

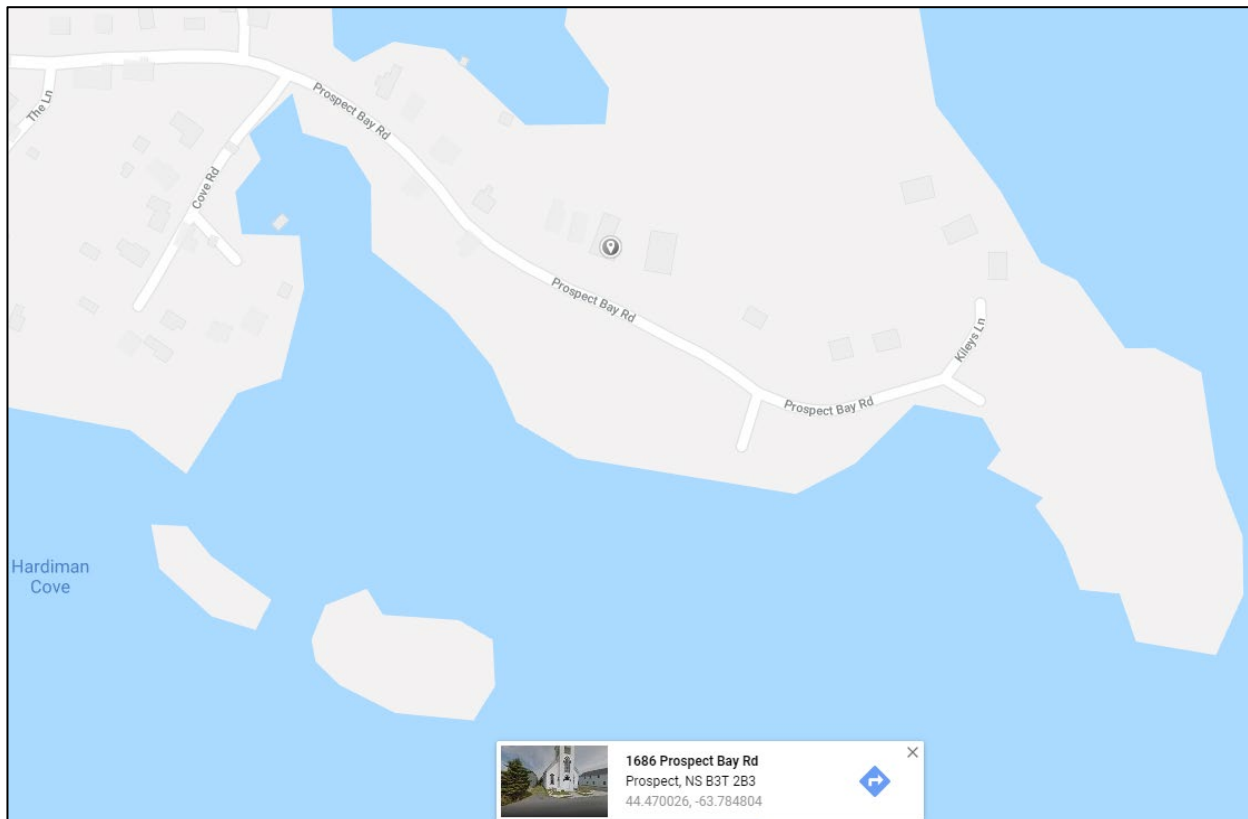
November 5<sup>th</sup>, 2019

Planning Applications  
Planning & Development  
Alderney Gate Office  
PO Box 1749  
Halifax, NS B3J 3A5

