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Item No. 10.1.2
North West Community Council
September 8, 2025 Public Hearing
August 11, 2025

TO: Chair and Members of North West Community Council

FROM: Jacqueline Hamilton, Executive Director of Planning and Development

DATE: July 14, 2025

SUBJECT: **PLANAPP-2024-01253: Amendment to Appendix A-1 of the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville to increase the number of permitted units for 326 & 328 Beaver Bank Road, Beaver Bank**

ORIGIN

Application by Elias JeBailey.

EXECUTIVE SUMMARY

The report recommends refusal of a proposal to amend Appendix A-1 of the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law. The proposal seeks to increase the number of permitted units by 39 to a total of 399 within two buildings at 326 & 328 Beaver Bank Road in Beaver Bank, as well as updating one Parcel Identification Number (PID) listed within the Appendix. In 2022, Regional Council approved region-wide comprehensive updates to housing policy and regulations, introducing shared housing use in all land use by-laws. At the time of approval, Regional Council intentionally delayed the removal of Senior Citizens Housing use, the existing use to be replaced, to the Mixed Use 1 zone of the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law to allow more time for developers to complete their active proposals for Senior Citizens Housing developments. In 2023, amendments were approved by Council that replaced Senior Citizens Housing use within the Mixed Use 1 zone with Shared Housing with Special Care, to complete the region-wide comprehensive update to housing policy and regulation for shared housing. In order to continue to be considered as Senior Citizens Housing, a complete development permit application had to be submitted prior to the notice of the public hearing on the amendments. Council directed that Policy P-9A of the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy be created, enabling the creation of Appendix A-1 of the Land Use By-law. The Appendix lists the properties and the associated maximum number of Senior Citizens Housing units that were associated with complete development permit applications submitted prior to the notice of the public hearing. A revision to the permit application proposing the increase in the number of units at 326 and 328 Beaver Bank Road was not submitted to the Municipality prior to the posting of the notice of the public hearing, meaning the additional units were not able to be considered as Senior Citizens Housing. Staff recommend that North West Community Council refuse the proposed amendments to the Land Use By-Law.

RECOMMENDATION

It is recommended that North West Community Council refuse to give First Reading and refuse to schedule a public hearing, thereby refusing the proposed amendments to Appendix A-1 of the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville.

BACKGROUND

Elias JeBailey has applied to amend Appendix A-1 of the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law (LUB) to increase the permitted number of units by 39 for a total of 399 within two buildings located at 326 & 328 Beaver Bank Road in Beaver Bank.

Subject Site	326 & 328 Beaver Bank Road, Beaver Bank (PIDs 41535998 & 41517525)
Location	Located to the north of Windgate Drive, east of Feely Lake, and to the west of Welkin Drive
Regional Plan Designation	Urban Settlement (US) & Rural Commuter (RC)
Community Plan Designation (Map 1)	Mixed Use A (MUA) under the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS)
Zoning (Map 2)	Mixed Use 1 (MU-1) under the Beaver Bank, Hammonds Plains and Upper Sackville LUB
Size of Site	Approximately 35,248 square metres (379,406 square feet) and 18,565 square metres (199,832 square feet)
Street Frontage	Approximately 14.5 metres (47.5 feet) and 27.7 metres (90.9 feet)
Current Land Use(s)	Vacant / Construction of Senior Citizens Housing underway
Surrounding Use(s)	Residential, Commercial (restaurant), and a golf driving range

Proposal Details

The applicant proposes to amend Appendix A-1 of the Beaver Bank, Hammonds Plains and Upper Sackville LUB. The major aspects of the proposal are as follows:

- Increase the number of permitted units at 326 Beaver Bank Road from 240 to 266;
- Increase the number of permitted units at 328 Beaver Bank Road from 120 to 133; and
- Update the Parcel Identification number (PID) from 41052978 to 41535998, due to retirement of the original PID when the condominium corporation was registered.

Enabling Policy and LUB Context

The subject properties are designated Mixed Use A (MUA) under the MPS and zoned Mixed Use 1 (MU-1) under the LUB. The MU-1 zone permits a wide range of residential uses, including Existing Senior Citizens Housing on properties listed in Appendix A-1, as well as several other non-residential uses.

On [July 12, 2022](#), Regional Council gave first reading of the proposed region-wide amendments for shared housing, passing a motion specific to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB that allowed 'Senior Citizens Housing' to remain a permitted use within the LUB, in order to allow extra time for active projects to continue to move through the application process.

