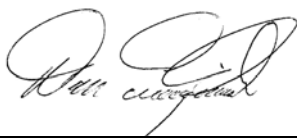


**Halifax Regional Council**  
**October 30, 2007**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**



Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

**DATE:** October 11, 2007

**SUBJECT:** **Case 01003: MPS and LUB Amendments - Lots RP-1 and RP-2, Regatta Point, Halifax**

**ORIGIN**

Application by Paul Skerry Associates Limited, on behalf of Almond Properties Limited, to amend the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-law, for the area known as Regatta Point in Halifax, to enable, by development agreement, the expansion of the apartment building currently located on lot RP-2.

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law to enable the consolidation of lot RP-1 (Purcells Cove Road/Anchor Drive; PID #40396699) with lot RP-2 (16 Anchor Drive; PID # 40396681) and to allow, by development agreement, the expansion of the apartment building currently located on lot RP-2.
2. Instruct that the Municipal Planning Strategy amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.

## **BACKGROUND**

**Location, Designation and Zoning:** Lots RP-1 and RP-2 are located in the Regatta Point subdivision and are bounded by Purcells Cove Road, Spinnaker Drive and Anchor Drive. Lot RP-2 currently contains a 96-unit apartment building, while lot RP-1 is vacant, apart from a small parking lot serving lot RP-2.<sup>1</sup> Both lots are designated and zoned RDD (Residential Development District) under the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB), respectively. The RDD zone allows R-1 and R-2 uses as-of-right, while the RDD designation allows for the consideration of comprehensive residential developments under unified site design by development agreement.

**Previous Application:** Lots RP-1 and RP-2 were part of the original Edmonds Grounds property which became the Regatta Point development in the 1980's. At the time the Regatta Point development agreement went before Halifax City Council for approval on July 11, 1985, lot RP-1 was removed from the application due to strong objections voiced during the public hearing to the then proposed commercial use of the site. Lot RP-1 has remained vacant ever since and it is the last remaining undeveloped parcel in the Regatta Point subdivision.

**Synopsis of the Proposed Development:** The proposal is to consolidate lots RP-1 and lot RP-2 to expand the existing 96-unit apartment building towards the Purcells Cove Road. Parking is to be provided in an underground garage. The consolidation and development of lot RP-1 would effectively complete the Regatta Point subdivision.

## **DISCUSSION**

As mentioned above, the RDD Zone permits lot RP-1 to be developed through the as-of-right process for R-1 or R-2 uses. However, because the subject property is bounded by three streets with two intersections in close proximity, driveway locations for R-1 and R-2 uses would be difficult to accommodate. Steep grades along the parcel's Spinnaker Drive frontage would add to this challenge.

The RDD designation allows the current Regatta Point development agreement to be amended to allow for either a townhouse or a commercial type development on the site. However, a townhouse-style development would face similar obstacles as those faced by the R-1 and R-2 uses and a previously proposed commercial development on lot RP-1 received little public support during the original approval of the Regatta Point subdivision.

In consideration of the above, the applicant believes that the best option for the site is to consolidate lot RP-1 with lot RP-2 and to expand the multi-unit residential building currently located on lot RP-2 towards the Purcells Cove Road. Normally this development scenario could have been considered through the standard development agreement process allowed under the Residential Development

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<sup>1</sup> The Land Use Compliance Section is currently investigating the legality of the parking lot.

District policies, but in this case, the Regatta Point subdivision has already maximized the allowable area within a given district (15%) that can be dedicated to multi-unit development.<sup>2</sup> Therefore, the applicant has requested a site specific MPS amendment to allow for the expansion of the existing 96-unit apartment building onto lot RP-1.

**Conclusion:** Staff has determined that there are limited development options for lot RP-1 because of the following facts:

1. Low density development is unfeasible due to engineering/safety concerns related to allowing direct driveway access to the Purcells Cove Road, or in close proximity to the Anchor Drive and Spinnaker Drive intersections.
2. A past public consultation process demonstrated that there is limited community support for commercial development on the site.

Therefore, staff is of the opinion that there is merit in considering site specific policies to allow for a multi-unit residential development on lot RP-1.

### **BUDGET IMPLICATIONS**

None.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

### **ALTERNATIVES**

1. Council may choose to initiate amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law. This is the staff recommendation.
2. Council may choose not to initiate amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law. This is not recommended for the reasons outlined above.

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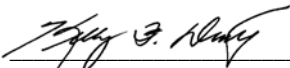
<sup>2</sup> In fact, Halifax City Council approved a site-specific MPS amendment in March of 1996 to allow for additional multi-unit residential development (beyond 15%) on lot RP-6.


