HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 11.2.1
Halifax Regional Council
September 9, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed

for: Councillor David Hendsbee, Chair, Harbour East-Marine Drive Community Council

DATE: August 11, 2014

SUBJECT: **Cases 18288 and 18684 – Cole Harbour/Westphal MPS and LUB Amendments and Development Agreement for a mixed residential development adjacent to Lake Loon, Westphal**

ORIGIN

- Application by Ekistics Design Limited on behalf of Lake Loon Ltd. (Case 18288)
- Application by WSP Canada Inc. on behalf of Madison Realty Ltd. (Case 18648)
- April 30, 2013, Regional Council initiation of the MPS and LUB amendment process.
- August 7, 2014, meeting of Harbour East-Marine Drive Community Council

LEGISLATIVE AUTHORITY

Section 25 (c) of the *Halifax Regional Municipality Charter* sets out the powers and duties of a community council to include "recommending to the Council appropriate by-laws, regulations, controls and development standards for the community."

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

The Harbour East-Marine Drive Community Council recommends that Halifax Regional Council give First Reading to consider the proposed amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law as contained in Attachments A and B of the July 7, 2014 report and schedule a Joint Public Hearing with Harbour East-Marine Drive Community Council .

BACKGROUND

Ekistics Design Limited has requested amendments to the Cole Harbour/Westphal Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable residential development at 661 Highway #7 and the rear portion of the Gateway Meat Market Property at 667 Highway #7 in Westphal (Case 18288). At the time of initiation of Case 18288 by Regional Council, staff was also directed to explore MPS and LUB amendments at the rear portion of 613 Highway #7 (Case 18684). This approach has enabled the area to be comprehensively reviewed.

At their August 7, 2014 meeting, the attached staff report was before Harbour East-Marine Drive Community Council, reviewing the requested MPS and LUB amendments to allow mixed residential development on the subject areas for both Case 18288 and 18684. In addition to the MPS and LUB amendments, a development agreement is also proposed for 661 Highway #7 and the rear portion of 667 Highway 7 (Case 18288 only). A proposed development agreement for the rear portion of 613 Highway #7 (Case 18684) may be considered at a later date.

Further detail in regard to the applications is provided in the July 7, 2014 staff report (attached).

DISCUSSION

At the August 7, 2014 Harbour East-Marine Drive Community Council meeting, staff responded to several questions of clarification from members, including the following clarifications:

- That the subject lands indicated on Maps 1 and 2 of the staff report, representing both Cases 18288 and 18684 are being considered for policy amendments under the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law, although only the lands included in Case 18288 are being considered for a development agreement at this time.
- That the joint public hearing would be to consider both the MPS and LUB amendments, as well as the development agreement, and that the opportunity for the public to speak on either the MPS amendments, LUB amendments, or the development agreement would be at the joint public hearing. Staff further clarified that the development agreement would come back to the Harbour East – Marine Drive Community Council for final approval following ministerial approval of the MPS and LUB amendments.

Following this clarification, a motion was approved that Harbour East-Marine Drive Community Council:

1. Recommend that Regional Council give First Reading to consider the proposed amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law as contained in Attachments A and B of the July 7, 2014 report and schedule a Joint Public Hearing with Harbour East-Marine Drive Community Council; and

2. Give Notice of Motion to consider the proposed development agreement as contained in Attachment C of the July 7, 2014, report to allow for a 7 storey multiple unit building and a 6 storey multiple unit building and 44 townhouse units on the lands at 661 and the rear portion of 667, Highway #7 in Westphal, as shown on Map 1 of the July 7, 2014, report. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation #1.

FINANCIAL IMPLICATIONS

As outlined in the July 7, 2014 staff report.

COMMUNITY ENGAGEMENT

Harbour East-Marine Drive Community Council is comprised of five duly elected members of Council. Meetings are held monthly and are open to the public, unless otherwise stated. Agendas and minutes are available on the web.

Refer to the Community Engagement section of the attached staff report for details specific to these applications.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all relevant environmental policies contained in the Municipal Planning Strategy.

ALTERNATIVES

Alternatives are identified on page 5 of the attached staff report.

ATTACHMENTS

Attachment 1 Staff recommendation report dated July 7, 2014

A copy of this report can be obtained online at http://www.halifax.ca/council/agendasc/cagenda.php then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jennifer Weagle, Legislative Assistant, 902-490-6517

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P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Attachment 1

Harbour East-Marine Drive Community Council
August 7, 2014

TO: Chair and Members of the Harbour East-Marine Drive Community Council

SUBMITTED BY: *Original signed*
Brad Anguish, Director of Community and Recreation Services

DATE: July 7, 2014

SUBJECT: **Cases 18288 and 18684 – Cole Harbour/Westphal MPS and LUB Amendments and Development Agreement for a mixed residential development adjacent to Lake Loon, Westphal**

ORIGIN

- Application by Ekistics Design Limited on behalf of Lake Loon Ltd. (Case 18288);
- Application by WSP Canada Inc. on behalf of Madison Realty Ltd. (Case 18684); and
- April 30, 2013 Regional Council initiation of the MPS and LUB amendment process.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Harbour East-Marine Drive Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law as contained in Attachments A and B of this report and schedule a joint Public Hearing with Harbour East-Marine Drive Community Council;

2. Approve the proposed amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law as contained in Attachment A and B of this report.

It is recommended that the Harbour East-Marine Drive Community Council:

3. Move Notice of Motion to consider the proposed development agreement, as contained in Attachment C of this report to allow for a 7 storey multiple unit building and a 6 storey multiple unit building and 44 townhouse units on the lands at 661 and the rear portion of 667, Highway #7 in Westphal, as shown on Map 1. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation #1.

Contingent upon adoption by Regional Council of the above Municipal Planning Strategy and Land Use By-law amendments and those becoming effective under the *Halifax Regional Municipality Charter*, it is further recommended that Harbour East-Marine Drive Community Council:

1. Approve the proposed development agreement as contained in Attachment C of this Report; and

2. Require the development agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

Ekistics Design Limited has requested amendments to the Cole Harbour/Westphal Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable residential development at 661 Highway (HWY) #7 and the rear portion of the Gateway Meat Market Property at 667 HWY #7 in Westphal (Case 18288). At the time of initiation of Case 18288 by Regional Council, staff was also directed to explore MPS and LUB amendments at the rear portion of 613 HWY #7 (Case 18684). This approach has enabled the area to be comprehensively reviewed.

This report reviews the requested MPS and LUB amendments to allow mixed residential development on the subject areas as shown on Maps 1 and 2 (Cases 18288 and 18684). In addition to the MPS and LUB amendments, a development agreement is also proposed for 661 HWY #7 and the rear portion of 667 HWY #7 (Case 18288 only). A proposed development agreement for the rear portion of 613 HWY #7 (Case 18684) may be considered at a later date.

Study Area and Surrounding Land Uses

The study area lies east of the Forest Hills Parkway intersection off Hwy #7, Westphal (Map 1). The lands being considered under both Cases 18288 and 18684 are 6.2 acres and 3.15 acres in area, respectively, situated south of Lake Loon and are currently vacant. Businesses that surround the study area to the west, east and south are generally shown on Map 2 and are as follows:

- Gateway Meat Market (667 HWY #7),
- Sobey's gas bar (639 HWY #7),
- Sobey's Land Holdings Limited (615 HWY #7)
- Atlantic Tire Services (651 HWY #7),
- Beazley Bowling Lanes Building (613 HWY #7),
- J.L. Patterson Sale and Service (581 Hwy #7) to the west; and,
- NS TPW lands to the west (Map 2).

Designation and Zoning

The study area is governed by the Cole Harbour/Westphal MPS and LUB. The area is designated and zoned Highway Commercial which allows extensive commercial uses, but does not permit residential development. Under the Regional Plan, the property is designated Urban Settlement and is identified as a Suburban Local Centre. As the Community Plan does not enable the consideration of residential development on the subject lands, an amendment to the Cole Harbour/Westphal MPS and LUB is required.

The Proposal

The development agreement proposal consists of one 7 storey multiple unit building (70 units), one six storey multiple unit building (48 units), 4 standard townhouses and 40 stacked townhouse units fronting a shared driveway adjacent to Lake Loon in Westphal.

Approval Process
As MPS and LUB amendments and a development agreement are required to enable the proposed residential development, the approval process necessitates Regional Council and Community Council involvement. MPS and LUB amendments are under the jurisdiction of Regional Council. The proposed development agreement is under the jurisdiction of the Harbour East-Marine Drive Community Council. A public hearing, which is required prior to a decision on both matters, may be held at the same time for both the MPS and the LUB amendments and the development agreement. In the event Regional Council approves the MPS and LUB amendments, Harbour East-Marine Drive Community Council may only make a decision on the development agreement following the amendments to the MPS and LUB coming into effect.

DISCUSSION

Rationale for Municipal Planning Strategy Amendment
Amendments to the MPS are not routine undertakings and should only be considered when there has been a change in circumstances since the MPS was adopted or last reviewed. Generally, the process of changing the MPS is not recommended by staff for a specific site amendment unless circumstances warrant such a change.

The subject lands are back-lands and are more appropriate for residential development than highway commercial land use. This is due to the physical separation and lack of visibility from the commercial corridor. As a result of this isolation, the implementation of the existing Highway Commercial polices has proved difficult on the subject lands. This is evidenced by the lack of commercial development there since the original adoption of the Cole Harbour/Westphal MPS some 32 years ago. Further, the Regional Plan identifies this as an area in transition and supports future mixed residential development in the Westphal Urban Local Growth Centre. The land use characteristics are low to medium residential density with convenience commercial uses (Attachment D). Therefore, consideration of residential development at this location is reasonable.

Proposed MPS and LUB Amendments (Case 18288 and 18684)
Attachments A and B contain the necessary amendments to MPS policy and the LUB to enable residential development in this area that is compatible with its surroundings. The proposed site specific policy reflects the standards required for a concentrated residential development on the subject properties. Of the proposed amendments, the following are highlighted for more detailed discussion.

Dwelling Unit Densities and Concentrated Development
In order to achieve concentrated development, density levels are proposed to be higher for these lands than is typical in other parts of the CH/W Plan area. General densities in the Cole Harbour/Westphal MPS area average approximately 14 units per acre. It is proposed that the subject lands could accommodate dwelling unit densities at 24 units per acre in order to reflect a desire to intensify residential development at this location.

Building Forms
The proposed policy establishes multi-unit dwelling heights at six and seven storeys, respectively. Townhouses of varying configuration (standard and stacked) are a maximum height of three storeys. In the stacked townhouse configuration, townhouse dwelling units can be "stacked", or located above one another. However, unlike a multiple unit dwelling each unit contains its own impendent access.

Access to Lake Loon
The issue of water quality of Lake Loon is a Provincial responsibility. However, site development impacts to the watercourse are of a principle concern. It is anticipated that these impacts can be mitigated through appropriate storm water management (SWM) as required in the proposed MPS policy in Attachment A.

Future Access to the Back-Lands of 613 HWY #7
The proposed MPS policy provides for vehicular access to the back lands at 613 HWY #7 by way of a private drive or public street that may be created over lands at 615 HWY #7.

Proposed Development Agreement (Case 18288)
The proposed DA (Attachment C) for 661 HWY #7 satisfies the proposed policy amendments to allow for a mixed residential development. Of the matters addressed by the proposed development agreement, the following have been identified for more detailed discussion.

Building Forms
The development agreement enables development of one seven storey multiple unit building (70 units), one six storey multiple unit building (48 units) with a shared podium and courtyard. In addition four standard townhouse units and forty stacked townhouse units are proposed (Attachment C, Schedule B). All townhouse buildings are a maximum of three storeys in height.

Land Use Compatibility and Buffering to Adjacent Commercial Properties
The proposed development agreement limits the multi-unit residential building heights to six and seven storeys adjacent to Lake Loon. A transition from the multi-unit buildings is provided to the three storey townhouse buildings that lie adjacent the rear lot lines of the Sobey's gas bar (639 Main Street) and Atlantic Tire Services (651 Main Street) (Attachment C, Schedule B). Tree plantings at this location and a six foot opaque fence along the fence line will serve as visual and physical separation (Attachment C, Schedule C).

Outdoor Amenity, Tree Retention, and Stormwater Management
Pedestrian connections are established along the driveway corridor providing access to the commonly shared natural features on site. In addition, a common space has been created in the courtyard that is situated between the multiple unit dwellings (Attachment C, Schedule B). Pedestrian access to Lake Loon is also provided by a pathway configured through the Non-disturbance/ tree retention area (Attachment C, Schedule B). The Non-Disturbance Area (Attachment C, Schedule C) occupies approximately 26% of the total site area (1.6 acres). In all, approximately 4 acres of the 6.2 acre site is being preserved as natural cover, a key component of the Stormwater Management Plan for lake protection. The elements of the Stormwater Management Plan will ultimately be determined through preparation by a professional engineer and reviewed by HRM.

Traffic and Vehicular Access
Proposed Policy HC-10 requires that consideration be given to the adequacy of road networks including access and egress to the development, as well as parking. A Traffic Impact Study (TIS) has been submitted concluding that the proposed development does not exceed the ability of HWY #7 to accommodate traffic generated from the development. The TIS concluded that there is adequate visibility from the proposed access driveway from both directions of HWY #7. Signal timing adjustments at peak hours will be made in order to mitigate traffic impacts that will be generated from the proposed development.

Conclusion
The proposed MPS policies promote compact mixed residential development on the subject lands within walkable distance to local commercial services (Attachment A). The proposed DA (Attachment C) adequately implements the proposed MPS policies for lands at 661 HWY #7. Therefore, staff recommends that Council adopt the amendments to the Cole Harbour/Westphal MPS and LUB provided in Attachments A and B of this report. Further to the adoption of the amendments staff recommends that Harbour East - Marine Drive Community Council approve the development agreement as contained in Attachment C of this report.

FINANCIAL IMPLICATIONS

The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the agreement can be carried out within the proposed budget with existing resources.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy.

The level of community engagement was consultation, achieved through two Public Information Meetings held on Wednesday, July 3, 2013 and Wednesday, January 15, 2014, respectively (see Attachment E for minutes). Notices of the Public Information Meetings were posted on the HRM Website, in the newspaper, and mailed to property owners in within the notification area as shown on Map 2.

A public hearing must be held by Council before they can consider approval of the amendments to the MPS and LUB. Should Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

The proposed MPS and LUB amendments, and development agreement will potentially impact local property owners.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all relevant environmental policies contained in the MPS.

ALTERNATIVES

1. Refuse the proposed amendments to the MPS and the LUB for Cole Harbour/Westphal, as contained in Attachments A and B of this report. Regional Council is under no obligation to consider a request to amend its MPS and a decision not to amend the MPS cannot be appealed to the NS Utility & Review Board.

2. Modify the proposed amendments to the Cole Harbour/Westphal MPS and LUB as presented in Attachments A and B. If this alternative is chosen specific direction regarding the requested modifications and amendments is required. Substantive amendments may require a supplementary report as well as another public hearing to be held before approval is granted.

ATTACHMENTS

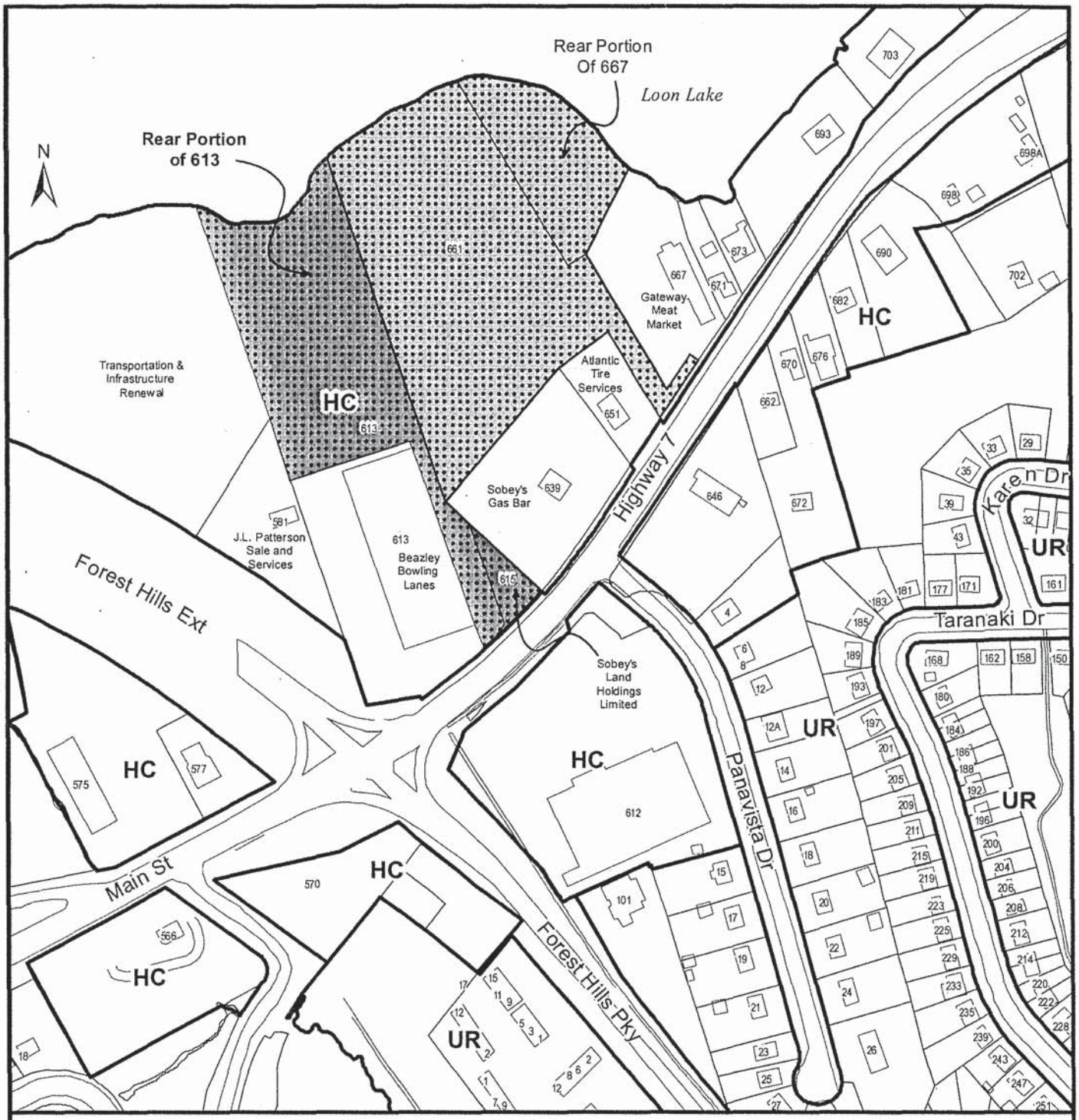
Map 1	Generalized Future Land Use
Map 2	Location and Zoning
Map 3	Notification Map
Attachment A	Amendments to the Cole Harbour/Westphal Municipal Planning Strategy Policy • Schedule A - Area of Mixed Residential Development in the Highway Commercial Designation
Attachment B	Amendments to the Cole Harbour/Westphal Municipal Land Use By-law • Schedule D - Area of Mixed Residential Development in the HC (Highway Commercial) Zone
Attachment C	Development Agreement
Attachment D	MPS Policy Evaluation
Attachment E	Minutes of Public Information Meetings

A copy of this report can be obtained online at http://www.halifax.ca/commcoun/index.php then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Shayne Vipond, Senior Planner, 490-4335

Report Approved by: *Original signed*
Kelly Denty, Manager of Development Approvals, 490-6800

Report Approved by: *Original signed*
for: Bob Bjerke, Chief Planner, 490-1627



Map 1 - Generalized Future Land Use

613 & 661 Highway 7,
Westphal

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0 20 40 60 80 100 m

Case 18288

Case 18684

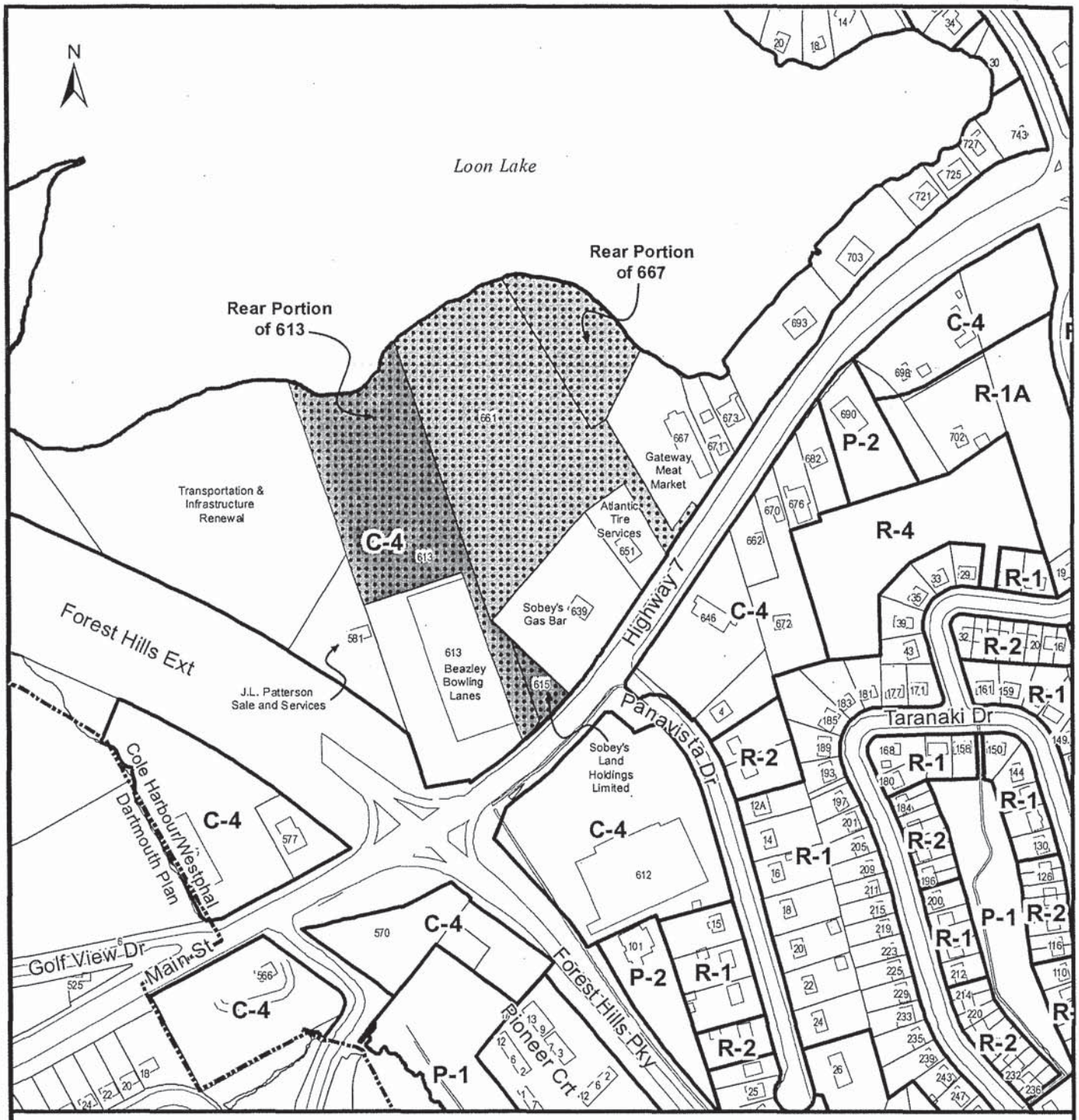
Cole Harbour/Westphal
Plan Area

Designation

UR Urban Residential
HC Highway Commercial

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.



