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HALIFAX REGIONAL COUNCIL  
May 13, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Chris Moshier  
for Linda Mosher, Chair  
Chebucto Community Council

DATE: May 6, 2003

SUBJECT: Case 00062: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street

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**ORIGIN:**

Chebucto Community Council May 5, 2003.

**RECOMMENDATION:**

It is recommended that Regional Council:

1. Give First Reading to the proposed amendments, as amended, to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-Law, presented as Attachment I, and to schedule the public hearing for June 17, 2003.
2. Approve amendments to Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-Law as contained in Attachment I.

**PLEASE RETAIN REPORT FOR PUBLIC HEARING**

**BACKGROUND:**

A motion was passed at Chebucto Community Council on May 5, 2003 to add the wording "*but the 20 foot buffer is to be maintained as a non disturbance zone*" to Section IV, page 10 of Attachment I to the staff report dated February 17, 2003.

The requested amendments have been incorporated into the proposed amendments of Attachment I, Section IV, page 10.

**DISCUSSION:**

None

**ALTERNATIVES:**

None

**BUDGET IMPLICATIONS:**

N/A

**ATTACHMENTS:**

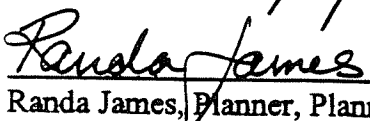
1. Staff Report dated February 17, 2003, including revised Attachment I.
2. Excerpt of draft minutes of Chebucto Community Council May 5, 2003.

Attachment 1

Chebucto Community Council  
March 3, 2003

To: Chairman and Members of Chebucto Community Council

Submitted by:   
Paul Dunphy, Director of Planning & Development Services

  
Randa James, Planner, Planning Services

Date: February 17, 2003

Subject: Case 00062: Request to amend the Halifax Municipal Planning Strategy and Land Use Bylaw for Block F, Kelly Street

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**ORIGIN:**

Application by Environmental Design Management Limited, on behalf of 2148182 Nova Scotia Limited, to permit a residential complex including assisted living facilities on Block F, Kelly Street, Halifax.

**RECOMMENDATION:**

It is recommended that Chebucto Community Council:

1. Recommend that Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw, presented as Attachment I, and to schedule the public hearing for April 7, 2003;
2. Recommend that Regional Council approve the amendments to Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw as contained in Attachment I.

**PLEASE RETAIN REPORT FOR PUBLIC HEARING**

## **BACKGROUND:**

A request has been received on behalf of 2148182 Nova Scotia Limited to develop a residential complex including assisted living facilities on Block F, Kelly Street, between Alton Drive and Osborne Street. The current R-2 zoning of this site does not permit this use nor do the policies of the Halifax Municipal Planning Strategy (MPS) support rezoning to permit the proposed use (see Attachments II & III). As a result, 2148182 Nova Scotia Limited has requested that the MPS be amended so that this project can proceed.

An initiation report dated February 5, 2001, and tabled with Regional Council, found that this request had merit, based on the following reasons:

- low rise apartment buildings could be integrated with the existing neighbourhood. The site is relatively level (and without any significant trees) with ample area for appropriate setbacks from abutting properties occupied by single unit and semi-detached housing.
- senior citizen housing might further a city wide MPS objective respecting; "the provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford."
- development of senior citizen housing on this property may have less impact on traffic than single unit or two unit housing permitted under the current zoning.

At its February 20, 2001 meeting, Halifax Regional Council adopted a resolution to proceed with the MPS amendment process.

### **Current MPS & Zoning**

Block F is located within an area covered by the Mainland South Secondary Planning Strategy - MSSPS. It is designated LDR (Low Density Residential) and is zoned R-2 (Two Family Dwelling Zone) (See Attachments II & III).

### **Parcel & Area Description.**

Block F is a vacant, 11.19 ± acre parcel of land which is surrounded by existing development. To the east and south east is an area referred to as "Kline Heights" which is zoned R-2. A number of single family dwellings along Osborne Street immediately abut the site. To the south west is Stanley Park, a subdivision, where semi detached dwellings abutting Block F are being developed under development agreement. Immediately to the north is Glades Nursing Home and a 48 unit apartment building. Beyond these is an area of R-1 zoning occupied with single unit dwellings.

### **Proposal**

The proposal is to extend the existing portions of Kelly Street from Alton Drive and Osborne Street and to connect them making Kelly Street a through street. Two assisted living apartment buildings, of 110 and 80 units, are to be constructed in the northern part of the lot adjacent to the existing Glades Nursing Home. A 70 unit apartment is to be located next to the existing 48 unit apartment building at 36 Kelly Street. A total of 48 townhouses and a small park are shown on the concept plan for the remainder of the site. The applicant

is seeking amendments which would enable a development agreement for this project to be considered after the property is conveyed to a party who is interested in developing it for the proposed use.

### **Public Information Meetings**

A public information meeting was held on November 22, 2001 to discuss the proposed amendments. Minutes of that meeting are appended as Attachment IV. The proposal was further detailed and developed which necessitated another public information meeting to be held on October 10, 2002. Minutes of the second meeting are added as Attachment V.

### **Process**

Amendments to the Municipal Planning Strategy and bylaw amendments to implement MPS amendments are under the jurisdiction of Regional Council, while approval of development agreements rests with Community Council. All of these processes require a public hearing. As the applicant is only seeking enabling policy at this time which would enable a development agreement to be considered after the property is conveyed, it will be necessary for Regional Council to consider the proposed amendments. Should Regional Council adopt the amendments, a development agreement will be negotiated with the future owner as a separate application and considered by Community Council at a separate public hearing.

## **DISCUSSION:**

### **Analysis of Existing MPS Policy**

The Municipal Planning Strategy is the expression of the municipality's intent with respect to future land use patterns. Amendments to the MPS are not routine undertakings and Council is under no obligation to consider such requests. Amendments should only be considered when there is reason to believe that a change in circumstance has occurred since adoption or last review or there is a significantly different situation than the MPS envisaged.

The applicant argues that:

The present designation (R-2) is not felt to be appropriate because it is felt that a sufficient amount of R-2 housing stock already exists in this area. It is felt that the plan amendment would allow a development that would introduce a mixture of housing to the area, providing future residents with a better range of housing options. There is also an increased demand for seniors assisted living units, and the present designation does not permit that.

In terms of how the proposed amendment relates to the objectives and policies of the MPS, a number of policies are relevant:

*"The city should provide a policy environment within which development can respond to changing market demands, while clarifying the intentions of the City and ensuring that development conforms to a pattern that is cost effective for the City." Halifax MPS, Section II, 1.5*

Where there are existing services, and market demand for the type of housing that would be permitted with the MPS amendment, this development would be cost effective while remaining in line with the Municipality's intentions.

As for policies related to neighbourhood compatibility the MPS states;

*"The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood..." Halifax MPS, Section II, 2.2*

A development under the proposed plan amendment could tie in nicely with neighbouring uses. Seniors housing and apartments would be developed on that portion of the site adjacent to the nursing home - a logical clustering, as it would facilitate sharing of services and grounds. The proximity would also offer future residents the possibility of transferring to a facility offering a higher degree of care and support, without having to leave neighbours and friends too far behind.