RE: Proposal for Rezoning PID 41461799 and PID 00570929

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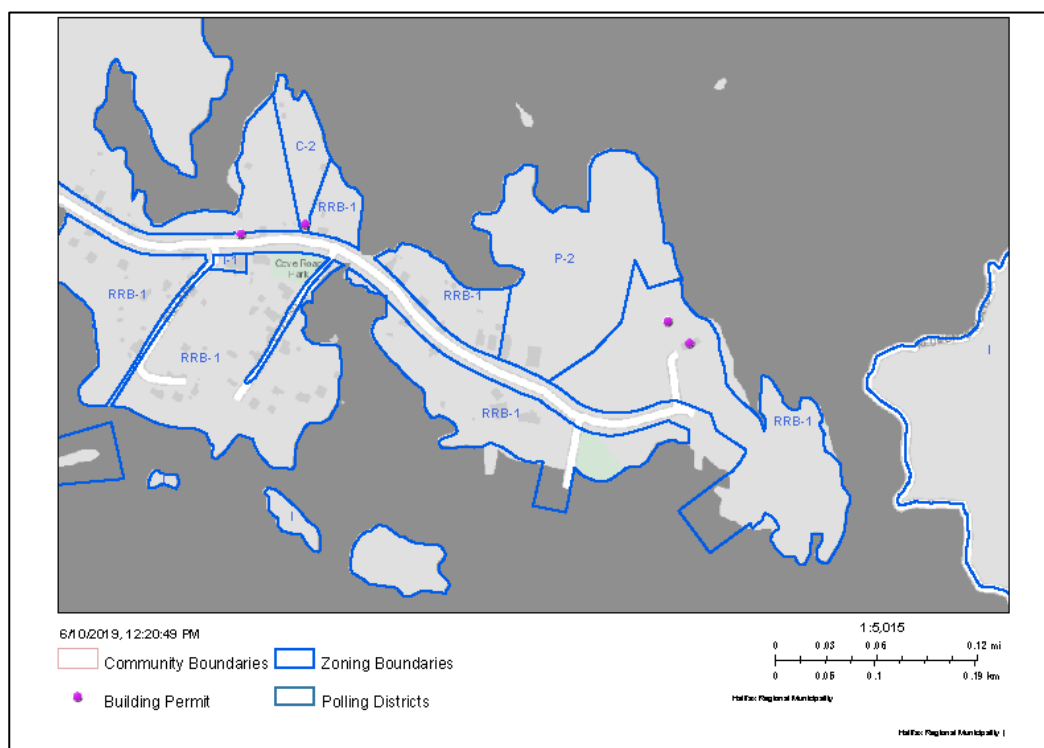
Brighter Community Planning & Consulting, on behalf of Chris MacDonald, is applying for a rezoning of 1686 Prospect Bay Road (PID 41461799) and 1688 Prospect Bay Road (PID 00570929) from P-2 (Community Facility) zone to RB-1 (Residential B -1) zone.



Map 1: Location of PID 41461799/ 1686 Prospect Bay Road. PID 00570929/1688 Prospect Bay Road is the abutting lot, located on its east side