Map 2 - Zoning

613 & 661 Highway 7,
Westphal

HALIFAX

Case 18288

Case 18684

Plan Area Boundary

Cole Harbour/Westphal
Plan Area

Zone

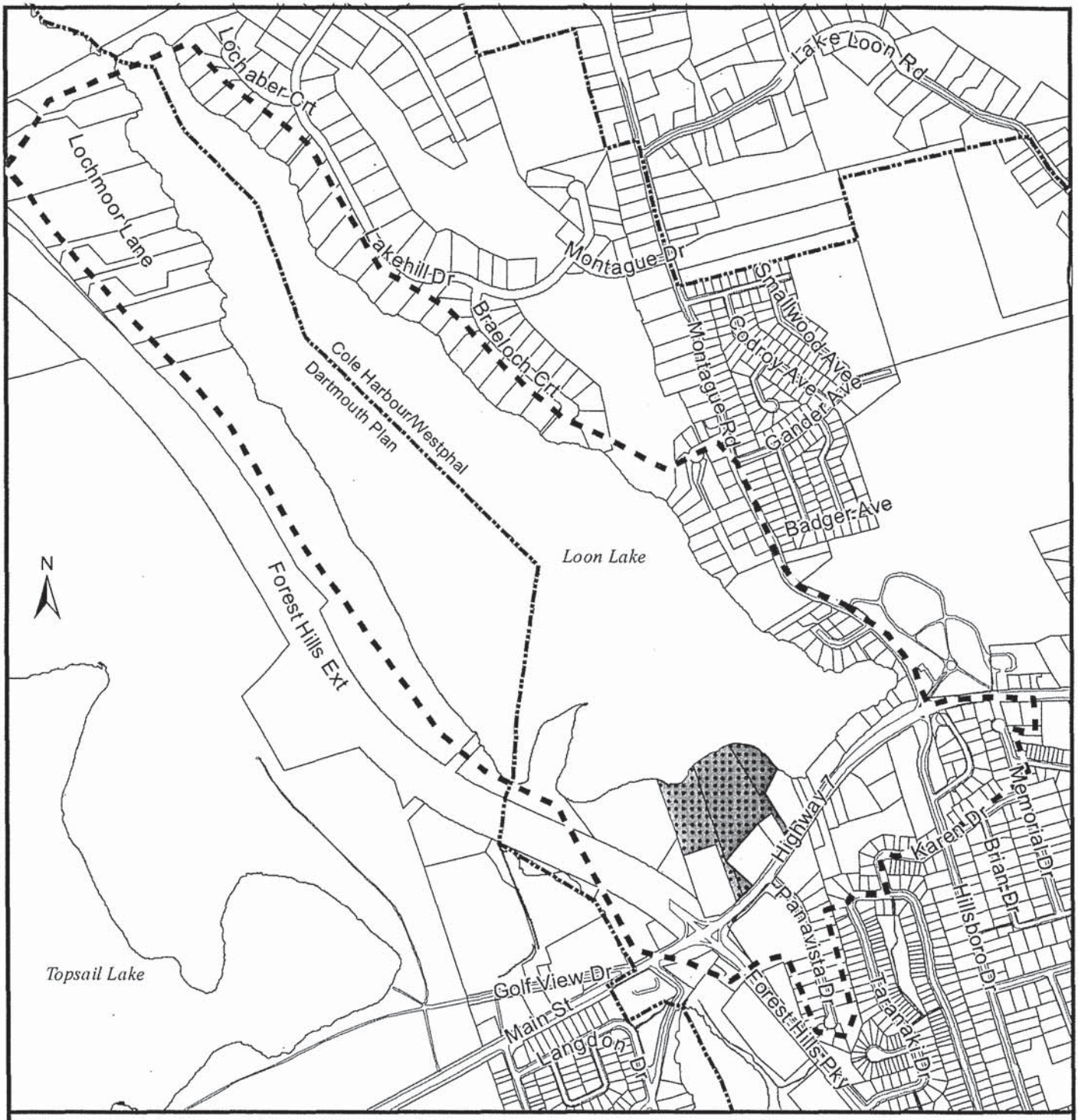
R-1A	Single Unit Dwelling
R-1	Single Unit Dwelling
R-2	Two Unit Dwelling
R-4	Multiple Unit Dwelling
C-4	Highway Commercial
P-1	Open Space
P-2	Community Facility

0 20 40 60 80 100 m

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.

9 July 2014 | Case 18288 & 18684 | T:\work\planning\Holly\Official_Maps\case_maps\Case_18288\ (HK)



Map 3 Notification

613 & 661 Highway 7,
Westphal

HALIFAX

Subject area

Notification Boundary

Plan Area Boundary

0 100 200 300 m

Cole Harbour/Westphal
Plan Area

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

9 July 2014 | Case 18288 & 18684 | T:\work\planning\Holly\Official_Maps\case_maps\Case_18288\ (HK)

Attachment A

Amendments to the Municipal Planning Strategy for Cole Harbour/ Westphal

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Cole Harbour/ Westphal as enacted by the former Halifax County Municipality on the 30th day of November 1992, and approved by the Minister of Municipal Affairs on the 3rd day of March 1993, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 14th day of January, 2012, is hereby further amended as follows:

1. By amending the Table of Contents to add a new section entitled "LIST OF SCHEDULES" immediately following the "Amendment Index" as follow:

   "LIST OF SCHEDULES

   Schedule A - Mixed Residential Development in Highway Commercial Designation"

2. By adding "Schedule A – Mixed Residential Development in Highway Commercial Designation" under "LIST OF SCHEDULES".

3. By amending the HIGHWAY COMMERCIAL DESIGNATION to adding Policies HC-10 and HC-11 immediately following Policy HC-9 as follows:

   "MIXED RESIDENTIAL DEVELOPMENT IN THE HIGHWAY COMMERCIAL DESIGNATION

   Lands adjacent to Lake Loon present an opportunity for residential infill within the Highway Commercial Designation. The lands identified for future residential development are located to the rear of 613 and 667 Highway 7 (approximately 3.15 acres) and rear lands behind civic addresses 639 and 651 Highway 7. These sites are appropriate to be developed with a mixed of townhouse and multiple unit dwelling development at approximately 24 units per acre on each of the subject parcels. Development on these lands located within the Westphal Suburban Local Growth Centre, as referenced in the Regional Municipal Planning Strategy, should be clustered with regard to a reduced lot coverage and enhanced tree retention.

   Development of the above noted lands should proceed in a manner sensitive to the issues of environment including protection of Lake Loon through appropriate stormwater management. In addition to watercourse protection, Council will have regards to matters of appropriate design, traffic access and egress, and impact mitigation from adjacent commercial land uses. In order to achieve this site development should only be permitted through the development agreement process. Any development agreement should also consider impacts to future residential development on adjacent lands.

   Policy HC-10 Notwithstanding Policy HC-2, it shall be the intention of Council to consider mixed residential development on lands in the Highway Commercial Designation as identified on "Schedule A - Mixed Residential Development in Highway Commercial Designation" of the Cole Harbour/ Westphal Municipal Planning Strategy. Council may consider residential development on lands identified on Schedule A in accordance with the development agreement provisions on the Halifax Regional Municipality Charter. In considering such agreements, Council shall have regard to the following:

(a) exterior design, height, bulk and scale of the new residential development;

(b) compatibility with adjacent residential development relative to building heights, lot coverage, dwelling unit density, unit type and mix;

(c) measures to integrate and buffer the use relative to surrounding commercial land uses. Buffering shall refer to measures taken to mitigate impact from adjacent uses, such as the retention of existing vegetation, and the installation of suitable screening features such as vegetation and/or fencing;

(d) measures to minimize disruption of the existing terrain, vegetation, and watercourses;

(e) the impact of the proposed use on traffic volume and the local road network, as well as traffic circulation in general, sighting distances and entrance to and exit from the site;

(f) pedestrian access from the proposed development to the street network;

(g) environmental protection measures and erosion and sedimentation control mechanisms including the implementation of an effective storm water management plan;

(h) minimizing vehicular access to Lake Loon; and,

(i) the provisions of Policy IM-11."

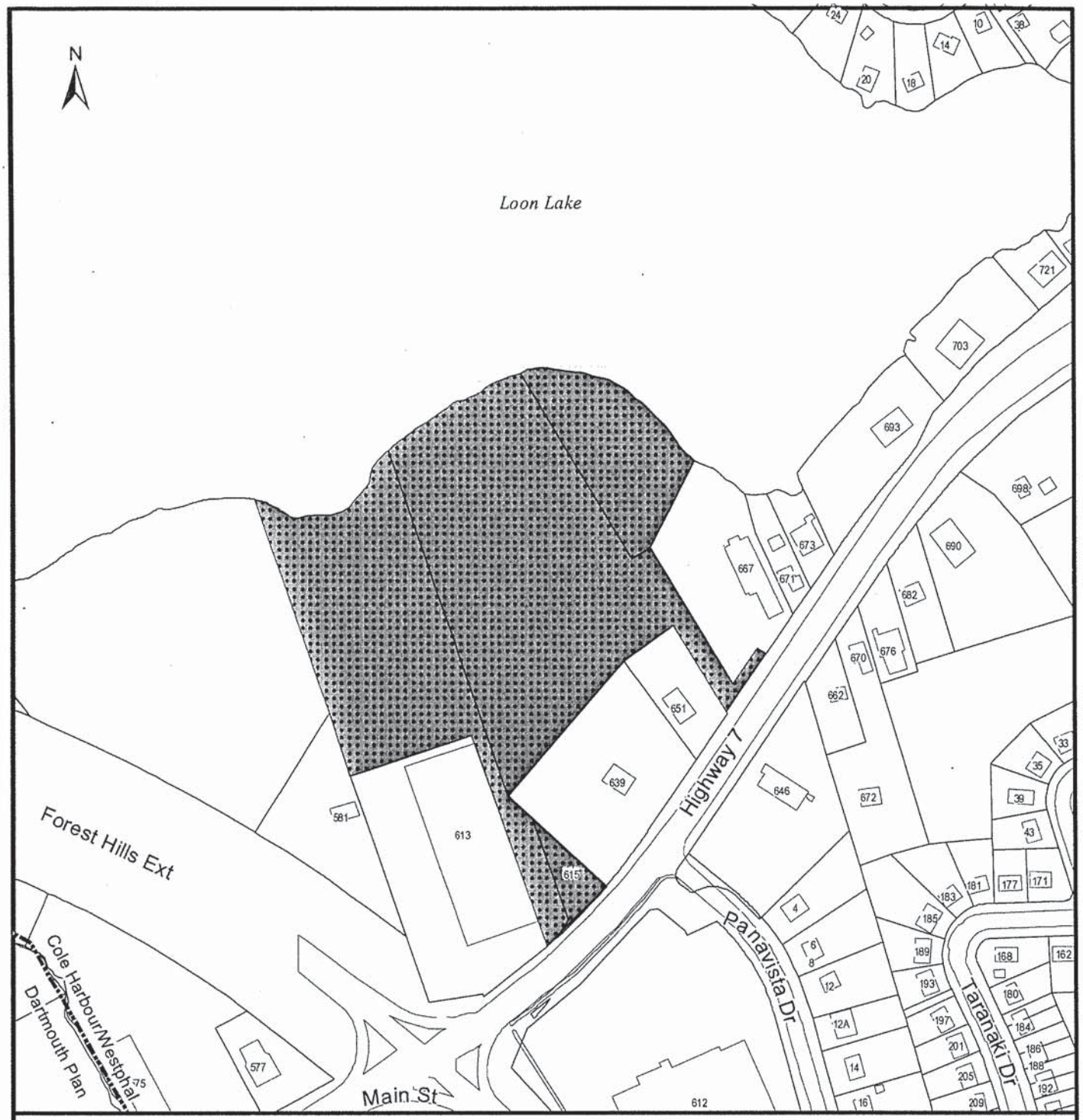
4. By adding a new subsection Policy IM-9(d)(v) immediately after Policy IM-9(d)(iv) as follows:

"(v) residential development on lands as shown on "Schedule A - Mixed Residential Development in Highway Commercial Designation" according to Policy HC-10."

I HEREBY CERTIFY that the amendments to the Cole Harbour/ Westphal Municipal Planning Strategy, as set out above, were passed by a majority vote of the Halifax Regional Council of the Halifax Regional Municipality at a meeting held on the _____ day of _____, _____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of , _____.

Municipal Clerk



Schedule A - Mixed Residential Development in Highway Commercial Designation
Cole Harbour/Westphal

HALIFAX

613 & 661 Highway 7, Westphal

Mixed Form Residential Development in Highway Commercial Designation

Plan Area Boundary

0 20 40 60 80 m

Cole Harbour/Westphal Plan Area

9 July 2014 | Case 18684 | T:\work\planning\Casemaps\CHW\18684\ (HK)

Attachment B

Amendments to the Land Use By-law for Cole Harbour/ Westphal

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Cole Harbour/Westphal as enacted by the former Halifax County Municipality on the 30th day of November, 1992, and approved by the Minister of Municipal Affairs on the 3rd day of March, 1993, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as the 28th day of April, 2012, is hereby further amended as follows:

1. By amending the Table of Contents to add a new Schedule immediately after Schedule C as follows:

   "SCHEDULE "D" - Mixed Form Residential Development in the C-4 (Highway Commercial) Zone"

2. By adding "Schedule D – Mixed Residential Development in Highway Commercial Designation" under "LIST OF SCHEDULES".

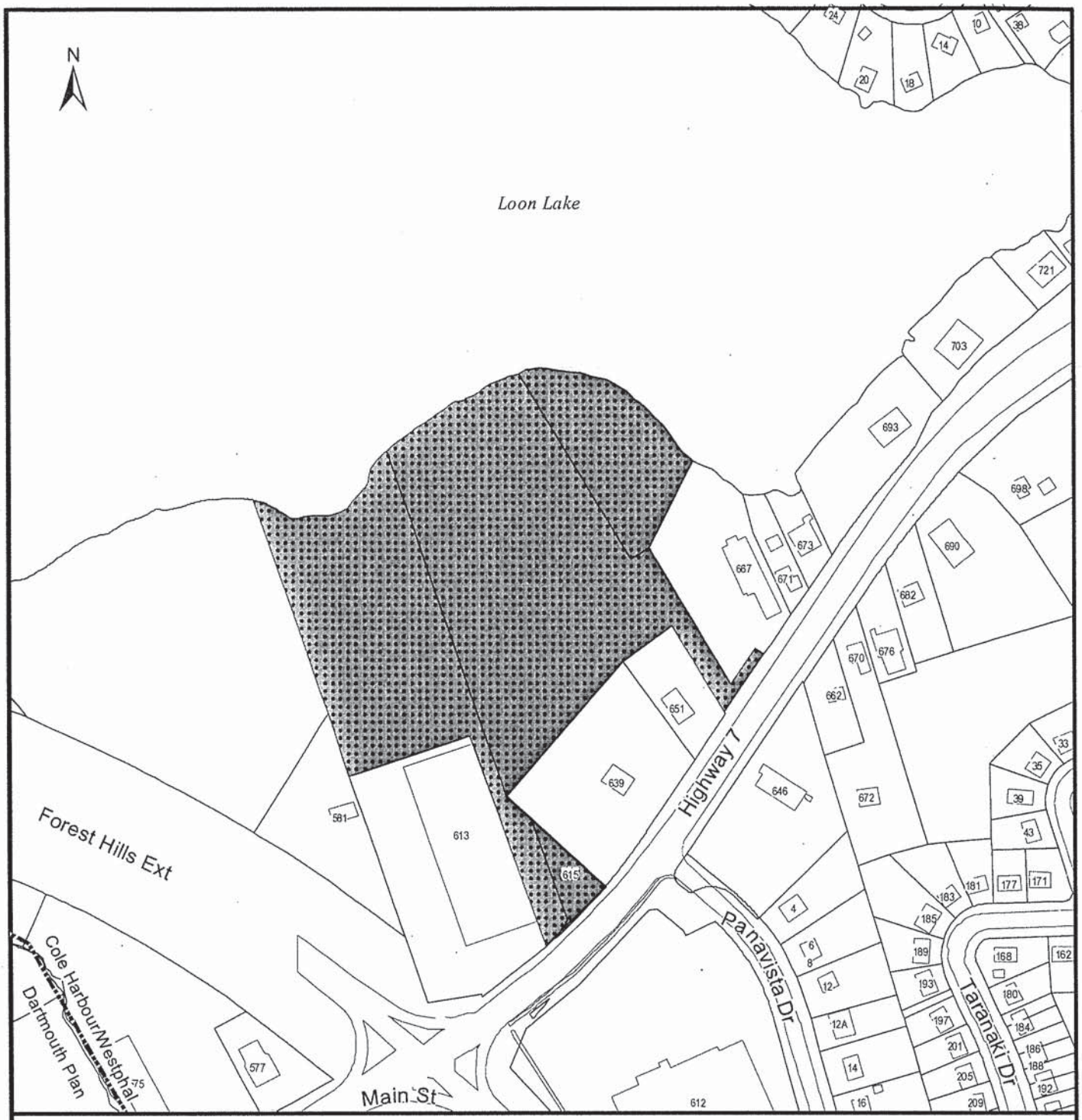
3. By Amending SECTION 3.6 by adding the following:

   "(y) Mixed residential development within the lands as shown on Schedule D in accordance with MPS policy HC-10."

I HEREBY CERTIFY that the amendments to the Land Use By-law for Cole Harbour/ Westphal Land Use Bylaw, as set out above, were passed by a majority vote of the Halifax Regional Council of the Halifax Regional Municipality at a meeting held on the _____ day of _____, _____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of , _____.

Municipal Clerk



Schedule D - Mixed Residential Development in the C-4 (Highway Commercial) Zone Cole Harbour/Westphal

HALIFAX

613 & 661 Highway 7,
Westphal

Mixed Form Residential Development in the C-4 Zone

Plan Area Boundary

0 20 40 60 80 m

Cole Harbour/Westphal Plan Area

9 July 2014 | Case 18288 & 18684 | T:\work\planning\Casemaps\CHW\18684\ (HK)

Attachment C
Proposed Development Agreement

THIS AGREEMENT made this day of **[Insert Month]**, 2014,

BETWEEN:

[Insert Name of Corporation/Business LTD.]
a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")
in the Province of Nova Scotia (hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY
a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at **[Insert - PID No.**], Highway No. 7, Westphal, and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a Development Agreement to allow for 118 multi-dwelling units within two multi-unit residential buildings and 44 townhouse units within 5 townhouse buildings on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policy HC-10 of the Municipal Planning Strategy for Cole Harbour/Westphal;

AND WHEREAS the Harbour East-Marine Drive Community Council for the Municipality approved this request at a meeting held on [**Insert - Date**], referenced as Municipal Case Number 18288;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the Land Use By-law for Cole Harbour/Westphal and the Regional Subdivision By-law, as may be amended from time to time.

1.3 Applicability of Other By-laws, Statutes and Regulations

1.3.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.

1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.4 Conflict

1.4.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.

1.4.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial and Municipal laws, by-laws, regulations and codes applicable to the Lands.

1.6 Provisions Severable

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

PART 2: DEFINITIONS

2.1 Words Not Defined under this Agreement

All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law, if not defined in these documents their customary meaning shall apply.

2.2 Definitions Specific to this Agreement

The following words used in this Agreement shall be defined as follows:

2.2.1 'Standard Townhouse Building' means a building which is divided vertically by common walls into four townhouses dwelling units, wherein each townhouse dwelling unit has separate, at-grade access.

2.2.2 'Stacked Townhouse Building' means:

i. a building which is divided vertically by common walls into four or more townhouses dwelling units, and
ii. is horizontally separated into additional townhouses dwelling units, one atop the other, and
iii. each townhouse dwelling unit has separate at-grade access.

PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS

3.1 Schedules

The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement and filed in the Halifax Regional Municipality as Case Number 18288:

Schedule A	Legal Description of the Lands(s)
Schedule B	Site Plan
Schedule C – C3	Comprehensive Landscape Plan, Landscape plans: SubAreas 1- 3
Schedule D	Preliminary Plan of Subdivision/ Consolidation
Schedule E- E1	Servicing, Stormwater Management/Erosion and Sedimentation Control Plan
Schedules F	Interior Parking Plan
Schedule G - G2	Multi Building 1 Elevation plans
Schedule H - H2	Multi Building 2 Elevation plans
Schedule I – I2	Standard Townhouse Elevation plans
Schedule J – J2	Stacked Townhouse Elevation plans

3.2 Requirements Prior to Approval

3.2.1 The Municipality shall not issue any Development Permit until Final Subdivision Approval has been granted in accordance with Schedule D.

3.2.2 Prior to the issuance of a Development Permit, the Developer shall provide the following to the Development Officer:

(a) A Landscaping Plan in accordance with Section 3.7 of this Agreement; and
(b) A Lighting Plan in accordance with Section 3.6 of this Agreement;

3.2.3 Prior to the issuance of the first Occupancy Permit, the Developer shall provide the following to the Development Officer:

(a) Written confirmation from a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) that the Development Officer may accept as sufficient record of compliance with the landscaping requirements set out in section 3.7 of this Agreement; and
(b) Written confirmation from a qualified professional which the Development Officer may accept as sufficient record of compliance with the lighting requirements set out in section 3.6 of this Agreement.

3.2.4 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.3 General Description of Land Use

3.3.1 The use(s) of the Lands permitted by this Agreement are the following:

a) a multi-unit dwelling, shown as Building 1 on Schedule B, with a maximum of 48 dwelling units, not exceeding a height of 6 storeys;
   i) a minimum of 30 units of which will be two or three bedroom units;

b) a multi-unit dwelling, shown as Building 2 on Schedule B, with a maximum of 70 dwelling units, not exceeding a height of 7 storeys;
   ii) a minimum of 44 units of which will be two or three bedroom units;

c) 4 stacked townhouse blocks totalling not more than 40 townhouse units, not exceeding a height of 3 storeys, as defined in section 2.2, and as shown on Schedules B and I to J.

d) 1 standard townhouse block total not more than 4 townhouse units, not exceeding 3 storeys in height, as defined in section 2.2, and as shown on Schedules B and I to J.

3.3.2 Unless otherwise stated in this Agreement, development of the Lands shall conform with the Land Use By-law for Cole Harbour/Westphal, as amended from time to time.

3.4 Siting and Architectural Requirements

3.4.1 The main entrances to building shall be emphasized by detailing, changes in materials, and other architectural devices such as but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, cornerboards, fascia boards or an acceptable equivalent approved by the Development Officer.

3.4.2 The façades facing the common driveway and the courtyard shall be designed and detailed as primary façades. Further, architectural treatment shall be continued around all sides of the building as identified on the Schedules.