On [May 23, 2023](#), a public hearing was held by Regional Council on the proposed amendments to the LUB, as well as a larger list of amendments proposed as part of the Region-Wide Approach to Shared Housing report. Council deferred the motion and requested a supplementary report from staff outlining options to extend the timeline for the commencement of construction for projects with issued development permits for 'Senior Citizens Housing' within the MU-1 zone of the Beaver Bank, Hammonds Plains and Upper Sackville plan area.

On [September 12, 2023](#), a public hearing was held on the deferred motion, resulting in Council's approval of the amendments to the LUB, including the approval of Appendix A-1. Appendix A-1 lists the properties that had an issued development permit for Senior Citizens Housing use within the MU-1 zone along with the associated number of units, allowing for reissuance of the permit until May 26, 2026, effectively allowing additional time for commencement of construction for the listed projects.

Policy P-9A of the MPS enabled the creation of Appendix A-1 (Existing Senior Citizens Housing Use) contained within the LUB and states that the uses listed within the Appendix shall be deemed to be an existing use and may continue to operate with the same number of units or less, as listed within the Appendix.

DISCUSSION

Staff have reviewed the proposal relative to all relevant policies and advise that it is not consistent with the intent of the MPS nor Regional Council's approval of Appendix A-1 of the LUB. Attachment B provides an evaluation of the proposed amendments to Appendix A-1 in relation to the relevant MPS policies.

Proposed LUB Amendments

The proposed amendments to Appendix A-1 would increase the permitted number of units for two properties listed within the Appendix beyond the number of units currently listed that had been approved through the development permit. Should Council choose to approve the request for amendment to Appendix A-1, Attachment A contains the proposed amendments that would allow for an increase of 39 units on two abutting lots, as follows:

- Increase of 26 permitted units at 326 Beaver Bank Road (from 240 units to 266 units);
- Increase of 13 permitted units at 328 Beaver Bank Road (from 120 units to 133 units); and
- A housekeeping amendment to update PID 41052978 to 41535998 associated with civic 326.

Existing Senior Citizens Housing Use

When land use regulations are about to be amended, there is often interest in establishing a use prior to the change. Section 253 of the *HRM Charter* sets out conditions that must be met in order for a non-conforming use to be deemed to exist at the date of notice of Council's intention to amend a land use by-law, as follows:

- The permit for its construction or use must be issued;
- The construction must commence within 12 months of the issuance of the permit; and
- The construction must be completed in conformity with the permit within a reasonable time.

Appendix A-1 was created in response to Regional Council's direction to allow developers with an issued development permit for Senior Citizens Housing use more than the 12 months to begin construction of their projects.

On April 25, 2023, Regional Council passed first reading of the amendments proposing to remove Senior Citizens Housing use from the MU-1 zone of the LUB. Pursuant to Section 261(3) of the *HRM Charter*, development permits could no longer be issued for Senior Citizens Housing use in the MU-1 zone, once notice of Council's intention to amend the by-law was published on April 27, 2023. The *Charter* also outlines that Council must make a decision on the proposed changes they have given first reading to (the removal of Senior Citizens Housing use) within 150 days from the date of the notice of intention to amend the by-law. In publishing the notice of intention to remove the use from the LUB, any proposals for Senior Citizens Housing that had an issued development permit must have commenced construction within 12 months of the date of permit issuance.

As a result of the feedback provided by developers with issued permits for Senior Citizens Housing at the public hearing held on May 23, 2023, where they conveyed concern with potential inability to start construction within the 12-month timeline established by the *Charter*, Regional Council deferred their decision and directed staff to find a way to provide the developers with more time to begin construction.

Staff proposed establishing the sites with an issued development permit for Senior Citizens Housing use as existing uses, achieved through addition of a permitted use in the zone, 'Existing Senior Citizens Housing in properties listed in Appendix A-1, and the corresponding addition of Appendix A-1. By deeming the use existing, it would no longer need to be non-conforming, removing the 12-month timeline to commence construction imposed through the *Charter*. Council considered the proposal to deem the uses within the Appendix as Existing Senior Citizen Housing and within the motion at a new first reading on August 22, 2023, directed that the amendments be tailored to prevent further re-issuance of development permits after May 23, 2026.

Removing Senior Citizens Housing Use

As outlined in the staff reports referenced earlier, Senior Citizens Housing use was not effective in establishing proposals intended to provide an elevated level of care and was instead only enabling the construction of new multi-unit buildings. The removal and replacement of the use with Shared Housing with Special Care was intended to enable the construction of new units that focused on providing an elevated level of care to future residents, without specifying any one group of individuals or particular needs as the only type of care that could be established. While Council's direction was to allow the developers with an issued development permit for Senior Citizens Housing use more time to begin construction of their projects, the intention was still to cap the number of units being built under the Existing Senior Citizens Housing use at the total number listed within Appendix A-1.