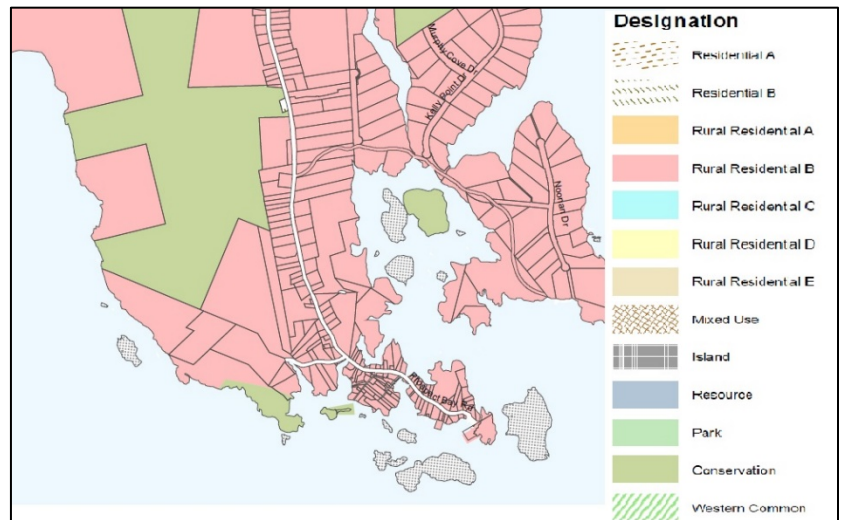
## 1 Designation and Zone

	Current	Proposed
Regional Plan Designation	Rural Commuter	Rural Commuter
MPS (Prospect) Designation	Rural Residential B	Rural Residential B
Zone	P-2	RB-1
Transit Service Boundary	Outside urban transit service boundary.	Outside urban transit service boundary.
Lot size - PID 41461799	18,850 sq. ft.	18,850 sq. ft.
Lot size - PID 00570929	160,000 sq. ft.	160,000 sq. ft.
Frontage - PID 41461799	93 ft.	93 ft.
Frontage - PID 00570929	133 ft.	133 ft.
Front Setback - PID 41461799	0 ft.	0 ft. (existing building to remain)
Front Setback - PID 00570929	22 ft. (existing building to be demolished)	30 ft. or more (new construction)
Adjacent Uses to Subject Properties	Low density residential	Low density residential



## 2 Background and Current Condition

The lots in question are located near the end of Prospect Bay Road and are occupied by buildings previously used by the community. Civic #1686's structure was formerly a Catholic church (Our Lady of Mount Carmel). Civic #1688, located on the east side of the former church lot, is occupied by the former church hall. The former church building was constructed almost 100 years ago after a fire destroyed the previous church in 1921. The church use ceased in 2014 and a local community group tried to raise funds to purchase the building. The buildings remained vacant until purchased in December 2018 by Chris MacDonald.



### Proposed Future Use

The proposed use for each lot is:

1. Civic 1686 – The former church building will be renovated for use as a single detached dwelling. The Applicant intends to maintain as many of the exterior and interior features as possible.
2. Civic 1688 – The community hall building will be demolished and replaced by a carriage house, with a garage on the bottom and an apartment on top. The carriage house will comply with the zone requirements of the RRB-1 zone.

In order to convert the former church to a residential dwelling and to replace the former church hall with a carriage house, a rezoning to RB-1 zone is required.

### 3 Policy Review

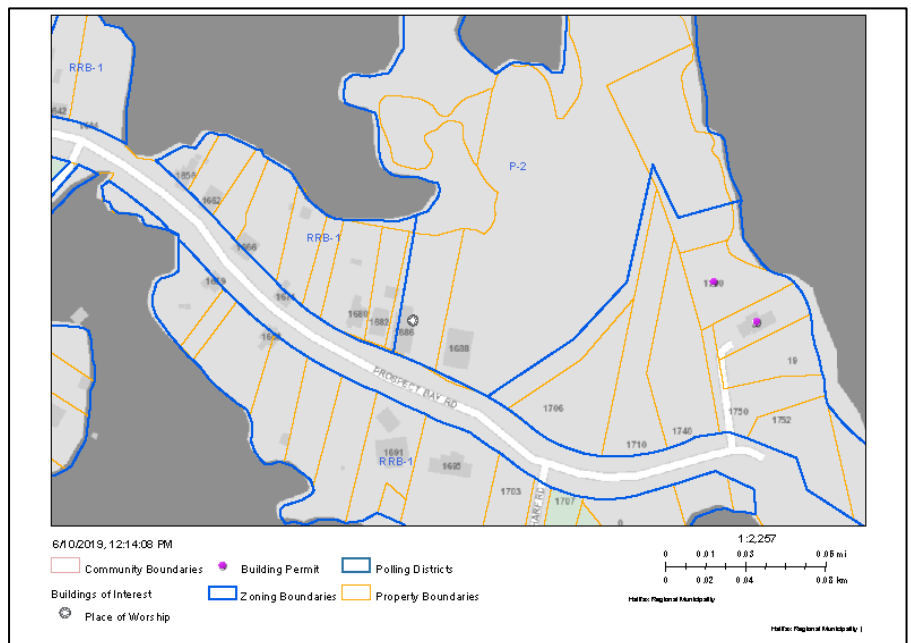
#### 3.1 The Regional Plan Policies

The Regional Plan designated the Subject Properties as Rural Commuter, which encourages the protection of the character of rural communities by conserving open space and natural resources.

