

HALIFAX

Public Hearing for Case 21927

Development Agreement Amendment
for 1490 Main Road, Eastern Passage

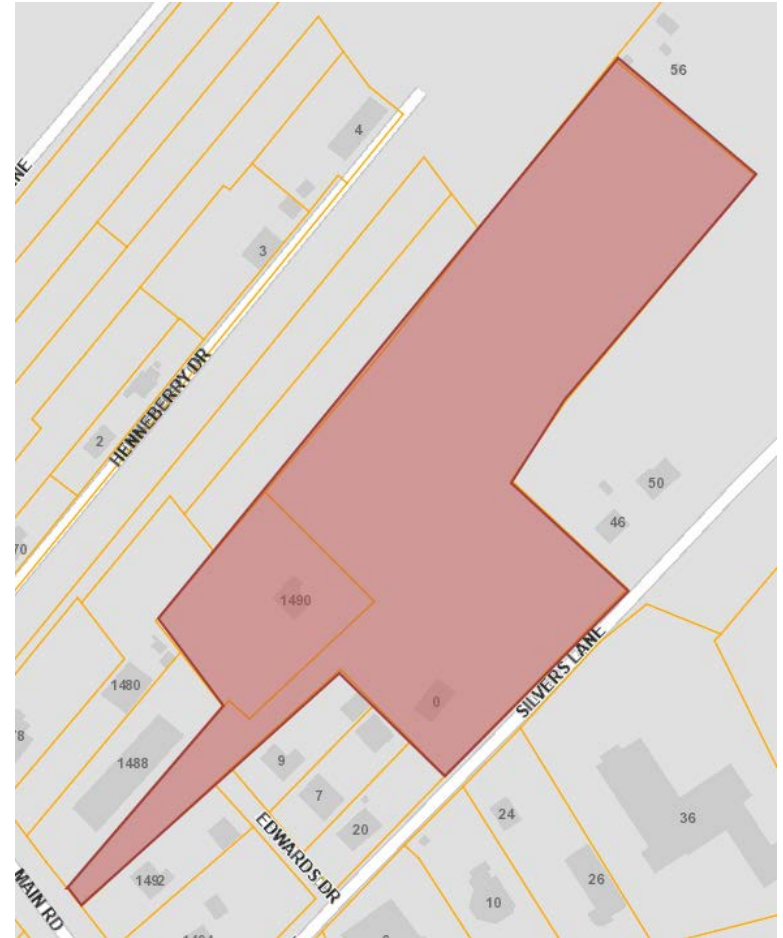
Harbour East-Marine Drive Community Council
December 13, 2018

Applicant Proposal

Applicant: Garmar Investments Ltd.

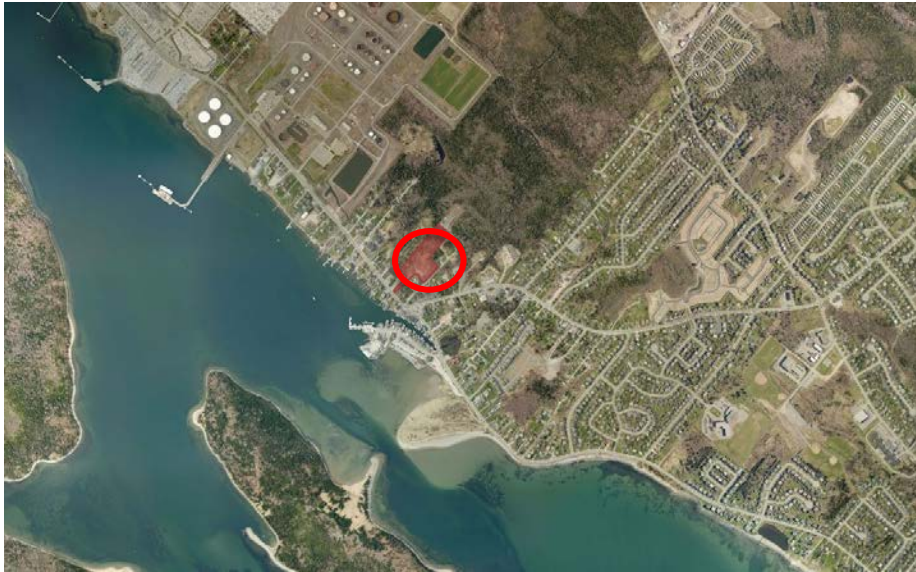
Location: 1490 Main Road, Eastern Passage

Proposal: An amendment to the existing development agreement to allow for the subdivision and development of the remaining lands through the as-of-right process