While the removal of Senior Citizens Housing use from the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law was delayed in 2022, Shared Housing and Shared Housing with Special Care uses were introduced into all land use by-laws during the same council meeting. At any point from the official approval of the new uses until the present day, developers could switch their application from a Senior Citizens Housing development to a Shared Housing with Special Care development and have no restrictions on unit counts or development timelines, other than the standard timelines associated with an issued building permit. The change in use would require the applicant to clearly show how the development is providing an elevated level of care for the prospective residents.

Table 1 summarizes the timeline and associated impacts associated with the process of removing Senior Citizens Housing Use from the LUB.

Table 1: Timeline

Date	Milestone	Outcome
April 25, 2023	1st reading of Region Wide Approach to Shared Housing Report.	Regional Council gave first reading on amendments to remove "Senior Citizens Housing" use from the MU-1 zone of the BB/HP/US LUB.
April 27, 2023	Publication of notice of intent to hold a public hearing to remove "Senior Citizens Housing" use from MU-1 zone.	With the publication of the notice of the public hearing, development permits can no longer be issued for Senior Citizens Housing in the MU-1 zone, pursuant to Subsection 261(3) of the <i>HRM Charter</i> . No development permits for the use can be issued by the Development Officer for 150 days from the date of notice of the hearing as it is inconsistent with the proposed LUB.
May 23, 2023	Public hearing & 2 nd reading of Region Wide Approach to Shared Housing Report	Motion deferred. Request from Council to return with a supplementary report outlining options to extend the timeline for the commencement of construction of all issued permits for Senior Citizens Housing Use within the MU-1 zone.

August 22, 2023	1 st reading of the Supplementary Report for the Region Wide Approach to Shared Housing.	Regional Council gave first reading on amendments to the BB/HP/US LUB to include Appendix A-1 within the By-law, establishing “Existing Senior Citizens Housing” uses on 25 lots within the BB/HP/US plan area. The motion was amended to include the May 23, 2026, deadline for permits to be issued under Appendix A-1.
September 12, 2023	Public Hearing & 2 nd reading of the Supplementary Report for the Region Wide Approach to Shared Housing.	Public hearing was held and closed. Motion put and passed by Regional Council, adopting Appendix A-1 into the BB/HP/US LUB and removing Senior Citizens Housing use from the LUB.

Communication with Developers

Upon receiving direction from Regional Council to hold off on removing Senior Citizens Housing use from the LUB (July 12, 2022 staff report), staff mailed letters to all applicants with an active application or an issued permit for Senior Citizens Housing Use, outlining the direction of Council, along with an anticipated timeline for staff to return to Council to begin the process of removing the Senior Citizens Housing use in the MU-1 zone. The letter outlined that all developers should plan to have a permit issued no later than December 31, 2022, as staff anticipated returning to Council in January of 2023. The applicant for the subject lands of this report received this letter, dated July 15, 2022, which specifically referenced the active applications on the lands. The applicant submitted this letter as a part of their application for the request to amend Appendix A-1. As outlined in the timeline, developers were able to apply for or alter their permits beyond that deadline, up to the publishing of the notice of Council’s intent to amend the LUB, on April 27, 2023. During the timeline between July 2022 and April 27, 2023, staff were in communication with developers who reached out with inquiries about their projects, processing updates to the plans and unit counts of several projects.

Updating Plans Online

All applications for a development or construction permit issued by the Municipality are required to be submitted online, through the Online Permitting, Planning, Licensing and Compliance System (PPLC). Applications are submitted, reviewed, and issued through PPLC, ensuring that all steps of the review process are officially documented and all details and revisions to a project are tracked and reviewed by the required staff. Discussions between Municipal staff and developers regarding changes and revisions to plans regularly occur over the phone, email, or in-person meetings, however, staff require that any formal changes and revisions to an active application be uploaded into PPLC to be reviewed and considered. This requirement also enables staff to monitor the timelines associated with any application, tracking the progress of an application, including the timelines an application is with either the applicant or the Municipality.