Clustering of lifestyle and assisted living units with the adjacent nursing home offers a logical progression of care as individuals' needs change with age. The apartment building would also be located on the portion of the site adjacent to an existing apartment, and it would not exceed four stories in height, in keeping with neighbourhood character. The town houses would be the buffer between the assisted living units/apartments and the abutting existing R-2 development. The entire site is at a higher elevation and tucked away from much of the developed part of the existing neighbourhood resulting in relatively low visibility from surrounding areas. Low initial visibility combined with buffering and screening would further reduce any impact on the existing neighbourhood.

Increased traffic was cited by the public as a concern for any future development of the area. To address this a traffic study was carried out which concluded that no negative effect on the existing neighbourhood would result as it is well known that senior's units are not large traffic generators.

Also with regard to integrity of the existing residential neighbourhood, the concept plan shows that the development would provide an opportunity to complete Kelly Street and connect parts of the neighbourhood.

With respect to MPS policy pertaining to housing mix and affordability;

*"The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped.) Halifax MPS, Section II, 2.8*

The proposed amendments respond to a societal need for more senior's housing. Townhouses and assisted living units offer a range of low maintenance and personal care options for aging citizens of HRM.

In terms of how the proposed amendment relates to general planning principles, it would permit some density in an area close to the peninsula and already well served by public transit. Infill development such as this reduces demands to provide additional servicing and minimizes impact on the natural environment by limiting sprawl.

The existence of the Glades Nursing Home and the apartment building at 36 Kelly Street make this site more suited to the proposed development than another site. The bulk of the community is made up of R-2 housing stock and there is a need for some diversity in housing types. This proposal will also assist in meeting the increasing demand for seniors housing and allow existing residents the opportunity to remain in their community throughout the latter stages of their lives. This proposal takes advantage of its proximity to major streets, access to transit, adequacy of services, relationship to differing uses, particularly lower density residential uses, relationship to major employment areas and relationship to neighbourhood amenities. There is also a benefit to the community through the provision of parkland. On this basis, this is a reasonable location for a project of this nature.

The challenge of any infill development is to integrate new development into the established community. For developments of this nature, unanticipated at the time of the adoption of the planning strategy, traditional zoning may not provide adequate control to ensure a level of compatibility acceptable to the neighbourhood and the a guarantee that what is agreed upon will actually be built. The applicant has requested and staff concur, that the MPS amendment should enable consideration of development of this site by development agreement rather than as of right.

#### **Proposed Amendments - MPS and LUB**

Attachment I sets out the proposed Municipal Planning Strategy amendments and Land Use Bylaw amendments to implement the MPS amendments. These include:

- Adding to the Municipal Planning Strategy Policy 1.2.3 which enables the development agreement and Policy 1.2.3.1 which identifies factors for achieving compatibility along with the criteria against which a future development proposal will be evaluated.
- Adding subsection (a) to section 72 of the Halifax Peninsula Land Use Bylaw to implement Policies 1.2.3 and 1.2.3.1.

The following is a discussion of the main areas of concern for the future development pursuant to the proposed MPS Policies. The policy criteria are intended to provide a level of detail that will lead to a development which aligns with the expectations of the community in terms of architectural design, site planning, landscaping and other considerations.

*(a) MPS Criteria Re: Architectural Design and Scale, Height and Building Mass*

- The building design will be required to reflect community housing types and detailing. Apartments will be limited to four stories or 50 feet in height which is in keeping with the adjacent apartment building.
- The apartment building will be limited to a maximum of 70 units and be required to meet the R-3 zone requirements including setback and angle controls.
- The assisted living buildings will be limited to a maximum of 190 living units, and be required to meet the R-3 zone requirements including setback and angle controls.
- Similar facilities in other locations will be used in determining the density for the assisted living facility. A parking justification study may be required to determine standards for tenant, staff and visitor parking.
- Townhouses, or other ground-related housing, will be limited to a maximum of 50 units, be required to meet the R-2T zone standards and sited adjacent the existing low density dwellings.
- The choice of building materials will be such as to make the development sympathetic and compatible to existing neighbourhood context.

*(b) MPS Criteria Re: Site Design and Landscaping*

- Efficient and safe vehicular and pedestrian access will be required. Surface materials, lighting, recreation facilities and landscape areas are to be designed and constructed to accommodate expected end users.
- Every effort is to be made during site development to ensure the retention of healthy trees in order to provide screening and buffering to the abutting properties.
- A minimum setback of 50 feet from abutting property lines will be required to facilitate the integration of new buildings into the existing neighbourhood and reduce opportunities for negative impacts.
- A 40-foot buffer of existing trees will be required to screen the new development from adjacent properties. Supplemental landscaping is to be provided in areas of insufficient tree cover and provision will be made to reduce the buffer width to 20 feet where opaque fencing is provided.
- Block F will be bisected in order to create two cul-de-sacs. Landscaping along the street edges will be required as an aesthetic treatment.
- An existing ravine which serves as a natural amenity is to be preserved in its natural state.

*(c) Additional Considerations*

In addition to the specific policy criteria which will be used to evaluate a future development agreement proposal, the proposed MPS amendments anticipate additional matters which are to be addressed at the time a site-specific development agreement is considered. These include:

- Servicing issues related to water and sewer services that will need to be addressed.
- Identification of additional assisted living facilities such as personal service and medical service along with a common dining area.
- The construction and rehabilitation of Kelly Street including provision for capital improvements and a minimization of traffic impacts.



- Design and construction of Parkland in accordance with HRM Parks and Open Space Planning Guidelines.

### **SUMMARY AND CONCLUSION:**

Amendments to the MPS are usually only considered where circumstances have changed since its adoption. From discussions with the community there is a level of acceptance for a residential complex with an assisted living component on this site. On this basis it is appropriate to consider amending the MPS as it relates to this property.

In order to provide adequate assurances as to the details of the buildings and facilities to be constructed on Block F, the proposed amendment to the MPS contains the ability to enter into a development agreement. This MPS amendment (Attachment I) is being brought forward without the associated development agreement. The policies allow a development that would be compatible with the surrounding community yet allows some flexibility. The development agreement provides an opportunity to consider this project in light of a greater level of detail. In staff's view, Block F is a suitable site for the proposed use.

### **ALTERNATIVES:**

1. Recommend that Regional Council refuse the requested amendment. Regional Council is under no obligation to consider a request to amend its Municipal Planning Strategy. A decision not to amend the MPS cannot be appealed.
2. Recommend that Regional Council modify the requested amendment. Changes, additions or deletions may be made in order to clarify what is desired for this parcel of land.
3. Recommend that if Regional Council feels that a residential complex including assisted living facilities is an appropriate use for this parcel of land but wants a higher level of comfort in knowing exactly what they will get here, then Regional Council can request that the Applicant submit a firm proposal for the lands in the form of an application for a development agreement and instruct staff to prepare policy which would enable the proposal.
4. Recommend that Regional Council approve the requested Amendment. This is the recommended course of action.