## **ATTACHMENTS**


Map 1	Location and Zoning
Map 2	Generalized Future Land Use
Attachment A	Site Plan
Attachment B	Front Elevation (Main Entry)
Attachment C	End Elevation (Typical)

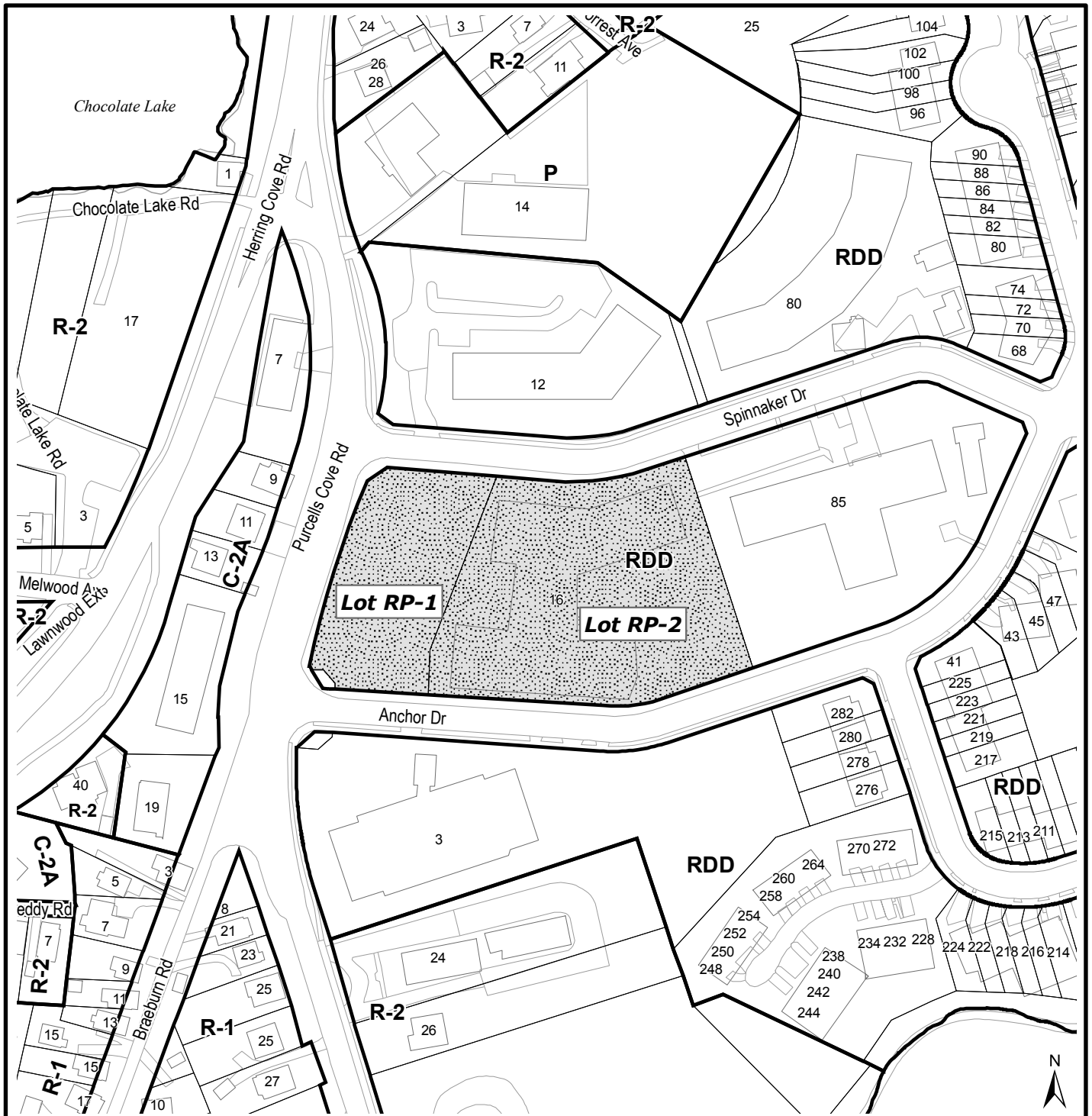
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Luc Ouellet, Planner I, Planning Services, 490-3689

Report Approved by:   
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Financial Approval by:   
For Catherine Sanderson, Senior Manager, Financial Services, 490-1562