#### 3.2 Planning District 4 (Prospect) MPS and LUB

The subject properties are designated Rural Residential B in the Planning District 4 (Prospect) MPS and zoned P-2 (Community Facility) in the enabling bylaw. Our client is seeking a rezoning to RRB-1 to accommodate the proposed residential use.

The MPS under Rural Residential B Designation supports a low-density residential environment. The MPS also states that given historical levels of population growth, further residential subdivision development on minimum sized lots can be expected in all parts of the Plan Area.



Policies IM-11 are the general enabling policies to which Council shall “appropriate regard” when considering a rezoning. The chart below reviews each policy:

(a) The proposal is in conformity with the intent of this Planning Strategy and with the requirements of all other municipal bylaws and regulations	The proposal is consistent with the MPS’s intention to support low density development
(b) The proposal is not premature or inappropriate by reason of:	
(i) The financial capability of the municipality to absorb any costs	This is an infill development that would reduce traffic impacts and would utilize already existing infrastructure.
(ii) The adequacy of on-site sewerage and water services	The site can support on-site septic systems. Potable water will be supplied through a cistern collection system.
(iii) The proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands	The proposed two additional residential units would have minimal impact on schools and community facilities. Schools for this location are: <ul style="list-style-type: none"> <li>• Elementary: Terrance Bay Elementary</li> <li>• Junior: Brookside</li> <li>• Senior: Halifax West</li> </ul>
(iv) Adequacy of road networks	No impact as there will be less traffic as a result of this development.
(v) Potential for damage to or for destruction of designated historic building and site	Neither is a designated heritage property.
c) controls to reduce conflict (see full list in MPS)	Controlled through the land use bylaw.
d) proposal is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, marshes or bog and susceptibility to flooding	The area of lot that is wet and marshy will remain vacant. The new construction of the carriage house will be located approximately where the former community building is located.
e) This policy is not applicable.	

### 3.3 Other Issues:

#### 3.3.1 Existing Building

The property owner plans to renovate the civic 1686 to maintain much of its original character. The former church building complies or will comply with all zoning regulations except the frontage requirements and front setback. The land use bylaw requires 100 feet of frontage and this lot has approximately 93. In addition, the front setback for the former church is very close to the front lot line, not the required 30. Section 4.8 of the LUB provides flexibility to structure that predates the adoption of the bylaw. It states:

*Where a building has been erected on or before the effective date of this By-law, on a lot having less than the minimum frontage, area, or depth, or having less than the minimum setback or side yard or rear yard setback required by the By-law, the building may be enlarged, reconstructed, repaired or renovated provided that:*

- (a) The enlargement, reconstruction, repair or renovation does not further reduce the front or rear yard that does not conform to the By-law;*
- (b) The enlargement, reconstruction, repair or renovation of existing residential uses shall not be built closer than eight (8) feet (2.4 m) to the side lot lines; and*
- (c) All other applicable provisions of the By-law are satisfied.*

This regulation speaks to existing buildings that have been erected on or before the effective date of the Prospect Bylaw. The former church was built in the 1920s and predates the adoption of this bylaw.

#### 3.3.2 Civic 1688 – Former Church Hall

This property will be demolished and a carriage house with a garage on the bottom and an apartment on the upper floor constructed. It will comply with all requirements of the Land Use-Bylaw upon rezoning,

#### 3.3.3 Land Use Intensity

The Prospect MPS treats new community facilities such as churches and community halls as more intensive land uses than residential dwellings. We know this since new community facilities in the Rural Residential B designation require a development

agreement under policy RRB-9. In this policy it states that facilities such as churches and halls, “ can have a greater impact on the surrounding area in terms of traffic, parking and noise.”<sup>1</sup> Rezoning from P-2 to RRB-1 is effectively a ‘downzoning’, meaning the use is less intense causing less impact on neighbours or existing infrastructure.