### **BUDGET IMPLICATIONS:**

There are no budget implications.

## **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.

### **ATTACHMENTS:**

- Attachment I - Proposed Amendments to the Halifax MPS and LUB
- Attachment II - Generalized Future Land Use
- Attachment III - Zoning
- Attachment IV - Minutes of November 22, 2001 public information meeting
- Attachment V - Minutes of the October 10, 2002 public information meeting

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by Randa James, Planning Services, 490-4499

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**ATTACHMENT I**

**Proposed Amendments to the Halifax Municipal Planning Strategy and Land Use Bylaw**

1. Insert the following policies after Policy 1.2.2 under Section X (Mainland South Secondary Planning Strategy) of the Halifax Municipal Planning Strategy:

**1.2.3 Notwithstanding the Low Density Residential designation of Block F, Kelly Street, LRIS PID No. 40724973, the Municipality may permit a residential complex by development agreement. Such complex shall consist of an apartment building, townhouses or other ground related innovative housing forms, parkland and two assisted living facility apartment buildings.**

2. Add Policy 1.2.3.1 to Section X of the Halifax Municipal Planning Strategy to read as follows:

**Any development permitted pursuant to Policy 1.2.3 shall be compatible with the surrounding area. This shall be achieved by attention to a variety of factors for which conditions may be set out in a development agreement, such as but not limited to:**

**(a) Architectural Design, Scale, Building Height and Mass**

- i) **The height of the apartment building and buildings containing assisted living facilities shall not exceed four residential storeys, exclusive of an underground parking garage, and may not exceed 50 feet in height.**
- ii) **The apartment building shall be located adjacent to the existing apartment building, shall not exceed 70 dwelling units and shall comply with the requirements of the R-3 Zone.**
- iii) **Buildings containing assisted living facilities shall be located adjacent to the existing nursing home, shall not contain more than 190 assisted living units and shall comply with the requirements of the R-3 zone.**
- iv) **Notwithstanding (iii), the calculation of density and the requirement for parking for the buildings containing assisted living facilities may be determined on the basis of similar facilities in urban settings.**
- v) **The townhouses or other ground related innovative housing forms shall be located adjacent to the existing low density housing, shall not exceed a total of 50 dwelling units and shall comply with the provisions of the R-2T zone.**
- vi) **Building materials shall be compatible with the community.**

**(b) Site Design and Landscaping**

- i) **Provision shall be made for adequate recreation, vehicular and pedestrian circulation, site lighting and open areas to address the needs of the residents of all the buildings and in particular those containing assisted living facilities.**
- ii) **The layout and design of the buildings, services and site grading shall provide for the retention of healthy mature trees.**

- iii) No building shall be constructed within 50 feet of properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419.
- iv) The area of Block F abutting properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419, shall be maintained as a buffer area for a depth of 40 feet within which only limited construction activity will be permitted with minimal removal of existing trees and only in order to accommodate support infrastructure for the development (e.g. stormwater management, recreation infrastructure). The buffer may be reduced in width to 20 feet where site grading, servicing or support infrastructure must be accommodated but the 20 foot buffer is to be maintained as a non disturbance zone and in those locations a visually obscuring fence shall be provided.
- v) Any agreement made pursuant to policy 1.2.3 shall include provisions for the continued maintenance and upkeep of the buffer areas and fencing as required by clause (b)iv.
- vi) The ravine at the west end of Block F shall be maintained in a natural state.
- vii) Planting and screening of air conditioners, dumpsters, propane tanks, service areas, driveways, parking areas, etc. is required.
- viii) Adequate and safe vehicular and pedestrian accesses to the site and buildings shall be provided.
- ix) The parking areas shall be located such that they do not interfere with the safe access of pedestrians and are able to be screened from the public street.

(c) Additional Considerations

- i) Every effort shall be made to reduce traffic impacts on the adjacent neighbourhood.
- ii) An assessment of the adequacy of municipal servicing systems available to the site shall be undertaken and any required improvements shall be addressed to the satisfaction of the Engineer prior to development.
- iii) Assisted living facilities shall be defined as residential buildings that may include a range in uses from full care nursing homes to facilities which provide personal and/or medical care and have a common dining area. Assisted living facilities shall form ~~part~~ of future development proposals.
- iv) The development ~~shall~~ be phased but no more than 25% of the development shall be permitted to proceed prior to rehabilitation and completion of Kelly Street.

3. Add section 72 to the Halifax Mainland Land Use Bylaw as follows:

**MAINLAND SOUTH AREA - DEVELOPMENT AGREEMENTS**

- 72 In the "Mainland South Area", Council may, by development agreement pursuant to Section X of the Municipal Planning Strategy:

**Block F, Kelly Street**

- (a) permit a residential complex including assisted living facilities on Block F, Kelly Street, in accordance with Policies 1.2.3 and 1.2.3.1.



**Attachment 2:**  
Generalized Future Land Use  
Kelly St.

**Legend**  
MDR Medium Density Residential  
LDR Low Density Residential  
IN Institutional  
Rdd Residential Development District

 Lands of Donald Keddy

**HALIFAX**  
REGIONAL MUNICIPALITY



Scale 1:10000

50 0 50 100 150 200 Metres

Case:00062



### Attachment 3:

Zoning  
Kelly St.

#### Legend

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-3 Low Rise Apartment
- P Park/Institutional
- Rdd Residential Development District



Lands of Donald Keddy

**HALIFAX**  
REGIONAL MUNICIPALITY



Scale 1:10000

50 0 50 100 150 200 Meters

Case:00062 (IMD)

**ATTACHMENT IV**  
**Public Information Meeting Minutes**  
**(Case 00062)**  
**November 22, 2001**

In attendance: Councillor Adams  
Councillor Mosher  
Councillor Walker  
Grace Ho, Planner  
Gail Harnish, Planning & Development Services  
Margot Cantwell, EDM, Consultant  
Donald Keddy, Applicant  
Alan Golding, Traffic Engineer

Grace Ho called the meeting to order at approximately 8:30 p.m. in the Council Chambers, 2750 Dutch Village Road, Halifax. She indicated the purpose of the meeting was to give the public a first glimpse of the proposed development.

Grace Ho outlined the area in question on a map, noting that the site is approximately 11 acres and is currently vacant. The application being considered tonight is a plan amendment. The existing plan for the area, Mainland South, did not anticipate the use we are discussing which is a senior's community consisting of seniors apartments, assisted housing, and townhouses. In order for this development to occur, a plan amendment needs to take place. Site specific plan policy would have to be incorporated to permit this type of development. This is a discretionary process and requires approval by Council. The process was initiated by Regional Council earlier this winter. The reasons given to Council to consider this type of amendment were:

- It was felt the proposed environment of low rise buildings, if handled appropriately, could be integrated with the existing neighbourhood around it.
- There is existing plan policy in the Halifax planning strategy that talks about providing and maintaining diverse neighbourhoods and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.
- In terms of provision of water, the site is higher and a fire flow analysis was requested.