326 and 328 Beaver Bank Road

Staff have reviewed the documents uploaded to PPLC and communications outside the system, and have compiled the following timeline regarding the two properties involved in this application:

- July 15, 2022- Staff email letter to the applicant outlining the direction from Regional Council to delay the removal of Senior Citizen Housing use to allow more time for active applications to complete their submission. The letter outlined that the developer should plan to have a permit issued by no later than December 31, 2022.
- March 20, 2023- Staff completed and approved the review of the permit applications for a 120-unit and a 240-unit application at civics 326 and 328 Beaver Bank Road.
- April 11, 2023- Email exchange between the applicant and the Building Official. Email is limited to a discussion of a change in the proposed exit distances to the exterior of the building. There are floor plans attached to the email that show conversion of approved amenity space to the additional

units, but that change was not mentioned in the email exchange. The plans were not uploaded to PPLC for review, the additional applicable fees were not paid, and there was no review relative to traffic and servicing considerations.

- November 7, 2023- Email from applicant reminding the Building Official of the proposed changes emailed previously in April. The Building Official instructed the applicant to formally submit all proposed changes through PPLC for review. The applicant then responded confirming the plans had been uploaded.
- February 12, 2024- Building Official completes their review of the application, confirms the plans meet the National Building Code.

While the revised floor plans showing the additional units were sent to staff by email on April 11, 2023, prior to the April 27, 2023 notice of Council's intention to amend the LUB, a complete submission through the PPLC was required, clearly identifying the change in the number of units, along with payment of applicable fees, allowing for review to ensure conformance with the Land Use By-law, Engineering Regulations, Halifax Water Specifications and National Building Code. Without the complete submission and payment of fees, the plans were not able to be approved.

The change in property identifier (PID) is housekeeping in nature. The original PID 41052978 listed within Appendix A-1 was retired with the registration of the lands as a condominium. Staff are able to process an application for a construction permit for civic 326, despite the PID not being up to date within Appendix A-1, as the history of the PID is documented and is attributed to the same parcel of land that civic 326 represents.

Priorities Plans

In accordance with Policy G-14A of the Halifax Regional Plan, staff considered the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027 in making its recommendation to Council. In this case, the following policy was identified to be most relevant to this application:

- Increasing housing stock to accommodate the growing population in Halifax (Strategic Objective 1.6 Halifax's Inclusive Economic Strategy 2022-2027).

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is not consistent with the intent of the MPS nor Regional Council's approval of Appendix A-1 of the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville. The proposed amendments to Appendix A-1 seek to increase the number of units beyond the maximum permitted in accordance with the Appendix. Policy P-9A enabled the creation of Appendix A-1, and outlines that the uses listed within the Appendix may continue to have permits issued allowing the same number of indicated units or less, intending to limit the total number of units that could be created under the Existing Senior Citizens Housing use. Given that the applicant's complete submission of documents outlining the intention to increase the total number of units within the two proposed buildings was made after the April 27, 2023, deadline, the additional units could not be considered as outlined within Section 261(3) of the *Charter*. Therefore, staff recommend that North West Community Council refuse the proposed LUB amendments.

FINANCIAL IMPLICATIONS

The HRM cost associated with processing this planning application can be accommodated with the approved 2025-2026 operating budget for Planning and Development.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may not be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the Nova Scotia Regulatory and Appeals Board. Information concerning risks and other implications of adopting the proposed LUB amendments are contained within the Discussion section of this report. Should Council choose to approve an alternative as set out below and approve the increase in the number of units, there may be implications relative to methods of submission and review of required documents associated with development applications.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the Public Participation Administrative Order (2023-002-ADM). The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, and fact sheets mailed to property owners within the notification area. A total of 733 fact sheets were mailed to property owners and tenants within the notification area as shown on Map 2, with eight being returned to sender. As of March 4, 2025, the HRM website received a total of 449 unique pageviews over the course of the application, with an average time on page of 39 seconds. The public comments received include the following topics:

- Concern about increased traffic volumes and delays;
- Concerns about a continued reduction in road and infrastructure quality; and
- A need for increased infrastructure and other transportation routes in the area in response to an increase in population.

Regardless of the outcome of this application, the recommendations from the Traffic Impact Study requiring a left turning lane for access onto the driveway of the subject site will be implemented.

A public hearing must be held by North West Community Council before they can consider approval of the proposed LUB amendment. Should Community Council decide to proceed with a public hearing on this application, in addition to the advertisement on the HRM webpage, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail or courier service, in the event of disruption to regular mail service. The HRM website will also be updated to indicate notice of the public hearing.

The proposal will potentially impact the local residents living in the vicinity of the subject site, as well as the drivers that use Beaver Bank Road on a regular basis.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

ALTERNATIVES

1. North West Community Council may choose to:
 - a. Give First Reading to consider the proposed Land Use By-law amendments, as set out in Attachment A, to increase the total number of permitted units for 326 and 328 Beaver Bank Road, Beaver Bank, and schedule a public hearing; and
 - b. After the public hearing, refuse the proposed Land Use By-law amendments, as set out in Attachment A.

