



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

Item No. 11.2.1
Halifax Regional Council
October 7, 2014

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Councillor Steve Craig, Chair North West Community Council

Original Signed

Councillor Linda Mosher, Chair Halifax and West Community Council

DATE: September 22, 2014

SUBJECT: Case 18514 – Amendments to the Bedford South, Wentworth and Bedford West Secondary Planning Strategies for Sub Area 9 of Bedford West and Wentworth (Cresco Lands), Bedford and Halifax

ORIGIN

The July 14, 2014 staff report and the August 6, 2014 meeting of Halifax and West Community Council; the September 15, 2014 meeting of North West Community Council.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VII, Planning and Development

RECOMMENDATION

North West Community Council recommends that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Bedford West Secondary Planning Strategy, Bedford South Secondary Planning Strategy and Wentworth Secondary Planning Strategy as contained in the Bedford Municipal Planning Strategy as set out in Attachments A, B and C of the staff report dated July 14, 2014; and schedule a joint public hearing with North West Community Council and Halifax and West Community Council.

Halifax & West Community Council recommend that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Bedford West Secondary Planning Strategy as set out in Attachment D of the staff report dated July 14, 2014; and schedule a joint public hearing with North West Community Council and Halifax and West Community Council.

BACKGROUND

Approval Process

The proposed amendments to the MPSs/SPSs are under the jurisdiction of Regional Council. The proposed development agreement amendments are under the jurisdiction of the North West Community Council and Halifax and West Community Council. A public hearing, which is required prior to decisions on both matters, may be held at the same time for both the MPS amendment and the development agreement amendments. In the event that Regional Council approves the MPS amendment, North West Community Council and Halifax and West Community Council may only make a decision on the development agreement amendments following the amendments to the MPS coming into effect.

DISCUSSION

Halifax and West Community Council discussed the July 14, 2014 staff report at their meeting of August 6, 2014 and recommended that Regional Council move to first reading of the proposed amendments to the Bedford West Secondary Planning Strategy, as required to consider approval of the amendments and to set a date for a joint public hearing with Regional Council, North West Community Council.

North West Community Council discussed the July 14, 2014 staff report at their meeting of September 15, 2014 and recommended that Regional Council move to first reading of the proposed amendments to the Bedford West Secondary Planning Strategy, Bedford South Secondary Planning Strategy, and Wentworth Secondary Planning Strategy as required to consider approval of the amendments and to set a date for a joint public hearing with Regional Council and the Halifax and West Community Council.

The areas of jurisdiction are defined in the July 14, 2014 staff report.

FINANCIAL IMPLICATIONS

As outlined in the July 14, 2014 staff report.

COMMUNITY ENGAGEMENT

In accordance with the *HRM Charter*, the process for public engagement in regard to Municipal and Secondary Planning Strategies is set out in the Public Engagement Policy adopted by Regional Council in February 1997.

ENVIRONMENTAL IMPLICATIONS

As outlined in the July 14, 2014 staff report.

ALTERNATIVES

Halifax and West Community Council and North West Community Council did not provide a alternatives.

ATTACHMENTS

1. July 14, 2014 staff report.

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 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Quentin Hill, Legislative Assistant, 902.490.6732
 Liam MacSween, Legislative Assistant, 902.490. 6521



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Attachment 1

Item No. 10.1.1

Halifax and West Community Council
August 6, 2014
North West Community Council
September 15, 2014

TO: Chair and Members of Halifax and West Community Council
Chair and Members of North West Community Council
Original Signed

SUBMITTED BY: _____
Brad Anguish, Director of Community and Recreation Services

DATE: July 14, 2014

SUBJECT: Case 18514 – Amendments to the Bedford South, Wentworth and Bedford West Secondary Planning Strategies for Sub Area 9 of Bedford West and Wentworth (Cresco Lands), Bedford and Halifax

ORIGIN

- Application by Clayton Developments Limited on behalf of Cresco Holdings Ltd.
- September 10, 2013 Regional Council Initiation of the Secondary Planning Strategy amendment process

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that North West Community Council recommend that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Bedford West Secondary Planning Strategy, Bedford South Secondary Planning Strategy and Wentworth Secondary Planning Strategy as contained in the Bedford Municipal Planning Strategy as set out in Attachments A, B and C; and schedule a joint public hearing with North West Community Council and Halifax and West Community Council; and
2. Approve the proposed amendments to the Bedford West Secondary Planning Strategy, Bedford South Secondary Planning Strategy, and Wentworth Secondary Planning Strategy as set out in Attachments A, B and C of this report.

