



September 16, 2021

Paul Sampson
Planner II – Urban Enabled Applications
Current Planning | Planning & Development
Halifax Regional Municipality

**Re: Updated Application Request for Case 22622
Development Agreement Application for a Proposed Residential Development at
1268 Cole Harbour Road, Cole Harbour, NS (PIDs: 00406702 & 41217431)**

Dear Paul,

On behalf of our client, Janice Bayers, Zzap Consulting Inc. is pleased to submit this Development Agreement (DA) application for a proposed multi-unit residential development at 1268 Cole Harbour Road, Cole Harbour, NS (PIDs: 00406702 & 41217431). To support this application submission, the following materials are enclosed:

- Completed Planning Application Form
- Attachment A: Site Plan
- Attachment B: Building Drawings
- Attachment C: Traffic Impact Statement
- Attachment D: Servicing Schematic

1.0 Summary of Development Proposal

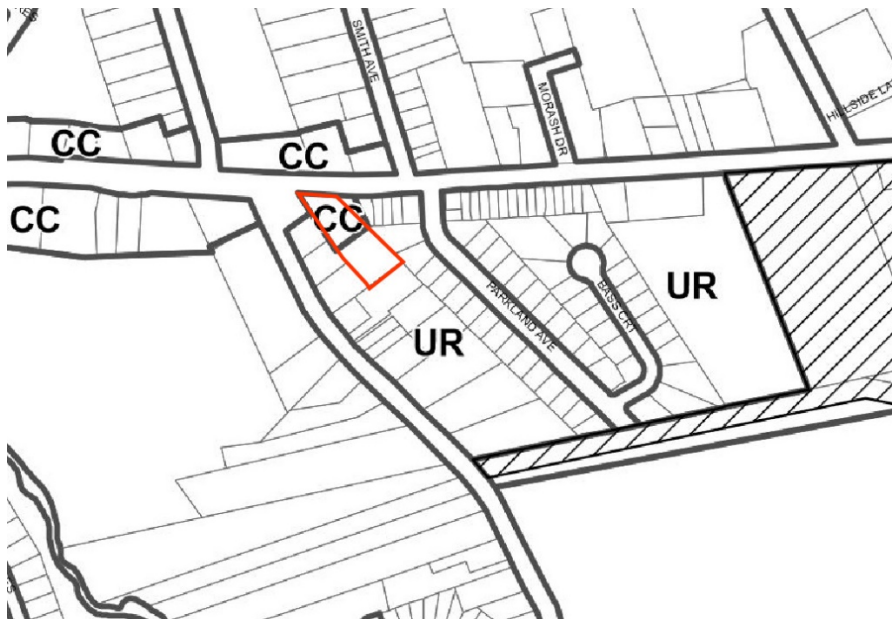
Our client is seeking to develop two residential buildings at the subject site. The proposed development includes the following:

- One 30-unit residential building located at the front portion of the site, closest to Cole Harbour Road.
- One 16-unit stacked townhouse style building located in the rear portion of the site.
- 28 surface parking stalls and 20 underground parking stalls within the 30-unit residential building. 48 total parking stalls proposed.

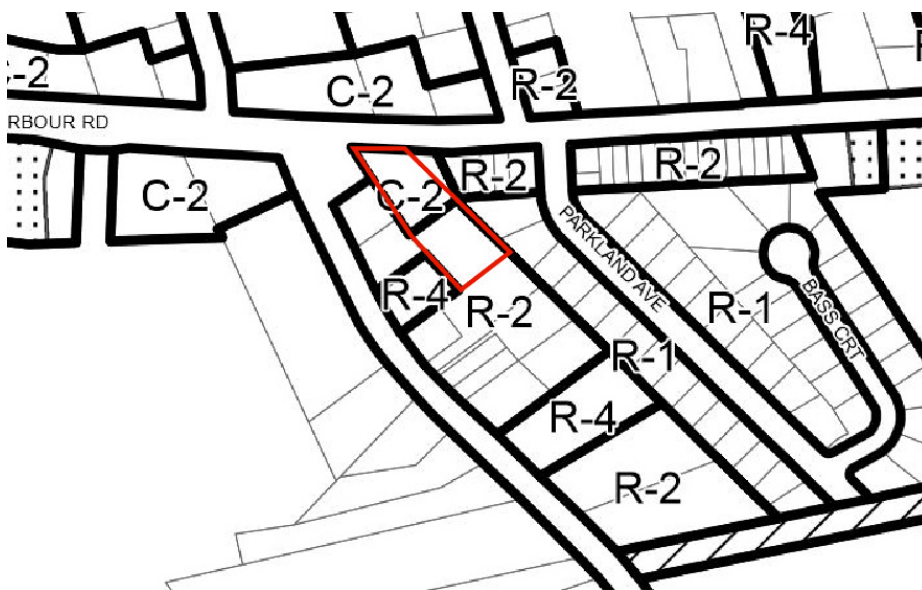
The proposed development is intended to be serviced by municipal water and sanitary service as the subject properties are within the urban service boundary. Please refer to Attachment D for additional details regarding servicing. The lands are proposed to be accessed through a private driveway that intersects with Cole Harbour Road.