The designation of Rural Residential B supports the RRB-1 zone in Policy RRB-2, where the intention is to establish a residential RRB-1 zone that permits the development of single unit dwellings. This rezoning from P-2 to RB-1 will therefore bring the property in line with the designation.

### 3.3.4 Former Church Property – Architectural Elements

The landowner is working with MacKay-Lyons Sweetapple Architects to renovate the former church. The property owners will keep the following exterior elements of the building:

- Steeple and bell tower;
- Main entrance configuration will remain;
- Some new fenestration will be introduced, with as much of the original remaining as feasible. Some of the stain glass windows will remain;
- Exterior cladding will be eastern white cedar shingles;
- Roof material to be determined. Options include eastern white shingles to match walls or standing seam metal; and
- There is also an intention for an exterior deck at both ground level, and roof of rear bump-out.

## 4 Summary

The proposed rezoning is enabled by the MPS and is consistent with Plan policies. In summary, the rezoning is warranted because:

- The existing built form surrounding the Subject Properties is low density residential, which is the type of development encouraged in the Rural Residential B designation.
- The former church is vacant and will be renovated to a high standard. The renovation will save much of the architectural heritage of this structure and create 2 low density housing units in the community.

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<sup>1</sup> Preamble to Policy RRB-9 of the Prospect MPS, Page 63



- Civic 1686's physical location, size and height will remain untouched. The regulations of the LUB regarding expansion of existing uses addresses lot frontage and setback issues.
- The building at civic 1688 (former church hall) will be demolished and a new structure built that will meet all LUB requirements. Once rezoned, the carriage house will be permitted as-of-right.
- The proposed residential uses on both properties is less intensive than the previous church and church hall uses reducing land use conflicts with adjacent residential uses.
- The rezoning will be consistent with the built form of the street

If you have any questions, please contact me at [chrystal@brighterplanning.ca](mailto:chrystal@brighterplanning.ca) or by phone at 902-790-0664.

