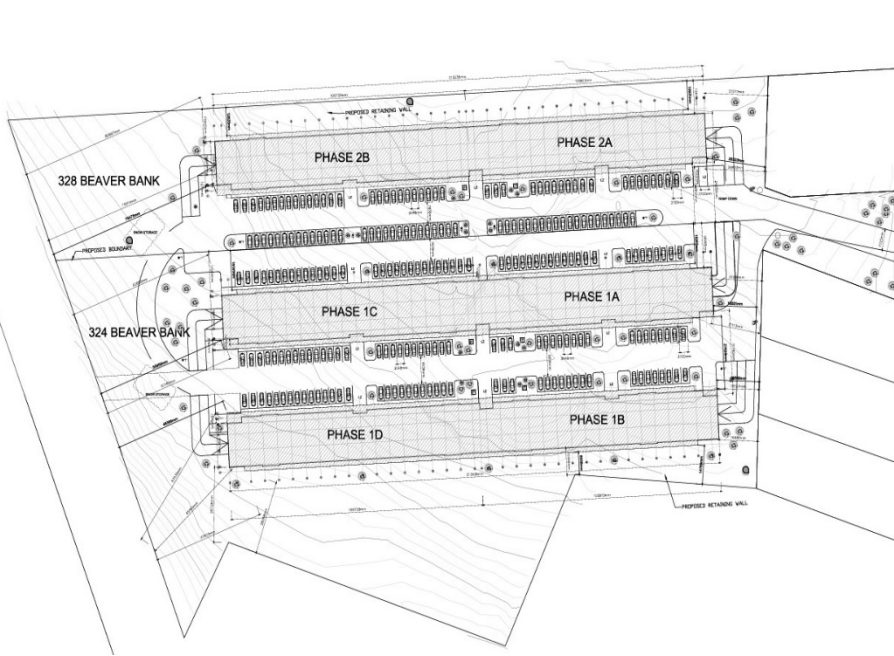
PLANAPP-2024-01253

Land Use By-Law Amendment:

326 / 328 Beaver Bank Road

North West Community Council

Proposed Development



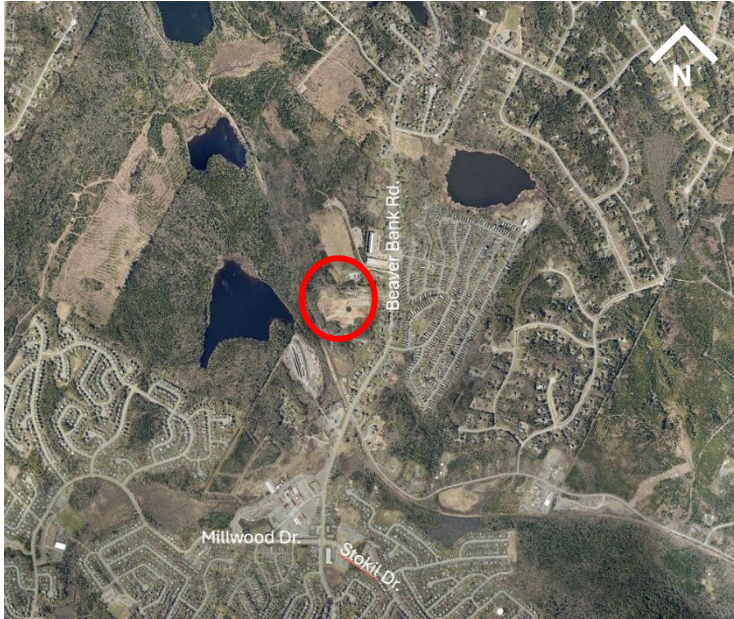
Applicant: Elias JeBailey

Location: 326 & 328 Beaver Bank Road, Beaver Bank

Proposal: Addition of 39 units to Appendix A-1

Type of Application: Land Use By-law Amendment

Site Context



General Site location in Red



Site Boundaries in white

2

Site Photos/Neighbourhood Context



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Site Photos/Neighbourhood Context



Northbound



Southbound

Neighbourhood Context



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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