It is recommended that North West Community Council:

3. Move Notice of Motion to consider the proposed amending agreements as set out in Attachments E and F of this report to permit the reallocation of multiple unit dwelling units from Bedford West Sub Area 9 to the Mixed Use Business Campus and other amendments in Wentworth, Bedford and Halifax. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.

RECOMMENDATIONS CONTINUED ON PAGE 2

It is recommended that Halifax and West Community Council recommend that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Bedford West Secondary Planning Strategy as set out in Attachment D; and schedule a joint public hearing with North West Community Council and Halifax and West Community Council.

It is recommended that Halifax and West Community Council:

2. Move Notice of Motion to consider the proposed amending agreement as set out in Attachment E of this report to permit the reallocation of multiple unit dwelling units from Bedford West Sub Area 9 to the Mixed Use Business Campus and other amendments in Wentworth, Bedford and Halifax. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.

Contingent upon the adoption by Regional Council of the above Secondary Planning Strategy amendments and those becoming effective pursuant to the requirements under the *Halifax Regional Municipality Charter*, it is further recommended that North West Community Council:

1. Approve the proposed amending agreements as set out in Attachments E and F of this report; and
2. Require the 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.

Contingent upon the adoption by Regional Council of the above Secondary Planning Strategy amendments and those becoming effective pursuant to the requirements under the *Halifax Regional Municipality Charter*, it is further recommended that Halifax and West Community Council:

1. Approve the proposed amending agreement as set out in Attachment E of this report; and
2. Require the 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.

EXECUTIVE SUMMARY

Clayton Developments, on behalf of Cresco Holdings Limited, are seeking policy changes to the Bedford West Secondary Planning Strategy (SPS), the Bedford South SPS and the Wentworth SPS. These affected policies are contained in two planning documents; the Bedford and Halifax Municipal Planning Strategies (MPS's).

The Bedford West SPS deals with an area which is approximately 2,000 acres in size. This area of land is identified for urban growth over the next 20 years. The Bedford South and Wentworth SPS's cover an area of approximately 625 acres which was designated for urban growth in 2003. Both SPS's are divided into smaller Sub Areas (Map 4) or Neighbourhoods (Map 5) which can be developed through a development agreement process. Each Sub Area or Neighbourhood have land uses policies which regulate land uses within each area.

The proposal is to amend the SPS's to enable the relocation of land uses around the Larry Uteck Boulevard Interchange and between the Bedford West, Bedford South and Wentworth SPS's. Specifically, the request is to transfer 118 dwelling units from Sub Area 9 of Bedford West to the Cresco

Wentworth lands, as well as several other amendments dealing with a variety of matters such as road layout, establishment of community commercial land uses and lot sizes.

A Public Meeting was held on April 7, 2014 to discuss the proposed policy changes and the development agreement amendments. Attachment J contains a summary of this meeting.

Staff recommends that Regional Council, North West Community Council and Halifax and West Community Council approve the proposed amendments to a) the Bedford West SPS, as contained in the Bedford and Halifax MPSs, b) the Bedford South SPS, as contained in the Bedford MPS, c) the Wentworth SPS as contained in the Halifax MPS, d) the Bedford West Sub Area 9 development agreement and e) the Cresco Wentworth development agreement, as outlined in the Recommendation section of the report.

