

Item No. 6

Halifax Regional Council
July 7, 2009

TO: Mayor Kelly and Members of Halifax Regional Community Council

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: June 12, 2009

Subject: Case 01188: Fall River -Alternate Housing Forms /Water Service Area

INFORMATION REPORT

ORIGIN

September 23, 2008 (item 10.1.2) motion of Regional Council:

“Moved by Councillor Snow, seconded by Councillor Sloane, that Regional Council:

1. Initiate the process to consider amending the Planning Districts 14 and 17 Planning Strategy, and Land Use By-law to consider:
 - a) permitting alternate housing forms other than single unit dwelling within an Open Space Design Development;
 - b) permitting increased density within an Open Space Design Development for alternate housing forms where the development is within the water service boundary and within a centre identified under the Regional Plan; and
2. Initiate the process to consider amending Schedule B of the Regional Subdivision By-law to include PID#00506501 within the Water Service Boundary; and
3. Request staff to follow the public participation program as approved by Council in February 1997 plus additional consultation with the Fall River Vision Implementation Committee.”

BACKGROUND/DISCUSSION

The motion of Council directs staff to consider amendments permitting higher density alternate housing forms in an open space subdivision where municipal water is provided in the Planning Districts 14 and 17 plan area. Much of the existing housing in Planning Districts 14 and 17 is single-unit detached due to limitations of septic systems and groundwater resources to supply higher densities associated with alternate housing forms. Regional Plan policy allows Council to consider higher densities through alternate housing forms in open space subdivisions in defined growth centres but this policy is inconsistent with the Districts 14 and 17 MPS where higher density alternate housing forms are not permitted.

Laurie Baker, owner of PID 00506501 (Map 1), in Fall River had expressed interest in developing alternate housing forms and in having the water service boundary extended to include his property to provide necessary quantity and quality of water supply to support his development. As the need for alternate housing forms is important to the community, the requested amendments were in large part anticipatory to the receipt of an application from Mr. Baker. However, staff have not yet received an application from Mr. Baker. It has recently been communicated to staff that the request to expand the water service boundary to include these lands is to be withdrawn.

The land owner intends to submit an application for an open space subdivision in the near future. Where the development is to be serviced by groundwater the application is subject to a hydrogeological assessment. The assessment needs to indicate that there is an adequate supply of ground water to service the development and the proposed development will not adversely affect the groundwater supply in adjacent developments. The applicant may request an increase in density for an Open Space Design Development up to 1 unit per 4000 square metres, or greater in centres as may be provided for in the secondary planning strategy.

If the land owner pursues an alternate housing form, or higher density alternate housing form, then amendments to the Planning Districts 14 and 17 MPS and LUB would be required. Open Space Design Development enables alternate housing forms, however the local MPS policy does not enable townhouses and multiple unit dwellings. Staff are of the opinion that the applicant should propose specific alternative housing forms and request appropriate amendments to the MPS and LUB as part of the application.

Conclusion:

Staff are of the opinion that the Council initiated proposed amendments should not be pursued further at this point. The withdrawal of the request for expansion of the water service boundary has redefined the proposal as the development of the lands is subject to a hydrogeological evaluation. A separate application to amend the MPS may be made to Council for consideration of alternative housing forms for open space design subdivisions.

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.