3.4.3 Exterior building materials shall be in accordance with the Schedules.

3.4.4 All vents, down spouts, flashing, electrical conduits, metres, service connections, and other functional elements shall be treated as integral parts of the design. Where appropriate these elements shall be painted to match the colour of the adjacent surface, except where used expressly as an accent. Service entrances shall be integrated into the design of the building and shall not be a predominate feature.

3.4.5 Buildings shall be designed such that the mechanical systems (HVAC, exhaust fans, etc.) are not visible from the shared driveway or abutting residential properties. Furthermore, no mechanical equipment or exhaust fans shall be located between the building and the adjacent residential properties unless screened as an integral part of the building design and noise reduction measures are implemented. This shall exclude individual residential mechanical systems.

3.4.6 All roof mounted mechanical or telecommunication equipment shall be visually integrated into the roof design or screened from public view.

3.5 Parking, Circulation and Access

3.5.1 A total number of 205 parking spaces shall be provided. All required underground parking (140 spaces) for the development shall be provided as illustrated on Schedule F and all required surface parking area (65 spaces) shall be provided as illustrated on Schedule B.

3.5.2 The parking area shall be hard surfaced.

3.5.3 The limits of the parking area shall be defined by landscaping, and either standard or rolled curb.

3.5.4 Exterior and interior bike parking shall be required and located as shown on Schedules C1, C3 and F.

3.6 Outdoor Lighting

3.6.1 Lighting shall be directed to driveways, parking areas, loading area, building entrances and walkways and shall be arranged so as to divert the light away from the common shared driveway, adjacent lots and buildings.

3.6.2 Further to subsection 3.6.1, prior to the issuance of a Development Permit, the Developer shall prepare a Lighting Plan and submit it to the Development Officer for review to determine compliance with this Agreement. The Lighting Plan shall contain, but shall not be limited to, the following:

a) The location, on the building and on the premises, of each lighting device; and

b) A description of the type of proposed illuminating devices, fixtures, lamps, supports, and other devices.

3.6.3 The Lighting Plan and description shall be sufficient to enable the Development Officer to ensure compliance with the requirements of this Agreement. If such plan and description cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures or

lamps proposed, the Developer shall submit evidence of compliance by certified test reports as performed by a recognized testing lab.

3.6.4 The information used to satisfy the requirements of this section may be included on the site plan or building elevations provided that the Development Officer is satisfied of compliance with this Agreement.

3.7 Landscaping

3.7.1 Landscaping of the property shall be as shown on Schedules C to C3. Fencing shall be required as shown on Schedule C.

3.7.2 All plant material shall conform to the Canadian Nursery Trades Association Metric Guide Specifications and Standards and sodded areas to the Canadian Nursery Sod Growers' Specifications.

3.7.3 Notwithstanding Section 3.7.9, the Developer agrees to construct a 1.8 metre wide looped trail to Lake Loon as shown on Schedules B and C to C3. The travel surface of the trail shall consist of crusher dust and shall be accompanied by shoulders comprised of bark mulch or another material deemed acceptable by the Municipality. The trail shall meet accessibility standards, in the opinion of the Development Officer and Parkland Planner, and shall conform to a maximum grade of 8%. The location and design of the trail shall be approved by the Development Officer, in consultation with the Parkland Planner, prior to the issuance of a Development Permit, and the trail shall be constructed, as specified, prior to the issuance of an Occupancy Permit.

3.7.4 The Developer agrees to construct a fence as identified on Schedules C to C3. The fence shall be at least 6 feet in height and opaque.

3.7.5 Prior to the issuance of a Development Permit, the Developer agrees to provide a Landscape Plan which complies with the provisions of this section and generally conforms with the overall intentions of Schedules C to C3, respectively. The Landscape Plan shall prepared by a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) and comply with all provisions of this section.

3.7.6 The natural tree buffer running the length of the southern boundary at the rear of the townhouses shall be shown on the Landscape Plan and shall be retained. If it is not possible for this natural screen to be retained, then it shall be re-instated by plantings sufficient in height to provide screening from the adjacent property to the satisfaction of the Development Officer.

3.7.7 Prior to issuance of the first Occupancy Permit the Developer shall submit to the Development Officer a letter prepared by a member in good standing of the Canadian Society of Landscape Architects certifying that all landscaping has been completed according to the terms of this Development Agreement.

3.7.8 Notwithstanding Section 3.7.7, where the weather and time of year does not allow the completion of the outstanding landscape works at the time of issuance of an Occupancy Permit, the Developer may supply a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The cost estimate is to be prepared by a member in good standing of the Canadian Society of Landscape Architects. The security shall be in favour of the Municipality and shall be in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of the work as described herein and illustrated on the Schedules, and as approved by the Development Officer. Should the Developer not complete the landscaping within twelve months of issuance of the Occupancy Permit, the Municipality may use the deposit

to complete the landscaping as set out in this section of the Agreement. The Developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the Developer upon completion of the work and its certification.

3.7.9 The stand of existing mature trees and vegetation as identified on Schedule B and C to C3, described as a "Non-disturbance Area" shall be retained. The Landscaping Plan required pursuant to subsection 3.8.5 shall include a supplementary hazard abatement plan to address this intent. This plan shall be prepared by a qualified person and be subject to review and approval by the Development Officer on the advice of HRM's Urban Forester.

3.7.10 Further to subsection 3.7.9, the hazard abatement plan shall:

(a) Define appropriate non-disturbance areas around each tree which shall be protected from excavation, grade alteration and vehicle access during all stages of construction, with such areas to be delineated by an appropriate physical protective barrier prior to commencement of any site works; and

(b) Address the extent of acceptable pruning which may be undertaken, and identify removal of diseased or fallen trees.

3.8 Maintenance

3.8.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the exterior of the building, fencing, walkways, recreational amenities, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow and ice control, salting of walkways and driveways.

3.9 Signage

3.9.1 A maximum of one ground sign shall be permitted at the entrance to the development to denote the community name. The maximum height of any such sign inclusive of support structures shall not exceed 10 feet (3.05 m) and the face area of any sign shall not exceed 50 square feet (4.65 sq. m.). All such signs shall be constructed of natural materials such as wood, stone, brick, enhanced concrete or masonry. The only illumination permitted shall be low wattage, shielded exterior fixtures.

3.9.2 Ornamental plants shall be planted and maintained around the entire base of the sign as part of the required landscaping. The street frontage area of the Lands shall be topsoiled, sodded and landscaped.

3.9.3 Signs shall only be externally illuminated.

3.10 Screening

3.10.1 Refuse containers located outside the building shall be fully screened from adjacent properties and from streets by means of opaque fencing or masonry walls with suitable landscaping.

3.10.2 Propane tanks and electrical transformers shall be located on the site in such a way to ensure minimal visual impact from the driveway and parking areas and abutting residential properties. These facilities shall be secured in accordance with the applicable approval agencies and screened by means of opaque fencing or masonry walls with suitable landscaping.

PART 4: STREETS AND MUNICIPAL SERVICES

4.1 General Provisions

All design and construction of primary and secondary service systems shall satisfy Municipal Design Guidelines unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineer prior to undertaking the work. Municipal water distribution, sanitary sewer and storm sewer systems shall conform to Halifax Regional Water Commission's latest edition of their Design and Construction Specifications unless otherwise deemed acceptable by Halifax Water and the Municipality.

4.2 Off-Site Disturbance

Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

4.3 Underground Services

All secondary or primary (as applicable) electrical, telephone and cable service to all buildings shall be underground installation.

4.4 Site Preparation

The Developer shall not commence clearing, excavation or blasting activities required for construction prior to receiving a Development permit.

4.5 Outstanding Site Work

The Municipality may accept securities for the completion of outstanding on-site paving at the time of issuance of the first Occupancy Permit. Such securities shall consist of a security deposit in the amount of 110 percent of the estimated cost to complete the work. The security shall be in favour of the Municipality and may be in the form of a certified cheque or irrevocable automatically renewing letter of credit issued by a chartered bank. The security shall be returned to the Developer by the Development Officer when all outstanding work is satisfactorily completed.

4.6 Solid Waste Facilities

Each Multi Building (1 & 2) shall include designated space for source separation services in accordance with By-law S-600 as amended from time to time. This designated space for source separation services shall be shown on the building plans and approved by the Development Officer in consultation with Solid Waste Resources.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

5.1 All private storm water facilities shall be maintained in good order in order to maintain full storage capacity by the owner of the lot on which they are situated.

5.2 Erosion and Sedimentation Control and Grading Plans

Prior to the commencement of any onsite works on the Lands, including earth movement or tree removal other than that required for preliminary survey purposes, or associated offsite works, the Developer shall have prepared by a Professional Engineer and submitted to the Municipality a detailed Erosion and Sedimentation Control Plan. The plans shall comply with the *Erosion and Sedimentation Control Handbook for Construction Sites* as prepared and revised from time to

time by Nova Scotia Environment. No work is permitted on the site until the requirements of this clause have been met and implemented.

PART 6: AMENDMENTS

6.1 Non-Substantive Amendments

The following items are considered by both parties to be not substantive and may be amended by resolution of Council.

(a) The granting of an extension to the date of commencement of construction as identified in Section 7.3 of this Agreement;

(b) The length of time for the completion of the development as identified in Section 7.5 of this Agreement;

(c) Minor changes to the configuration and exterior treatment of the buildings, excluding material type.

(d) A reduction in townhouses may be permitted by converting stacked townhouses to standard townhouse buildings provided the building footprints as shown in Schedule B remain the same.

(e) A reduction of the frontage provided the signage under this agreement can be accommodated.

6.2 Substantive Amendments

Amendments to any matters not identified under Section 6.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

7.1 Registration

A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

7.2 Subsequent Owners

7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged by Council.

7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

7.3 Commencement of Development

7.3.1 In the event that development on the Lands has not commenced within 3 years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated

herein, the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law.

7.3.2 For the purpose of this section, commencement of development shall mean - installation of the footings and foundation for the proposed building

7.3.3 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Section 6.1, if the Municipality receives a written request from the Developer at least sixty (60) calendar days prior to the expiry of the commencement of development time period.

7.4. Completion of Development

Upon the completion of the whole development, Council may review this Agreement, in whole or in part, and may:

(a) retain the Agreement in its present form;

(b) negotiate a new Agreement;

(c) discharge this Agreement; or

(d) for those portions of the development which are completed, discharge this Agreement and apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law for Cole Harbour/ Westphal as may be amended from time to time.

7.5 Discharge of Agreement

If the Developer fails to complete the development after 6 years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office Council may review this Agreement, in whole or in part, and may:

(a) retain the Agreement in its present form;

(b) negotiate a new Agreement; or

(b) discharge this Agreement.

PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

8.1 Enforcement

The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within twenty four hours of receiving such a request.

8.2 Failure to Comply

If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer thirty days written notice of the failure or default, then in each such case:

(a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default

and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;

(b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the *Assessment Act*;

(c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or

(d) In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

_____
Witness

Per:_____

HALIFAX REGIONAL MUNICIPALITY

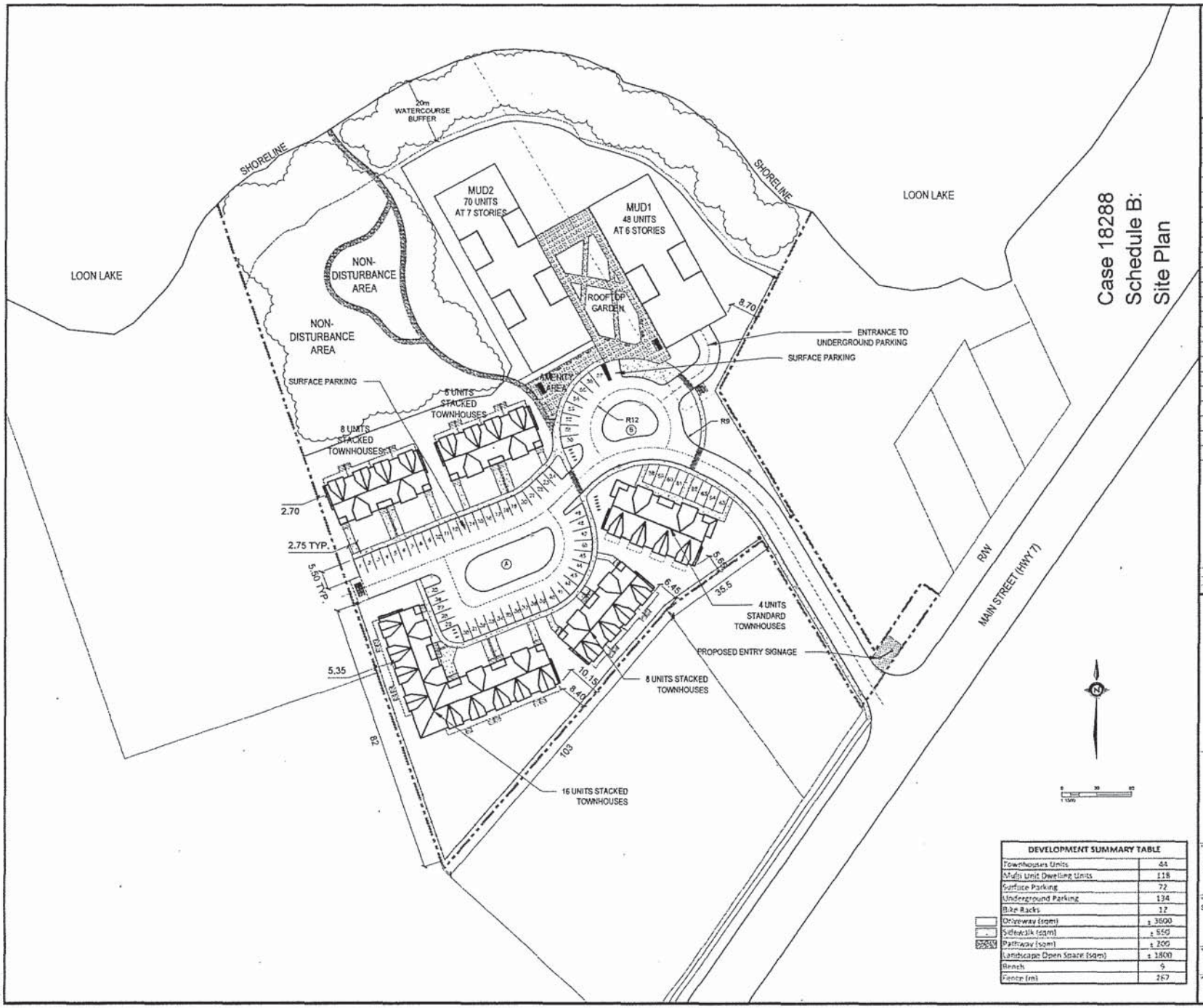
SIGNED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

_____
Witness

Per:_____
MAYOR

_____
Witness

Per:_____
MUNICIPAL CLERK



Case 18288 Schedule B: Site Plan

DEVELOPMENT SUMMARY TABLE	
Townhouses Units	44
Multi Unit Dwelling Units	118
Surface Parking	72
Underground Parking	134
Bike Racks	12
Driveway (sqm)	± 3600
Sidewalk (sqm)	± 550
Pathway (sqm)	± 200
Landscape Open Space (sqm)	± 1800
Bench	4
Fence (m)	267

Sheet List Table

Sheet Number	Sheet Title
01	SITE PLAN
02	LANDSCAPE PLAN
03	LANDSCAPE PLAN - DETAIL 1
04	LANDSCAPE PLAN - DETAIL 2
05	LANDSCAPE PLAN - DETAIL 3
06	MULTI UNITS LAYOUT
07	UNDERGROUND PARKING LAYOUT
08	MUD1 - ELEVATION
09	MUD1 - ELEVATION
10	MUD1 - ELEVATION
11	MUD2 - ELEVATION
12	MUD2 - ELEVATION
13	MUD2 - ELEVATION
14	STANDARD STACKED TOWNHOUSES LAYOUT
15	TYPICAL TOWNHOUSES LAYOUT
16	STANDARD STACKED TOWNHOUSES - ELEVATION
17	STANDARD STACKED TOWNHOUSES - ELEVATION
18	STANDARD STACKED TOWNHOUSES - ELEVATION
19	TYPICAL TOWNHOUSES - ELEVATION
20	TYPICAL TOWNHOUSES - ELEVATION
21	TYPICAL TOWNHOUSES - ELEVATION

1	ISSUED FOR REVIEW	April 29
No.	DESCRIPTION	DATE

EKISTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B2Y 4V7
902.461.2525 www.ekistics.net
Landscape Architecture | Engineering

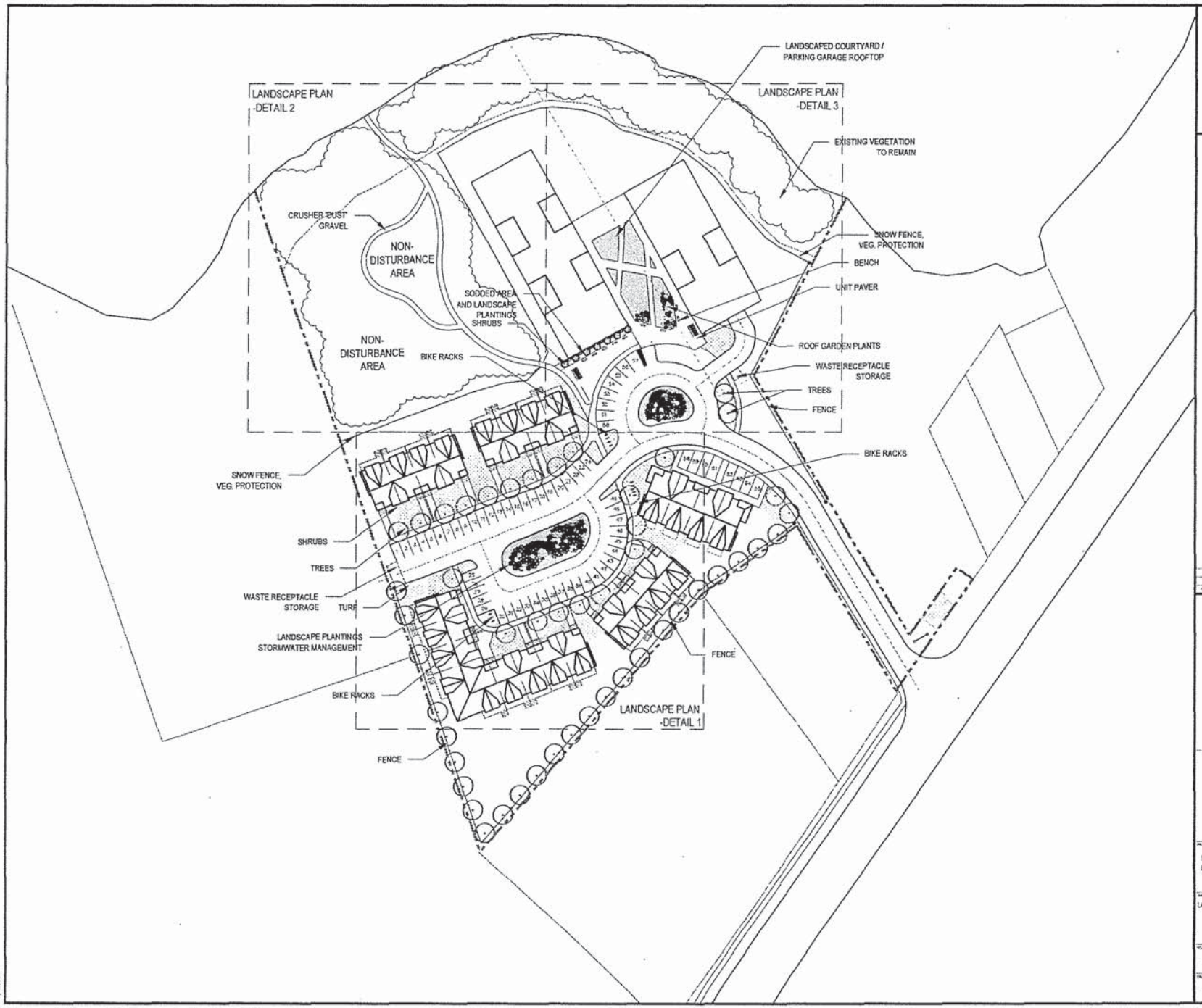
PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SHEET DESCRIPTION
SITE PLAN

SCALE	DATE	SHEET
1:1500	2014/05/22	1 of 21
DRAWN BY: RLC	DESIGNED: JR	PROJECT NO.

DATE: 2014/05/22 FILE: K:\ACADCivil3d\Projects\Loon Lake\17112 Loon Lake Development\Drawings\01 SITE PLAN.dwg

May 22, 2014



NOTE:

ALL DISTURBED AREAS TO BE SODDED OR LANDSCAPED.

Case 18288 Schedule C: Comprehensive Landscape Plan

0 30 60
1:500

EXSTICS PLANNING & DESIGN
1 Dawn Lane, Dartmouth NS B2Y 4V7
902 461 2525 www.exstics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

DRAWING TITLE
LANDSCAPE PLAN

SCALE	DATE	SHEET
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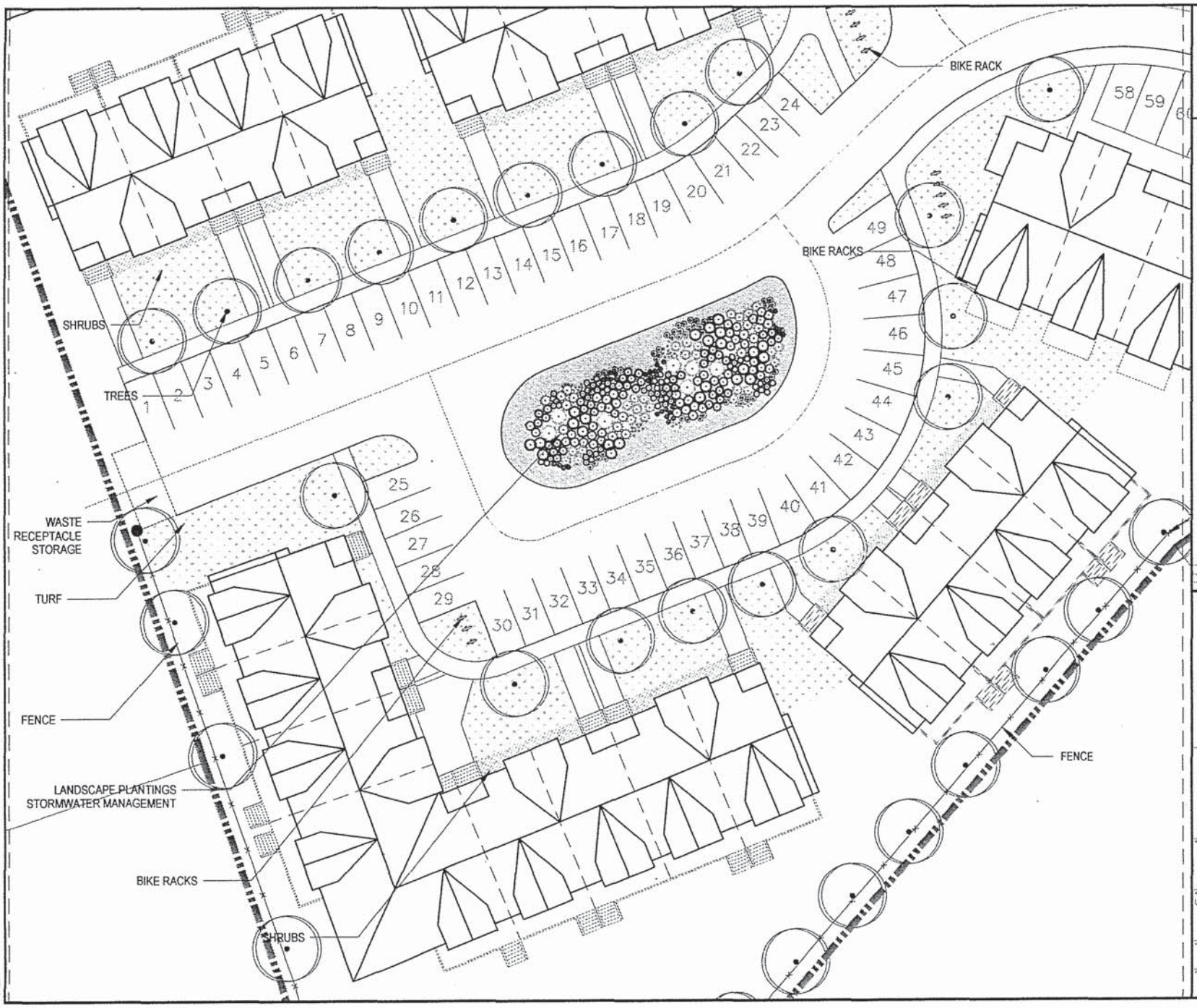
DRAWN PLC	DESIGNED JR	CHECKED



NOTE:

ALL DISTURBED AREAS TO BE SODDED OR LANDSCAPED.