2. North West Community Council may choose to:
 - a. Give First Reading to consider the proposed Land Use By-law amendments as set out in Attachment A, to increase the total number of permitted units for 326 and 328 Beaver Bank Road, Beaver Bank, and schedule a public hearing; and
 - b. After the public hearing, approve the proposed Land Use By-law amendments as set out in Attachment A.

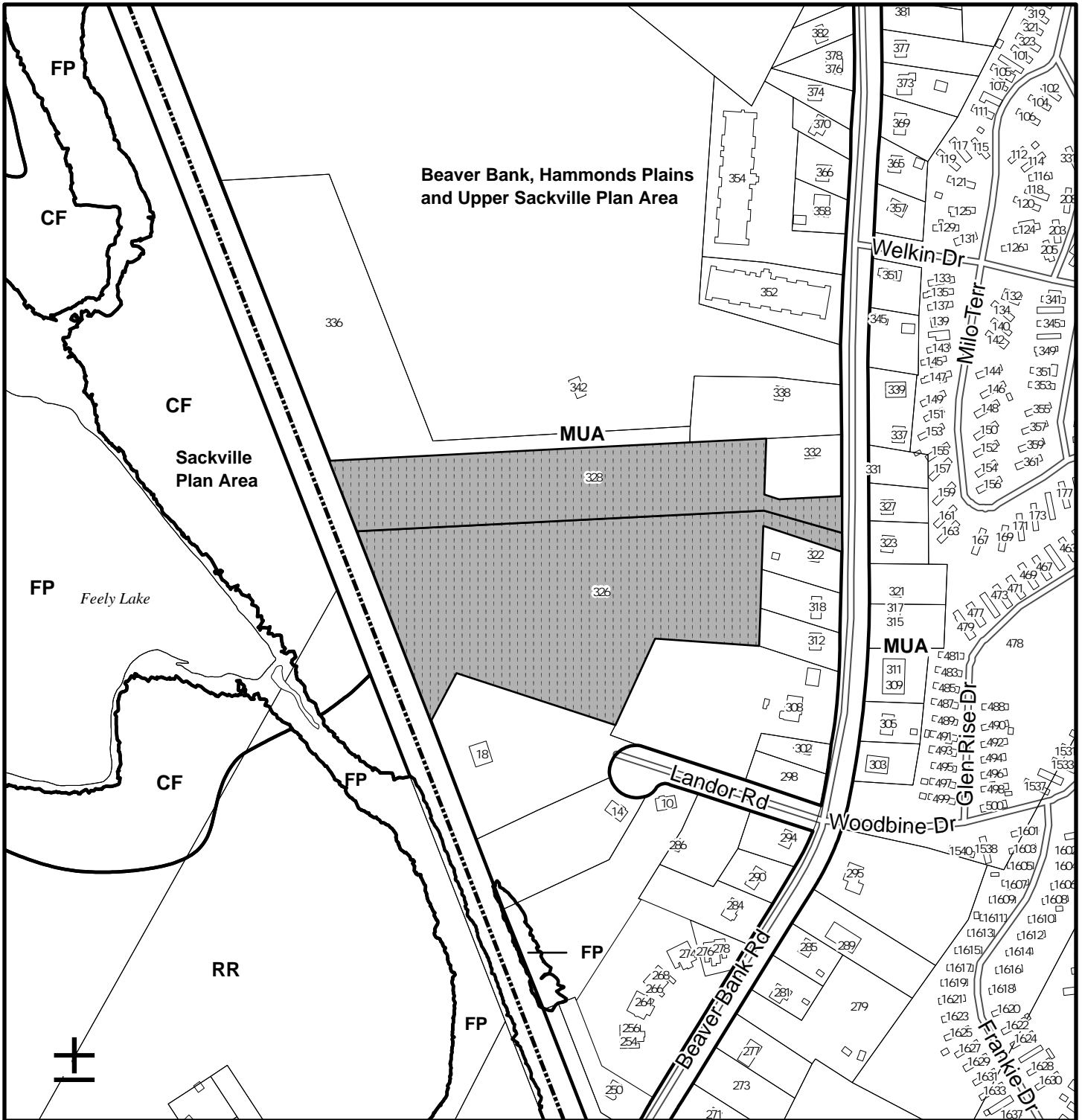
3. North West Community Council may choose to approve the proposed Land Use By-law amendments subject to modifications. Such modifications may require further negotiation with the applicant and may require a supplementary report or another public hearing.