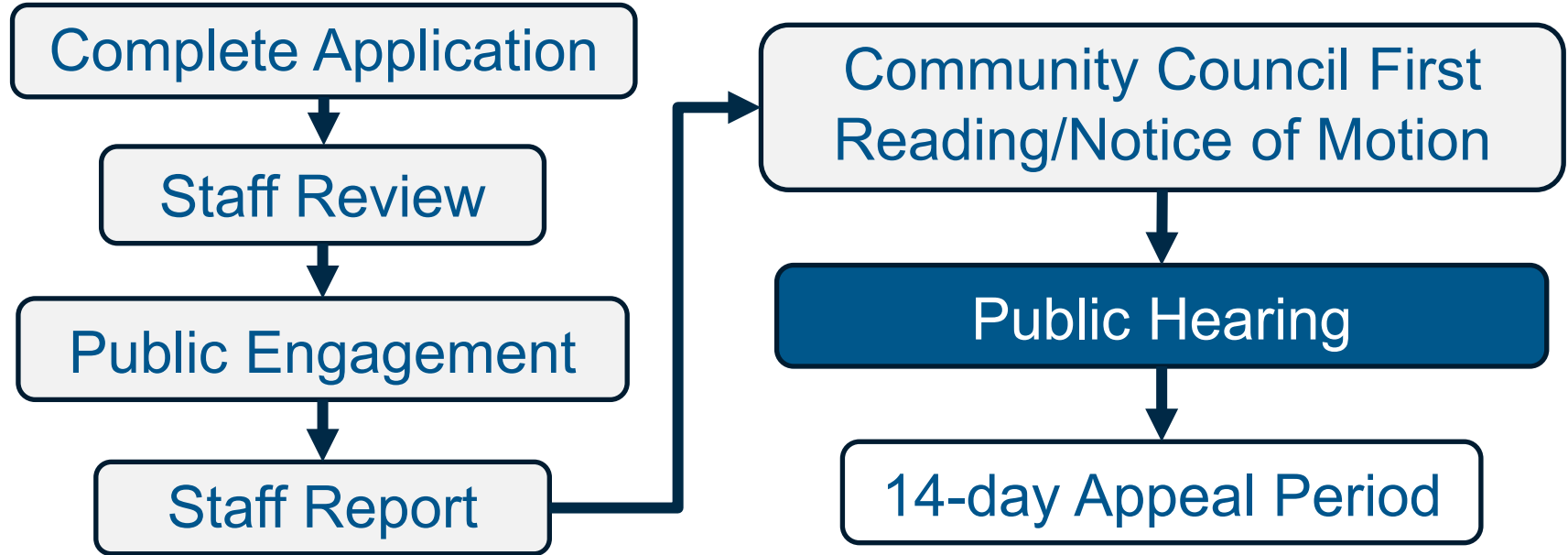
Community Plan

Land Use By-law
(Zoning)

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

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Land Use By-law Amendment



Planning Overview



Municipal Sewer and Water: Yes



Zone: MU-1 (Mixed Use 1)



Designation: MUA (Mixed Use A)



Existing Use: Active construction site (Senior Citizens Housing)



Enabling Policy: P-9A in accordance with P-137/138/143

History

Region Wide Approach to Shared Housing (2016-2022)

- Replacing “Senior Citizens Housing” use and similar uses/ definitions from all By-laws
 - Shared Housing & Shared Housing with Special Care use
- July 12, 2022, Reg. Council: Change made to all By-laws except Beaver Bank/ Hammonds Plains / Upper Sackville By-law
 - Provide more time to developers with active applications

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History

April 25, 2023: 1st reading for removal of Senior Citizens Housing use from By-law (April 27 Notice of Motion)

May 23, 2023: 2nd Reading - Request for a deferral and supplementary report

August 22, 2023: 1st reading of Supplementary report with Appendix A-1 introduced with May 23, 2026 deadline amended into the Appendix

September 12, 2023: Passing of 2nd reading and adoption of changes to the By-law

Land Use Regulation

Appendix A-1:

Appendix A-1 of the Land Use By-law outlines that an Existing Senior Citizens Housing Use that was issued a development permit for Senior Citizens Housing prior to First Reading of the Appendix may only be re-issued for that use until May 23, 2026, and shall only be a permitted use for those properties listed.

Any expansion or alteration of an Existing Senior Citizens 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.

APPENDIX A-1

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.

Appendix A-1

- All 25 properties permitted to construct or have a permit reissued up to May 23, 2026
- Developers may build up to the number of units listed for each property

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	64 (NWCC-Dec 09/24; E-Dec 25/24)
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

Proposal Details

- Permitted to construct 360 units now (currently under construction)
- Seeking to amend Appendix A-1 to increase to 399 units
 - +26 units for civic 326
 - +13 units for civic 328
- Amend PID for Civic 326

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Policy Consideration

Enabling Policy P-9A:

This policy enables the creation of Appendix A-1, making all uses listed within the Appendix an existing use, and places a maximum number of units permitted for each lot, as listed within the Appendix.

Council must consider the following in rendering their decision on an amendment to the Land Use By-Law:

- Increase of unit count within Appendix A-1 beyond the maximum number currently listed
- The form and timing of the application to alter the unit count

Proposal Consideration

Increase in units within Appendix A-1

- Senior Citizens Housing use was indented to be removed from all by-laws and replaced with Shared Housing use
- Appendix A-1 was created to permit the number of units already enabled through an issued permit while capping the unit count.

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Proposal Consideration

Applications & revisions:

- HRM requires a formal submission of all documents to the online portal.
- Ensures quality control, progress tracking, and a consistent delivery of services from staff.
- HRM staff have conversations through email, phone calls, and on-site discussions daily.

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Proposal Consideration

Timelines:

- S. 261(3) of the *Charter* establishes a deadline to limit the ability to apply for a use Council has chosen to amend.
- Deadline associated with Council's first notice advertising the intention to undertake an amendment.
- “Freeze” for 150 days from the deadline.

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Key Timelines

July 12, 2022: Letter from HRM staff to applicant about the changes proposed by Regional Council to remove Senior Citizens Housing – Aim to have a permit issued by December 31, 2022

March 20, 2023: Staff complete and approve the review of permits for 120 & 240-unit developments at 326 & 328 Beaver Bank Rd.

April 11, 2023: Email exchange between applicant and Building Official. Building plans are included in the email that have converted spaces into new units, no mention of this to the Building Official, no formal application.

April 27, 2023: Deadline to have applied for an amendment to existing permits

November 7, 2023: Formal submission of plans to convert the building to increase units provided to the Municipality.

Public Engagement Feedback

Notifications Mailed



733

Individual Calls/Emails



5

Webpage Views



499

Level of engagement completed was consultation achieved through signage on site, a mail out notification and a project website.

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Public Engagement Feedback

Feedback included :

- An increase in traffic and congestion.
- Concerns about the change in residential fabric (small scale/ single units to higher density and larger multiple-unit buildings).

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Traffic Considerations

A Traffic Impact Study was submitted by the applicant and accepted by HRM staff.

- Regardless of the outcome of this application, the recommended left-hand turning lane within the Traffic Study will be implemented.

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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: North West Community Council refuse the proposed land use by-law amendment, as set out in Attachment A of the July 14, 2025, staff report.

Thank You

Matt Conlin



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