Case 18288
Schedule C1:
Landscape Plan
SubArea 1

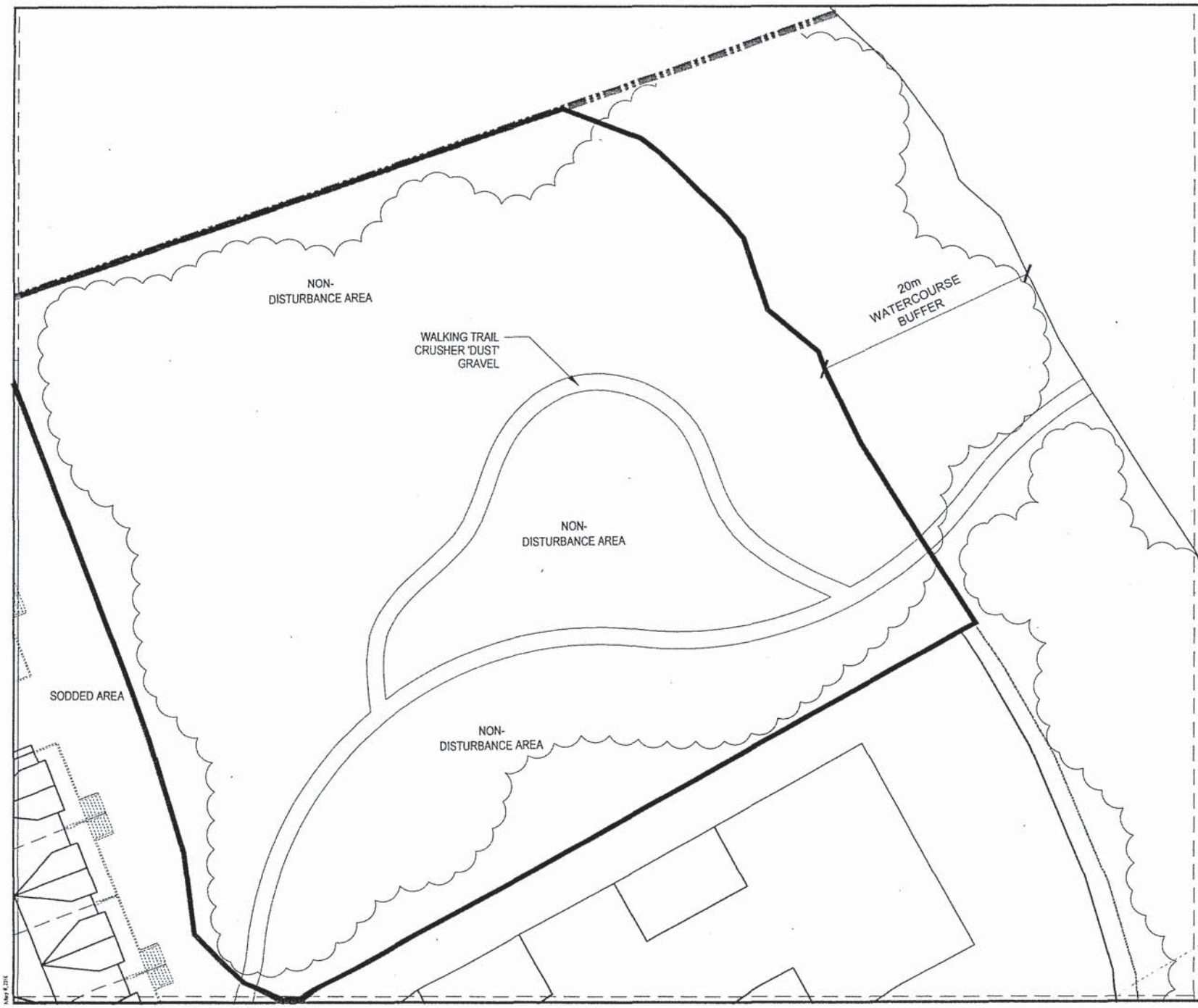
EKISTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B2Y 4V7
902.461.2525 www.ekistics.net
Landscape Architecture | Engineering

LOON LAKE DEVELOPMENT
HALIFAX, NS

LANDSCAPE PLAN - DETAIL 1

1:500	2014/05/06	3 of 21
PLC	JR	

May 23, 2014



NOTE:

ALL DISTURBED AREAS TO BE SODDED OR LANDSCAPED.

WALKING TRAIL TO BE MAX 2M TREAD, MINIMAL DISTURBANCE.

Case 18288 Schedule C2
Landscape Plans
SubArea 2

EKISTICS PLANNING & DESIGN
1 Bear Lake, Dartmouth, NS B2Y 4V7
902 461 2525 www.ekistics.net
Landscape Architecture | Engineering

LOON LAKE DEVELOPMENT
HALIFAX, NS

LANDSCAPE PLAN - DETAIL 2

SCALE	DATE	SHEET
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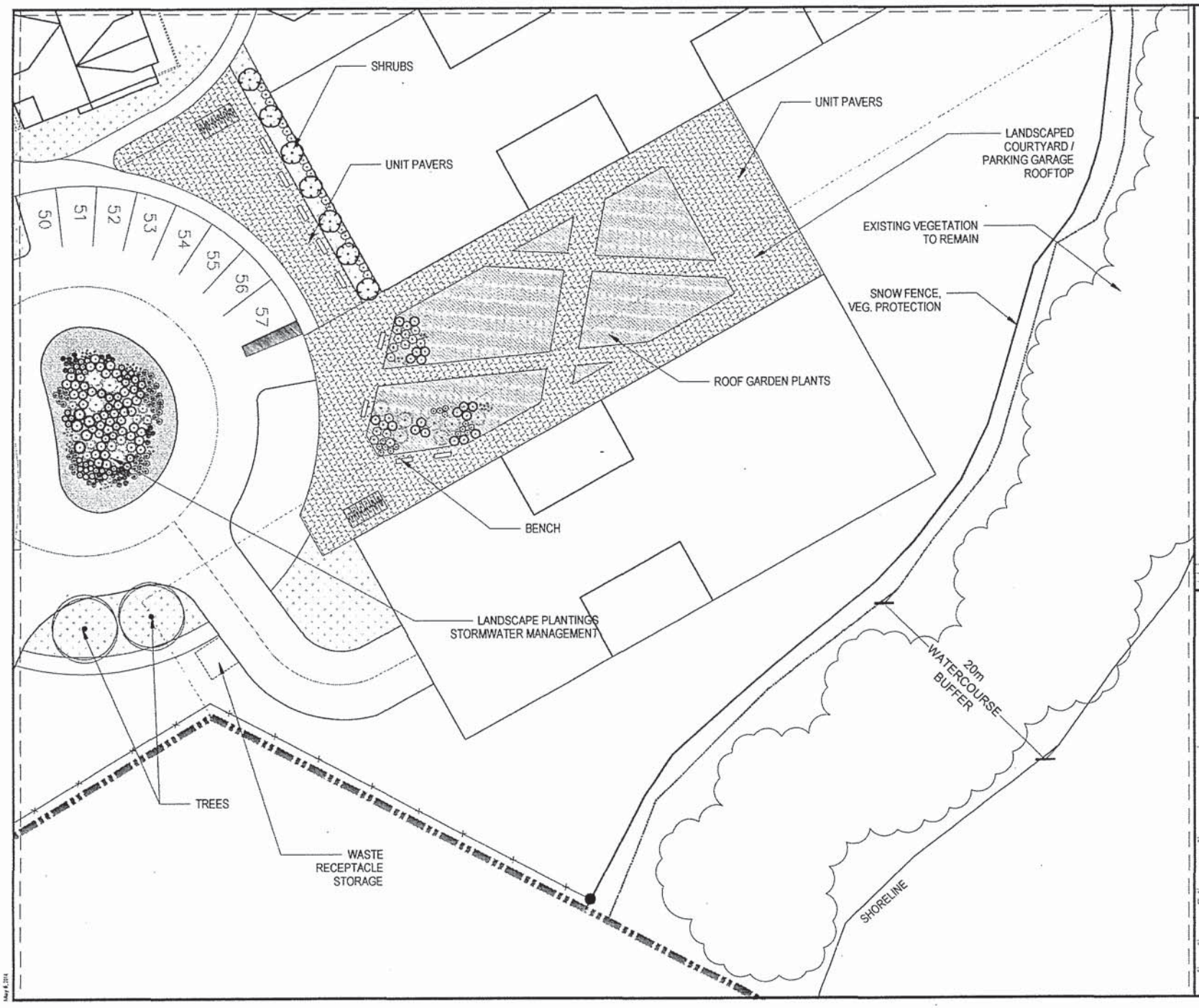
DRAWN: PLC	DESIGNED: AJB	



NOTE:

ALL DISTURBED AREAS TO BE SODDED OR LANDSCAPED.

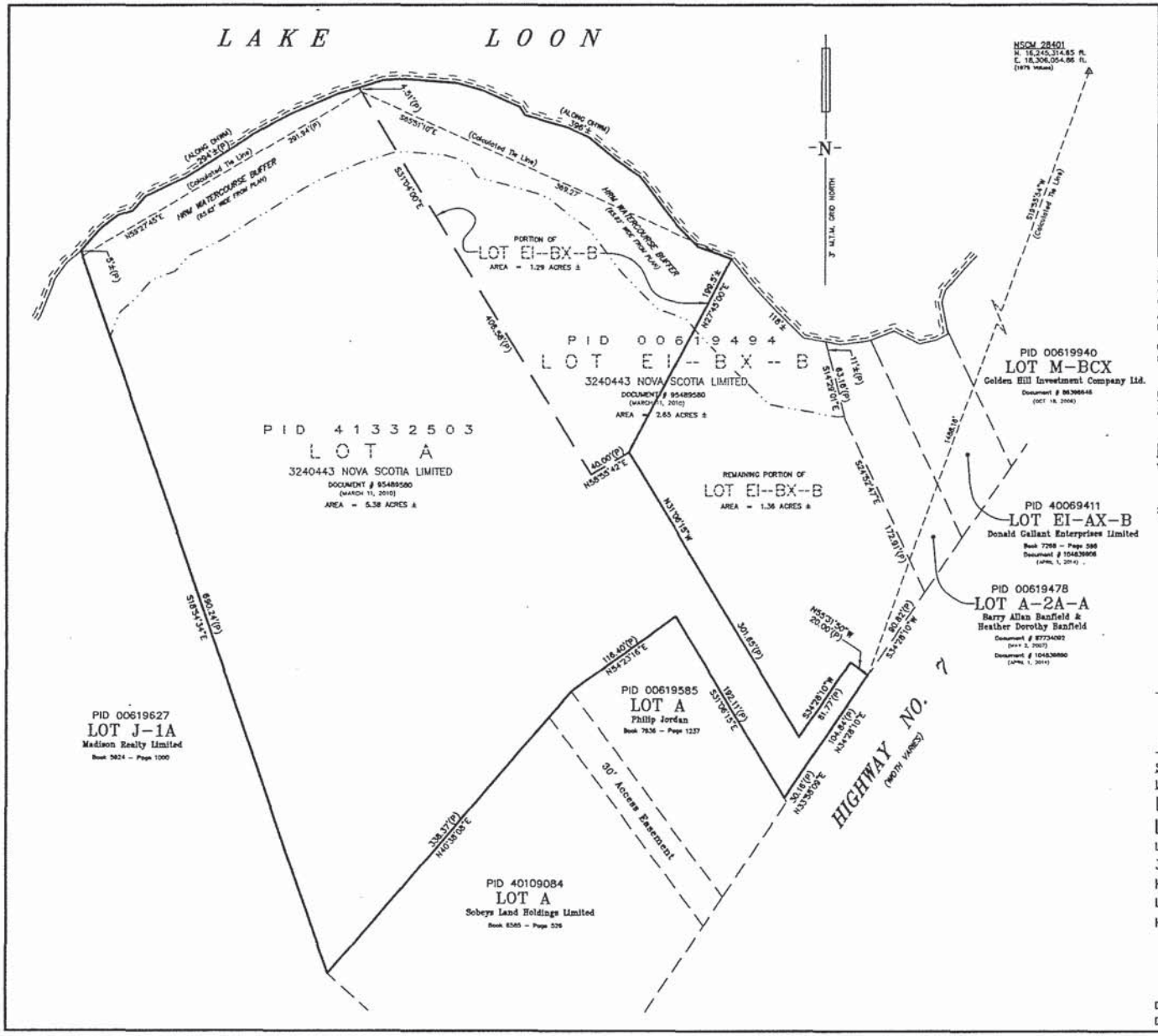
Case 18288 Schedule C3
Landscape Plans
SubArea 3

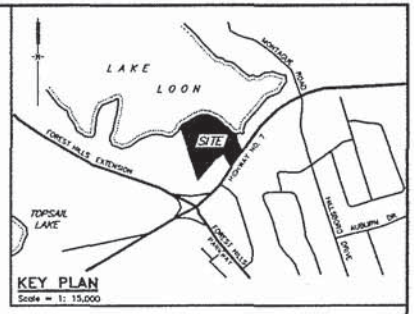
EKISTICS PLANNING & DESIGN
1 Blue Lake, Dartmouth, NS B3V 4V7
902 461 2525 www.ekistics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SHEET DESCRIPTION
LANDSCAPE PLAN - DETAIL 3

SCALE	DATE	SHEET
1:500	2014/05/06	5 of 21
DRAWN: PLC	CHECKED: JR	PROJECT MGR:





KEY PLAN
Scale = 1: 15,000

LEGEND:

	LANDS DEALT WITH BY THIS SKETCH PLAN
(P)	
△ NSCM	NOVA SCOTIA COORDINATE MONUMENT
PID	LAND INFORMATION SERVICES PROPERTY IDENTIFIER NUMBER
OHWM	ORDINARY HIGH WATER MARK
HRM	HALIFAX REGIONAL MUNICIPALITY

BEARINGS ARE GRID, BASED ON THE NOVA SCOTIA 3° MODIFIED TRANSVERSE MERCATOR SYSTEM, CENTRAL MERIDIAN 64°30' WEST LONGITUDE, AND ARE REFERENCED TO NOVA SCOTIA COORDINATE MONUMENT NUMBER 28401.

NOTES:

1) BOUNDARIES OF LOTS DEALT WITH BY THIS SKETCH WERE TAKEN FROM HALIFAX COUNTY LAND REGISTRATION OFFICE PLAN NUMBER 96599411 CERTIFIED BY ALAN M. GALLANT, N.S.L.S. DATED JULY 28, 2010 AND APPROVED AUGUST 18, 2010.

2) BOUNDARIES OF ADJOINING LOT A-2A-A WERE TAKEN FROM HALIFAX COUNTY LAND REGISTRATION OFFICE PLAN NUMBER 104839874 RECORDED ON APRIL 1, 2014.

ALDERNEY SURVEYS LIMITED
NOVA SCOTIA LAND SURVEYORS
327 PRINCE ALBERT RD. DARTMOUTH, N.S.
Tel: 465-7300 Fax: 465-4534 aldsurveys@eastlink.ca

SKETCH SHOWING
LANDS COMPRISED OF
LOT A AND A PORTION OF
LOT EI-BX-B
LANDS OF
3240443 Nova Scotia Limited
HIGHWAY NO. 7
LOWER THREE FATHOM HARBOUR
HALIFAX COUNTY, NOVA SCOTIA

(IN FEET)
1 inch = 60 feet

DRAWN BY: M.J.C.
DATED: APRIL 9, 2014

DWG. No.
141021-1

Case 18288

Schedule D - Preliminary Plan of Subdivision/Consolidation

PRELIMINARY SANITARY FLOW ESTIMATES

ESTIMATED TRIBUTARY AREA AND LAND USE TO 'A'

SUB AREA		DENSITY		UNITS - AREA (m^2)	DESIGN POPULATION	TRIBUTARY AREA ha
RESIDENTIAL		3.35	ppu	350	1,172	30.0
GENERAL COMMERCIAL C-4 ZONE		125	ppha		1,625	13.0
LAKE LOON DEVELOPMENT	MULTI-UNIT	3.25	ppu	170	270	2.7
	TOWNHOUSE	3.35	ppu	40	134	
				TOTAL	3,202	46.0

ESTIMATED PEAK FLOW TO 'A'

AVERAGE SEWERAGE FLOW	0.330	m^3/hr/d
INFILTRATION + INFLOW ALLOWANCE	24	m^3/hard
TOTAL TRIBUTARY AREA	46	ha
DESIGN POPULATION	3,202	P
PEAK FLOW FACTOR, M	3.42	
AVE. SEWERAGE FLOW	1056	m^3/d
AVE. DRY WEATHER FLOW	2840	m^3/d
ESTIMATED PEAK DRY WEATHER FLOW	9.698	m^3/d
	0.07	cms

PIPE FLOW - CARRYING CAPACITY

DOWNSTREAM PIPE FROM 'A' (200Ø @ 1.0%)	
	FULL FLOW FEATURES
DIA. (mm)	300
SLOPE (%)	1.00
MANNINGS n	0.013
DEPTH (mm)	300
FLOW (cms)	0.10*
VEL. (mps)	1.36

* CARRYING CAPACITY OF THE EXISTING DOWNSTREAM MAIN EXCEEDS THE PEAK DRY WEATHER FLOW TO 'A'

PRELIMINARY STORM FLOW ESTIMATES

DEVELOPMENT CONDITION	REFERENCE POINT	AREA ha	TIME OF CONCENTRATION min.	RUN-OFF COEFFICIENT 5 yr.	RUN-OFF COEFFICIENT 100 yr.	INTENSITY mm/hr 5 yr.	INTENSITY mm/hr 100 yr.	PEAK FLOW cms 5 yr.	PEAK FLOW cms 100 yr.
PRE-DEVELOPMENT	LAKE LOON	8.0	7	0.48	0.80	83.0	150.0	0.88	2.67
POST-DEVELOPMENT	LAKE LOON	8.0	7	0.60	0.90	83.0	150.0	<0.88 *	<2.67 *

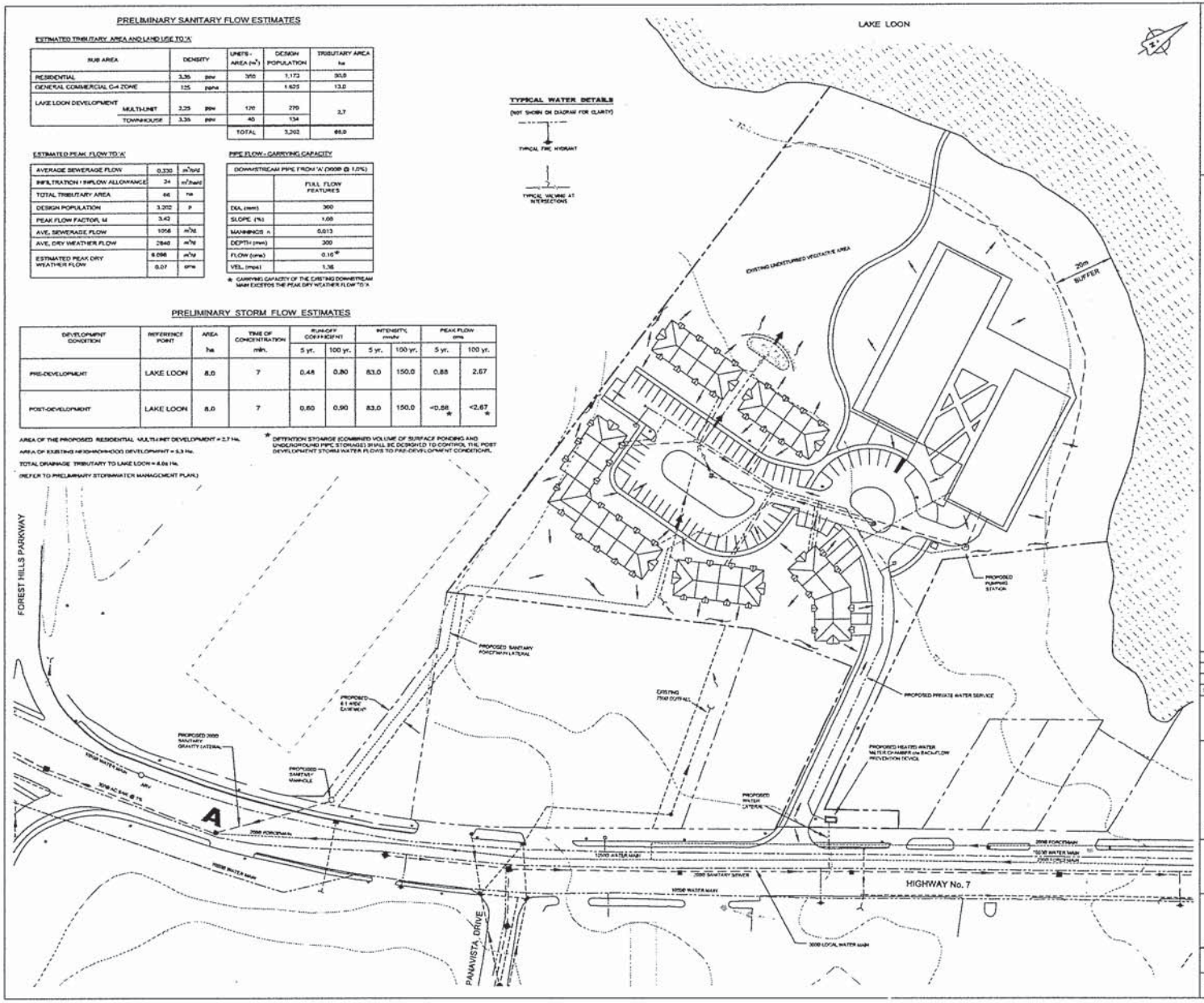
AREA OF THE PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT = 2.7 Ha.