Sincerely,

**Original Signed**

Chrystal Fuller, LPP, MCIP  
Brighter Community Planning & Consulting

Enclosures: Pictures of existing site conditions





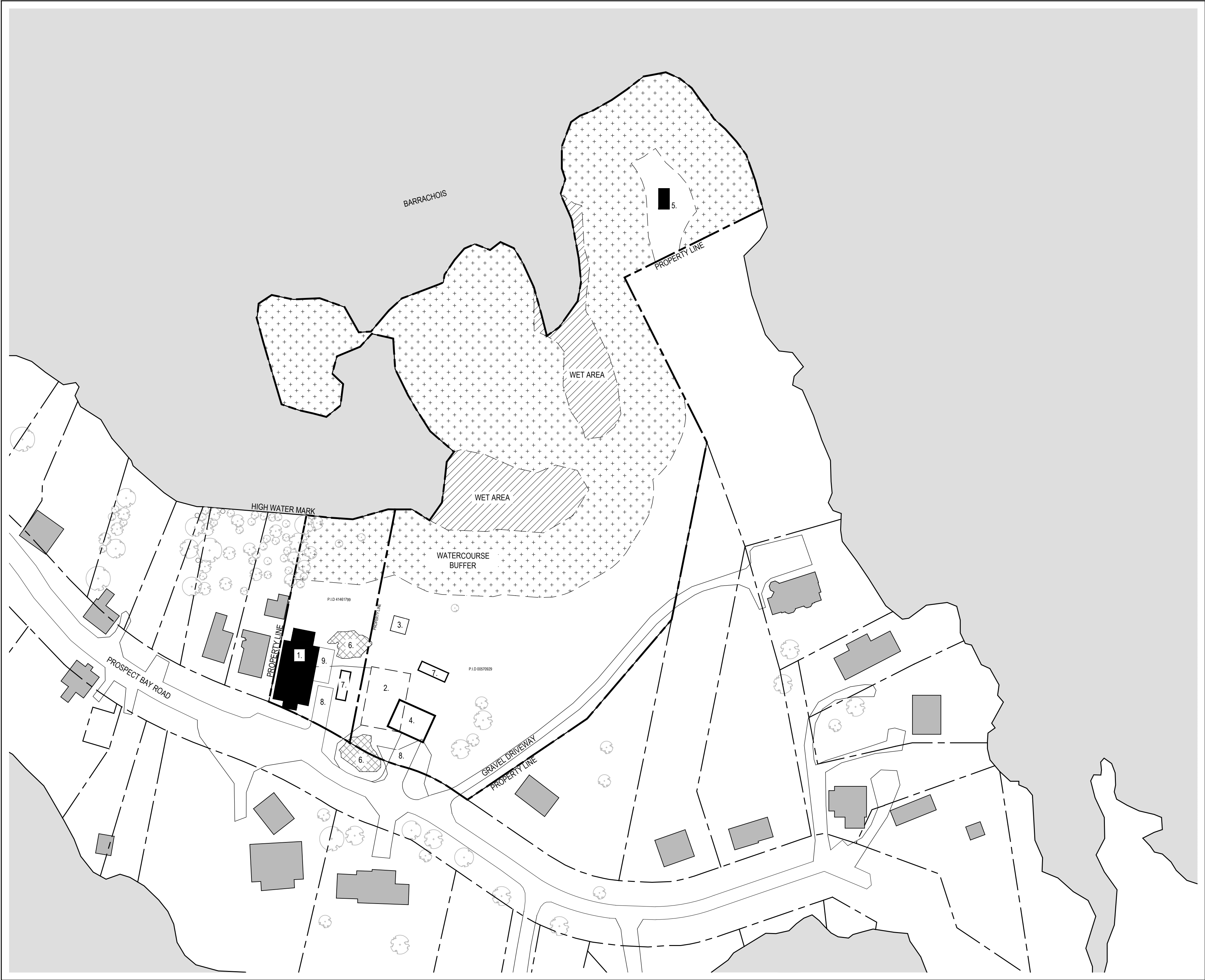
Picture 1- Front of existing church, which will be renovated.



Picture 2- Existing parking area between former church and former hall. Hall will be demolished



Picture 3- Former hall building, which will be demolished. Rock outcropping will remain, and building will meet zoning requirement.



- LEGEND:**
- 1. EXISTING CHURCH TO REMAIN AND BE RENOVATED
  - 2. EXISTING HALL TO BE DEMOLISHED
  - 3. EXISTING CISTERN TO BE REMOVED
  - 4. PROPOSED CARRIAGE HOUSE (40' X 30' FOOTPRINT)
  - 5. BOATHOUSE (15' X 24' FOOTPRINT)
  - 6. APPROXIMATE LOCATION OF ROCK OUTCROPPINGS
  - 7. PROPOSED SEPTIC SYSTEMS (30' X 10' FOOTPRINT)
  - 8. PROPOSED PARKING AREAS
  - 9. PROPOSED DECK