Grace Ho advised the meeting tonight is the first step in the process. The main goal is to determine what criteria the people feel would be needed in order to establish a good development of this type in their neighbourhood. For instance, the policies could talk about the type of housing permitted, the mixture of housing, the density of the project, the quality of the design, aesthetic controls, landscaping, buffering, open space issue, hard core services such as stormwater and sanitary sewer and water, site planning issues such as building footprint, onsite parking, traffic impacts, car and pedestrian access. There are a lot of things the policy can outline to guide site specific development. It is being proposed that the development be considered through the development agreement process. She reviewed the development agreement process.



Ms. Margot Cantwell advised the property is currently zoned R-2 (Two Family Dwelling) Zone. Mr. Keddy asked them to look at the possibility of senior's assisted living facilities and apartments onsite as well as townhouse units. There is an existing nursing home facility and an existing apartment on the one side of Kelly Street.

Ms. Cantwell reviewed the features of the site using an overhead. She indicated they have attempted to cluster the larger structures on the high flat plateau. She pointed out the area being proposed for the senior's assisted housing facilities, as well as the existing nursing home, noting that the building facilities, kitchens, green areas, pool, and game facilities could be shared with the existing nursing home. She pointed out the boulder slope. The majority of it is vegetated and provides a separation for the units down on Osborne Street with townhouse units. They would be putting townhouse units adjacent to existing R-1 and R-2 units. She pointed out the area where they intended to put the three higher residential buildings.

Mr. Cantwell advised they have done a number of studies looking at the big project items in terms of siting these facilities. The report indicates there are potential water pressure problems. It is sufficient to do a 4-storey structure. They also looked at traffic. They would generate less traffic than R-2 and in particular during times of peak traffic. Alan Golding has done a traffic study under the direction of HRM Traffic Services and will look at things such as the short-cutting issue and volumes of traffic.

The meeting was opened for public input.

An individual indicated that Kelly Street on the north end has a cul de sac and at the other end it terminates with a pile of boulders to prevent traffic. It was questioned whether the grass part on Kelly Street is an undeveloped street. It was responded yes, noting that the street would be extended through. It was confirmed that Mr. Keddy owns the piece of land in question.

Another individual commented they fought against having the street opened up years ago. The traffic was going through Alton Drive and onto Stonehaven Road and to the Rotary. A lot of people living in the nursing manor go for walks and they are slow walkers. Also, they live on streets with no sidewalks. He indicated he has lived in this area for 42 years; 13 years on Quarry Road and 29 years on Stonehaven Road. You can see the traffic increasing on the Bay Road.

Mr. Jack McGrath, 12 Stonehaven Road, indicated he was having some difficulty relating the slide after this one to the outline of the property in question. It appeared that the space behind the nursing home as shown on this diagram was shortened up on the other one. He questioned if the property that the nursing home sits on is the same size as this proposal, as depicted here today.

A triangular area on the map was referenced. It was indicated they would not be using the triangle piece of property.

It was questioned whether all of the dwellings, ie., townhouses, would be designated assisted living type of accommodation.

Ms. Cantwell responded they would assume not all the townhouses would be but the apartments would have various levels.

It was questioned whether all the dwellings, whether it be townhouses or apartments, would be specifically for seniors.

Ms. Cantwell responded no. Down on the lower area where the townhouses are, they would be designed to encourage seniors to purchase them but you cannot discriminate in the market and say you have to be a certain age. The assisted living facility adjacent to the nursing home would have government funding associated with it. The apartment units would have certain built-in facilities to encourage seniors to go there. They cannot discriminate but they would be built to encourage seniors.

An individual asked for the location of the apartments and townhouses to be pointed out on the overhead, which Ms. Cantwell proceeded to do. She noted that between the apartments and townhouses there is the boulder slope which is pretty steep. The park would be on the corner.

Ms. Darlene Marriott, 22 Osborne Street, indicated she was concerned about an increase in traffic. She appreciated that seniors might not be out there at the same time as the people traveling to and from work but they know the townhouses will not be for older people. She expressed concern that anybody who cannot get to the Bay Road will come to their street. They can gear the apartments to seniors but even if everyone there is seniors, it will open up their street and everybody will short-cut through Osborne Street, which will not prevent traffic from doubling. She stated they have to stop making it into a bigger area.

Mr. Bob Davison, 31 Walter Havill Drive, expressed concern about the effect of traffic on Osborne Street if a collector road is put through.

Mr. Donald Weeren, 7 Fenerty Road, indicated he understood that criteria will be developed under which this proposal will be tested. Without attempting to put a take on it yet, there is the matter of green space around assisted living quarters. The people in assisted living are increasingly house bound and spend a lot of time in their rooms or in common rooms. They are not really very mobile. Recently in visiting one of these establishments, it struck them that there was very little provided for the eye of the dwellers. Why, because cars would pull up and there would be parking lots and narrow paths of green and the building, so even for privacy the tenants would need to keep their blinds down. If they opened them, they would be looking at a lot of cars. A criteria to include would be something to ensure that the vision would not be just concrete and automobiles but attractive green for the pleasure of the residents.

An individual indicated she grew up in Armdale and that her parent's property would back onto the proposal. She referenced a reference to a rezoning from R-2 to R-4.

Grace Ho clarified it is not a rezoning per say. It is a plan amendment which means there would be specific policy for this property laid out in the plan which says the development agreement may be

entered into subject to criteria. The zoning would not be changed. A development agreement would be put on top of the property. It is a layer just above the zoning.

It was questioned whether a development agreement would be more flexible. It was responded that a development agreement can provide better protection in the end. It fits more for the site whereas the zone does not say anything about architectural controls or where you want the green space, for instance, to be. It is a lot more specific because it is a contract negotiated between the Municipality and the developer.

It was noted that the maps did not note the location of the access. It was questioned what the new means of access to this property would be. Referencing the map, Ms. Cantwell pointed out where Kelly Street would be extended through, the existing nursing home, and the location of the cul de sacs for the townhouse units, noting that they will primarily be coming onto Osborne Street.

It was commented that Mr. Keddy owns the property and the apartment building which is not the most sightly property. When she thought of townhouses, she thought of Cowie Hill versus Regency Point. She questioned how the quality of these properties would be controlled and how people will know what will go up in their back yards.

Grace Ho responded that we want to hear what kind of criteria the community wants to set out in terms of what type of standards would be acceptable in terms of architecture such as meters and facade. The standards would be made a criteria of the development agreement and the policy would elaborate on the forms that would be acceptable.

It was stated by an individual that none of this was acceptable.

It was commented by an individual that they have lived here all their lives and did not think they could appreciate what this has sent the community into. Townhouses made them shudder with the thoughts of hundreds of children running up the street, as well as the vehicles. It is a quiet community now and is why a lot of new people purchased homes there. It is a difficult community to get into. It is a very close knit community and did not think the proposal would jive with anybody in the area. They felt the whole area is being destroyed.