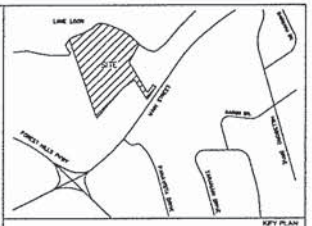
AREA OF EXISTING NEIGHBORHOOD DEVELOPMENT = 5.3 Ha.

TOTAL DRAINAGE TRIBUTARY TO LAKE LOON = 8.0 Ha.

(REFER TO PRELIMINARY STORMWATER MANAGEMENT PLAN)

* DETENTION STORAGE (COMBINED VOLUME OF SURFACE PONDING AND UNDERGROUND PIPE STORAGE) WILL BE DESIGNED TO CONTROL THE POST DEVELOPMENT STORM WATER FLOWS TO PRE-DEVELOPMENT CONDITIONS.





KEY PLAN

GENERAL NOTES

ALL PROPOSED WATER, STORM AND SANITARY SYSTEMS ARE TO BE CONSTRUCTED TO THE LATEST EDITION OF THE DESIGN AND CONSTRUCTION SPECIFICATION PREPARED BY HALIFAX WATER.

ALL WATER SERVICES SYSTEM FOR THE PROPOSED DEVELOPMENT ARE PRIVATE AND ARE TO BE OWNED AND MAINTAINED BY THE CONDOMINIUM CORPORATION.

ALL SANITARY AND STORM SYSTEMS ARE TO BE OWNED AND MAINTAINED BY THE CONDOMINIUM CORPORATION.

LEGEND

EXISTING		PROPOSED
	EXISTING GROUND CONTOUR @ 2.5m (PROVINCIAL MAPPING)	
	SANITARY SEWER MANHOLE	
	STORM SEWER MANHOLE	
	HYDRANT	
	CATCH BASINS	
	SANITARY SEWER	
	SANITARY FORCEMAIN	
	STORM SEWER	
	WATER SERVICE	
	SURFACE FLOW	
	SWALE / DITCH	
	MAJOR OVERFLOW	

NO.	DATE	REVISION DESCRIPTION	APPRV'D
1	FEB.14/14	ISSUED FOR APPROVAL	

ANNAPOLIS GROUP

PID 41332503 & PID 00619494

SERVICING SCHEMATIC

LAKE LOON DEVELOPMENT

HIGHWAY No. 7 — WESTPHAL, N.S.

DRAWN	DATE	PLAN NO.
M.D.M.	FEBRUARY 14, 2014	14-118-01
ENGINEER: SCORR	SCALE: 1:400	SHEET: 1

Case 18288
Schedule E - Servicing

PRELIMINARY STORM FLOW ESTIMATES

DEVELOPMENT CONDITION	REFERENCE POINT	AREA	TIME OF CONCENTRATION	RUNOFF COEFFICIENT		INTENSITY mm/hr		PEAK FLOW cms	
		ha	min.	5 yr.	100 yr.	5 yr.	100 yr.	5 yr.	100 yr.
PRE-DEVELOPMENT	LAKE LOON	8.0	7	0.48	0.80	83.0	150.0	0.88	2.67
POST-DEVELOPMENT	LAKE LOON	8.0	7	0.60	0.90	83.0	150.0	<0.88 *	<2.67 *

AREA OF THE PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT = 2.7 Ha.

AREA OF EXISTING NEIGHBORHOOD DEVELOPMENT = 5.3 Ha.

TOTAL DRAINAGE TRIBUTARY TO LAKE LOON = 8.0 Ha.

* DETENTION STORAGE (COMBINED VOLUME OF SURFACE PONDING AND UNDERGROUND PIPE STORAGE) SHALL BE DESIGNED TO CONTROL THE POST DEVELOPMENT STORM WATER FLOWS TO PRE-DEVELOPMENT CONDITIONS.

EROSION & SEDIMENT CONTROL

- ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE CONSTRUCTED AND MAINTAINED TO PROTECT ALL NATURAL WATERCOURSE FROM DAMAGE DUE TO SILT LADEN RUN-OFF FROM CONSTRUCTION.
- RECOMMENDED CONSTRUCTION AND MAINTENANCE PROCEDURES MAY BE OBTAINED FROM THE LATEST REVISION OF "EROSION AND SEDIMENTATION CONTROL HANDBOOK FOR CONSTRUCTION SITE". PREPARED BY THE NOVA SCOTIA DEPARTMENT OF THE ENVIRONMENT.
- PERIODICALLY INSPECT AND CORRECT EROSION AND SEDIMENTATION CONTROL MEASURES TO ENSURE CONTINUED EFFECTIVENESS.
- STABILIZE ALL DISTURBED AREAS TO PREVENT EROSION IMMEDIATELY AFTER COMPLETION OF WORK.
- PROTECT ALL POINTS OF CONSTRUCTION SITE ENTRANCE AND EXIT TO PREVENT TRACKING OF MUD ONTO PUBLIC STREETS.
- PRIOR TO COMMENCEMENT OF CONSTRUCTION INSTALL SILT CONTROL MEASURES SUCH AS SILT FENCE OR FILTER SPREADER OR GRAVEL FILTER.
- CONSTRUCT STORM SEWER TO DIVERT FLOW FROM OFF SITE DRAINAGE AWAY FROM THE WORK AREA. PUMP THE FLOW IF REQUIRED UPGRADE THE WORK SITE.
- ANY SILT LADEN WATER PUMPED FROM THE TRENCH IS TO PASS THROUGH A FILTERING SYSTEM.

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

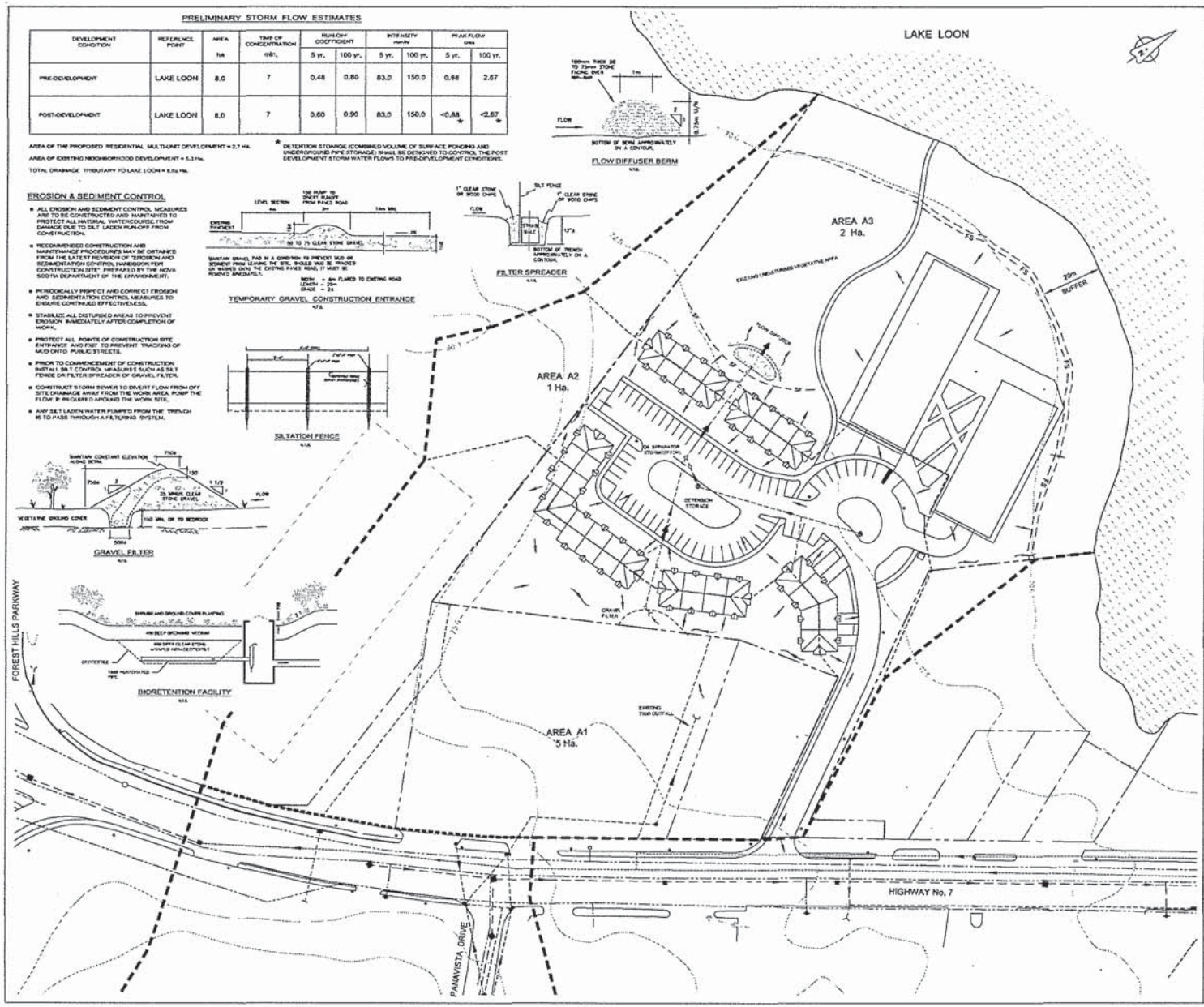
SILTATION FENCE

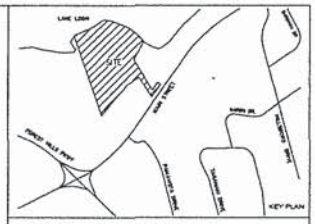
GRAVEL FILTER

BIORETENTION FACILITY

FILTER SPREADER

FLOW DIFFUSER BERM





CONCEPTUAL STORMWATER MANAGEMENT

THE PURPOSE OF THIS CONCEPTUAL STORM WATER MANAGEMENT PLAN IS TO ADDRESS THE POTENTIAL EFFECTS UPON WATER QUALITY AND QUANTITY FROM THE PROPOSED DEVELOPMENT.

THE GOAL OF THIS PLAN IS FOR STORMWATER QUANTITY CONTROL IS TO MATCH CLOSELY THE PRE-DEVELOPMENT HYDROLOGIC CONDITIONS TO THE POST-DEVELOPMENT CONDITIONS AND NOT INCREASE IN PEAK FLOW RESULTING FROM THE PROPOSED DEVELOPMENT.

STORMWATER QUANTITY AND QUALITY CONTROLS FOR THIS DEVELOPMENT MAY INCLUDE:

- CONTROL POST-DEVELOPMENT PEAK FLOWS FROM THE 5 AND 100 YEAR 24 HOUR STORM EVENTS.
- MULTI-UNIT RESIDENTIAL BUILDING ROOFS AND PARKING SO THAT STORM WATER IS DETAINED AND DRAINED AT A CONTROLLED RATE.
- DIRECT RUNOFF FROM DRIVEWAYS AND PARKING AREAS TO THE BIORETENTION AREA (RAIN GARDEN) SO THAT STORM WATER IS DETAINED AND DRAINED AT A CONTROLLED RATE.
- SURFACE DETENTION COMBINED WITH UNDERGROUND STORAGE MAY BE REQUIRED TO CONTROL THE POST DEVELOPMENT STORM WATER FLOWS TO PRE-DEVELOPMENT CONDITIONS.
- BIORETENTION AREA VEGETATION AND SOIL MEDIUM SHALL BE SELECTED TO ENSURE STORM WATER QUALITY ENHANCEMENT.
- OIL SEPARATOR, SUCH AS STORMCEPTOR, MAY BE INCORPORATED TO ENHANCE WATER QUALITY BY REMOVING CONTAMINATES THROUGH GRAVITATIONAL SETTLING OF FINE SEDIMENTS AND FLOATATION OF HYDROCARBONS.

LEGEND:

EXISTING		PROPOSED
	EXISTING GROUND CONTOUR @ 2.5m (PROVINCIAL MAPPING)	
	SANITARY SEWER MANHOLE	
	STORM SEWER MANHOLE	
	HYDRANT	
	CATCH BASINS	
	SANITARY SEWER	
	SANITARY FORCEMAIN	
	STORM SEWER	
	WATER SERVICE	
	SURFACE FLOW	
	SWALE / DITCH	
	MAJOR OVERFLOW	
SF	SILT FENCE	SF
FS	FILTER SPREADER	FS
	GRAVEL FILTER BERM	
	OUTFALL DRAINAGE	
	SUB-AREA DRAINAGE	

NO.	DATE	REVISION DESCRIPTION	APPR'D
1	FEB.14/14	ISSUED FOR APPROVAL	

ANNAPOLIS GROUP

PID 41332503 & PID 00615494

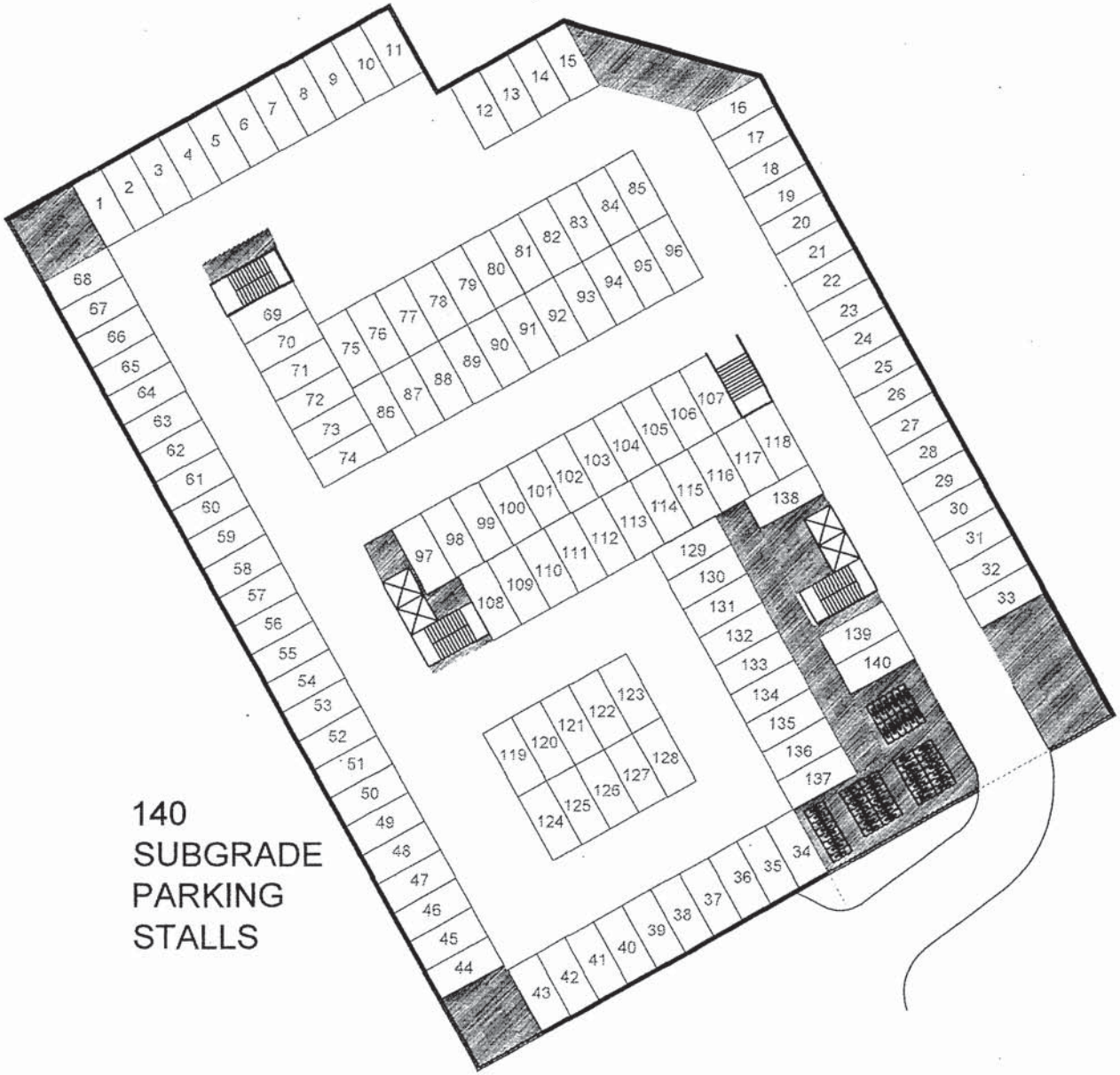
CONCEPTUAL STORMWATER MANAGEMENT

LAKE LOON DEVELOLPMENT

HIGHWAY No. 7 — WESTPHAL, N.S.

DRAWN	DATE	PLAN NO.
M.D.M.	FEBRUARY 14, 2014	14-118-02
ENGINEER	SCALE	SHEET
SCORI	1:500	2

Case 18288
Schedule E1 Stormwater Management/
Erosion and Sedimentation Control Plan

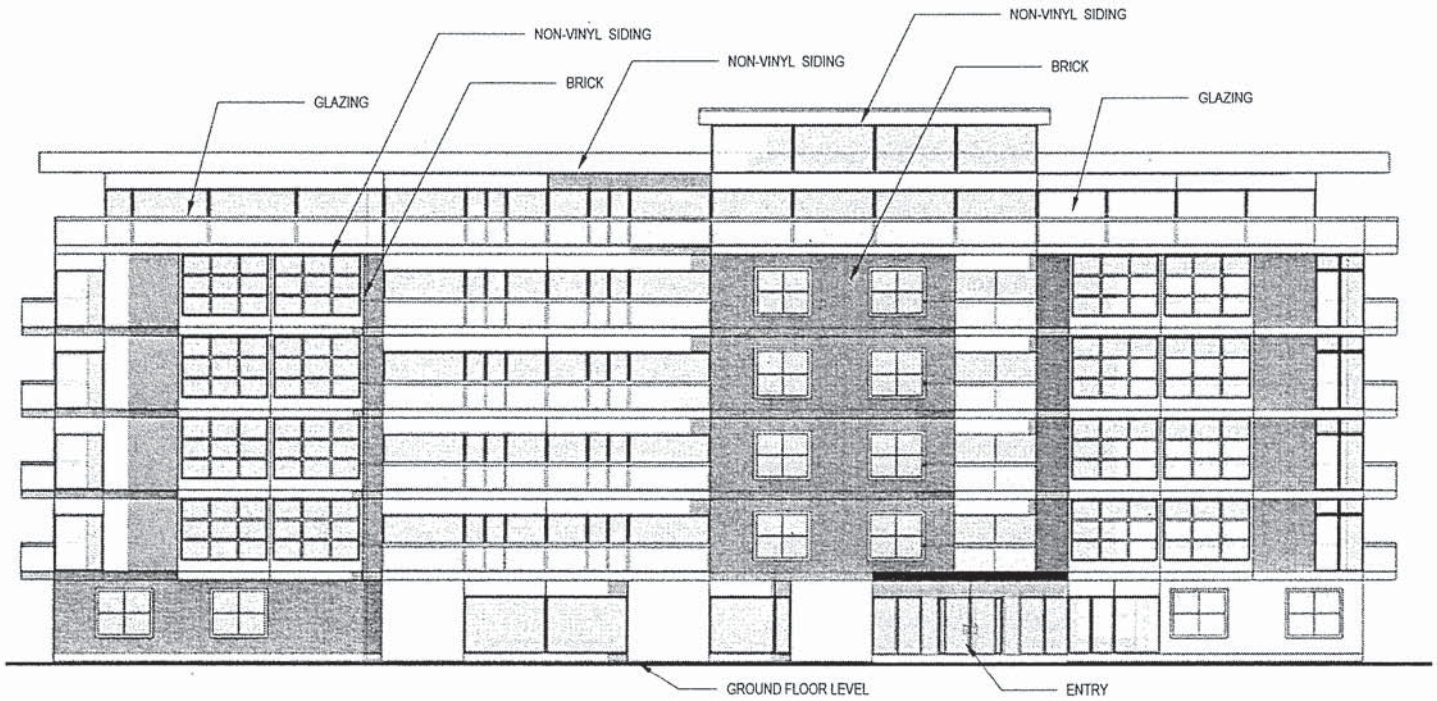


Case 18288
Schedule F - Interior Parking Plans

EKISTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B2Y 4V7
902.463.2525 www.ekistics.net
Landscape Architecture | Engineering

LOON LAKE DEVELOPMENT
HALIFAX, NS

May 2, 2014



MUD1 - ELEVATION 3

NOTE: REFERENCE MUD LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule G Multi Building 1
Front

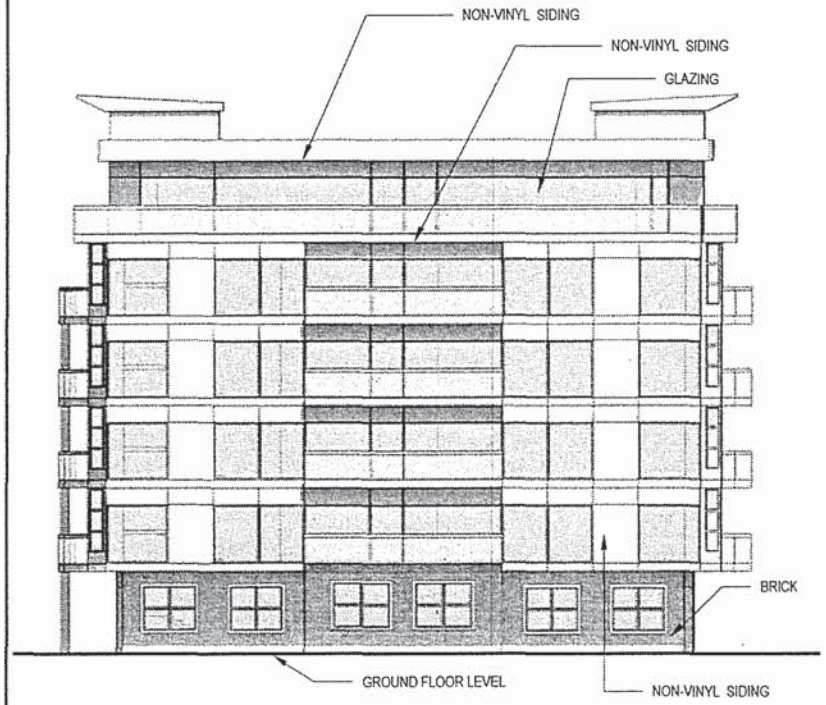
BOSTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B2Y 4V7
902.461.2525 www.bostics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SHEET TITLE/NUMBER