BACKGROUND

An application has been submitted by Clayton Developments, on behalf of Cresco Holdings Limited, to create specific policy to enable the reallocation of residential uses near the Larry Uteck Boulevard interchange in Bedford and Halifax. Specifically, Cresco Holdings Limited has approval for commercial and residential development on the west side of the interchange (Case 16666). They wish to transfer 118 residential units from the west side of the interchange (Map1 – Site A) to the east side near Starboard Drive (Map 1, Site B). In order to consider the transfer of 118 residential units, amendments to the Bedford South, Wentworth and Bedford West SPS's must occur. The application also includes amendments to the development agreements for Bedford West Sub Area 9 and the Wentworth lands owned by Cresco Holdings Limited to enable the transfer and other matters such as (a) road and parkland reconfiguration, (b) phasing of Starboard Drive, (c) reduced lot sizes and frontages and (d) enable a community commercial land use at the corner of Friesian Court.

Location, Designation, Zoning and Existing Development Agreements

Subject Properties	Site A – Bedford West Site B – Bedford South/Wentworth
Location	Site A – West of Larry Uteck Boulevard and Highway 102 interchange. Site B – East of Larry Uteck Boulevard and Highway 102 interchange.
Designation (Map 1)	Site A – Bedford West Secondary Planning Strategy (BWSPS) Site B – Bedford South Secondary Planning Strategy (BSSPS) – Wentworth Secondary Planning Strategy (WSPS)
Zoning (Map 2)	Site A – Bedford West Comprehensive Development District (BWCD) Zone Site B – Bedford South Comprehensive Development District (BWCD) Zone – Wentworth Comprehensive Development District (BWCD) Zone
Sub Area / Neighbourhood	Site A – Bedford West Sub Area 9 (Map 4) Site B – Bedford South – Neighbourhood F (Map 5) – Wentworth – Mixed Use Business Campus (Map 5)
Community Concept Designation	Site A – General Commercial and Residential Site B – Multi Unit / Business Campus / General Commercial / Residential
Current Use(s)	Site A – Vacant Site B – Commercial Development / Multiple Unit Residential / Vacant
Existing Agreements	Case 01194 – Residential subdivision for the Lands of Cresco Holdings Limited (Wentworth SPS); Case 01159 – Residential

and commercial subdivision for the lands of Clayton Developments (Bedford South SPS); and
Case 16666 - Residential and commercial subdivision for the lands of Cresco Holdings Limited (Bedford West SPS- Sub Area 9).

Bedford West Secondary Planning Strategy

The Regional Municipal Planning Strategy (RMPS) identifies Bedford West as one of the six areas where urban forms of development are to occur throughout the next 25 years. In 2006, Regional Council approved the Bedford West Secondary Planning Strategy (SPS) to provide guidance for the development of a new community on the west side of the Highway 102 in the vicinity of the Hammonds Plains and Kearney Lake Roads. The Bedford West SPS covers portions of three Municipal Planning Strategies; the Bedford MPS, the Halifax MPS and the Beaver Bank, Hammonds Plains and Upper Sackville MPS. The existing SPS policies enable commercial, residential, institutional and recreational development to be considered by development agreement in phases over the entire Bedford West Secondary Plan Area (Map 4). The SPS is divided into 12 Sub Areas which are illustrated on Map 4, and the development of each Sub Area is enabled through the development agreement process. Since 2008, several development agreements have been approved by North West Community Council and the former Chebucto Community Council for lands within the Bedford West SPS. These approvals include several agreements including the subject lands in Sub Area 9 (Map 4).

Bedford South /Wentworth Secondary Planning Strategy

The Bedford South/Wentworth area predates the Bedford West SPS and it was established in 2003 after several years of extensive study. It was one of the first communities planned through a master planning process in HRM post municipal amalgamation in 1996. The Regional Municipal Planning Strategy (RMPS) identifies Bedford South/Wentworth as one of the six areas where urban forms of development are to occur throughout the next 25 years. The Bedford South/Wentworth area is generally bounded by the Crestview Subdivision, Royale Hemlocks Estates Subdivision, the Bicentennial Highway, and the Bedford Highway. Development within the southern portion of this area is governed by the Halifax MPS and the northern portions governed by the Bedford MPS.

The existing SPS policies enable commercial, residential, institutional and recreational development to be considered by development agreement in phases over the entire Bedford South/Wentworth SPS (Map 5). Since 2003, development agreements have been approved by Community Councils for all lands within the Bedford South/ Wentworth SPS. These approvals include several agreements including a portion of the subject lands (Cresco Wentworth Lands).