Report Approved by:   
Sharon Bond, Acting Director, Community Development



Map 1 - Location and Zoning

Anchor Drive  
Halifax

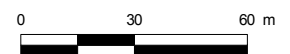
 Subject area

Halifax Mainland  
Land Use By-Law Area

#### Zone

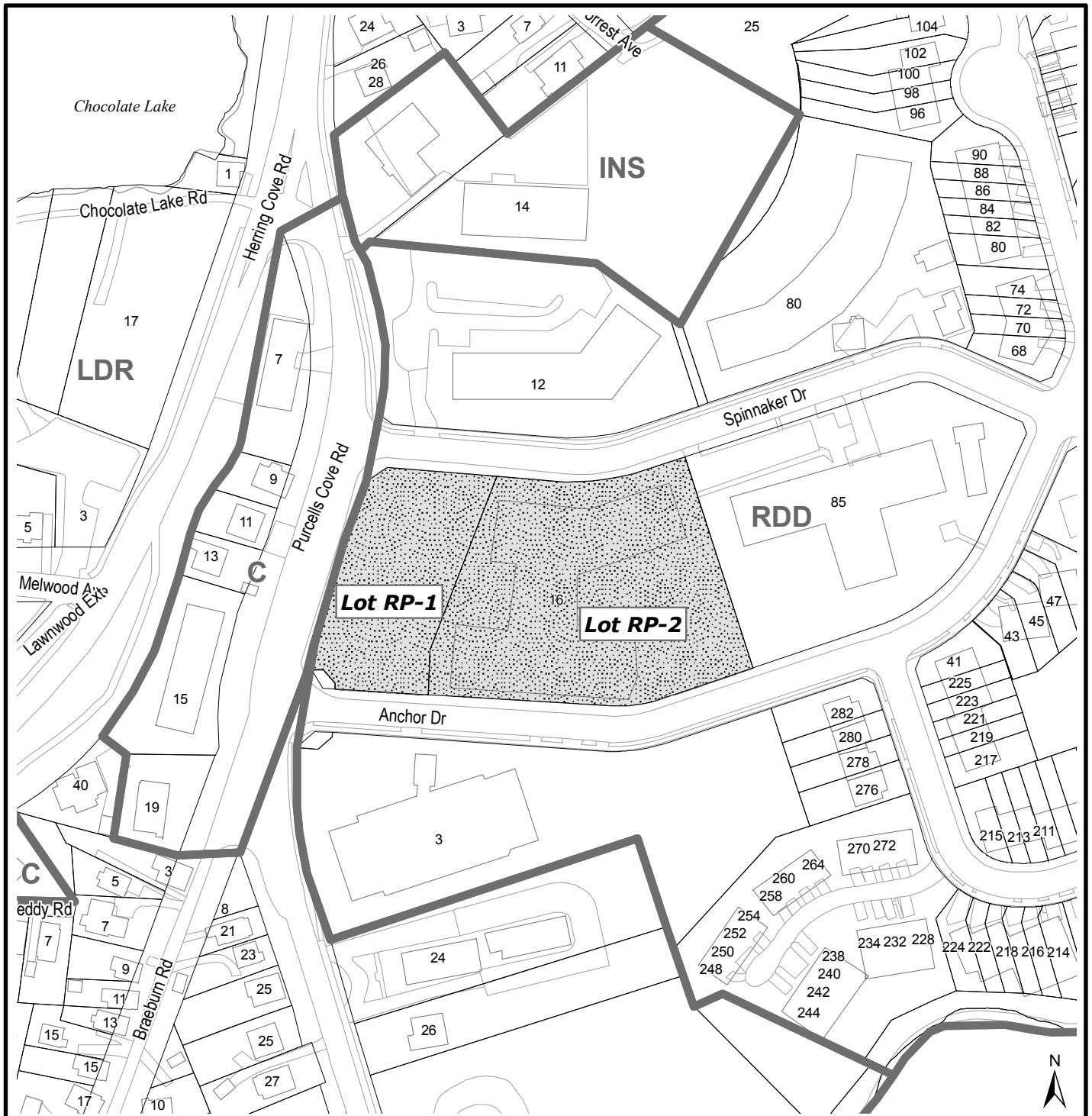
- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- C-2A Minor Commercial
- P Park and Institutional
- RDD Residential Development District

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COMMUNITY DEVELOPMENT  
PLANNING SERVICES



This is an unofficial reproduction of a portion of the Zoning Map for the Halifax Mainland Land Use By-Law area.

HRM does not guarantee the accuracy of any representation on this plan.