SCALE	DATE	SHEET
1:250	2014/04/08	10 of 21
DRAWN: PLC	DESIGNED: JR	REVISED / REF

April 8, 2014



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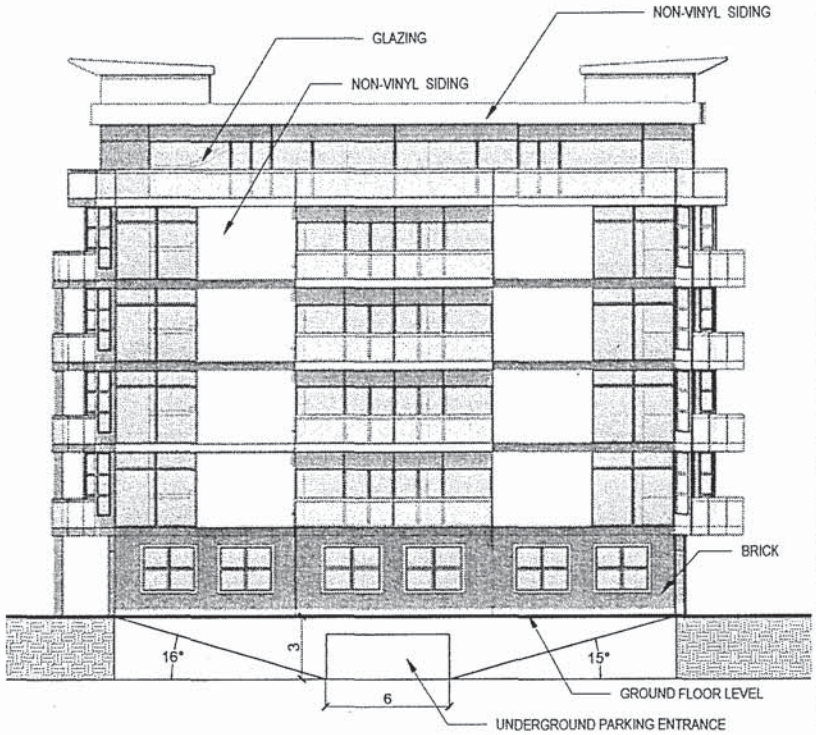


MUD1 - ELEVATION 4

NOTE: REFERENCE MUD LAYOUT DRAWING FOR ELEVATION LOCATIONS

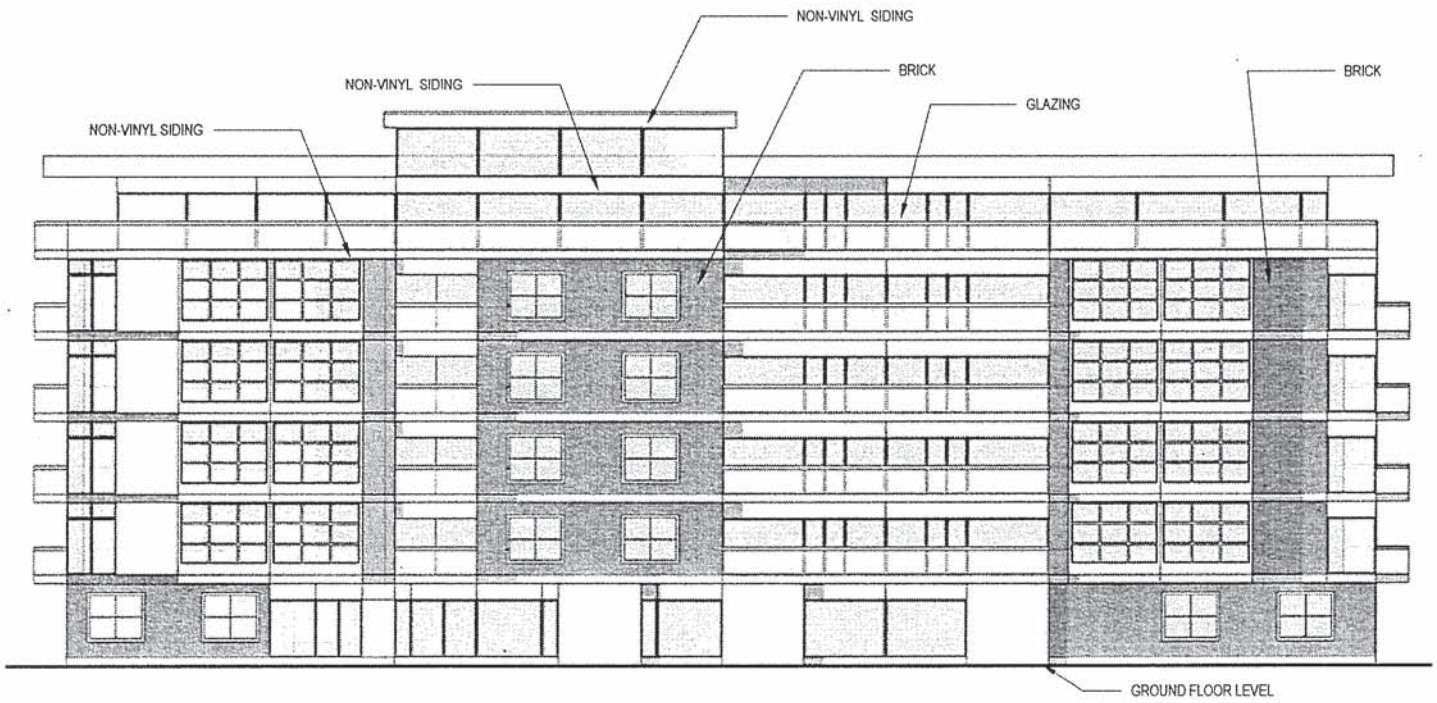
Case 18288
Schedule G1 - Multi Building 1
Side

EKISTICS PLANNING & DESIGN
1 Steer Lane, Dartmouth, NS B2Y 4V7
902 441 2525 www.ekistics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SCALE 1:250
DATE 2014/04/09
DRAWN PLC
DESIGNED JR
PROJECT MGR
SHEET 9 OF 21

April 9, 2014



MUD1 - ELEVATION 1

NOTE: REFERENCE MUD LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule G2 Multi Building 1
Rear

BOSTICS PLANNING & DESIGN
Landscape Architecture | Engineering

1:250 | 2014/04/02 | MUD1 | 8
PLC | JR

MUD2 - ELEVATION 1

NOTE: REFERENCE MUD LAYOUT DRAWING FOR ELEVATION LOCATIONS

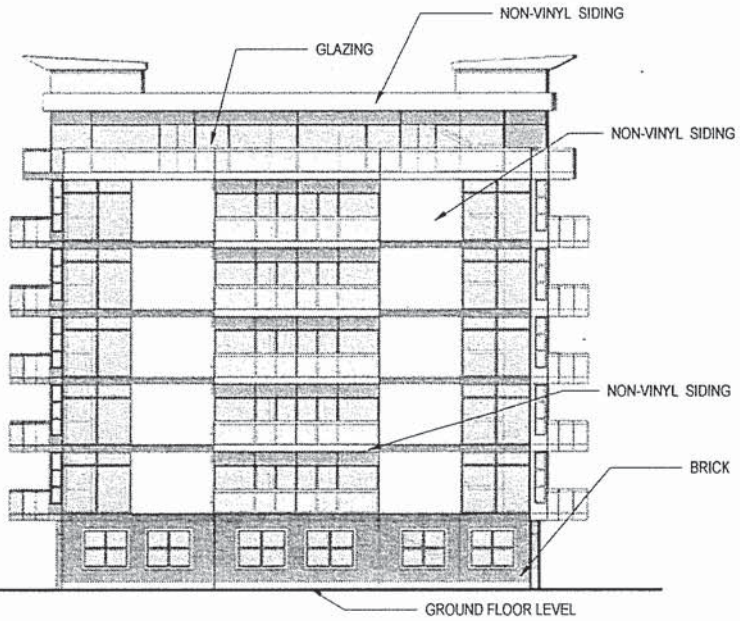
Case 18288
Schedule H Multi Building 2
Front

EKISTICS PLANNING & DESIGN
1 Bear Lane, Dartmouth, NS, B2Y 4X7
902 481 2525 www.ekistics.net
Landscape Architecture | Engineering

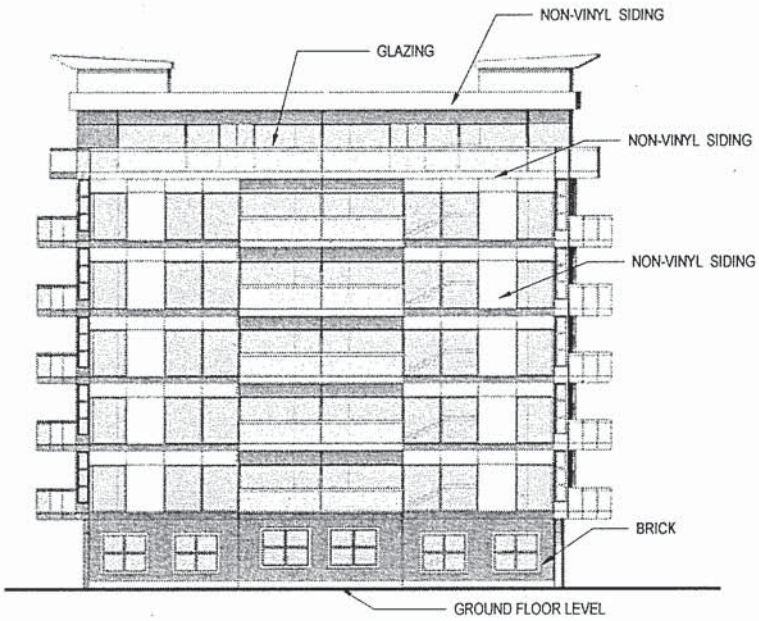
PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SCALE 1:300
DATE 2014/04/08
DRAWN PLC
CHECKED JR
SHEET 11 OF 21

April 8, 2014



MUD2 - ELEVATION 2



MUD2 - ELEVATION 4

NOTE: REFERENCE MUD LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule H1 Multi Building 2
Side

EKISTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B2Y 4V7
902 461 2525 www.ekistics.net
Landscape Architecture | Engineering

LOON LAKE DEVELOPMENT
HALIFAX, NS

1:300 | 2014/04/08 | 12 of 21

PLC | JR

April 8, 2014

MUD2 - ELEVATION 3

NOTE: REFERENCE MUD LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule H2 Multi Building 2
Rear

1	ISSUED FOR REVIEW	April 2014
No.	DESCRIPTION	DATE

EKISTICS PLANNING & DESIGN
1 Short Lane, Dartmouth, NS B2Y 4V7
902 461 3525 www.ekistics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SHEET DESCRIPTION

SCALE	DATE	SHEET
1:300	2014/04/08	13 of 21
DRAWN: PLC	DESIGNED: JR	

Apr 8, 2014

TYPICAL TOWNHOUSES - ELEVATION 3

NOTE: REFERENCE TOWNHOUSES LAYOUT DRAWING FOR ELEVATION LOCATIONS

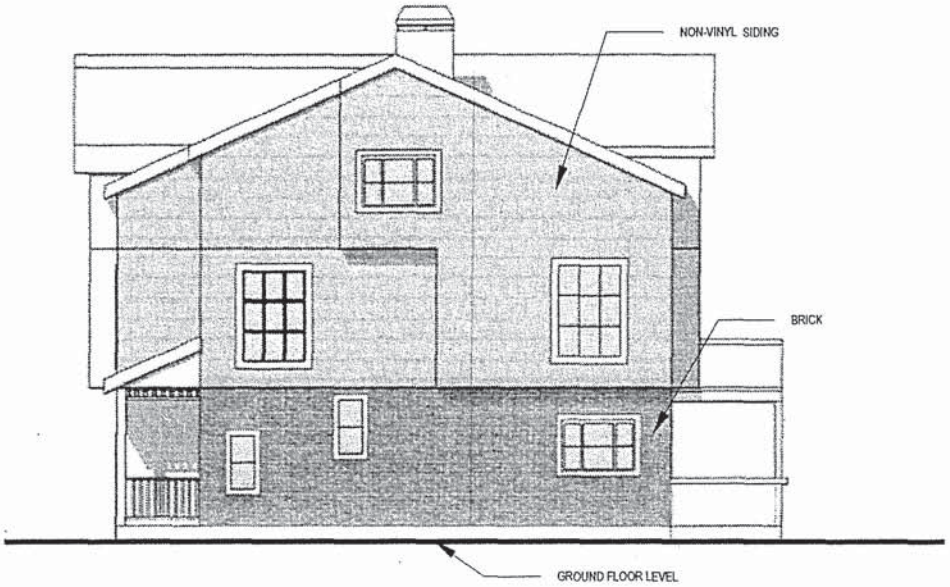
Case 18288
Schedule I Standard Townhouse
Elevation Plans
Front

EKISTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B2Y 4V7
902 461 2525 www.ekistics.net
Landscape Architecture | Engineering

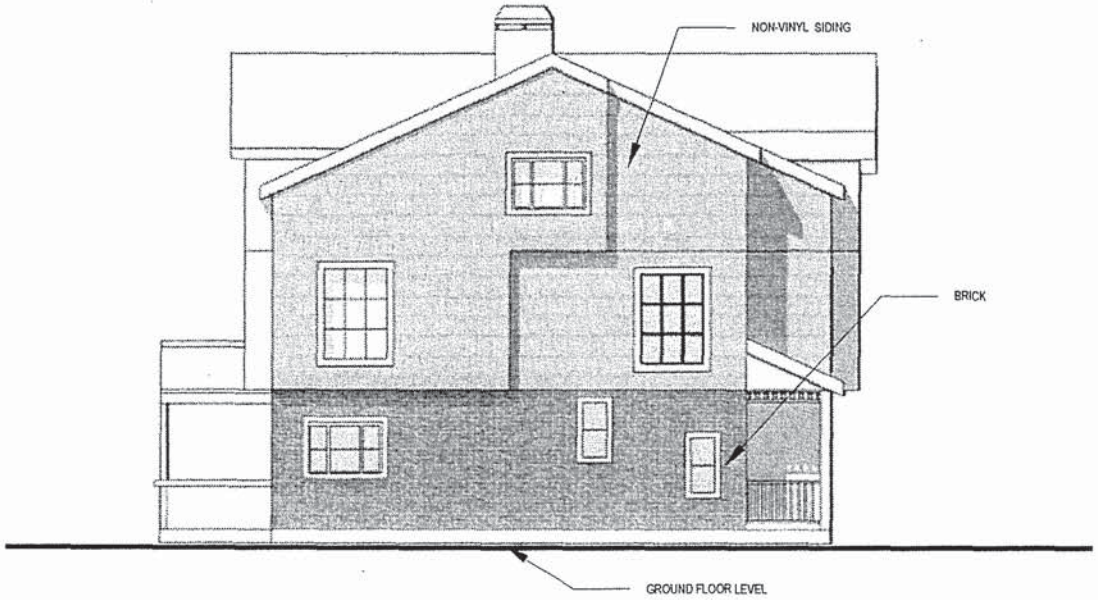
PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SCALE 1:150
DATE 2014/04/08
DRAWN PLC
CHECKED JR
PROJECT NO
SHEET 21 OF 21

April 8, 2014



TYPICAL TOWNHOUSES - ELEVATION 2



TYPICAL TOWNHOUSES - ELEVATION 4

NOTE: REFERENCE TOWNHOUSES LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule I1 Standard Townhouse
Elevation Plans
Side

1	ISSUED FOR REVIEW	April 2014
NO.	DESCRIPTION	DATE

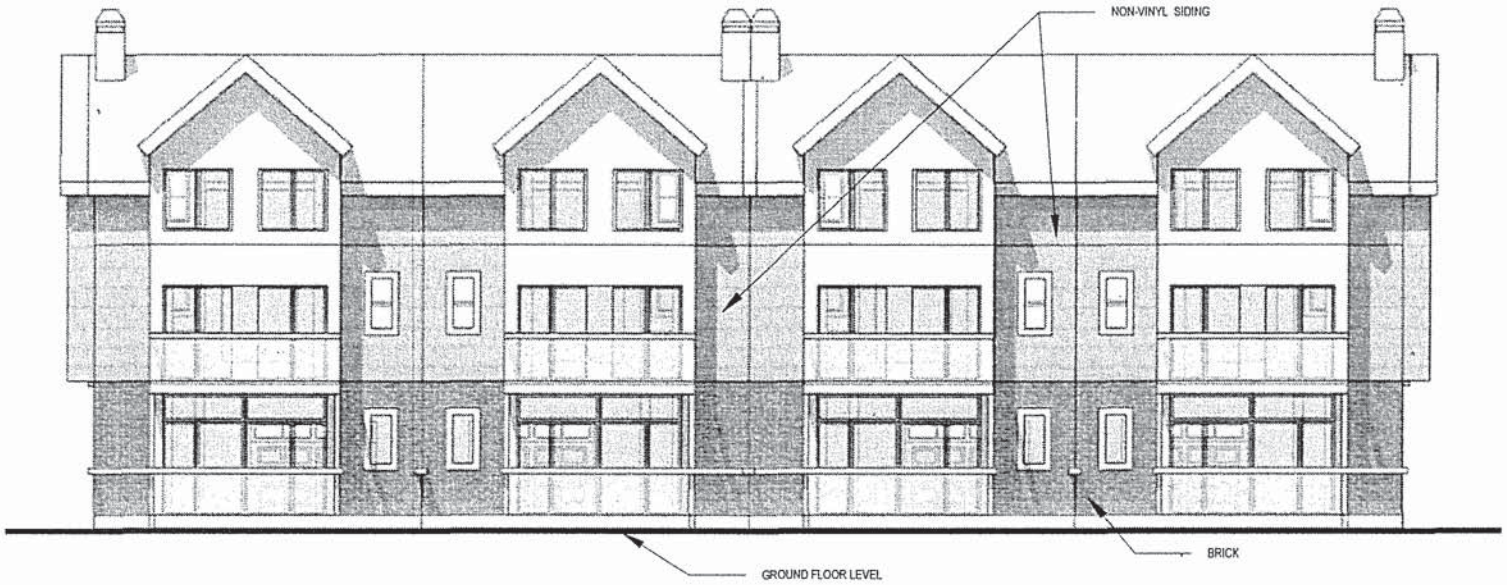
EKISTICS PLANNING & DESIGN
1 Shaw Lane, Dartmouth, NS B2Y 4V7
902 461 2525 www.ekistics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SHEET DESCRIPTION

SCALE	DATE	SHEET
1:150	2014/04/08	20 of 21
DRAWN: PLC	DESIGNED: JR	REVIEWED BY:

April 8, 2014



TYPICAL TOWNHOUSES - ELEVATION 1

NOTE: REFERENCE TOWNHOUSES LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule I 2 Standard Townhouse
Elevations Plans
Rear

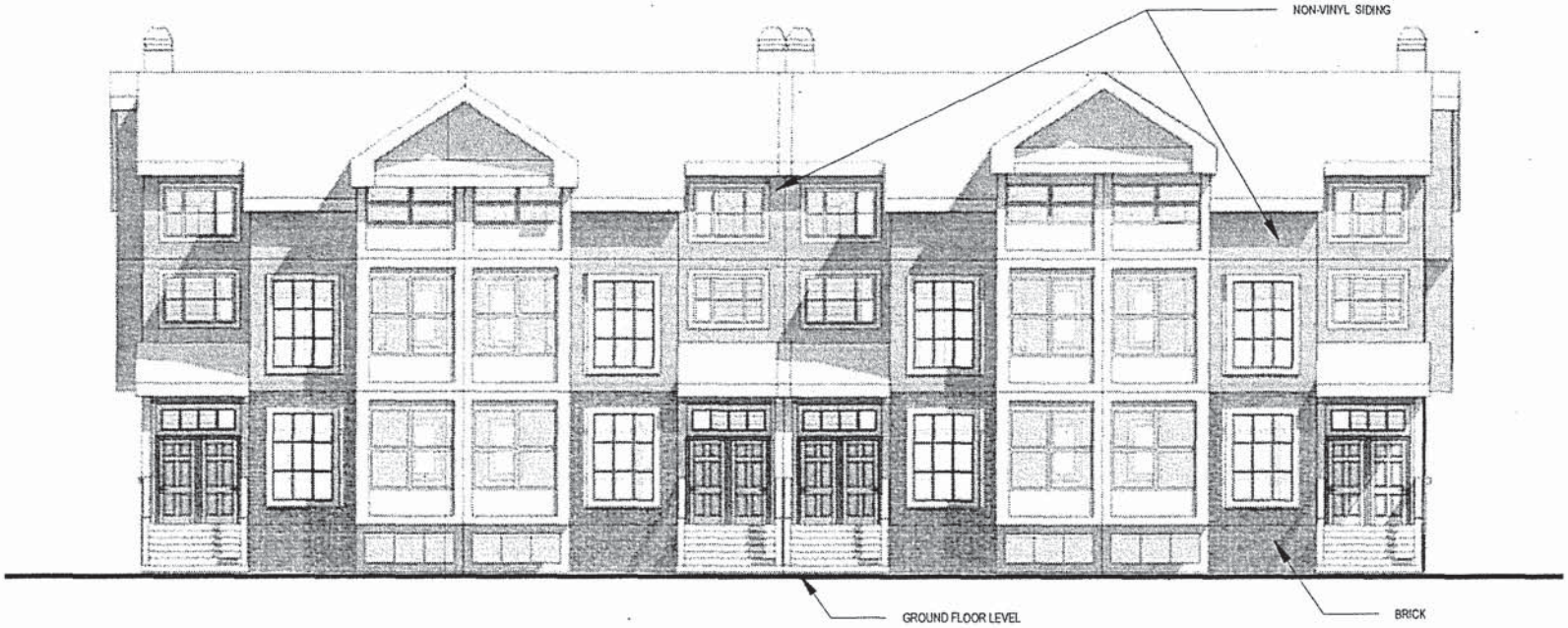
1	ISSUED FOR REVIEW	April 2014
No.	DESCRIPTION	DATE

EXSTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B2Y 4W7
902.463.2525 www.exstics.net
Landscape Architecture | Engineering

LOON LAKE DEVELOPMENT
HALIFAX, NS

SCALE	DATE	SHEET
1:150	2014/04/08	19 of 21
DRAWN: PLC	CHECKED: JR	APPROVED:

April 8, 2014



STANDARD STACKED TOWNHOUSES - ELEVATION 3

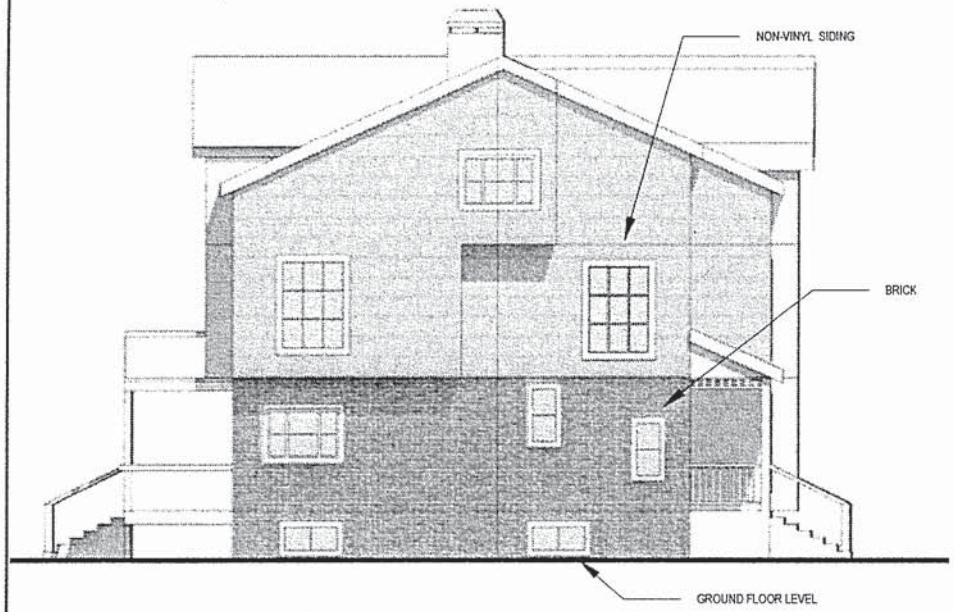
NOTE: REFERENCE TOWNHOUSES LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule J Stacked Townhouse
Elevation Plans
Front

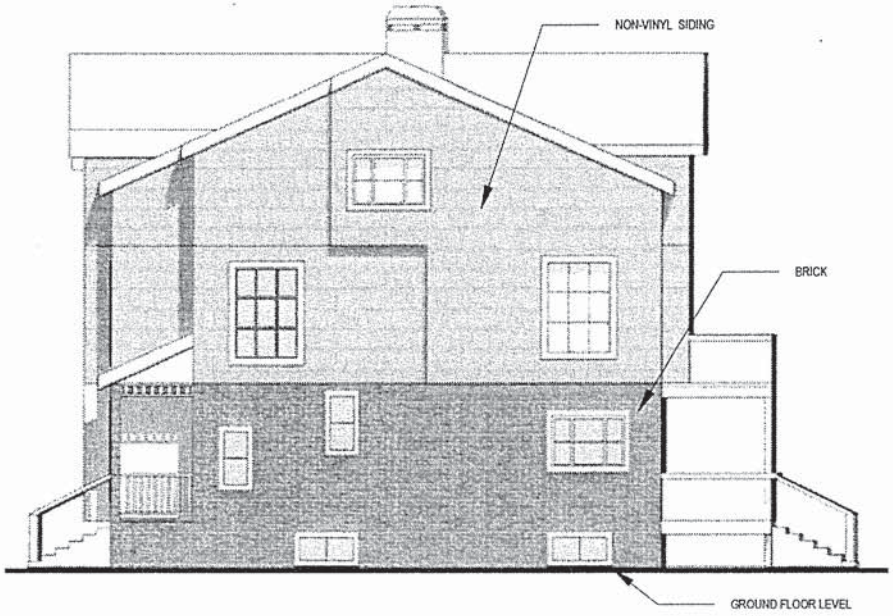
EKISTICS PLANNING & DESIGN

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SCALE	DATE	SHEET
1:150	2014/04/08	18 of 21
DRAWN: PLC	DESIGN: JR	



STANDARD STACKED TOWNHOUSES - ELEVATION 2



STANDARD STACKED TOWNHOUSES - ELEVATION 4

NOTE: REFERENCE TOWNHOUSES LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule J1 Stacked Townhouse
Elevation Plans
Side

EKISTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B3Y 4V7
902 481 2525 www.ekistics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SCALE	DATE	SHEET
1:150	2014/04/08	17 of 21
DRAWN: PLC	DESIGNED: JR	

STANDARD STACKED TOWNHOUSES - ELEVATION 1

NOTE: REFERENCE TOWNHOUSES LAYOUT DRAWING FOR ELEVATION LOCATIONS

Case 18288
Schedule J2 Stacked Townhouse
Elevation Plans
Rear

1	ISSUED FOR REVIEW	April 2014
No.	DESCRIPTION	DATE

ECISTICS PLANNING & DESIGN
1 Starr Lane, Dartmouth, NS B3Y 4V7
902 441 2525 www.ecistics.net
Landscape Architecture | Engineering

PROJECT
LOON LAKE DEVELOPMENT
HALIFAX, NS

SHEET DESCRIPTION

SCALE	DATE	SHEET
1:150	2014/04/08	16 of 21
DRAWN: PLC	DESIGNED: JK	PROJECT NO.