It was questioned how the issue of water would be dealt with. It was responded that for other development agreements, the plan policy usually stipulates that a stormwater management plan must be submitted prior to a development permit being issued.

It was questioned who will own and maintain these properties.

Ms. Cantwell stated they are asking for the right to be able to come forward with a specific proposal. They are seeking criteria under which seniors assisted housing would be considered as opposed to R-2 zoning.

Grace Ho indicated they believe there are some advantages to the neighbourhood. Traffic is bad and the amount of traffic generated from senior's facilities is better than R-2. There is an existing nursing home and apartments in that area, so we think there is some merit in clustering this as a low rise development. We see this as a good location. How they would be operated would be determined at the development agreement stage. Mr. Keddy is not certain he will be the developer. They might be sold to somebody in that business who would be required to develop them under the criteria for this particular policy.

It was questioned if Mr. Keddy would build the properties and then resell them. Ms. Cantwell responded Mr. Keddy might not even develop them.

It was questioned whether the complex would be apartments or a senior's complex. Also, whether they are apartments with handicapped facilities.

It was responded that there would be three buildings. One would be geared towards assisted living and the other two would be small buildings with senior's amenities that would attract seniors to them.

An individual stated he was horrified at how development occurs. Also, he did not realize that Mr. Keddy owned the apartment building that is in poor shape. Another individual countered it was not owned by Mr. Keddy. Having a good developer makes a big difference. He was concerned about them showing pictures of the Regatta Point development and questioned whether the market is here for the type of units at Regatta Point. He has seen so many subdivisions in metro where the market is strong and all the plans are there and then the market changes and what ends up being built is not what the neighbours expect. The traffic issue is something everybody in this room is very concerned about. It will significantly impact their lives if the traffic becomes worse than it is now. By having that street continued through there will make the traffic worse.

Ms. Elizabeth Pugh, 7 Quarry Road, commented that one of the reasons she was happy to be there is because it is a hard neighbourhood to get to. It took her about three months to figure out how to get onto Purcells Cove Road. She was nervous about opening up Kelly Street. She felt that 90% of those people will go down Osborne Street and turn onto Kelly Street and will go through Quarry Road and Stonehaven Road in the morning and will not go on North West Arm Drive. It is a small close-knit community. The streets have no sidewalks and are narrow. The traffic will cut through there and there will be a mess.

Dan Harroun, 10 Walsh Court, indicated that the Quarry Road as you approach the Bay Road is quite narrow. Sometimes in the winter there is barely enough room for two cars to pass, particularly when a bus passes. This development will present further problems. He said he would be interested to hear comments on the possible development of two 20-storey buildings overlooking the site.

Mr. Rob Beck, 10 Idlewylde Road, stated that he thought they should ask the City to take both proposals (also referencing Stoneridge on the Park amendments) and add the number of cars and people from both developments together. To go through an approval process for one of them independent of the other is too serious. He urged that they not pretend one proposal exists while they work on the other.

Grace Ho responded that one of the reasons we are here tonight is because we realize this neighbourhood is seeing two pretty significant development proposals.

Ms. Marsha Gardner, Osborne Street, indicated her property was directly behind where the townhouses are supposed to go. She questioned what this development would do to the value of her property.

Ms. Cantwell responded that the important thing is the quality of the development. If she had a choice between townhouses that are well executed or duplexes that are poorly executed in an as-of-right situation, she would take the townhouses. The advantage with a development agreement is that you have the opportunity to tell staff what it is you want.

An individual stated they did not want to see the development at all.

Grace Ho commented she thought their neighbourhood is under change so that is obviously a concern. The last person to build their property is the one that gets hit the hardest. What they are trying to do is the right development with this particular parcel so that it fits in and works well. If you look at the biggest issue which she believed is traffic, this is a better proposal than the R-2 development that is currently allowed. There are some other advantages to the development agreement approach. The applicant asked for R-3 zoning which allows for development as-of-right but staff asked for a development agreement which gives the community the opportunity to say how they want the development to look.

Ms. Jackie Pace, 11 Lanigan Court, said she was leaving here feeling brow beaten and wondering what was happening to her community. She did not know why she was paying City tax dollars and was concerned with developers coming back and wanting to change things. She was not opposed to change and was in the business of change but questioned how much change this community has to take. She did not think it was right. She agreed with Mr. Beck that both developments should not be done separately.

Grace Ho advised that the next step is for a staff report to go forward to the Chebucto Community Council in the near future. She encouraged that members of the public sign the attendance sheet so that their names can be added to the mailing list.

It was questioned whether there was anything they could do about not connecting those streets up or if this was a foregone conclusion.

Grace Ho responded that this meeting is to hear the concerns. She was hearing that traffic is a big issue. Traffic is usually the number one concern and we require that traffic analysis be undertaken by the applicants for review by Traffic Services.

The individual countered that he thought they misunderstood what was said and questioned whether there was a way they could block this whole development.

An individual indicated he was concerned about connecting the streets. He thought they would all prefer that nothing get built but they are fooling themselves to think that R-2 zoned land could be kept from being developed. They would like to have some input into what goes there. He questioned whether the road had to be put in irregardless.

Grace Ho advised that is one option out of a number that will be explored . Alan Golding can explore the connection as part of the traffic analysis he submits. All options will be explored. It is not a done deal.

Ms. Cantwell noted that the developer has no stated need to connect. It is whether or not it is worse for traffic. The entire development could be connected at Osborne Street or downhill or not be connected through so that half would go in one direction and the other half in the other direction.

Mr. Beck commented he thought the City was doing a wonderful job of trying to make this a civil and reasonable process. In both cases we have heard the developers threaten them. They are going to build this superior curvous building or they will build these big ugly buildings that they cannot do anything about. They just heard that they can have nice Regatta Point style townhouses or shacky white stuff that they can already do as-of-right. As business people and developers, they better develop selling skills and tell them how they will make their community better.

The meeting adjourned at approximately 9:30 p.m.

**ATTACHMENT V**  
**Public Information Meeting Minutes**  
**(Case 00062)**  
**October 10, 2002**

In attendance: Councillor Adams  
Gary Porter, Planner  
Randa James, Planner  
Gail Harnish, Planning & Development Services  
Alan Taylor, Transportation Planner  
Brenda Murphy-Jollimore, Council Assistant  
Margot Cantwell, EDM  
Alan Golding, Traffic Consultant

Gary Porter called the meeting to order at approximately 6:30 p.m. at the Keshen Goodman Library.

Gary Porter advised that HRM received an application to amend the municipal planning strategy (MPS). The MPS is our statement of policy for the Municipality which guides us in making our planning decisions. What happens from time to time is that the policy in the MPS does not allow for a particular proposal and we get a request to change it. He reviewed the plan amendment process. He pointed out that a public information meeting for this application was held on November 22, 2001. From that meeting, we heard that more information and a firmer proposal was needed.

Margot Cantwell identified the parcel of land on a map, noting that it is generally surrounded by existing development. It is an area that has been zoned for development for a long time but has not yet been developed. There is currently nothing on it in terms of housing and development. The site is 11 acres. There are three parts to the site. The upper part of the site is beside the apartment building and is a very large flat area; there is a slope in the middle of the property, and at the bottom there is another flat area. There is a nice ravine along part of the slope.