A decision of a Community Council to approve or refuse proposed Land Use By-law amendments is appealable to the Nova Scotia Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed Land Use By-law Amendments
Attachment B:	Review of Relevant MPS Policies

Report Prepared by: Matt Conlin, Planner III, Urban Enabled Planning Applications, 902.719.9457



Map 1 - Generalized Future Land Use

326 and 328 Beaver Bank Rd. Beaver Bank

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 Subject Properties

Designation

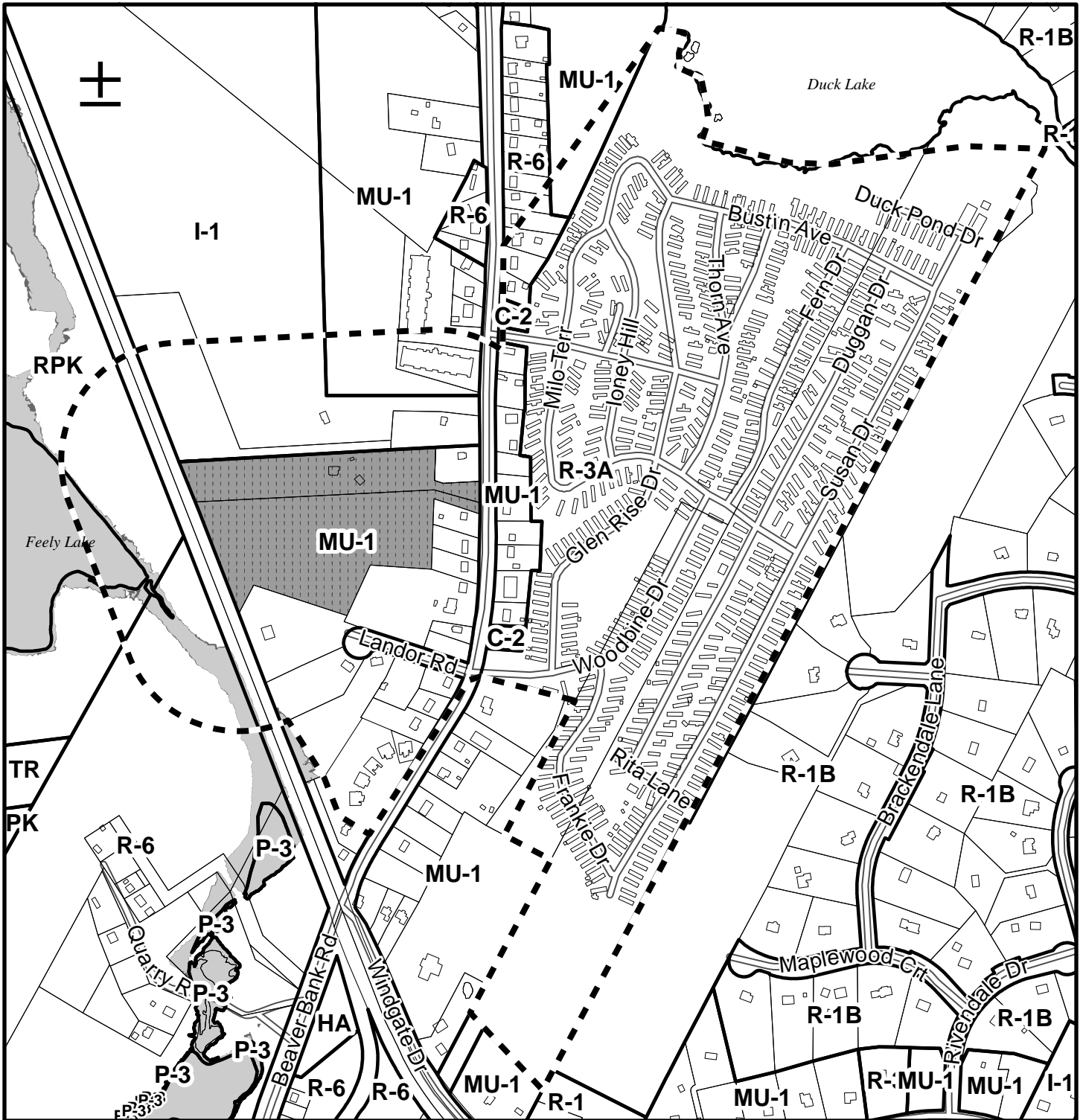
HPSBB	FP	Floodplain
	MUA	Mixed Use A
SACKV	RR	Rural Residential
	CF	Community Facility
	FP	Floodplain