April 8, 2014

Attachment D - Cole Harbour/ Westphal MPS Policy Evaluation

Policy HC-10 - It shall be the intention of Council to consider the development of lands for residential purposes in the Highway Commercial Designation as identified on "Schedule A - Mixed Residential Development in Highway Commercial Designation" of the Cole Harbour/ Westphal Municipal Planning Strategy by development agreement. In considering the approval of such agreements, Council shall have regard to the following:

	Policy Criteria	Comment
(a)	exterior design, height, bulk and scale of the new residential development;	The exterior design is made up of high quality materials. Building heights, size, bulk and lot coverage as proposed are appropriate. Given the site's isolation from existing residential neighbourhoods compatibility with adjacent residential building forms are not a concern. Buffering and tree retention considered sufficient to minimize impacts from the scale so development on the lake.
(b)	compatibility with adjacent residential development relative to building heights, lot coverage, dwelling unit density, unit type and mix;	N/A
(c)	measures to integrate and buffer the use relative to surrounding commercial land uses. Buffering shall refer to measures taken to mitigate impact from adjacent uses, such as the retention of existing vegetation, and the installation of suitable screening features such as vegetation and/or fencing;	A six foot opaque fence and tree plantings are applied along property boundaries to screen adjacent commercial land uses. This is considered sufficient to mitigate impacts to adjacent land uses.
(d)	measures to minimize disruption of the existing terrain, vegetation, and watercourses;	Non disturbance areas have been established to protect existing trees and to provide for the regeneration of tree cover. A 20 metre buffer has been established between the building envelope and the watercourse in accordance with the LUB.
(e)	the impact of the proposed use on traffic volume and the local road network, as well as traffic circulation in general, sighting distances and entrance to and exit from the site;	A Traffic Impact Study has been submitted. The proposed driveway access is sufficient to provide adequate access and egress. Limiting the site to a 162 unit residential development will ensure that traffic generation is limited. There are no concerns relative to traffic generation and the capability of the existing street network to handle the proposed traffic.
(f)	pedestrian access from the proposed development to the street network;	A sidewalk connection is proposed from the proposed development to existing sidewalks along Highway #7
(g)	environmental protection measures and erosion and sedimentation control mechanisms including the implementation of an effective storm water management plan	The developer is required to provide stormwater management and erosion and sedimentation control measures during construction and to ensure that pre- and post-development storm water flows are balanced which reduces the risk of erosion.
(h)	minimizing vehicular access to Lake Loon; and,	No vehicular access is permitted to Lake Loon
(i)	the provisions of Policy IM-11.	See below

Policy IM-11 - 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, Cole Harbour/ Westphal Community Council shall have appropriate regard to the following matters:

	Policy Criteria	Comment
(a)	that the proposal is in conformity with the intent of this planning strategy and with the requirements of all other municipal by-laws and regulations;	The proposed developed meets the intent of the Cole Harbour/ Wesphal MPS.
(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;	There would be no costs to HRM.
	(ii) the adequacy of sewer and water services;	No concerns were identified regarding the capacity of sewer or water infrastructure.
	(iii) the adequacy or proximity of school, recreation and other community facilities;	Comments were not provided from HRSB. There are adequate parkland and community facilities within a short distance.
	(iv)the adequacy of road networks leading or adjacent to or within the development; and	There are no concerns relative to traffic generation and the capability of the existing street network to handle this traffic.
	(v)the potential for damage to or destruction of designated historic buildings and sites.	N/A
(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;	Residential land uses are adequately screened and separated from existing commercial land uses.
	(ii) height, bulk and lot coverage of any proposed building;	See HC-10 (a)
	(iii) traffic generation, access to and egress from the site, and parking;	See Policy HC-10 (f)
	(iv) open storage;	Open storage is provided and screened from public view.
	(v) signs; and	Entry signage is provided and marginally exceeds the LUB standards however conflicts are not anticipated.
	(vi) any other relevant matter of planning concern.	N/A
(d)	that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, potable water supplies, marshes or bogs and susceptibility to flooding; and	A 20 metre buffer has been established along the watercourse in accordance with the LUB. In addition a 1.6 acre Non- Disturbance Area (26% of the total site area) has been established to protect existing trees and minimize the footprint of proposed development on this site.
(e)	any other relevant matter of planning concern.	N/A

	Policy Criteria	Comment
(f)	Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", 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)	N/A

Attachment E

Minutes of Public Information Meetings

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING #1
CASE NO. 18288

7:00 p.m.
Wednesday, July 3, 2013
Cole Harbour Place, Harbour/Westphal Rooms
51 Forest Hills Parkway, Cole Harbour

STAFF IN ATTENDANCE:	Shayne Vipond, Planner, Planning Applications Holly Kent, Planning Technician Jennifer Purdy Planning Controller
ALSO IN ATTENDANCE:	Councillor Lorelei Nicoll Rob Leblanc, Ekistics Design Kourosh Rad, Spectator from Genivar
PUBLIC IN ATTENDANCE:	64

The meeting commenced at approximately 7:04p.m.

Opening remarks/Introductions/Purpose of meeting

Mr. Shayne Vipond, Senior Planner, Planning Applications, called the meeting to order at approximately 7:04 p.m. in the Cole Harbour Place, 51 Forest Hills Parkway, Cole Harbour.

He introduced himself as the planner guiding this application through the process and advised that Regional Council has requested that staff take this matter to the Community as a policy exercise for the purpose of looking at residential development on the lands at 661 Main Street and at the back of 613 Maine Street. Mr. Vipond showed a slide explaining that the lands are adjacent to Lake Loon and are designated Urban Settlement and identified as being in a Suburban Local Centre in the Regional Plan. The lands are also designated Highway Commercial under the Cole Harbour/Westphal Municipal Planning Strategy (MPS). Existing MPS policies do not provide for residential development at this location. Accordingly an amendment to the Cole Harbour/Westphal MPS would be required to permit any such proposal. He reviewed a slide of permitted uses that currently could proceed on an as-of-right basis adding that if the developer could meet parameters of the development permit, the noted uses could be developed at this property without a public process. Mr. Vipond showed a slide of the two subject areas explaining that the lands are adjacent to the watercourse, Sobeys Fast Fuel and Beazley Bowling Lanes plus the back of Gateway Meat Market. There are two separate applicants with two separate interests. The purpose of tonight's meeting is to discuss the overall conception of development on these lands for residential purposes. The purposes was not to unveil concepts or design alternatives but to receive comments from the residents to help better understand what the larger issues are in the Community and what types of development characteristics would be considered valuable on the lands.

Mr. Vipond explained that it may ultimately be Council's view, that the use of these lands for highway commercial purposes are not be appropriate. There are accessibility issues, such as traffic concerns. Council sees this as an area of growth and transition. This is view is represented through the Regional Plan. The Regional Plan stipulates that this area is in what is known as a Suburban Local Growth Centre. These lands will be at some point the subject of some further policy development. Within that exercise, there are characteristics that the Regional Plan has adopted to guide appropriate future development.

Presentation on Application, Rob Leblanc, Ekistics Planning & Design

Mr. Leblanc introduced himself as a Landscape Architect and an Environmental Planner with Ekistics Planning & Design. He explained that he also been a resident of Cole Harbour for 40 years and knows the area quite well. The subject area is approximately 6.2 acres and is presently zoned C-4 Highway Commercial since 1993. Commercial uses allow include retail stores, food stores, services and personal service shops, banks (financial institutions), restaurants, outdoor display courts, hotels, motels, motor inns, indoor commercial recreation uses, funeral establishments, service stations, taxi and bus depots, parking lots and recycling depots. He explained that they are looking for the best use for this property and where they can minimize urban sprawl and maximize what can be done on this property instead of going to the suburban areas to develop other properties. Part of the Regional Plan is increasing the density near the commercial nodes creating walkable neighbourhoods rather than only car orientated communities. Preserving as much open space as possible and preserving open space around the lake as well as protecting water resources through careful storm water management is considered desirable. Mr. Leblanc explained that the 2006 Regional Plan outlines a growth management and municipal investment pyridine for HRM. Trying to intensify serviced areas rather than at the expense of growing out into more rural areas will reduce the potential for urban sprawl. This is done through a mixing of uses, and the encouraging of green development and protecting natural resources using careful environmental planning. He added that residential uses in this area support the integration of people into a walkable community mixed use centers and pedestrian connectivity to local neighbourhood services. This is supported by existing sidewalks and traffic lights. He added that their overall vision is to develop a self-contained, Village Centre development that offers a variety of housing types for live, work and play opportunities within a sustainable planned community.

Mr. Vipond added that the purpose of tonight's meeting is to establish what the community values. The purpose of the meeting is to gain a sense of community characteristics that are important from the resident's perspective. In addition, we also want to understand what the general issues of concern in this area are and what should be taken into account when Council considers residential development on these lands. Ultimately we hope to use this information to determine what future residential development on these lands should look like.

Questions and Answers

Mr. Stan Dupuis, Westphal explained that he likes seeing development however we wants the views from the road protected so no two storey development. Having a seven storey building would have an impact on the viewscape. He also addressed concern with traffic flow and the right hand turn. He is also concerned with the five driveways within 250 of the traffic light and making a left-hand turn going towards Porters Lake.

Mr. Cecil Hillier, Westphal asked who the owner of the land is.

Mr. Leblanc was unsure, it is a numbered company.

Mr. Vipond explained that the owners of Beazley Bowling Lanes own the parcel in behind and the company name is Madison Realty. The other area is a numbered company and as part of the application process they have provided the company name as Lake Look Developments. The consultant Mr. Leblanc has the authority to act and to proceed with a development application. HRM is not obliged to determine who the partners are in the numbered company.

Mr. Hillier expressed concern with this damaging the lake. He explained that there is no flow into the lake and explained that he is opposed to having motorized boats on the lake and is concerned that brining this development of 1000 people in will have more opportunities to use watercraft.

Mr. Vipond explained that density and unit counts are based only on concepts and it is misleading to suggest that future development on these lands would house 1000 persons. This discussion will be taken place at another public meeting.

Mr. Hillier suggested that this site be turned into a park area.

Mr. Mike Josey, Westphal asked about the existing commercial designation and expressed concern with having very little access to the land. This will limit what can be developed on this property under the current zoning. It currently looks as though the entire land frontage is used up and asked if there is enough room there to access what is permitted as of right. He explained that is does not make sense to put in large commercial/retail type of developments on this site because of the access. He asked if staff has looked at all the possibilities of developing in the area and feels that there are some uses that are within this designation that could be approved that would suit the land better.

Mr. Vipond explained that there is width for a private driveway which could accommodate traffic.
He added that staff is not at the point where they are looking at the actual development parameters and have not analyzed the property fully in terms of a commercial development because it was not part of the proposal brought forward. Staff has more work to do in terms of evaluating the lands and understands that it could accommodate commercial development of a kind, at a maximum of 10,000 sq.ft. per building.

Mr. Josey explained that a commercial development may be better for the lake than what is being proposed and would like to look at different options and proposals. He asked how much density could be built with the small lane way.

Mr. Vipond explained that ultimately a number of buildings could possibly be built.

Mr. Josey asked if this would be acceptable from a traffic impact point of view.

Mr. Vipond explained that staff has not evaluated traffic impacts within the context of a full traffic study for the purposes of a commercial development.

Mr. Ted Martin, Westphal explained that the concerned citizens are because they are protecting their investments. He added that the potential bodies that will reside in this apartment building will significantly impact the traffic and explained that the current traffic flow during rush hour is very challenging already. He added concern with the number of people who will be using Montague Road vs. Main Street. He explained that the City did not widen Forest Hill Parkway enough to accommodate additional traffic. He explained that he does agree to having residential at this property vs. businesses however, he would rather see townhouses and not apartment buildings. Apartment buildings are less desirable looking. Mr. Martin also addressed concerns regarding the lake and pointed out that it is a very shallow lake and debris settles on the bottom, there is currently an issue with runoff from the lake that needs to be reviewed as well as any other potential problems. He asked who own Lake Loon Developments.

Mr. Leblanc explained that the first name is Archie however, was unsure of the last name.

Mr. Vipond explained that the owner of Lake Loon Developments is Archie Hattie. The other owners are Madison Reality and the owners of Beazley Bowling Lanes.

Mr. Leblanc asked when the 2nd meeting will be held.

Mr. Vipond explained that it will all depend on the residents' feedback and the technical review.

Ms. Chrystal (unknown), Westphal expressed concern regarding traffic between Sobeys and the left turn onto Montague. This will cause safety concerns to increase traffic there. She also addressed concern with the children who walk to school or take the bus on Montague Road. She added that there are sections on this road that do not have sidewalks. If traffic is increased, the danger to the children is increased. She explained that this type of development does not work where there are apartment buildings with a transient population and gave an example of north- end Dartmouth. A form of home ownership would be different then rental units. People who rent only stay for the length of their lease. This neighborhood has established communities. She added that she would like to see this area become parkland. She suggested staff look at how this type of development may affect those who currently reside there.

Ms. Donna Turner, Westphal noted that she had circulated flyers stating that 1000 new people could reside in this proposed apartment building. She explained that this number is reasonable and explained that this community is currently a quite semi-rural community. Having a proposal of high density living would devastate the community of Lake Loon as well as the lake. She expressed concern regarding the animal life that lives in and around the lake that this development would affect as well. She explained that she would rather see parkland, low density residential or something that is not going to explode the population to the area and cause detrimental impacts to the echo system. She asked who is representing the interest of the lake and addressed concern that the Dartmouth Watershed Advisory Board does not exist anymore. She does not feel this proposal should go ahead with no one representing the lake.

Mr. Vipond explained that this he was unclear as to whether or not this proposal could be reviewed through the Regional Watershed Advisory Committee as their role is still unfolding. He added that he would be contacted HRM's Environmental Services for feedback on the Lake. Water protection and tree retention will be considered.

Ms. Turner asked why not leave it highway commercial, why change it?

Mr. Vipond explained that this is an area in transition. He indicated that Mr. Leblanc had earlier described the foundation of the Regional Municipal Planning Policy and what it envisions going forward. He added that at some point in the future, there will very likely be a larger plan policy initiative. He explained that HRM has to look at reasons why this property has not already been developed commercially. Businesses aren't finding these locations suitable. Council has endorsed the idea of considering these lands as an area of transition from Highway Commercial to Residential. Therefore, staff is hoping that residents can assist in informing staff as what might an ideal development might be given the Council direction. Council may also choose to retain the existing commercial designation. This is unknown at this time.

Ms. Joan Dykman, Westhpal explaining that she uses the lake daily, it is an extremely quiet lake and addressed concern with cutting down trees and the noise pollution this will create. She would like to see the development designed the same as the houses are surrounding the lake, with a lot of land around the homes; it should be consistent with the current dwellings. She compared the area to the homes surrounding Lake Mic Mac and does not want to see development like that. She wants people to be able to enjoy the lake however; the development has to be done very carefully to achieve this.

Ms. Donna Shewfelt, Westphal addressed concern with the process with notifying the residents of two 7-storey buildings and that council has endorsed the change in zoning.

Mr. Vipond explained that he understands the confusion and would have changed the wording to provide a better understanding that the process was purely conceptual at this time. He added that Council has not endorsed the change in zoning. They have not made any decisions at this point. They have only initiated the process to consider. Regional Council will have to make a decision which may be not to approve, approved or to defer the matter.

Ms. Dykman explained that the primary concern is the lake. She understands the other concerns addressed at this meeting however, once the lake is gone, it is gone and expressed concern with the ecology of the lake. She also addressed concern with not having a commission in place that looks after the safety of the lake.

Mr. Vipond then held a discussion on what would be an as-of-right development under the existing zoning and why this as of right development would not be brought out to the community for review. He added that there has been discussion over the years within HRM's Planning and Development Services Department regarding developing it commercially. The question now is to determine if the land is suitable for commercial development.

Ms. Dykman also addressed concern with car exhaust, fumes, runoff, salt, and sand from the parking area is all going into the lake.

Mr. Patrick O'Regan, Dartmouth explained that the lake can survive quite well with having apartment buildings surrounding it if it is properly developed with the right setbacks and tree coverage. He explained that it is important when looking at development to look at the financial aspects and the infrastructure costs for what the development is. He agreed that the developer is looking at using existing infrastructure such as water and sewer and explained it is a concern of his when developers start to develop sprawl in HRM. The constant saturation of the developments with the significant addition of schools, water systems and electrical becomes problematic as it spreads outside of the City.

Ms. Marla Hillier, Westphal expressed concern that this application has been worked on a long time prior to this public information. She also added concern that City Council endorsed this application and how so much work has already been done on the architectural side in designing it before other development types of use could even be considered. She explained that renters vs. owners are very different; when you own something, you have a vested interest in that community you stay there. Renters are transient. She also addressed concern with families moving there, having two vehicles and three children, adding approximately 700 people to an already crazy area. She asked why HRM is looking at this application prior to doing the road expansion and addressed concern with going at this backwards and that it is dangerous. She expressed concern for the animal life explaining that a mother bear and her cub live there as well as dove's, loons and birds. She explained that she does not want motorized traffic on the lake adding that it is dangerous.

Ms. Gerrie Irwin, Westphal asked for more clarity regarding the amendment to the Municipal Planning Strategy and the Regional Plan as well as policy changes. She explained that she understands the zoning and current allowed uses but asked if Council were to vote in favor of the MPS and RPS amendment, would the residents have an opportunity to appeal this decision to the UARB.

Mr. Vipond explained that there will not be an option to appeal the policy amendment if approved. He explained that Councils decision on a policy change as a function of the Halifax Charter (Provincial Legislation) cannot be appealed. He added that only the development agreement portion of the application can be appealed.

Ms. Irwin asked if any of the application will have the potential to go forward as a development agreement.

Mr. Vipond explained that it will likely be a development agreement or there would be no development until a development agreement could be entered into it.

Ms. Irwin asked if there is any talk about buying lands to accommodate a bigger access to the already zoned commercial lands fronting the highway.

Mr. Vipond explained that the development community has brought forward a variety of concepts which look at a variety of issues prior to staff looking at a policy amendment. Any land developer that would seek to spend money would want to know if there are fiscal and technical things that can be dealt with and overcome. He explained that staff has met with the developer over many months to have the technical questions answered. There have been no assurances that this application would be approved by Council. Regarding the issues of access, the developers have considered this issue because it is a constraint. Mr. Vipond explained that while the analysis is still ongoing, his understanding is that there is not a realistic opportunity to widen the street at this time.

Ms. Irwin explained that she would like to see the least amount of residential in that area. She addressed concern with the as-of-right option, explaining that over the years in HRM, there have been too many properties bought and all kinds of changes to the Regional Plan regarding density. This could result in a lot of problems.

Mr. Dupuis explained that there is a significantly large development in Porters Lake and expressed concern with the traffic generated from this development also moving through Highway #7.

Mr. Josey expressed concern with the air quality and noise and the two highways that will be immediately next to the apartment buildings, explaining that there will be a lot of extra strain put on the lake. He noted that HRM Staff wouldn't have ever looked at this option until this application/proposal was brought forward and expressed concern that the developers are steering HRM Policy.

Mr. Vipond explained that the overall plan of transition for suburban local sector is not currently on the list of priority in the immediate term. He added that it is not about a developer driving policy, it is about whether or not staff can evaluate the policy relevant to the conditions of the day.

Mr. Josey explained that he would like to see HRM more proactive in steering the developers as to what the people want such as more interaction with the people who will give the developers the direction they need. Developers picking all the prime areas surrounding lakes do not serve the public purpose and it does not do the residents any good to destroy the lake. He also added that HRM should spend more time and energy moving along environmental protection for these areas and addressed concern that public servants and politicians are not paying enough attention to this. He explained that HRM stopped testing the water quality of the lakes. Since then public groups picked the role up and pass the information along. However HRM does not seem to be interested in any of it, adding that this is a big mistake; HRM needs to start listening to the people.