Margot Cantwell advised the property is zoned R-2 which allows for duplex development. There are water and sewer services available so it would be a serviced development. The proposal is to look at an alternative land use to R-2 uses. They are looking at locating senior's assisted living facilities and townhouses on the site proposed to R-2. She pointed out the existing nursing home and apartment building, noting it is up beside the nursing home that the assisted living facilities is proposed. There is an advantage to using the kitchen and sharing facilities as you move through the process as a senior from active to being less active. The assisting living facilities, which would be restricted to four storeys, would be beside the existing nursing home with links between the two and the proposed apartment building would be located beside the existing apartment building. The townhouses, which can have up to 8 units together, would be located at the bottom. The proposal would be by development agreement which means that the community would have an opportunity to comment on the type of building.

Margot Cantwell provided a summary of items being considered in terms of compatibility of the development with the surrounding area:

- architectural design;
- planting and screening;
- service entrances;
- type of building materials;
- lighting;
- parking;
- accesses to the site and building;
- buffering;
- traffic impact;
- adequacy of services; and
- height.

Margot Cantwell further provided a summary of other policy consideration:

- the height of the apartment buildings and the two buildings containing assisted living facilities shall not exceed four storeys;
- the apartment building shall not exceed 70 units and shall comply with the requirements of the R-3 zone;
- the two buildings containing assisted living facilities shall not exceed a total of 190 units and shall comply with the requirements of the R-3 zone;
- the townhouses shall comply with the requirements of the R-2T zone;
- Assisted living facilities have an opportunity to provide less parking. They generate relatively little parking; it is really for visitors. The parking requirements are less than for an apartment as defined in the R-3 zone.
- provision shall be made for adequate recreation, circulation, and open areas to address the needs of the residents, ie., gardens and open space that would be developed for residential;
- retention of some of the mature trees;
- no building shall be constructed within 50' of properties fronting on Osborne Street, Walter Havill Drive, and Street B of Stanley Park;
- maintain a minimum 20' buffer around the property, preferably 40';
- the ravine at the western end of Block 11 be maintained in a natural state.

**Mr. Ian MacDonald**, 8 Stonehaven Road, asked about the buffer around the properties on Stonehaven Road. Margot responded that their plan shows a minimum 20' buffer all the way around that area. She further responded that the setback around Osborne Street was a minimum of 20' and up to a preferred depth of 40'. She clarified that the same should be shown for the Stonehaven Road as well and that it was just an oversight on their plan.

**Ms. Pam Boyde**, 6 Stonehaven Road, questioned what was between the townhouses and the trees (the area in yellow on the map). Margot pointed out the area of the trees and the townhouses on the map.



Mr. Brian Gulliver, 3 Osborne Street, questioned whether the public property was in the swampy area. Margot indicated there is stormwater in the area. The next door neighbour commented that he lived next to it for seventeen years and that it was a swamp. He pointed out the area of the swamp which was fed from between the lakes.

Ms. Colleen MacDonald, 8 Stonehaven Road, asked for clarification in terms of the number of townhouses that could be clustered together. Margot indicated they could put three or four townhouse units together in one cluster. In total, there will be 21 dwelling units.

Mr. Cleve Brewer, 11 Sunset Avenue, speaking on behalf of his mother who lived at 5 Osborne Street, questioned what type of park it would be and what kind of access there would be to the park from her property.

Gary Porter advised that when subdivision takes place, the developer is required to contribute 5%. In this instance, there will be a development agreement which will require some negotiation. In an as-of-right situation, when we get parkland, it is in an undeveloped state. In this instance, because there will be negotiations, certain things that the people want to see, such as a finished park, could form part of the negotiations. There would not be an opening into the yard of Mr. Brewer's mother. The access would be from the public property.

Mr. Brewer questioned whether any services would be running through the park. Margot responded that has not been determined yet.

Gary Porter explained that before this development can proceed, there are two steps. First, there is the plan amendment which sets the ground rules. If the MPS amendments are approved, the developer will come back with a proposal showing that it meets with the ground rules. The meeting tonight is to talk about what the ground rules should be.

Mr. Raye Billard, 33 Walter Havill Drive, commented that development in the area is spurring a lot of traffic. He questioned whether consideration was being given to requiring traffic lights at the corner of Osborne Street, Tamarack Drive, and Walter Havill Drive.

Mr. Alan Golding, Traffic Consultant, stated that traffic lights would only go in if it meets warrants which requires quite a bit of traffic. He felt that all way stops would happen before lights were installed.

Reference was made to the new Tim Hortons' store which recently opened which resulted in a reconfiguration of traffic coming to that store. There will be more traffic on North Wet Arm Drive and onto Osborne Street to approach the rotary that way. It seems from a traffic calming point of view that something should be done before the usual traffic bulges.

Mr. David Gates, 29 Stonehaven Road, asked for confirmation that Kelly Street would be opened up into Osborne Street. It was responded yes.

Mr. Gates questioned what studies have been done to look at the 70 apartment units and the excessive traffic that will happen if Kelly Street is opened up.

Margot Cantwell noted that issue was raised at the last public information meeting as well. They looked at an opportunity of two cul de sacs that dead ended and ran traffic models. Their traffic consultant looked at it, as did the City. There has been a decision made to put Kelly Street through. They looked at this proposal from the perspective of how much traffic it would generate. It is relatively low because of the senior's facilities. The short-cutting issue was looked at as well. The traffic people say it will not happen.

Mr. Alan Golding commented the area was interesting in that it is an enclosed area and that from a traffic engineer's point of view was quite interesting to put the study together.

Mr. Golding presented raw traffic counts from streets in the area which was done at 15 minute intervals on October 1, 2001 and September 18, 2002. As a result of his counts and observations, he did not believe short-cutting was an issue.

**Ms. Elizabeth Pugh**, 7 Quarry Road, countered that she felt people would short-cut because of the new Tim Hortons and the new development happening around the corner. Those people are going down Osborne Street, cutting through Kelly Street, and heading onto Quarry Road, and then the Bay Road. They are going through a neighbourhood without sidewalks.

Mr. Golding indicated that if the Bay Road was running free, he would agree, but with the way the Bay Road is in its present state, he was not sure.

**Mr. Ian MacDonald**, 8 Stonehaven Road, stated he attended many meetings over the years and the opening of Kelly Street was always one of the biggest issues but now it seems to be a non-issue.

Gary Porter indicated there was always an intention that it be connected. It is not unusual for streets to be built in pieces and then built through. What he was hearing is that if it goes through, it will not be the traffic nightmare some people think it is.

Mr. MacDonald stated it was always an issue. There was concern because there are no sidewalks and kids are walking through.

Gary Porter reiterated that it was always an intention of the City and HRM that the street would be completed. Also, he believed there was an interest by Metro Transit to alter their routes to go through there.

Alan Taylor advised that Metro Transit wants to use the two parts of Kelly Street.