Map 2 - Generalized Future Land Use

Anchor Drive  
Halifax

 Subject area

Halifax Plan Area  
Mainland South Secondary Plan Area

#### Designation

LDR	Low Density Residential
C	Commercial
INS	Institutional
RDD	Residential Development District

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES

0 30 60 m

This is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Halifax Mainland South Secondary Plan area.

HRM does not guarantee the accuracy of any representation on this plan.



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APARTMENT BUILDING  
 LOT RP-1  
 ANCHOR DRIVE  
 PACE HAVEN ESTATE  
 FOR  
 HALIFAX, N.S.  
 WESTWOOD

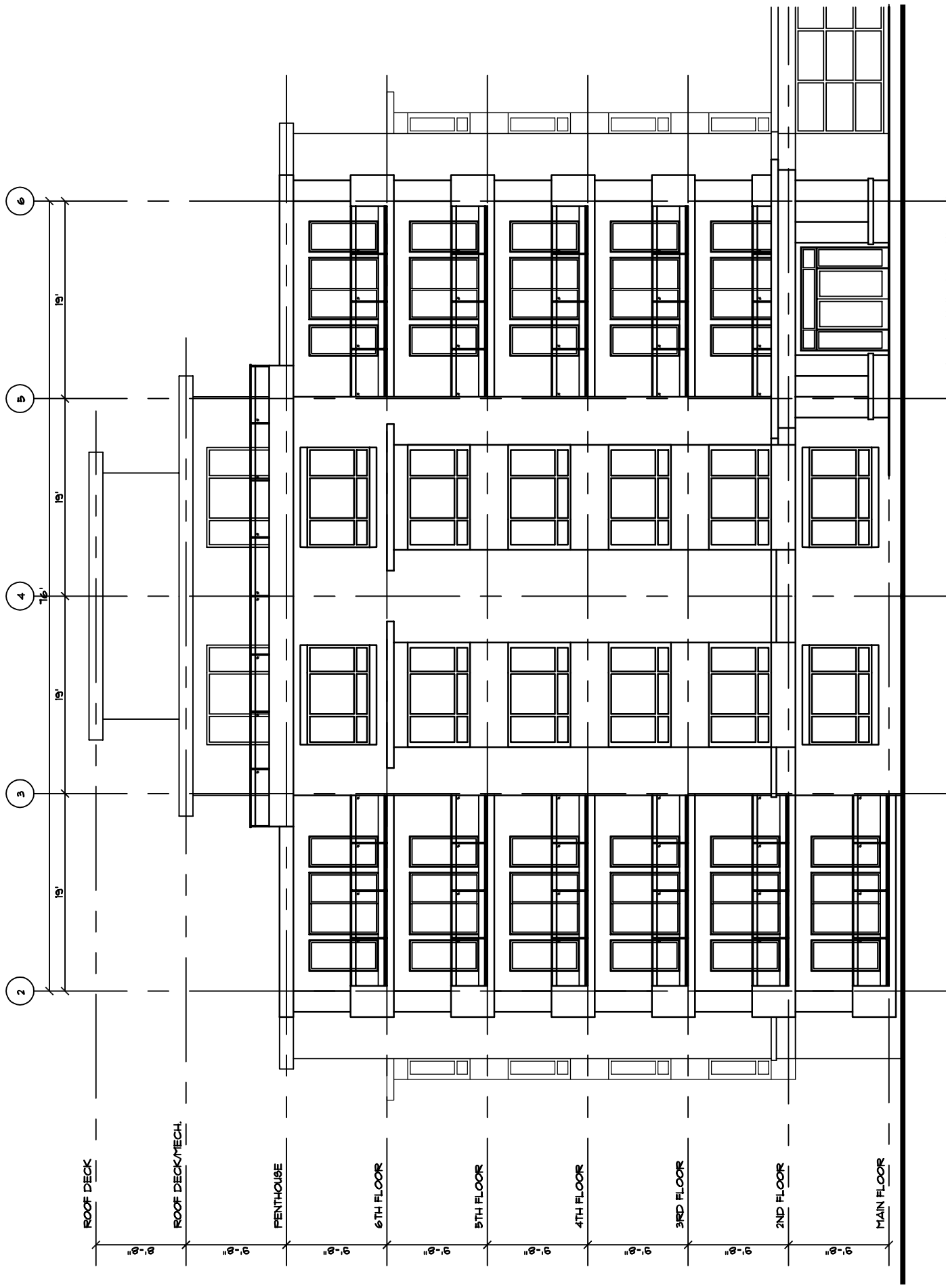
**PURCELL'S COVE ROAD**

LOT MD-7

Case 01003

Attachment A - Site Plan

Plan #0100300001



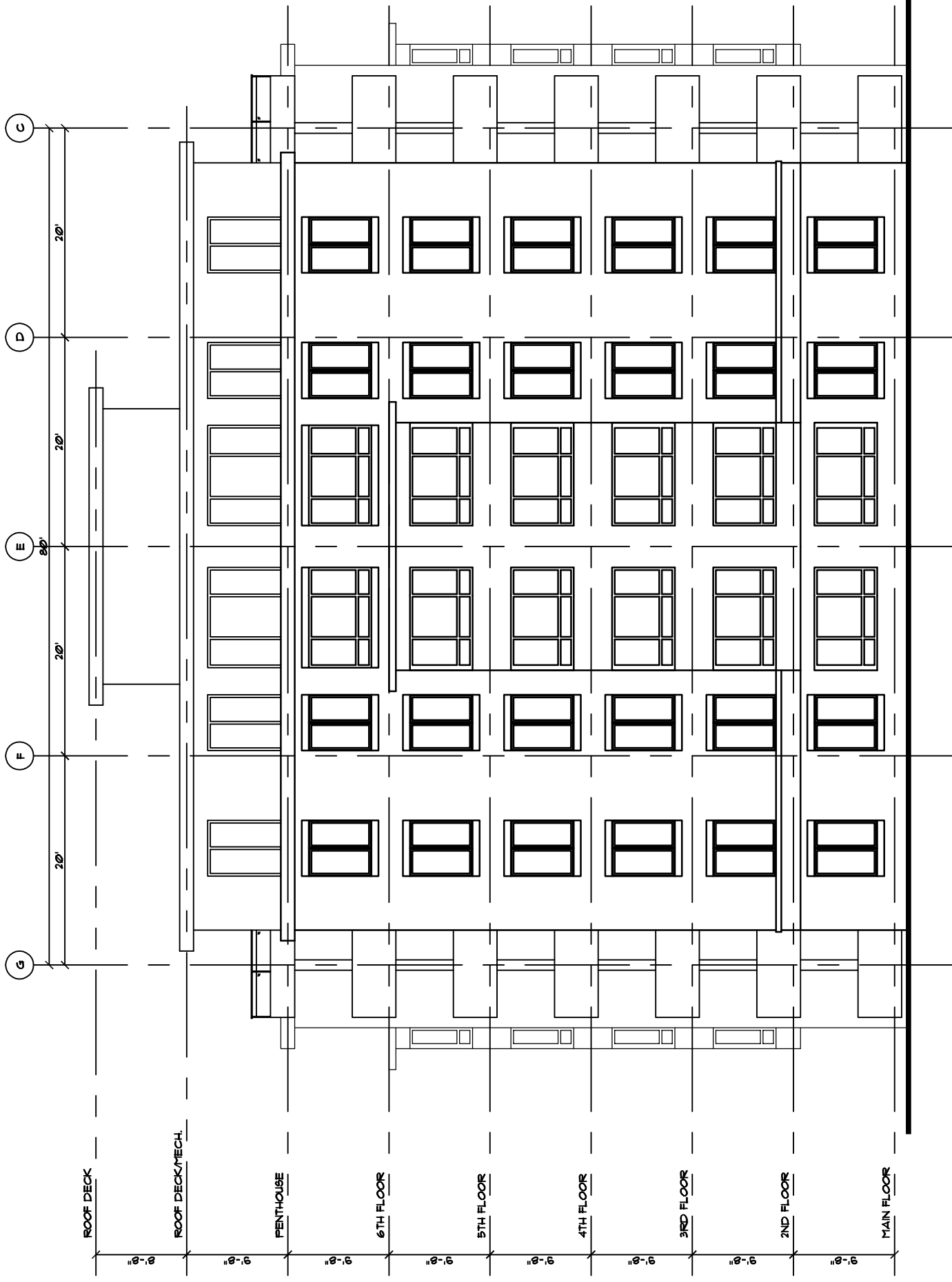
Case 01003  
Attachment B - Front Elevation

FRONT ELEVATION (MAIN ENTRY)  
Plan #01003000002

APARTMENT BUILDING  
LOT RP-1  
ANCHOR DRIVE  
REGATTA POINT  
HALIFAX, N.S.  
for  
WESTWOOD

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APARTMENT BUILDING  
 LOT RP-1  
 ANCHOR DRIVE  
 REGATTA POINT  
 HALIFAX, N.S.  
 for  
 WESTWOOD

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END ELEVATION (TYPICAL)  
 Plan #0100300003

Case 01003

Attachment C - End Elevation