2.0 Enabling Policies

The subject property is located within the Cole Harbour/Westphal plan area. The north portion of the property is designated Community Commercial (CC) within the Municipal Planning Strategy (MPS) and zoned General Commercial (C-2) within the Land Use By-law (LUB). The south portion of the property is designated Urban Residential (UR) and zoned Two-Unit Dwelling (R-2), as shown below.



MPS Designation



LUB Zoning

For lands located within the Community Commercial designation of the MPS, Policy CC-4 enables Community Council to consider multi-unit residential developments that exceed 12 units through a Development Agreement (DA) process, subject to several policy assessment criteria that are noted in section 3.0 of this letter.

For lands located within the Urban Residential designation of the MPS, Policy UR-10 enables Community Council to consider multi-unit residential developments that exceed 6 units through a DA process, subject to several policy assessment criteria that are noted in section 3.0 of this letter

3.0 Rationale and Applicable Policy Analysis

We feel that the proposed development is consistent with applicable planning policies and proposes a comprehensively designed residential development in an area where demand for this type of housing remains high and current supply is limited. The site is within proximity to a variety of goods, services, public transportation, and recreational amenities. Please refer to Table 1 below, which outlines how the proposed development adheres to applicable DA policy assessment criteria as outlined within Policies

Table 1: Enabling Policy CC-4

CC-4 Notwithstanding Policy CC-2, Council may consider permitting multiple unit residential uses containing more than twelve dwelling units within the Community Commercial Designation in accordance with the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard for the following:	
Policy Criteria	Applicant Response
(a) the effects of the proposed development upon the road network	Please refer to Attachment C
(b) separation distances from low density residential uses	The proposed buildings within the development are separated from adjacent low-rise residential units with distances ranging from 3.4m (11.2 ft.) to 5.4m (17.8 ft.). Landscaped open space, buffering and/or fencing is proposed within these setbacks to provide screening and accommodate an appropriate transition to adjacent properties. The proposed buildings are 3-4 storeys tall which are relatively consistent with the height framework of surrounding low-rise residential properties. As such, we feel that the combination of the proposed setbacks, landscaping and screening allows for an appropriate transition.

<p>(c) the availability of useable open space</p>	<p>Beyond the landscaped open space that is proposed within the development site, the property is within close proximity to various outdoor recreation open spaces such as:</p> <ul style="list-style-type: none"> • Cole Harbour Heritage Park Trails – 1km (15 minute walk) • Bisset Lake Trail – 700m (8 minute walk) • Bisset Lake Park – 2km (25 minute walk) • Forest Hills Greenway – 400m (5 minute walk)
<p>(d) the location of on-site amenity areas</p>	<p>The proposed 30-unit residential development includes on-site amenity spaces, both indoor and outdoors. Outdoor amenity spaces are proposed in the form of private balconies and terraces for individual dwelling units, as well as outdoor landscaped areas to the west side and rear of the building. An accessible indoor amenity room is proposed within the ground level that will provide a common interior amenity space for the building's residents.</p>
<p>(e) the overall design of the site and structure, including landscaping, parking areas and access</p>	<p>The overall site design includes a variety of elements as outlined and required within this policy criteria. A single driveway access is proposed off Cole Harbour Road to the western edge of the frontage, furthest away from the intersection of Bissett Road and Cole Harbour Road. The site includes landscaped open areas and screening, particularly between buildings/parking areas and adjacent land uses. A total of 48 parking stalls are proposed for 45 dwelling units, exceeding a 1:1 parking ratio and allowing for some outdoor stalls for visitors.</p>
<p>(f) the design of buildings, including roof pitch and finish materials</p>	<p>The proposed 30-unit residential building includes high quality building materials and architectural details. The built form is intended to be consistent with the residential area through varying roof pitches that break up the mass.</p>
<p>(g) the provisions of Policy IM-11</p>	<p>The proposed development is consistent with the provisions of Policy IM-11 and is in conformity with the intent of the planning strategy. The proposal has adequate service availability, is within proximity to surrounding community facilities (i.e schools, recreation) and has adequate access to the existing road network. The site is suitable in terms of steepness of grades and does not contain any watercourses or natural environmental features. The proposed development agreement is intended to regulate type of use, built form, storage and signage.</p>