**Ms. Elizabeth Pugh** stated that first consideration should be given to the residents and lastly to Metro Transit.

Ms. Pam Boyle asked for clarification in terms of the traffic numbers presented.

Mr. Golding advised that what he presented earlier was in support of the notion that there is no short-cutting. He explained the standard practices used to determine how traffic counts are done. He indicated that the next part of his presentation would be to talk about the projections. He pointed out that the number of units used in his projections were higher than the actual which would be 200 senior assisted units, 52 townhouses, and 70 apartment units. Referencing the projections on the map, he noted it was quite interesting because of the location of the one apartment building which was totally isolated and the location of the duplexes. He presented projections as a result of the proposed development on the streets in the area.

Mr. Bob Davison, 31 Walter Havill Drive, referenced an area where a little strip mall was being located in the area of Tim Hortons. If he came off North West Arm Drive to get a coffee, he had a choice of either going down the Bay Road with three sets of lights or if he went down Osborne Street he would make a left. He felt it would be quicker to go on the Bay Road.

Mr. Davison asked whether the setback would be 20' or 40'. Margot responded that the policy would indicate that a 40' setback is preferred but it would be a minimum of 20'. They would have to come back through the development agreement process with a plan to show that they tried to achieve 40' and only where not possible that will go down to 20'. The reason for that is because handling stormwater along some of the edges may be a little tight.

Mr. Davison indicated that the apartment building has a chainlink fence which is nice. Where he was before they had the same kind of scenario but there was no fence and the kids came through on their way to school across these properties. If they put a corner store at Osborne Street, kids in this building will probably want to go this way but if you put the parking lot behind it, people will want to come through here to get to the Tim Hortons area through these properties. He suggested that they should restrict their right-of-way getting through here by installing chain link fence along the whole thing. It will stop the kids trying to short-cutting across to the apartment building and from there to Walter Havill Drive.

Gary Porter noted that it was being suggested that there be a requirement in the policy to require some kind of barrier through there.

It was questioned what the timeframe would be for 'breaking ground' should the project proceed.

Margot Cantwell responded that there is quite a process to go through. The plan amendment process is probably another five months and then there is the development agreement process. Following that, there would be design and construction, so probably 2-3 years.

An individual commented they attended a meeting earlier this year and to his surprise learned there was approval for an apartment building behind the Rubber Duck Car Wash. There was a proposal put forth for 3-12 storey buildings to be converted to 2-20 storey buildings and to increase the height of the 12 storey building by the Bay Road to 17 storeys. He was concerned that should they get approval for a 70 unit apartment building that they could come back in 6-12 months time asking for approval to change it to a 20

storey building. He questioned what safeguards are in place to ensure that the number of units stated tonight are not exceeded.

Gary Porter advised that anyone has the right to apply for an amendment, which is what happened for Stanley Park. He clarified that the referenced proposal was for 2-12 storey buildings and 1-4 storey building to be changed to 2-20 storey buildings. That request did not get approved by Chebucto Community Council. The people did not want it. If the developer for this property was to come back for a future amendment to increase the number of units, then they would have to go through the same process. The developer for Stanley Park went through the process and their proposal was turned down by Community Council. There was a lot of public pressure. It is very important that there be public acceptance.

**Mr. Raye Billard** questioned how the traffic study in response to this proposal was integrated with the United Golf development and this emerging area. He questioned whether there have been any combined projections made to satisfy traffic engineering people that they do not have any crisis.

Mr. Golding responded that the studies for the other developments were done a year ago and the roads were there to handle this. He did not expect that this proposed development is what "puts it over". The whole area is undergoing development and traffic is increasing. That is what the roads were designed and built for. The roads were designed for today's capacity and can accommodate those developments.

**Mr. David Regan**, 7 Quarry Road, indicated the projected traffic numbers indicate that most people will want to go down Osborne Street and questioned how that conclusion was reached and whether it was because Osborne Street flowed better than the Bay Road.

Mr. Golding responded that people are already choosing that route and assumed that if they are already doing that, they will probably do it moreso with Kelly Street joined.

Mr. Regan referenced Mr. Golding's comment that the roads are made for traffic today. Some of the roads in that area such as Quarry Road were not made for your regular City traffic. Some of those places were camps. Those roads can be treacherous, particularly in the winter time. They do not expect to see much traffic on them partly because of their character. Half the time the plows won't go down them.

**Ms. Elizabeth Pugh** stated the traffic figures are only dealing with traffic from this development. The opening up of Kelly Street has not been looked at in terms of what it will do to traffic flows in the greater area. Some of those roads were designed for future traffic but did not think it was done for Kelly Street being opened. She thought that opening up Kelly Street would change the traffic flows; not just distribute who is living in that particular area.

**Mr. David Gates**, 29 Stonehaven Road, indicated that he was a resident of Stonehaven Road for the past twelve years which has no sidewalks and he had two small children. Even if the number of cars is only increased by ten cars, he still had an issue with traffic if Kelly Street is opened up. From living there for twelve years, the traffic numbers look low. Traffic has been increasing. Kelly Street will be a through point for the traffic from Osborne Street and vice versa.

Ms. Pam Boyle asked for confirmation that Mr. Golding's traffic figures assumed most of the traffic would go onto Osborne Street. Mr. Golding responded that he assumed roughly 70-75% of the traffic would go that way. Anyone not wanting to go to the city would not go that way.

Mr. Cleve Brewer, 11 Sunset Avenue, commented that if Kelly Street is not opened, all the traffic in the development would go to Stonehaven Road and down through anyway. It looks like it's either way.

Gary Porter indicated that if Kelly Street did not go through, an alternate design he saw splits it. Some will come out towards Osborne Street and some will go out the other way. Margot concurred.

Mr. Golding advised the idea discussed was to have the two cul de sacs meet the corners but not connect. The apartments and assisted living facilities and a few of the townhouses would go this way and the rest would go another way. A bus gate could be installed.

Margot Cantwell noted the traffic on Stonehaven Road is the worst in that scenario.

Mr. Brewer commented it is a nightmare to get onto the St. Margarets Bay Road.

Ms. Julia MacDonald, 8 Stonehaven Road, indicated it would not make that much of a difference. It would cut out the traffic that is not local.

It was questioned whether the speed was checked on Osborne Street.

Mr. Golding advised that they checked the speed not too long ago and the traffic was mostly going the speed limit. They have two hoses across the road 8' apart. If the speeds are much over the speed limit, that is an enforcement issue the police need to know about.

It was indicated that there appears to be a road at the end of the cul de sac onto Stonehaven Road. Gary responded that is a connection through to the nursing home.

An individual commented it was his understanding that when you put in a cul de sac there has to be a secondary road for emergency vehicles. Gary advised that the regulations require that if it is more than 350', they are required to have a walkway connecting it to something else. The maximum they can be is 750'.

Ms. Julia MacDonald questioned whether there was any investigation occurring relative to the two cul de sacs as opposed to joining Kelly Street.

Gary Porter advised that we are early in the process and would look at that further. There appears to be concerns with Kelly Street going through.