One person explained that progressive communities across the country have policies and programs in place to a lot a specific amount of parkland per residents/commercial development. She asked why HRM does not have this in place and suggested that this area would be a beautiful place for a park. She explained that developers make more money in renting out apartments and HRM makes more money in taxes on more households.

Mr. David McGrath, Westphal explained that he lives on the lake with no current problems and asked if there have been any environmental studies completed.

Mr. Vipond explained that as part of the policy criteria, staff would identify requirements for water/lake protection through retention of stormwater management and full landscaping. This would be part of the design to protect the water course.

Mr. McGrath noted that an environmental study can kill a project. He explained that there is a lot of ecology in the lake which came from the overflow of Cranberry Lake and approving this application will impact the lake to a great degree and will depreciate his house as well as all the properties around the lake. Mr. McGrath spoke regarding a previous application that resulted in a golf course and felt that that development was good for the community.

Ms. Patty Goffon explained that she doesn't like development on Lake Loon however she drives to the area on a daily basis and explained that there is most likely no more runoff from the funeral home than the golf course. She explained that the as of right development could be way worse having a lot more cars travelling in and out than what this proposal will bring. She asked to view a topographical map that shows the distance from the street to the lake.

Mr. Vipond explained that he does not such a map but will be bringing that type of information out to the next meeting.

Ms. Goffon expressed concern with the residents showing concern for adding additional development surrounding the lake for its protection. She also explained that she currently has no concern with traffic.

Ms. Donna Scadione, Westphal explained that she would like HRM to listen to the will of the residents and take great consideration to the eco system, traffic, and safety of the people. She added concern regarding the traffic and suggested HRM develop a park in this area instead.

Mr. Josey explained that there are other sites in this area that are more suitable for this type of development that should be considered instead of this site that would take a load off the lake.

A lady from the residents explained that there are a lot more things to consider other than stormwater and landscaping before going forward with this development.

Ms. Hillier asked about the Genivar application.

It was noted that this is an application for the back of 613 Main Street and has not been opened as of yet.

Councillor Lorelei Nicoll thanked everyone for attending and explained that HRM has been undergoing the Regional Plan Review adding that she has been actively working on the Community Design Advisory Committee that has been trying to reach out to the Community for its input for policy and to understand the pressures and balance when there are private landowners involved. She encouraged the residents to go to www.halifax.ca to have a look at the Regional Plan Review which is still receiving comments until July 19, 2013. She explained that the Department of Environment that oversees the testing of the waters. HRM was duplicating a lot of the services that the Department of Environment was already completing. She added that for those who are mindful and concerned about the lake, a volunteer group could be created and who could monitor the lake on an on-going basis and to see her following the meeting.

Ms. Hiller expressed concern with the notification area and asked if the 500 feet radius is policy.

Mr. Vipond explained that it is a method of practice. 250 feet is the usual radius however, for this application staff expanded it to 500 feet and also increased it up along Panavista Dr. He added that they will expand the circulation even further for the next meeting.

Mr. Leblanc explained that they work on these projects all over HRM and understands that it is often disconcerting dealing with change. What they are trying to do is look at the best ways for people to come into the Community. He appreciates the feedback and will go away with some ideas to see how they can be incorporated into the plan.

Mr. Vipond explained that staff will also be advertising the next meeting in the Community Paper.

Closing Comments

Mr. Vipond thanked everyone for attending. He encouraged anyone with further questions or comments to contact him.

Adjournment

The meeting adjourned at approximately 8:35p.m.

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING #2
CASE NO. 18288 & 18684

7:00 p.m.
Wednesday, January 15, 2014
Cole Harbour Place, Westphal Rooms
51 Forest Hills Parkway, Cole Harbour

STAFF IN ATTENDANCE:	Shayne Vipond, Planner, Planning Applications Hugh Morrison, Development Engineer Erin MacIntyre, Planner, Planning Applications Kate Greene, Operations Manager, Development Approvals Holly Kent, Planning Technician Jennifer Purdy Planning Controller
ALSO IN ATTENDANCE:	Councillor David Hendsbee in behalf of Lorelei Nicoll Jacob Ritchie, Ekistics Design Roger Boychek, SNC Lavelin Blaise Morrison, WSP Canada
PUBLIC IN ATTENDANCE:	52

The meeting commenced at approximately 7:03p.m.

Opening remarks/Introductions

Mr. Shayne Vipond, Senior Planner, Planning Applications, called the meeting to order at approximately 7:04 p.m. in Westphal Room at the Cole Harbour Place, 51 Forest Hills Parkway, Cole Harbour.

He introduced himself as the Planner guiding this application through the process. HRM has received a request to amend the Cole Harbour/Westphal Municipal Planning Strategy to enable a mixed form residential development on lands at 613 and 661 Main Street (Highway #7) in Westphal. He explained that there had been a previous public information meeting in July 2013 regarding these lands. He will review the concerns raised at that meeting. Mr. Vipond explained that tonight's meeting is a joint public information meeting regarding two separate applications:

(Site A) Case 18684: Application by Genivar Inc. (now WSP Canada) on behalf of Madison Realty to amend the Cole Harbour/ Westphal Municipal Planning Strategy (MPS) to amend the Cole Harbour/ Westphal Municipal Planning Strategy to enable a future mixed-form residential development to the rear of 613 Highway #7, Westphal.

(Site B) Case 18288: Application by Ekistics Design Ltd. On behalf of Lake Loon Developments to amend the Cole Harbour/Westphal Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) to permit a mixed-form residential development in the Highway Commercial land use designation at 661 Highway 7, Westphal.

Process and Overview of Application

Mr. Vipond reviewed the application process noting that the public information meeting is an initial step whereby HRM identifies to the community early in the process that an application has been received and what policies allows it to be considered. Staff also identifies the applicant's proposal and gives them the opportunity to present it to the community. Staff will seek feedback from citizens and will also undertake a detailed evaluation of the proposal which will be included within a future staff report. HRM has no current position on the proposal. No decisions have been made to this point or will be made at this meeting. Following this meeting there will be a detailed review where staff will prepare a detailed staff report and bring a recommendation forward to Regional Council. The meeting will be held jointly with Harbour East-Marine Drive Community Council who will decide whether or not to approve these applications.

Presentation of Application

Slides were shown of the subject areas included the locations of Site A and Site B and the surrounding land uses. Mr. Vipond identified the Regional land use designation explaining that the lands are designated Urban Settlement and identified as being in a Suburban Local Centre in the Regional Plan. The lands are also designated Highway Commercial under the Cole Harbour/ Westphal Municipal Planning Strategy (MPS). Existing MPS policies do not provide for residential development at this location. Accordingly, an amendment to the MPS would be required to permit any such proposal. He explained that the lands are currently located within the C-4 (Highway Commercial) zone under the Cole Harbour/ Westphal Land Use By-Law.

Mr. Vipond explained some of the rationale for the MPS Amendment that even though the property contains a highway commercial designation, staff considers the site may be more suitable for residential activity. This is because the lands are separated from the commercial corridor which is dependent upon traffic flow for business operations. He added that the Regional Municipal Planning Strategy supports the development of future walkable residential development. The Westphal Suburban Local Centre identifies this area a target transitional area contemplated for future redevelopment.

Mr. Vipond explained that the principal issues raised at the previous public information meeting were the 1) uses of lands – should be parkland; types of residential forms i.e., multiple unit, townhouses, or single detached 2) traffic – access to and from the site and 3) the impact development will have on Lake Loon.

Blaise Morrison, WSP Canada (formally Genivar Inc.), explained that he will be speaking on behalf of Site A - 613 Highway #7, Westphal. He explained that the main objective throughout this process is to rezone the land to accommodate residential development. He added that the property is currently zoned Commercial and believes that the back of the property is more suitable for residential development. He added that the only request today is to rezone the backend of the property and to keep the front portion as highway commercial for commercial uses. He assured the residents that they currently have no drawings or ideas of development in place at this time. If approved, the development and policy standards will dictate the style, height and form of buildings for future application. He explained that their property has constraints with traffic and also with the entrance and exits from the site. He added that they will be working with Traffic Engineers, HRM and Sobeys in trying to figure out the best way possible to reanimate the situation.

Jacob Ritchie, Ekistics Planning & Design, explained that he will be speaking on behalf of Site B - 661 Highway 7, Westphal and reviewed a slide of the site and location. He explained that the site is situated between #7 Highway and Lake Loon (near Gateway) in Westphal. It is 6.62 acres in size located within Urban Service Area. It is presently zoned C-4 Highway Commercial and has considerable amount of lake frontage. He added that the highway frontage is minimal (45'), which reduces visibility for potential commercial. There is walkable settlement centers in Cole Harbour/ Westphal that are supported by HRM Planning Policy. Residential rather than commercial here would be apporpriate. He explained that traffic and wastewater generation will be less for residential use than for the as-of-right commercial use and that the 162 units proposed will enhance commercial uses by adding to local customer base. This will be accomplished by adding that the surrounding commercial uses are in support of the development and that there will be no adjacent residential impacts.

Mr. Ritchie explained that their vision is to create a residential village that offers a variety of high quality living experience within a sustainable and sensitive development that is compatible with the existing community. They want to preserve open space on the lake, preserve views of and from the lake, provide a variety of housing options and have a 20m lake buffer with the majority of the buildings setback much further. They also wish to have a large community courtyard and walking trails. Showing a slide of the projected view of the development, Mr. Ritchie explained that the proposal is for 70 units in a 7 storey structure, 48 units in a 6 storey structure and 44 townhouse units with 166 parking spaces; 58 surface parking and 108 underground parking.

Mr. Roger Boychek of SNC Lavlin, explained that a transportation impact assessment is HRM's guideline for the preparation of transportation impact assessments. This is measured by assessing how long a vehicle waits, how many cars are in line and the volume to capacity ratio. Mr. Roger reviewed the results of the assessment concluding that there will be 1% of new total traffic in the area. Daily variation/events are much more significant, changes in delay will be 1-2 seconds, changes in queue are negligible and changes in volume to capacity ratio will be 0-0.02. He explained that these results can all be mitigated through minor adjustments (i.e., changes to signal timings by .5 seconds). He added that there are no infrastructure improvements required.

At this time, Mr. Ritchie showed a video slide of the projected development, adding that 40% of this site will be preserved as woodland open space and believes that it will be a positive development to the community.

Questions and Answers

Mr. Vipond directed speakers to indicate whether they were speaking in regards to Site A - 613 Highway #7, Westphal, Site B - 661 Highway 7, Westphal or to both.

Mr. Jeff Norrie, Montague Estates, speaking on Site B explained that the development looks very exciting and believes that the concerns regarding the traffic, esthetics and environment surrounding the lake have been addressed and thinks it would be welcomed addition to their community.

Ms. Donna Shewfelt, Lake Loon, speaking in regards to both sites expressed concern with the zoning change and explained that this process is supposed to be about a zoning change however, the applicants are already talking about residential. She addressed concern with the first public information meeting how during the meeting the applicant was showing a 7-storey building however, she was told not to worry about the development itself, as it was still premature. She added concern about the entire process and what is actually being proposed. She added that this meeting should only be looking at what the current zoning is and what the proposed rezoning will allow. She gave an example of what is currently allowed within the current zoning as well as the height restrictions explaining that any number of things that is allowed within the current zoning could potentially cause the damage and the harm to what is being presented now. She addressed concern with this development only benefiting the developer and not the community or the environment. She addressed concern with the current proposal being so much larger than what is currently allowed on the existing zoning. She explained that this proposal does not blend in with the community. She explained that only 5-stories in Downtown Dartmouth are permitted in the business district and only 3-storeys along the ocean waterfront. She added that an ocean cleanses itself. This 6 -7 storey building is next to a shallow lake which has no way of cleansing itself. It will destroy it. HRM should not be considering this zoning change. The current zoning does not cause any risk to the lake or to the community and she would like it to remain the same.

Mr. Vipond explained that no decisions have been made. Staff will prepare a future recommendation and ultimately Council will consider it. The planning process has not been completed at this time. There would potentially be another discretionary approval process to undertake if the applicant was successful in their request on Site A.

Ms. Joan Dykeman, Montague Estates explained that when they chose to build in the area, there were no expectations that this type of development would be put there. She explained that they have chosen a semi-rural lifestyle with specific characterizes and expectations and aware that eventually commercial development would be along Main Street but, never was there an option for high-rises to be built on such a small lake. This concern is for the residents, families and lifestyle. She addressed concern regarding the noise of construction and explained that it will disrupt the lake, the traffic, the wildlife and the resident's peaceful lifestyles. She explained that the architects have designed a great residential community however; it should be built in a residential area.

Ms. Dorothy Mayo, Montague Estates, speaking in regards to both sites explained that she owns a property on Loon Lake and that Main Street is a very busy commercial area and most residents living along Highway 7 use the services such as Sobeys, Gateway, the Animal Hospital etc.. If more commercial expansion occurs in this area, they will be able to have a very profitable business. She explained that it is zoned commercial for good reasons and should remain that way.

Mr. Wade Hirschfield, Montague Estates, speaking in regards to Site B explained that he works in the construction business and have seen a lot of development occur. He explained that after reviewing this proposal, he is very pleased with it and having the underground parking will prevent a lot of ground water from entering the lake.

Ms. Beverly Barker, local small business owner in Cole Harbour, speaking in regards to both sites explained that she in favor of both proposals. She expressed interest in retaining the woodlands and was pleased with the assessments that have been done to date. She added that from a commercial perspective, which it would not be

desirable and would be better used as residential. Being a local business owner, this proposal will add security and opportunity for employment for the community.

Mr. Clark Wilkins, Cole Harbour, speaking in regards of both sites explained that he believes that the developer has done a great job and supports both proposals.

Ms. Heather Decker, Cole Harbour expressed concern with the services that will have to be provided to accommodate for all the new residents. She also addressed concern about past residential developments being built causing her taxes to go up so that HRM can provide the extra services. She is concerned for the sewer services and the current water problems. The #7 Highway and Westphal areas is known to have a lot of surface water problems. How is HRM going to provide services to the current streets that have never had any? She also questioned how the schools will handle the additional children.

Mr. Vipond explained that this site has been evaluated for all services which include storm water management and sanitary capacity.

Mr. Wayne Cochrane, Halifax, speaking in regards to Site B explained that this is a privately held piece of land; therefore parkland is not an option. HRM doesn't own the land. He explained that if these lands get developed as commercial, they will probably be warehouses or storage. This is not new infrastructure for HRM, therefore, it will not need new roads to maintain or to plow. HRM seems to be more friendly to infill projects opposed to new infrastructure that would generate more expenses to HRM to generate the tax revenue. He added that the developers have done a great job on the design and leaving 40% green space and a 60 foot buffer at the front of the lake. He believes that this would support the community in the long term.

It was noted at this time that Mr. Cochrane has a vested interest in this development.

Ms. Donna Turner, Lake Loon, speaking in regards to both sites expressed concern with the sign that is supposed to be placed on the property indicating that there is a proposal in place is not there. In the past there used to be an advisory committee who represented the interest to the lakes to Council however, they have not been replaced. She asked what the status of this.

Mr. Vipond explained that there is a Regional Lakes Advisory Committee that is working on higher level policy initiatives. The scope of this particular development is to deal with how the site impacts the lake. This is done through storm water management and erosion and sedimentation control. There is no higher initiative required through the analysis for this site.

Ms. Turner explained that there are more impacts that the storm water would have on the lake. Whenever developing on a lake there are always impacts. To say that there are none is irresponsible. Every lake that has been developed on has been environmentally negatively impacted. She expressed great concern continuing with this process with no body in place that represents the lake. She added that she has read the Municipal Planning Strategy which states how the Cole Harbour Road is suitable for small local commercial zoning and believes it should remain commercial as this is a busy highway. She addressed concern for children in attempting the cross Highway #7 to get to the school. This is not a good area for a walkable community. She explained that she does not believe this area should be rezoned.

Ms. Phyllis Jordan, Business Associate, speaking in regards to both sites explained that she is in favor of the development and asked about the entrance and if the entrance will be going to both sites.

Mr. Vipond explained that the driveway for Site B is not proposed to go to Site A at this time. The application on Site A (613 Highway #7) is for an amendment to policy only. All future details surrounding access will have to be determined at a future date.

Ms. Jordan explained that her biggest concern was the traffic going in and out from the one entrance due to the traffic coming in and out of Gateway.

Mr. Glenn Eddy speaking in regards to both sites explained that he is in favor of the development and added that he grew up in the area and if it wasn't for rezoning, Cole Harbour would still be cow pastures.

Mr. David Dooks, Lancaster Ridge, speaking in regards to both sites explained that he has two development permits, one for a church and one for a condo that will never be developed due to lack of money. To have a developer develop a high quality plan is great and it looks great; he is in favor of both proposals.

Mr. Ron Archibald, Arklow Drive, speaking in regards to Site B, explained how he is new to the area and feels that this proposal is very attractive and will add a lot to the area. The alternative being commercial and possible warehouses is too industrial looking. This is a beautiful development and will add to the value of the area and will feel more like a community rather than an industrial area. He is in favor of the proposal.

Mr. Mike Josey, Lake Loon expressed concern with the environment and the Lake and how it will be impacted. He does not see how putting that many people on the lake in that cove will not impact the lake. There are currently nests, loons and fishing on the lake, however if there is too easy access and too many people around accumulating garbage, this will push the species away. He explained that when they bought, knowing the zoning and the height restrictions, they knew it wouldn't really impact them much. However this rezoning and the development towering over the trees, cascading down the lake, will not be healthy for the lake. He added that the lake has a very low flow rate and addressed concern regarding vehicle pollution and lighting. He explained that the development agreement signs that are put on the property indicating that there is an application in place are too small and very hard to read. He recommended that the City review the signs, as they are one of the main notifications that tell people there is a proposal in place. He also addressed concern with the mail out and how there were hardly any mailed out due to the lack of residents in the area and feels that there is a better way of communicating this information. He added that this proposal harms him in a lot of ways.

Mr. Vipond explained that the notification mail out was expanded significantly.

Mr. Josey also addressed traffic concerns and asked if the traffic study allows for pedestrian crossings and addressed concern within HRM only catering to larger developments.

Ms. Grazoella Grbac, Humber Park, speaking in regards to both sites asked if it is the development itself that staff is here talking about or is it the rezoning.

Mr. Vipond explained the two separate applications and what is currently being requested for both.

Ms. Grbac explained that she does like the look of the proposed development agreement. She added that this is a growth center and is better than the alternative being much more harmful to the environment if it remained commercial.

Mr. Scott Allison, Humber Park, speaking in regards to Site B explained that he does not have an invested interest in the development. However he is a realtor and spoke regarding the needs of the community. He explained that there has been a high demand for new condo projects around HRM. There has been a lack in

condo development in the last 10 years as people have been building residential rental units. He explained for those who wish to stay close to their community and families this development is a good thing. This will create jobs, and it is a mandate of HRM to grow the City.

Mr. Ehab Mdouk speaking in regards to both sites explained that this project is promising however, he has some concern with the traffic as there is only one exit and one exit to Site B.

Ms. Donna Shewfelt, Fairway Grove speaking in regards to Site B addressed concern regarding the lake and how if a development goes there, it will no longer be 'Lake Loon' there will be no longer any loons; the loons will leave. She added concern with noise pollution. The lake is not big enough and she built her home there with the expectations that there would be only commercial at that end of the lake. The impact of the lake will be small if commercial businesses were put there compared to all the people and traffic. She addressed concern with traffic and explained that she will speak with her MLA, attend Council meetings and will do whatever it takes to ensure that this development will not happen.

Mr. Josey explained at the last meeting he thought this development was going to be rental units and asked what the proposal intends on being.

Mr. Vipond explained that HRM does not regulate the tenure of the buildings. Tenure is not part of HRM's analysis.

Mr. Ritchie explained that the proposal has always been for a condominium.

Ms. Shewfelt addressed concern that only the residents of the lake were asked to state their names. She explained that other applications throughout HRM have been denied based on their scale and asked why that is not being considered based on this application. She explained that in no community does anyone put a 7-storey building on a lake and explained that the zone that is currently in place is to protect against this sort of residential development. She addressed concern that the only study completed was a storm water assessment. When building next to a lake more studies need to be completed. She asked who is responsible for the consequences. She also addressed concern with motorized vehicles on the lake and how there are no restrictions to this.

Mr. Vipond explained that it would be staff's recommendation that motorized vehicles not be allowed to access from this property to the lake.

Ms. Turner explained that Lake Loon is one of the few lakes that is still healthy and supports wildlife. This application is going to change that. She addressed concern with other developments clearing their lots to the lake who are supposed to have a 20 meter buffer zone. She expressed concern with the fact that good intentions were not being realistic and gave some examples of this happening with nearby residents. She addressed concern with additional traffic down Montague Road.

Mr. Ted Martin, Montague Road speaking in regards to Site A asked if the front part of Beazley's Bowling Lanes would be considered for residential development if the back portion is granted the rezoning for residential development.

Mr. Vipond explained that it is staff's position is currently that residential development is not suitable for the front portion however that doesn't mean that a future planning process won't change that.

Mr. Martin addressed concern that there has been no environmental assessment completed so far and thinks Council should look at a company such as Stantech to complete a study before a decision is made. He also

addressed concern with traffic on Montague Road and asked if the traffic study was included in this area. The driveways and easements are used for two lanes.

Mr. Roger Boychek explained that he has drove through the area many of times and agrees from a traffic perspective something could be done to improve the situation. From a traffic analysis perceptive they are evaluating what the effect the development has on the overall area and what cause the development will have entering and exiting the property. He agreed that improvements should be considered however, is outside the scope of this project.

Mr. Donald MacDonald explained that he lives on the lake and is a general contractor. He explained that the development looks great however he has concern for the lake and doesn't think that the density of this project suits the lake. He added that he opposes this proposal.

Ms. Jennifer Comeau speaking in regards to Site B asked about the issues raised at the previous meeting and asked if there was a review completed on these concerns for example, traffic study, preservation of lake/environmental impact on the lake.

Mr. Vipond explained that all impacts on the Lake are viewed under the storm water management study. The question was asked if a site of this magnitude would support a full scale study and it was decided through a detailed discussion that it was not.

Ms. Comeau asked if there were any studies completed to look at the currently number of homeowners who have lakefront property vs. the proposed number of units that will be added; what the overall number of lakefront property owners be.

Mr. Vipond explained that there is not such a study.

A lady explained that there are 45 current lake front properties.

Ms. Comeau addressed concern of adding 3-4 times the quantity of units having access to the lake and any potential environmental concerns.

Ms. Sharlene MacLean, resident on the Lake speaking in regards to both sites explained that she commends the planners on the proposal however, addressed concern regarding the lake. She is appalled that there has been no environmental study completed. She also added concern regarding wildlife and is opposed to the proposal.

Mr. Josey expressed concern that statements, rules and protocols are made and are broken and that HRM and the Province having no coordination. He added concern that HRM makes rules that they do not enforce.

Ms. Decker asked if the site is approved for residential will they have to enter into a development agreement. Who is responsible for height restrictions?

Mr. Vipond explained that height restrictions would established in the policy that would be created as part of a proposal.

Closing Comments

Mr. Vipond thanked everyone for attending. He encouraged anyone with further questions or comments to contact him and added that a development agreement would be a requirement should the policy amendments be approved.

Adjournment

The meeting adjourned at approximately 8:57p.m.