Relationship between Bedford West and Bedford South/Wentworth SPS's

The existing policies in Bedford West and Bedford South/Wentworth on both sides of the Interchange enable a mix of commercial and residential development by development agreement. However, these policies do not enable the reallocation of development rights from one side of the Larry Uteck Boulevard Interchange to the other. Therefore, an amendment to the various existing policies is being requested.

Approval Process

The proposed amendments to the MPSs/SPSs are under the jurisdiction of Regional Council. The proposed development agreement amendments are under the jurisdiction of the North West Community Council and Halifax and West Community Council. A public hearing, which is required prior to decisions on both matters, may be held at the same time for both the MPS amendment and the development agreement amendments. In the event that Regional Council approves the MPS amendment, North West Community Council and Halifax and West Community Council may only make a decision on the development agreement amendments following the amendments to the MPS coming into effect.

DISCUSSION

The following matters are the jurisdiction of Regional Council.

Rationale for Secondary Planning Strategy Amendments

The MPSs /SPSs of the Municipality lay out the intent of HRM regarding appropriate land use and future patterns for growth. Amendments to these documents are not routine undertakings and Council is under no obligations to consider such requests. Amendments should only be considered when there is reason to believe that there has been a change to the circumstances since the MPS was adopted or last reviewed, or in cases where circumstances are significantly different from the situations that the Plan anticipated.

The Bedford South/Wentworth SPS and Bedford West SPS were approved at separate times with separate policies, however both SPSs focus higher residential densities and commercial developments around the Larry Uteck Boulevard interchange. Both SPSs envisaged the creation of a transit friendly node around the Larry Uteck Boulevard Interchange yet there is no ability to transfer density around the Larry Uteck Boulevard interchange. It has become apparent that site conditions within Bedford West Sub Area 9 are such that development of certain lands is more difficult than originally anticipated (Map 1-Site A). A large parcel on the Bedford South side is better suited for residential development due to site conditions, proximity to interchange and commercial development (Map 1-Site B). Further, this change has no impact on the existing or planned central services. Staff support the ability to assign land use rights over the entire interchange area, allowing residential land uses to be placed in the most appropriate areas. For this reason, policy for the interchange area should consider the area as a whole rather than as two separate areas.

Proposed MPS/SPS Amendments

The proposed amendments establish a node around the Larry Uteck Boulevard interchange for lands which share similar land uses and service systems (Map 1). The node is established via amendments to the following MPS's and SPS's:

- Bedford MPS
 - Bedford West SPS (Attachment A); and
 - Bedford South SPS (Attachment B).
- Halifax MPS
 - Wentworth SPS (Attachment C); and
 - Bedford West SPS (Attachment D).

The proposed amendments allow the allocation of land uses and densities around the interchange node subject to the following:

- proposed land use to be relocated must be enabled within the SPS for the originating and receiving sites.
- impact on the collection of infrastructure charges;
- the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);
- impact on water and sewer infrastructure; and
- the proposed increase of density does not exceed that which is to be transferred out from the originating SPS area.

Summary

Staff is of the opinion the proposal to change the SPSs to reallocate residential development around the Larry Uteck Boulevard Interchange has merit and have drafted amendments to enable the reallocation of land uses around the interchange (Attachments A, B, C and D). Staff recommends that Regional Council approve the proposed amendments to the Bedford South, Wentworth and Bedford West Secondary Planning Strategies as identified in the recommendation section of the report.

Development Agreement Amendments – Bedford West Sub Area 9

The following matter is the jurisdiction of North West Community Council and Halifax and West Community Council.

In order to enable the transfer of land uses from Bedford West to Bedford South, the existing agreement for Sub Area 9 must be amended to remove 118 dwelling units (265.5 persons). This requires the removal of one building and its conversion to parkland or open space.

During the review of the existing agreement, it was identified that the establishment of a mixed use commercial/residential building, permitted by the existing agreement, may require additional regulatory parameters. Staff suggest the inclusion of specific parameters for mixed use buildings which is essentially the combination of the requirements for commercial and multi-unit dwellings.