Ms. Anne Thompson, 10 Edgehill Road, questioned whether there was any type of master strategy for traffic and whether there is a limit for the number of cars going through the rotary.

Gary Porter responded that at the present time they do not have a regional plan that addresses where growth will occur. HRM has created a regional planning section and that group is looking at that. There will be lots of public consultation as to where growth will occur. Eventually there will be a regional plan. Alan Taylor clarified that there is an old plan.

Ms. Thompson questioned why HRM is allowing development when it cannot handle the traffic going through now.

Gary Porter commented that sometimes you have to wait in line-ups but to some people that is no big deal. It is a matter of opinion. There is traffic but he did not think it has reached an intolerable level yet.

**Councillor Adams** advised that in terms of the concern related to speeding, they will make arrangements for real radar, perhaps during rush hour.

**Mr. Graham Read**, 19 Lawnwood Avenue, commented that in terms of speeding on Osborne Street, people are coming off North West Arm Drive which is a high speed road. He suggested that more speed checks were needed to slow the traffic down.

Mr. Read noted that the proposal requires an amendment to the existing MPS and despite numerous requests, the MPS policies have not been reviewed for a long time. Through the regional planning process they are looking at where traffic will go. Areas designated for low density residential being proposed for higher density uses is squeezing the lower density people out to the boondocks. He did not like to see a lot of low density areas being converted to higher density. People wanting to live in low density areas are being forced out. This is a major change to the existing plan. Major changes to the LUB or MPS should be part of that regional planning process rather than stand alone. How they want the Mainland South area to evolve should be part of a broader input. They should have a broader concept of where low density should be and whether they want to convert to higher density. He felt the proposal should wait and be part of the discussions for the regional plan review.

Margot Cantwell commented she understood what was being said. However, this process enables this community to make specific decisions about their own neighbourhood and that is not what the regional plan is about. This is about a very small property that is currently zoned for development within the City. They are within the City capacities. It is responding to a specific policy and the reason Regional Council agreed to look at it was to look at a mixture of residential environments. One of the things noted is there are a significant number of what they would call entry level units in this area and there are not as many facilities in this broader neighbourhood for older people and for seniors.

Gary Porter stated that we cannot just stop everything until the regional plan is in place. We have a process in place. If there is community acceptance, there is probably a good chance the proposal will be approved. If not, it may not happen.

Mr. Read noted that groups in Mainland South and other parts of Halifax have been asking for a review of their MPS for more than fifteen years and it has not happened. It is time to put a hold on any changes to the

existing plan until they have had a chance to review it and see if the changes proposed are consistent with what they view for Mainland South as appropriate changes.

Mr. Ian MacDonald indicated that he took a walk around the area. It was referenced that they are not exceeding anything but noted they are running very close to what they can get in there, ie., 90%.

Margot Cantwell responded there is good policy reasons to not have a lot of sprawl. There is sewer and water infrastructure that can be utilized. It is similar to if they were developing R-2.

Mr. MacDonald noted the area is surrounded by R-1 single family housing. Three people told him they would move if this development proceeds.

Gary Porter pointed out that the land is currently zoned R-2 and the owner could come in tomorrow and build Kelly Street right through and subdivide and build a number of duplexes and semi-detached units. He wanted the people to make an informed decision and noted that the land would probably not remain vacant.

Margot Cantwell indicated that they tried to put the townhouses near the single family homes. One of the reasons for the different figures tonight is that the City said they should have less townhouses to allow for more landscaping. The development agreements allows for more park. There will be about 15% park. It is more of a different form than higher density. Up beside the apartment on top of the hill the senior's facility is four storeys next to the nursing home.

Mr. Brian Gullivar commented that the last time the landowner attended a meeting with a proposal he was heard to say that if it was not approved he would donate the land to the City for low rental housing. He believed that was Plan B.

Gary Porter commented that donating the land to HRM does not necessarily mean it will be developed as low quality housing.

Margot Cantwell stated there is no Plan B. There is a parcel of land that can be developed. What they are talking about is what is the best mix.

Mr. Bob Davison asked for confirmation that the current zoning was R-2.

Gary Porter responded yes, noting that the zoning would not change as a result of this proposal. The development would proceed by development agreement which is essentially a contract between the landowner and HRM that allows them to do certain things not permitted by the zoning. He also confirmed that the land in question can be developed as R-2 now.

Margot Cantwell advised that the R-2 zoning would permit 94 duplex units to be built on the site. Quoting figures, she noted that the as-of-right development would generate a little less traffic.

An individual commented there has been a lot of discussion relative to high density and suggested the councillors should look at changing the zoning back to R-1.

Gary Porter responded that the zoning never was R-1. He noted that there is always an opportunity for neighbourhoods to come forward and ask for a zoning change.

**Ms. Elizabeth Pugh** stated that a lot of people on her street as well as Stonehaven Road and Fairmount are not happy with this.

Gary Porter noted that we are here for public input and that neighbourhood input is important.

**Mr. Graham Read** concurred that any person may apply for a rezoning. He referred to an instance on Forward Avenue where one of the neighbours came forward and put forward and applied to rezone land to R-1. Usually it is the property owner that applies for the rezoning and it has to go through a public hearing process.

An individual stated that people buy lots on the indication of their current zoning and was concerned that somebody else could undo that contract and questioned where the good faith was on behalf of the Municipality. Gary noted there is a public process where there is an opportunity for input.

An individual commented this was the second of this type of meeting he attended. The other one was for the United Golf application. He felt this process ignores that there are certain fundamental things in place. The focus should be on the incremental impact than turning the whole process around to ground zero. They are here tonight to decide if a development agreement is appropriate under the circumstances and not for a rezoning from R-2 to R-1. He felt that they should focus on what is happening incrementally.

The meeting adjourned at approximately 8:30 p.m.



DRAFT**7. CONSIDERATION OF DEFERRED BUSINESS****7.1 Case #00062: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street**

- A staff report, dated February 17, 2003, was before the Committee.

Ms. Randa James, Planner, gave a brief overview of the staff report. A copy of the report is on file in the Municipal Clerk's Office.

Ms. James commented that the minutes from the public information meeting, included in the staff report, have been modified at Councillor Walker's request to show the Councillor's in attendance at that meeting.

**MOVED BY Councillor Walker, seconded by Councillor Whalen that a 20' non disturbance zone be clearly understood to be a requirement. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Whalen requested what the density calculation would be for this proposed development. Ms. James commented that there would not be a density calculation until an actual proposal is filed. Councillor Whalen requested a minimum/maximum range for density.

Councillor Mosher requested that the information regarding the calculation range for density be brought to Regional Council.

**MOVED BY Councillor Adams, seconded by Councillor Walker that Chebucto Community Council recommend that Regional Council:**

- 1. Give First Reading to the proposed amendments as amended to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw, presented as Attachment I, and to schedule the public hearing for June 17, 2003.**
- 2. Approve the amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw as contained in Attachment I and as amended.**

**MOTION PUT AND PASSED UNANIMOUSLY.**