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 and Notification Area

326 and 328 Beaver Bank Rd.
Beaver Bank

-  Subject Properties
-  Area of Notification
-  Floodway Overlay Zone (FWO)
-  Flood Fringe Overlay Zone (FFO)

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

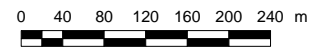
HPSBB

SHA

Zone

- TR Transportation Reserve
- I-1 Mixed Industrial
- C-2 General Business
- C-4 Highway Commercial
- R-6 Rural Residential
- P-3 Provincial Park
- R-1 Single Unit Dwelling
- MU-1 Mixed Use 1
- R-3A Mobile Home Park
- RPK Regional Park
- R-1B Auxiliary Dwelling with Home Business
- HA Housing Accelerator

HALIFAX



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.

Attachment A

Proposed Land Use By-Law Amendments

Proposed Amendments to the Beaver Bank/ Hammonds Plains/ Upper Sackville Land Use By-Law

BE IT ENACTED by the North West Community Council of Halifax Regional Municipality that the Land Use By-Law for Beaver Bank/ Hammonds Plains/ Upper Sackville is hereby further amended as follows:

1. Amend APPENDIX A-1 – EXISTING SENIOR CITIZENS HOUSING USES as shown below in **bold** and ~~strikethrough~~ by:
 - a. Deleting the number “240” within the third column of the second row and inserting the number “266”;
 - b. Deleting the number “41052978” within the second column of the second row and inserting the number “41535998”; and
 - c. Deleting the number “120” within the third column of the fourth row and inserting the number “133”.

USE	PID	Total Number of Dwelling Units
Senior Citizens Housing	40531329	74
Senior Citizens Housing	41052978 41535998	240 266
Senior Citizens Housing	41515677	74
Senior Citizens Housing	41517525	120 133
Senior Citizens Housing	00346874	64
Senior Citizens Housing	00423343	296
Senior Citizens Housing	00468447	424
Senior Citizens Housing	40118648	98
Senior Citizens Housing	40123614	92
Senior Citizens Housing	40161713	76
Senior Citizens Housing	41464512	64
Senior Citizens Housing	41521618	47
Senior Citizens Housing	41521626	46
Senior Citizens Housing	41521634	46
Senior Citizens Housing	41521642	34
Senior Citizens Housing	41521659	46
Senior Citizens Housing	41521667	46
Senior Citizens Housing	41522574	36
Senior Citizens Housing	41522590	8
Senior Citizens Housing	00423103	7
Senior Citizens Housing	00461137	8
Senior Citizens Housing	41233677	71
Senior Citizens Housing	41486309	4
Senior Citizens Housing	41100603	105
Senior Citizens Housing	41522566	98

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted Land Use By-law amendment was passed at a meeting of the North West Community Council held on [DATE], 202[#].

Iain MacLean
Municipal Clerk

Attachment B: Review of Relevant MPS Policies

Beaver Bank/ Hammonds Plains/ Upper Sackville Municipal Planning Strategy	
MIXED USE DESIGNATION <u>Mixed Use A</u>	
Policy	Staff Comments
Policy P-9A	
<p><i>Notwithstanding Policy P-8, Senior Citizens Housing use shall be permitted within the MU-1 (Mixed Use 1) zone, on specified parcels of land, as listed in Appendix A-1 of the Land Use By-law. All Senior Citizens Housing uses listed within Appendix A-1 shall be deemed to be an existing use and permitted to continue to operate with the same amount of dwelling units or less, as listed within the Appendix.</i></p>	<p>Not Satisfied: Policy P-9A outlines that the number of dwelling units listed within Appendix A-1 is the maximum number that can be approved through the permit process. This application seeks to amend Appendix A-1 to increase the maximum units on two abutting lots beyond what's currently permitted.</p>
IMPLEMENTATION	
Policy P-137	
<p><i>In considering amendments to the land use by-law or development agreements, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have appropriate regard to the following matters:</i></p>	
<p><i>(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;</i></p>	<p>Not Satisfied: The intent of this Plan and Appendix A-1 within the Land Use By-law (LUB) is to limit the total number of permitted Existing Senior Citizens Housing units for the two sites, to a specific maximum. Requesting an increase in the total permitted units within Appendix A-1 is not in conformity with the intent of this Plan or the LUB. Similar to Policy P-9A, changing the maximum permitted number of units for two sites is not supported by staff as the request to increase the total number of units for the two sites was not formally submitted before the deadline passed and no additional increases or changes were accepted.</p>
<p><i>(b) that the proposal is not premature or inappropriate by reason of:</i></p> <p><i>(i) the financial capability of the Municipality to absorb any costs relating to the development;</i></p>	<p>(i) There are no costs to the Municipality expected from this application.</p> <p>(ii) The applicant has already been granted permits for 360 Senior Citizen Housing units on the two sites. On-site sewer and</p>