In addition, staff have included clauses ensuring that Capital Cost Charges are paid via the Bedford West charge rate prior to any units being transferred. This ensures that there will be no impact on the charges.

Summary

The proposed amending development agreement is attached as Schedule E and staff are satisfied the proposed amendments to the existing development agreement meets the requirements of the existing and proposed Bedford West SPS policies (Attachments H and I) and recommend that North West Community Council and Halifax and West Community Council approve the proposed development agreement amendment for Sub Area 9 as identified in the recommendation section of this report.

Development Agreement Amendments – Cresco Wentworth

The following matter is the jurisdiction of North West Community Council Community Council.

In order to enable the transfer of land uses from Bedford West to Bedford South, the existing agreement for the Cresco Wentworth Lands must be amended to add 118 dwelling units (265.5 persons) from Bedford West Sub Area 9. Additional amendments have been requested by the applicant and several housekeeping amendments have been identified by staff.

Staff offer the following for detailed discussion:

- **Density and Unit Location:** The transfer of density from the Bedford West side of the interchange is enabled by the proposed SPS amendments. The applicant has proposed the density be assigned to a building site between Highway 102 and Starboard Drive. The transfer of the 118 units would enable the construction of two buildings (150 units each) which share a common parking podium. The majority of dwelling units proposed on this site are already enabled through the existing development agreement. The proposed site is approximately 16 acres in size and therefore there is adequate space to accommodate the proposed 12 storey buildings and associated infrastructure. There is also adequate room on the site for the establishment of adequate separation distances to existing and proposed land uses (Maps 6 and 7).
- **Road Layout:** The proposal reconfigures a crescent style street to a cul-de-sac (Road C) which originates from Fleetview Drive. Staff have determined that there are no significant issues with the proposed reconfiguration of this street.
- **Phasing of Starboard Drive:** Concern with the need for the completion of Starboard Drive was identified at the initiation stage of this request. Through the proposed amendments, the applicant has committed to the completion of the portion of Starboard Drive on the developer's lands by October 31, 2015 (Map 3). The agreement prohibits the issuance of additional permits if the street is not complete. The completion of this portion of Starboard Drive will enable the completion of the final section of Starboard Drive on adjacent lands. To date, the developer has completed the sub grade preparation work for Starboard Drive. The development agreement for the adjacent

lands which are owned by Emscote Limited (Case 17082) requires the completion of Starboard Drive as the next phase (Map 3). The developer of these lands has identified they wish to proceed with the completion of their portion of Starboard Drive as soon as possible. Development of this portion of Starboard Drive is contingent upon sewer and water services being provided by the extension of Starboard Drive from the Cresco lands.

- Parkland Relocation: The existing development agreement requires parkland adjacent to Friesian Court (Road D). The applicant has requested a minor relocation of the required parkland to a different location on the street and staff have no issues with the proposed relocation.
- Reduced lot sizes and frontages: The establishment of 34 foot wide lots has taken place in the Bedford West SPS but the request is new to the Bedford South area. Traditional suburban single unit dwellings in the past have had minimum lot frontages of 60 feet (18.3m) and lot sizes of 6,000 square feet (557.4 sq. metres). Due to development costs and changing housing needs, housing options on smaller lots have become more popular. Small lot frontages can vary considerably from between 32 feet (9.75m) to 60 (18.3m) feet with corresponding lot sizes between 3,200 (297.3 sq. metres) and 6,000 square feet (557.4 sq. metres). Currently, the Wentworth SPS broadly does not limit the size of single unit dwelling lots however, the current agreement does not contemplate lots below a minimum of 40 feet (12.2m) and 4,000 square feet (371.6 sq. metres). Lot frontages at 32 feet (9.75m) tend to cause difficulties relating to service installation and parking, but 34 foot (10.36m) wide lots with 3,400 square feet (315.8 sq. metres) of area as previously enabled in Bedford West Sub Areas 3 and 4, appear to provide adequate accommodation of services and parking areas.

