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MEMORANDUM

TO: Chair and Members of North West Planning Advisory Committee

FROM: Jacqueline Belisle, Planner 1

DATE: September 17, 2014

SUBJECT: Case 19503: Application by Timber Trail Homes Ltd. for a non-substantive amendment to the existing 2009 development agreement for the Timber Trail Mobile Home Park to permit the development of Phase 2 (24 lots) at Lucasville Road, Hammonds Plains.

Background:

Timber Trail Mobile Home Park is an existing residential use located on the Lucasville Road within the community of Hammonds Plains.

In 2009 a development agreement was approved by North West Community Council to allow the expansion of the existing mobile home park. This existing agreement was reviewed by NWPAC on October 1, 2008. Sections 3.5.2 and 6.2.1(c) of the agreement allow the development of Phase 2 (as identified in Attachment A) comprising of 24 lots through the non-substantive amendment process. This was due to the presence of a road reserve. At the time the existing agreement was negotiated and approved, it was uncertain if the lands identified as Phase 2 would be required to connect Nubury Road to the Lucasville Road, therefore the agreement allowed for Phase 2 if the road reserve was deemed unnecessary.

The road reserve has recently been determined unnecessary by HRM Planning and Infrastructure (Regional Transportation), therefore the applicant is seeking the non-substantive amend to allow the development of Phase 2.

Existing Use Timber Trail Mobile Home Park (currently consisting of 233 mobile homes and a sewage treatment plant).

Designation MU-B (Mixed Use B) under the Beaver Bank Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS). Refer to Map 1 (GFLUM).

Zoning MU-1 (Mixed Use 1) under the Beaver Bank Hammonds Plains and Upper Sackville Land Use Bylaw (LUB). Refer to Map 2 (Zoning).

Proposal Refer to Attachment A.

Community & Recreation Services- Development Approvals

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MPS Policy Policy P-19 of the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS). A copy of the relevant policy is attached for the Committee's reference as Attachment B.

Non-Substantive Amendments to Existing Development Agreements

Existing development agreements set out matters which are considered to be non-substantive. Non-substantive amendments are approved through a resolution of Community Council without a Public Hearing.

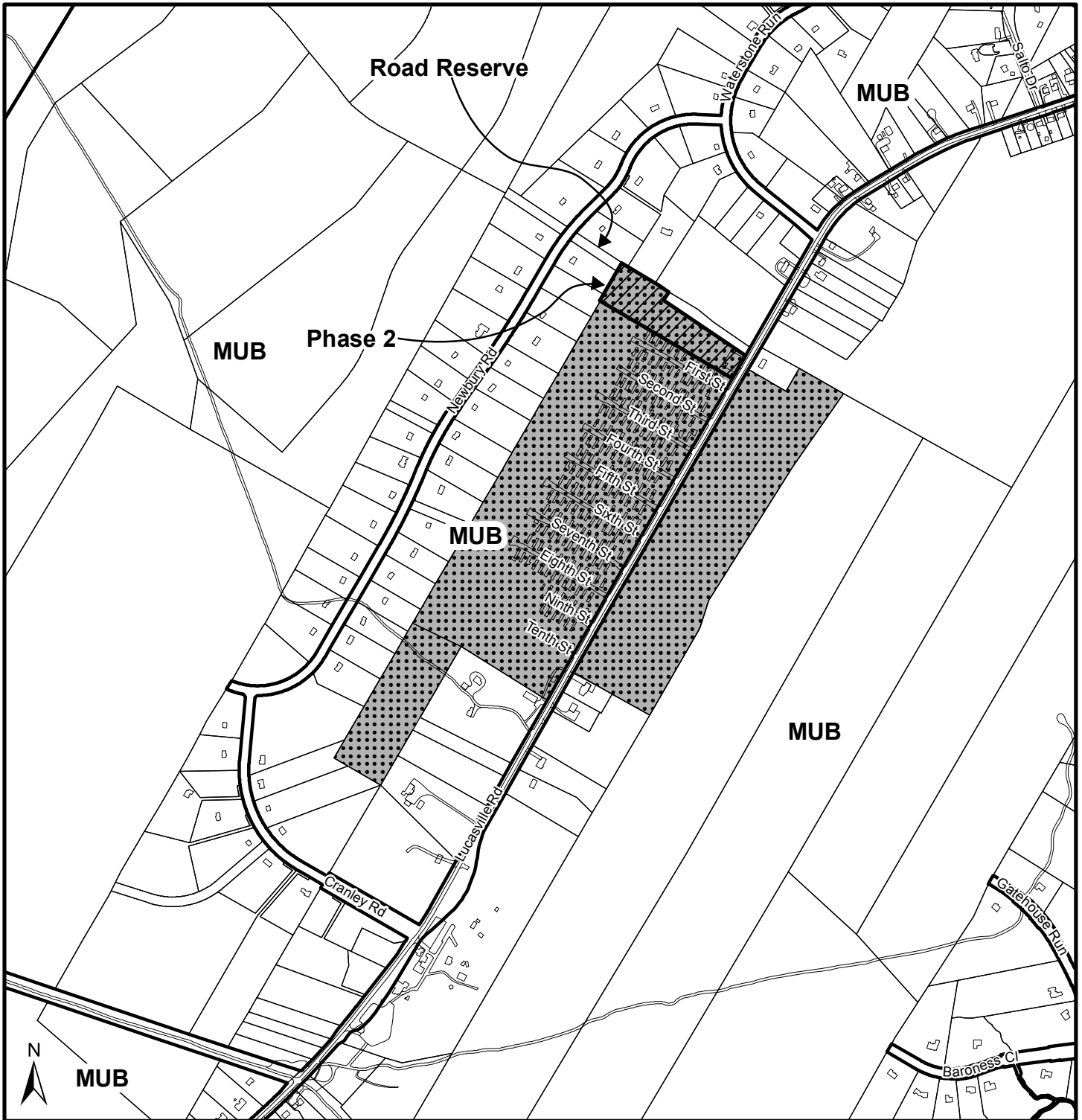
No public information meeting was held, however, information sharing with the public is achieved through a sign placed on the property and information on the application posted on the HRM website.