Table 2: Enabling Policy UR-10

UR-10 Notwithstanding Policies UR-2 and UR-9, within the Urban Residential Designation, it shall be the intention of Council to consider multiple unit dwellings over six (6) dwelling units, according to the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:	
Policy Criteria	Applicant Response
(a) the adequacy of separation distances from low density residential developments	The proposed buildings within the development are separated from adjacent low-rise residential units with distances ranging from 3.4m (11.2 ft.) to 5.4m (17.8 ft.). Landscaped open space, buffering and/or fencing is proposed within these setbacks to provide screening and accommodate an appropriate transition to adjacent properties. The proposed buildings are 3-4 storeys tall which are relatively consistent with the height framework of surrounding low rise residential properties. As such, we feel that the combination of the proposed setbacks, landscaping and screening allows for an appropriate transition.
(b) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses	The proposed stacked townhouses are a height of 3 storeys, which is consistent with the height framework of surrounding low rise residential properties. The building covers a portion of the property to the rear and provides significant space to allow for setbacks to adjacent properties, landscaped open space, parking areas and walkways. The overall mass of the building is broken up through distinct vertical rhythm of each stacked townhouse unit.
(c) that site design features, including landscaping, amenity areas, parking areas and driveways, are of an adequate size and design to address potential impacts on adjacent development and to provide for the needs of residents of the development	The overall site design includes a variety of elements as outlined and required within this policy criteria. A single driveway access is proposed off Cole Harbour Road to the western edge of the frontage, furthest away from the intersection of Bissett Road and Cole Harbour Road. The site includes landscaped open areas and screening, particularly between buildings/parking areas and adjacent land uses. A total of 48 parking stalls are proposed for 45 dwelling units, exceeding a 1:1 parking ratio and allowing for some outdoor stalls for visitors.



(d) preference for a site in close proximity to community facilities such as school, recreation areas and transit routes	<p>The site is within close proximity to schools, community facilities and commercial amenities.</p> <p>Transit stops (inbound and outbound) are located directly in front of the site on Cole Harbour Road.</p> <p>The property is within close proximity to outdoor various outdoor recreation open spaces such as:</p> <ul style="list-style-type: none">• Cole Harbour Heritage Park Trails – 1km (15 minute walk)• Bisset Lake Trail – 700m (8 minute walk)• Bisset Lake Park – 2km (25 minute walk)• Forest Hills Greenway – 400m (5 minute walk)
(e) that municipal central services are available and capable of supporting the development	<p>Municipal Services are available for the property as it is located within the Urban Service Boundary. Please refer to Attachment D regarding adequacy of service availability.</p>
(f) that appropriate controls are established to address environmental concerns, including stormwater controls	<p>Please refer to Attachment D</p>
(g) that the development has direct access to a minor or major collector as defined on Map 3 - Transportation	<p>The property has direct frontage on Cole Harbour Road.</p>
(h) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site	<p>Please refer to Attachment C</p>
(i) general maintenance of the development	<p>The development will be maintained and kept in good repair, including but not limited to, the exterior of the buildings, fencing, walkways, amenities, parking areas and driveways, and the maintenance of landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow and ice control, salting of walkways and driveways.</p>



<p>(j) the effect of the development on the overall housing mixture within the community</p>	<p>The proposed development includes a mixture of housing types (i.e. traditional style multi-unit dwellings and walk-up style stacked townhouse dwellings). The development also includes a variety of unit sizes ranging from 1-bedroom units to 3-bedrooms units.</p> <p>Although the predominate land use in the area is low rise residential, including single unit, two-unit and townhouse dwellings. The abutting portion of Cole Harbour Road between the subject site and Forest Hills Parkway has a mix of housing types, including multi-unit buildings of similar scale proposed within this application. Therefore, we feel the proposed development is consistent with the housing mixture within the surrounding community.</p>
<p>(k) the provisions of Policy IM-11</p>	<p>The proposed development is consistent with the provisions of Policy IM-11 and is in conformity with the intent of the planning strategy. The proposal has adequate service availability, is within proximity to surrounding community facilities (i.e schools, recreation) and has adequate access to the existing road network. The site is suitable in terms of steepness of grades and does not contain any watercourses or natural environmental features. The proposed development agreement is intended to regulate type of use, built form, storage and signage.</p>

4.0 Closing

We trust that the enclosed materials satisfy the application requirements, and we look forward to working with Staff, Council and members of the public throughout the application process. Should you have any questions, clarifications or comments regarding this application, please do not hesitate to contact the undersigned.

Sincerely,



Connor Wallace, MCIP, LPP
 Principal
 ZZap Consulting Inc.
connor@zzap.ca
 902-266-5481