ATTACHMENTS

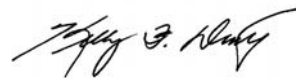
Map 1

Location Map

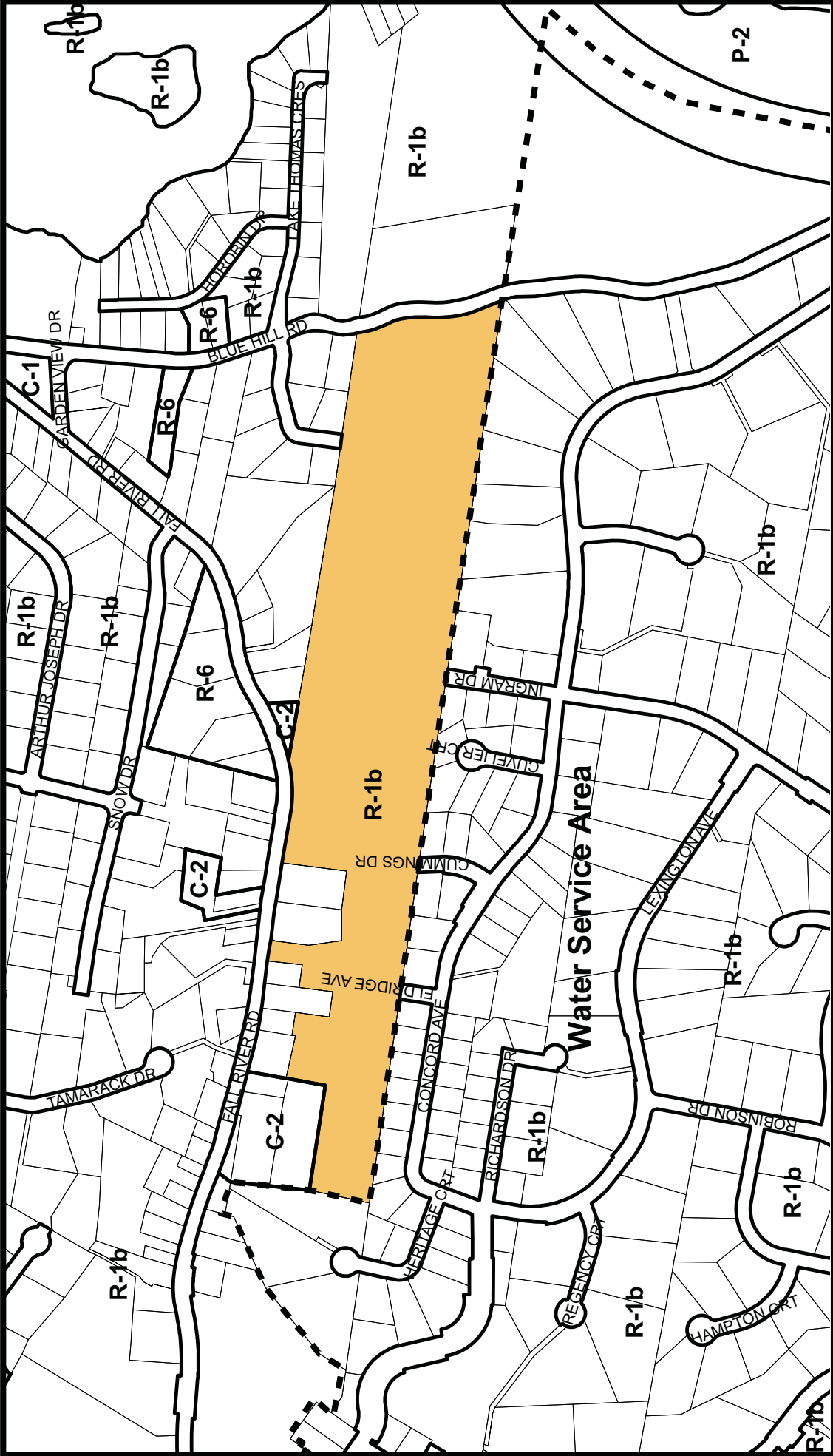
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Darrell Joudrey, Planner, Planning Applications 490-4181

Report Approved by:



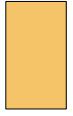
Kelly Denty, Acting Manager of Planning Services, 490-6011



Map 1
Zoning



Property to be considered for inclusion in the Water Service Area



Water Service Area



Shubenacadie Lakes Plan Area

- R-1b Suburban Residential Zone
- R-6 Rural Residential Zone
- C-1 Local Business Zone
- C-2 Community Commercial Zone
- P-2 Community Facility Zone