Site Context

1490 Main Road, Eastern Passage



General Site location



Site Boundaries in Red

Site Context

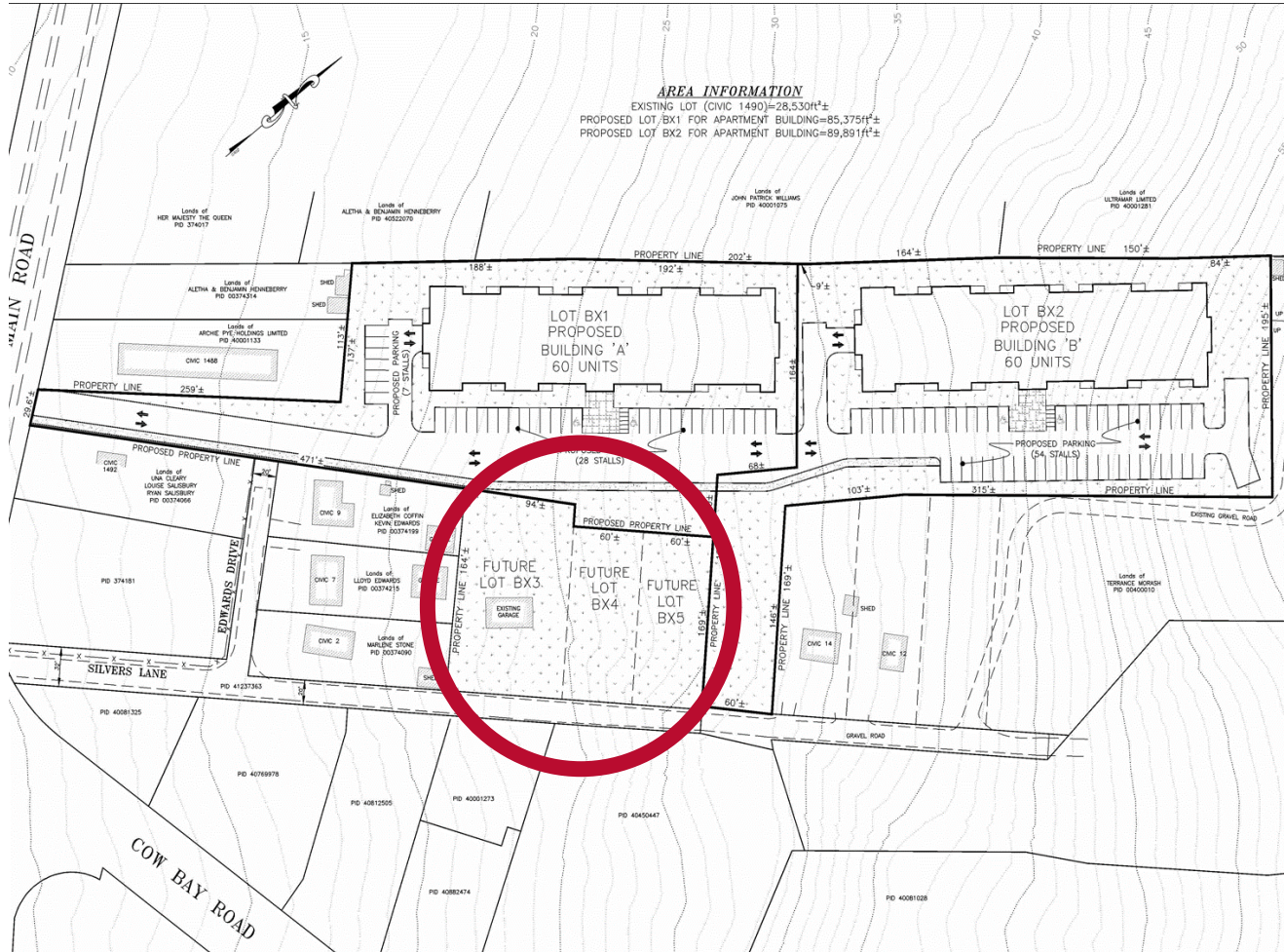


Subject site seen from Main Road

History

- Original Development Agreement (2016 approval)
 - Allows for two multi-unit buildings (60 max units in each building)
- The original application proposed that the remaining lands be developed through the as-of-right process and not be included in the Development Agreement
- Administrative error was made at the final stages that included the remaining lands within the development agreement thereby removing any development rights
- As a Development Agreement is a binding legal contact it must be amended to fix this mistake

Proposal



Proposed Site Plan

Policy & By-law Overview

Eastern Passage/Cow Bay Municipal Planning Strategy and LUB

- **Zone**

- C-2 (General Business) Zone

- **Designation**

- Community Commercial (CC)

- **Existing Use**

- Single Family Dwelling & Vacant

- **Enabling Policy**

- COM-12: allows Council to consider permitting, by development agreement, multiple unit buildings with more than 12 dwelling units on lands greater than 20,000 sq. ft with frontage on a public street.
- COM-2: Establishes the C-2 (General Business) Zone for lands within the Community Commercial Designation.

HALIFAX

Policy Consideration

- Enabling Policy COM-12: Development of multi-unit dwellings over 12 units requires Council to consider the following in rendering their decision on a Development Agreement:
 - Height
 - Design
 - Landscaping and parking
- Remaining lands to be developed “as-of-right” under the C-2 (General Commercial) Zone of the Eastern Passage/Cow Bay Land Use Bylaw:
 - Commercial and Residential Uses
 - Must meet requirements of the zone (setbacks, height, parking, screening, etc.)

Public Engagement Feedback

- Level of engagement completed was **consultation** achieved through **a mail out notification** and **a public open house** (September 27, 2018)
- Feedback from the community generally included the following:
 - Traffic for the approved (but not constructed) multi-unit dwellings

**Notifications
Mailed**



79

**Meeting
Attendees**



5

**Letters/Emails
Received**



0

Summary: Key Aspects of Amending Agreement

- Allow for the subdivision and development of a portion of the lands (known as Block C) through LUB;
- Require any use on Block C, other than single unit dwellings, to access the property through the shared common driveway;
- Require the fencing buffer for the multiple unit dwellings to be located along adjacent property boundaries with existing commercial and residential uses;
- Extension of the commencement of development date to reflect the delay this required amendment has caused; and
- Replace Schedules B and C. When the existing agreement was registered several schedules were corrupted and were illegible.

Staff Recommendation

Staff recommend that Harbour East-Marine Drive Community Council:

1. Approve the proposed development agreement as set out in Attachment A of the staff report dated October 10, 2018

HALIFAX

Thank You