<p><i>(ii) the adequacy of central or on-site sewerage and water services;</i></p> <p><i>(iii) the adequacy or proximity of school, recreation or other community facilities;</i></p> <p><i>(iv) the adequacy of road networks leading or adjacent to or within the development; and</i></p> <p><i>(v) the potential for damage to or for destruction of designated historic buildings and sites.</i></p>	<p>water services are the responsibility of the applicant to secure through approvals from the Province. Should this application be approved, the applicant would also be responsible for acquiring the appropriate approvals to increase the total sewer and water capacities on-site to accommodate the proposed 399 units.</p> <p>(iii) There are several elementary schools, a junior high school, and a high school all within 2 km of the site. In the same area, several public parks associated with the schools and stand-alone parks are also present.</p> <p>(iv) The site has permits issued for development, which have been reviewed for access on and off of the main road (Beaver Bank Road). A Traffic Impact Study (TIS) has been submitted as a component of this application and reviewed by HRM Engineering staff. Any changes or upgrades proposed within the TIS or by HRM staff would be required as a condition of approval for a new construction permit.</p> <p>(v) NS Department of Culture, Heritage, and Special places has reviewed the application and recommended an archeological resource impact assessment (ARIA) in association with future ground disturbance.</p>
<p><i>(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></p> <p><i>(i) type of use;</i></p> <p><i>(ii) height, bulk and lot coverage of any proposed building;</i></p> <p><i>(iii) traffic generation, access to and egress from the site, and parking;</i></p> <p><i>(iv) open storage;</i></p> <p><i>(v) signs; and</i></p> <p><i>(vi) any other relevant matter of planning concern.</i></p>	<p>(i) The Existing Senior Citizens Housing use is a permitted use within Appendix A-1 of the LUB, and a permit has already been issued through the as-of-right process.</p> <p>(ii) No change to the height or exterior of the building is proposed with the additional 39 units.</p> <p>(iii) As noted above, a TIS has been submitted by the applicant. All recommended measures from the TIS or by HRM staff would be required prior to any new permits being issued for construction.</p>

	<p>(iv) N/A. Any proposed open storage will be reviewed through the as-of-right process at permitting.</p> <p>(v) Signage requirements are regulated through the requirements of the Beaver Bank/ Hammonds Plains/ Upper Sackville Land Use By-law.</p> <p>(vi) N/A</p>
<i>(d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding</i>	There are no watercourses on the lot. Lot grading is reviewed at the permitting stage and would have been reviewed when the original building permit application was submitted.
<i>(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.</i>	N/A – not a holding zone.

Halifax Regional Municipal Planning Strategy (Regional Plan)

CHAPTER 9: GOVERNANCE AND IMPLIMENTATION

9.6.A PRIORITIES PLANS

Since the adoption of this Plan in 2014, Regional Council has approved several priority plans including the Integrated Mobility Plan, Halifax Green Network Plan, HalifACT, and Halifax’s Inclusive Economic Strategy 2022-2027. The second review of this Plan began in 2020 and is expected to be readopted by Regional Council in 2023. The review will revise the policies of this Plan to ensure they are consistent with the priorities plans as approved. In the interim, this Plan supports the priorities plans which are actively used by staff to guide ongoing work.

G-14A <i>In considering development agreements or amendments to development agreements, or any proposed amendments to the Regional Plan, secondary planning strategies, or land use by-laws, in addition to the policies of this Plan, HRM shall consider the objectives, policies and actions of the priorities plans approved by Regional Council since 2014, including:</i>	(a) N/A
	(b) There are no corridors present in the vicinity of the proposed development
	(c) N/A
	(d) See below
	(e) N/A
<i>(a) The Integrated Mobility Plan;</i>	

<p>(b) <i>Halifax Green Network Plan</i>; (c) <i>HalifACT</i>; (d) <i>Halifax's Inclusive Economic Strategy 2022-2027</i>; and (e) <i>any other priority plan approved by Regional Council while this policy is in effect</i></p>	
Halifax's Inclusive Economic Strategy 2022	
STRATEGIC OBJECTIVES	
<p>Objective 1.6 <i>Increase housing stock.</i></p>	<p>The proposal seeks to add 39 units to a proposal for 360 units over two adjacent lots.</p>