Input Sought from North West Planning Advisory Committee

Feedback is sought from NWPAC relative to this proposed amendment to the 2009 Development Agreement to allow the development of Phase 2. NWPAC's recommendation will be included in the staff report to Community Council.

Attachments:

Map 1	Generalized Future Land Use Map
Map 2	Zoning Map
Attachment A	Schedule B of the Existing 2009 Development Agreement
Attachment B	Excerpts from the MPS (Policy P-19, P-18 and P-137)



Map 1 - Generalized Future Land Use

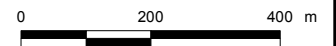
Timber Trails Mobile Home Park
 Lucasville Road, Hammonds Plains

HALIFAX

 Existing Development Agreement

Designations

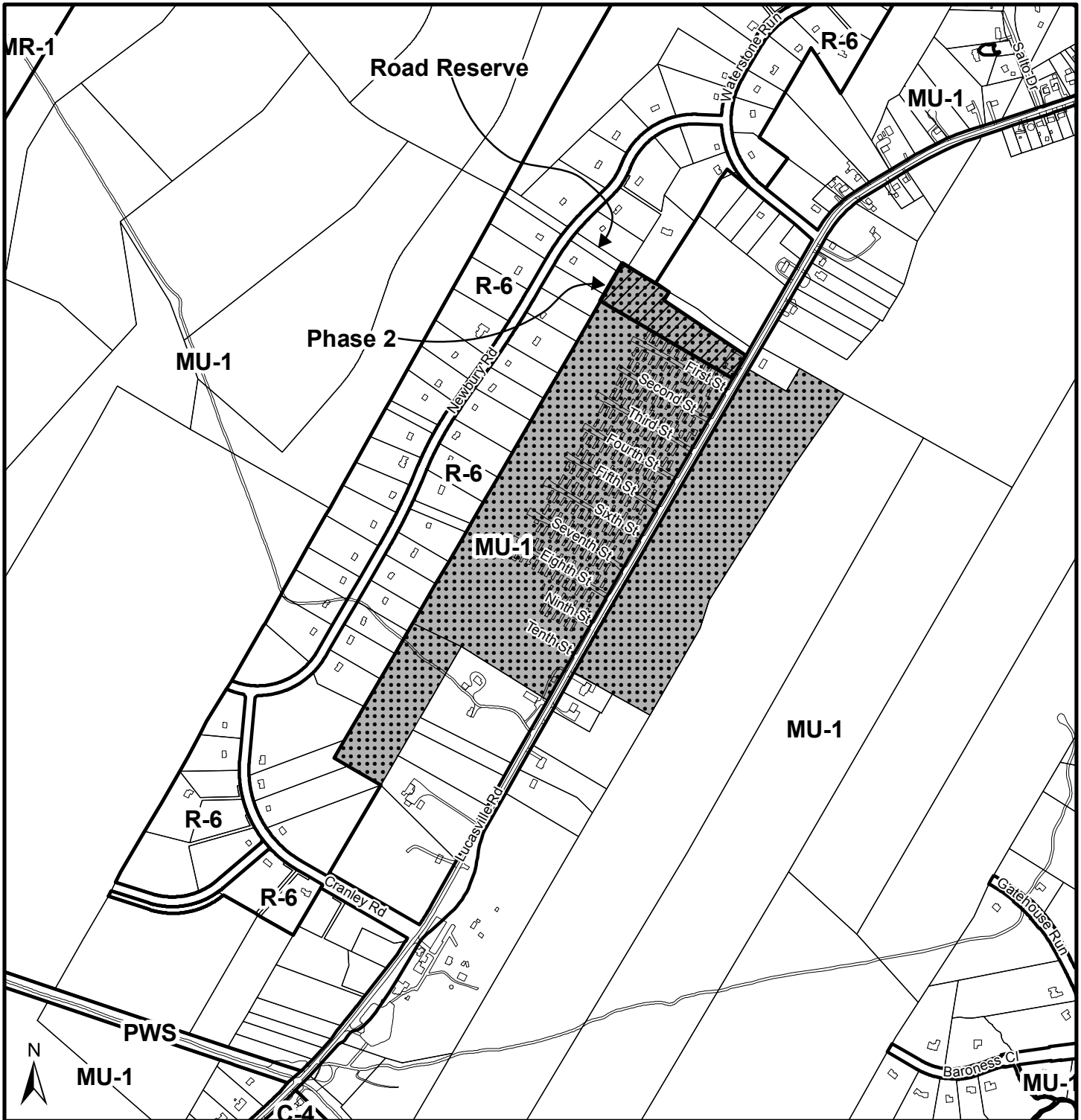
MU-B Mixed Use B



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Beaver Bank, Hammonds Plains and Upper Sackville Plan Area



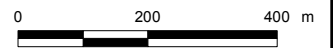
Map 2 - Zoning

Timber Trails Mobile Home Park
 Lucasville Road, Hammonds Plains

HALIFAX

 Existing Development Agreement

- Zones**
- R-6 Rural Residential
 - C-4 Highway Commercial
 - MU-1 Mixed Use 1
 - MR-1 Mixed Resource
 - PWS Protected Water Supply



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Beaver Bank, Hammonds Plains
 and Upper Sackville By-Law Area

Attachment B

Excerpts from the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy

- P-19 Within the Mixed Use B and C Designations, it shall be the intention of Council to consider permitting new mobile home parks as well as expansions to existing parks, by development agreement and according to the provisions of the Municipal Government Act. In considering such uses Council shall, in addition to the considerations identified in Policy P-18, have regard to the following:
- (a) that the proposed development not be located within two hundred feet of a R-1(Single Unit Dwelling), C-4(Highway Commercial), I-1 (Mixed Industrial) or I-4 (Sanitary Landfill Site) Zone;
 - (b) that the mobile home park shall not require access through a R-1(Single Unit Dwelling) zone; and
 - (c) the provisions of Policy P-137.
- P-18 Within the Mixed Use A Designation, it shall be the intention of Council to establish a R-3a (Mobile Home Park) Zone, which permits Woodbine mobile home park. Within the mobile home park zone, Council may consider permitting an expansion of the existing mobile home park, by development agreement and according to the provisions of the Municipal Government Act and with regard to the following:
- (a) the adequacy of existing park services including sewer and water systems, recreation facilities, road and general park maintenance, garbage collection and street lighting;
 - (b) the effect which any extension would have upon the level or quality of services in the existing park;
 - (c) the ability of education facilities, protection services, and recreation facilities to adequately service the increased demands of the additional development, or to respond with the provision of additional services;
 - (d) the provision of landscaping or buffering from adjacent land uses in order to protect the privacy, reasonable use and enjoyment of those properties;
 - (e) the provision of landscaping or buffering from the public road to which it has access;
 - (f) stormwater planning;
 - (g) the impact of the extension on internal and external traffic circulation patterns;
 - (h) park layout and design including the design of the internal road network and separation distances from maintenance buildings and sewage treatment plants;
 - (i) where any new sewage treatment plant is proposed, the location and level of treatment of the sewage treatment plant;
 - (j) the provisions of the Mobile Home Park By-law;
 - (k) the provisions of Policies P-91 and P-137; and
 - (l) that the total number of mobile dwellings permitted within the park shall not exceed the maximum number of units capable of being serviced by the sewage

flows assigned to the park's sewage transfer system under the servicing agreement signed in 1994.

- P-137 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:
- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
 - (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;
 - (ii) the adequacy of central or on-site sewerage and water services;
 - (iii) the adequacy or proximity of school, recreation or other community facilities;
 - (iv) the adequacy of road networks leading or adjacent to or within the development; and
 - (v) the potential for damage to or for destruction of designated historic buildings and sites.
 - (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.
 - (d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.
 - (e) **Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges - Policy P-81”, 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. (RC-Jul 2/02;E-Aug 17/02)**