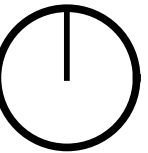
# CHURCH RENOVATION

PROSPECT, NOVA SCOTIA

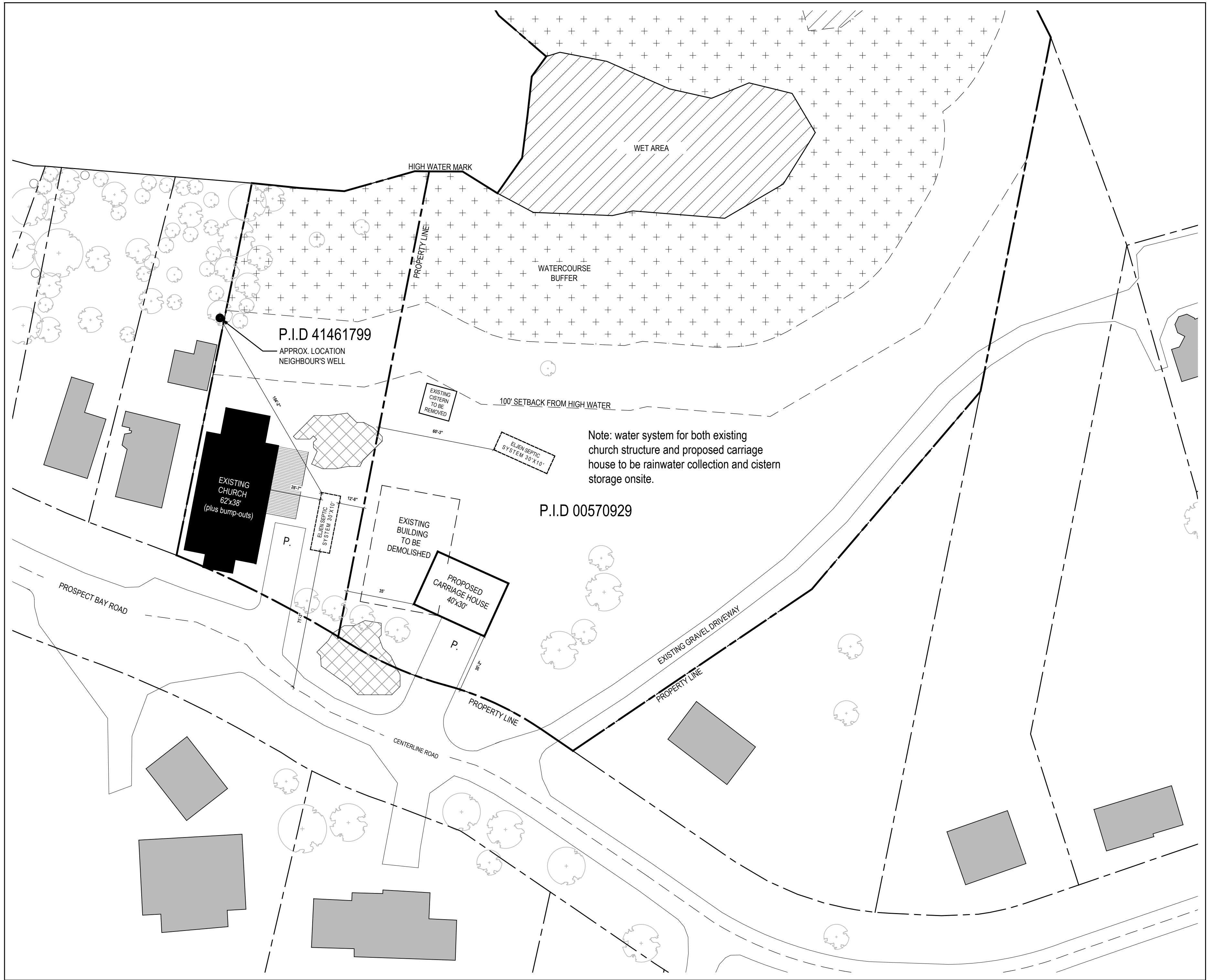
2019.10.18

SITE PLAN

1/64"=1'-0"



0 25' 125' 250'



Note: water system for both existing church structure and proposed carriage house to be rainwater collection and cistern storage onsite.

NOTE: WATER SYSTEM FOR EXISTING CHURCH BUILDING AND PROPOSED CARRIAGE HOUSE WILL BE RAINWATER COLLECTION WITH CISTERNS IN BASEMENTS.

# CHURCH RENOVATION

PROSPECT, NOVA SCOTIA  
2019.10.18

SITE PLAN

1/32"=1'-0"

