

Review of MPS Policies

URBAN RESIDENTIAL DESIGNATION	
Policy	Comment
<p>UR-6 Notwithstanding Policies UR-2 and UR-5, within the Urban Residential Designation, it shall be the intention of Council to consider townhouse developments which do not provide direct access from each units to a public street, in accordance with the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:</p>	
(a) that each unit in the townhouse development be located on a separate lot with access to an internal private driveway serving all units and having access to a public street;	The development meets these requirements, see attached Concept Plan.
(b) that the development includes a minimum area of twenty thousand (20,000) square feet;	Yes.
(c) that municipal central services are available and capable of supporting the development;	Services are available in the Sackville Drive right-of-way.
(d) the adequacy of separation distances from low density residential development;	Similar density residential development is located behind the proposed development.
(e) that site design features including landscaping, parking areas and driveways are of an adequate size and design to meet the needs of residents of the development and to address potential impacts on adjacent development;	The townhouses will be under condominium ownership. Each townhouse unit will have individual parking spaces and exclusive access to their backyard. Landscaping and maintenance will be handled by the condominium corporation.
(f) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent uses;	Height, bulk and lot coverage will meet the requirements of the Land Use Bylaw and is thus compatible with the adjacent development.
(g) general maintenance of the development;	Lots are in individual ownership, with easements for driveway access. Maintenance will be the responsibility of individual property owners.
(h) preference for a site in close proximity to community facilities such as schools, recreation areas and bus routes; and	Bus routes pass in front of the proposed lots, and schools, recreation facilities and community facilities are nearby.
(i) the provisions of Policy IM-13.	See below.

<p>UR-10 With reference to Policy UR-9, and as provided for by the Planning Act, the development of any comprehensive development district shall only be considered by Council through a development agreement or agreements which shall specify the following:</p>	
(a) the types of land uses to be included in the development	The proposed amendment to the agreement involves changing the buffer area to townhomes, adjacent to Sackville Drive. This residential use is compatible with existing uses.

(b) the general phasing of the development relative to the distribution of specific housing types or other uses;	The other parcels have been largely built out. This portion of Sunset Ridge is not a part of any existing phase and would be developed as one additional new phase.
(c) the distribution and function of proposed public lands and community facilities;	New public parkland was created and approved under the existing agreement and two sites have been turned over to HRM – at the intersection of Hanwell and Darlington Drive and adjacent to an existing parcel off Lindforest Court. We can fulfill our parkland dedication through cash-in-lieu.
(d) any specific land use elements which characterize the development;	The new townhomes will be built as per the land-use bylaw standards. However, blocks of townhomes will share common driveways and street access.
(e) matters relating to the provision of central sewer and water services to the development;	Halifax Water’s municipal services exist within the road right-of-way. The developer is responsible for all costs related to servicing the site.
(f) provisions for the proper handling of stormwater and general drainage within and from the development	See attached servicing schematic.
(g) any other matter relating to the impact of the development upon the surrounding uses or upon the general community as contained in Policy IM-13; and	Refer to IM-13 below.
(h) furthermore, the elements of (a) through (g) and other matters related to the provision of central services and the proper handling of storm water and general drainage shall additionally be considered by Council according to the development agreement provisions of the Planning Act.	Any remaining issues will be dealt with in the DA and through existing municipal guidelines and regulations.

IMPLEMENTATION	
Policy	Comment
IM-10 The following uses shall only be considered subject to the entering into of a development agreement. (a) Within the Urban Residential Designation: (i) townhouse dwellings according to Policy UR-6;	

IM-13	
In considering amendments to the land use by-law or development agreements, in addition to all other criteria as set out in various policies of this planning strategy, the Sackville Community Council shall have appropriate regard to the following matters:	
(a) that the proposal is in conformity with the intent of this planning strategy and with the requirements of all other municipal by-laws and regulations;	The proposal conforms with the requirements of the MPS.
(b) that the proposal is not premature or inappropriate by reason of:	
(i) the financial capability of the Municipality to absorb any costs relating to the development;	All costs will be borne by the developer.
(ii) the adequacy of sewer and water services;	Halifax Water systems currently exist in the road right-of-way. Armco will be responsible for costs related to servicing and ensure all water, wastewater and stormwater design references the latest version of the HW Design and Construction Specifications.
(iii) the adequacy or proximity of school, recreation and other community facilities;	Community facilities are available in the area. 73 townhomes will result in an estimated 36.5 new school aged children. HRCE is well aware of the current capacity of local schools and has been taking steps to ensure that all schools have adequate facilities and resources
(iv) the adequacy of road networks leading or adjacent to, or within the development; and	See attached Traffic Statement.
(v) the potential for damage to or for destruction of designated historic buildings and sites.	n/a
(c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:	
(i) type of use; (ii) height, bulk and lot coverage of any proposed building; (iii) traffic generation, access to and egress from the site, and parking; (iv) open storage; (v) signs; and (vi) any other relevant matter of planning concern.	(i) townhomes are compatible with the adjacent residential uses; (ii) height, bulk and lot coverage will conform to the R-5 zone of the Sackville LUB; (iii) the TIS does not expect a significant impact on the road network; (iv) n/a; (v) signage, if any, will comply with the LUB
(d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, potable	the final grade of the site will comply with HRM requirements.

water supplies, marshes or bogs and susceptibility to flooding;	
(e) any other relevant matter of planning concern; and	n/a
(f) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS.	n/a