The proposed amendments (Attachment F) enable 34 foot (10.36m) wide lots with 3,400 square feet (315.8 sq. metres) of area on local streets such as Transom Drive and Fleetview Drive (Road A). Lots on Starboard Drive are proposed to be 45 feet wide (913.72m) and 4,500 square feet (418 sq. metres) in area. Concerns have been previously raised that enabling 34 foot wide single unit dwelling lots may increase the densities within Wentworth. An increase in the number of single unit dwellings will result in a decrease in other housing types as SPS policy and the existing development agreement require that specific population densities be maintained. No net increase in population densities are achieved through the enabling of small lot frontage single unit dwellings. Staff is satisfied that the request to expand the 34 foot (10.36m) housing type is reasonable and meets the requirements of SPS policies.

- Commercial Land Uses: Community Commercial land uses have been enabled at the corner of Friesian Court as requested (Map 7). During the public meeting it was identified by several members of the public that there was a desire that this category of use not be established. Staff raised this issue with the applicant and they indicated they desired to proceed with the commercial land use. Requirements for building and site design, landscaping and land use have been established in the proposed agreement to minimize the impact on surrounding residential land uses. SPS policies enable commercial developments in this area and staff are satisfied the proposal meets the requirements of SPS policies.
- Linear Trail: The existing agreement includes lands owned by the applicant which contain the Halifax Water trunk line, adjacent Highway 102. At the time of the negotiation of the existing agreement, discussions relating to the use of the waterline and existing maintenance road as a public pathway were discussed, but for various reasons, the use of the waterline as a public trail was not approved. Public comments have lead staff to revisit the issue. Staff consulted with the Parks, Real Estate and Active Transportation groups and all parties saw value in the potential acquisition of these lands. A mechanism for the acquisition of these lands has been included in the proposed amending agreement. Staff wishes to note, however, that this parcel of land is only a portion of the required lands to complete a trail and that additional lands would be required.

- **Capital Cost or Infrastructure Charges:** Charges are collected for future regional infrastructure upgrades in Bedford West and Bedford South/Wentworth. These charges include:
 - Bedford South and Wentworth Infrastructure Charge – for transportation, stormwater and wastewater, paid on a per acre basis with a density adjustment.
 - Bedford West Infrastructure Charge- for Transportation – paid on a per acre basis
 - Bedford West Infrastructure Charge for Sewer and Water – Established by the NS Utility and Review Board (NSUARB) paid on a per acre basis with a density adjustment

The transfer of density has the potential to negatively affect infrastructure charges as there is not a direct relationship between charges and the charges are collected based on different formulas. Staff have reviewed the situation with Halifax Water and Planning and Infrastructure and determined that the primary issue is to ensure that revenues collected remain the same as collected prior to the density transfer, or in other words to remain revenue neutral. Through the proposed amendments (Attachment F), staff have exempted the developer from an increase in charges for the Wentworth site as fees for the 118 transferred units are already being collected via existing Bedford West rates. This ensures infrastructure charges are collected at budgeted levels. Halifax Water has indicated that payment for the transferred density should be made via the existing assumptions (Bedford West Sub Area 9 rates) and via their administration (Attachment K).

Summary

Staff are satisfied that the proposed amendments to the existing development agreement meet the requirements of the existing and proposed Wentworth SPS policies (Attachment G) and recommend that North West Community Council approve the proposed development agreement amendment for the Cresco Wentworth lands as identified in the recommendation section of this report.

North West Planning Advisory Committee

This application was presented to the North West Planning Advisory Committee (NWPAC) on December 4, 2013. The Committee passed a motion in general support of the proposed amendments to transfer the 118 units and conversion of the land to parkland or open space. The minutes of the meeting and the recommendations of the NWPAC are provided to Council by means of a separate report.

Conclusion

The proposal to amend existing SPS policies to enable the reallocation of land uses around the Larry Uteck Boulevard has merit. Further the proposed amending development agreements meet the requirements of proposed and existing MPS/SPS policies. Staff recommends that Regional Council, North West Community Council and Halifax and West Community Council approve the proposed amendments to the Bedford West SPS, Bedford South SPS and Wentworth SPS and the Sub Area 9 and Cresco's Wentworth development agreements as identified in the recommendation section of this report.

FINANCIAL IMPLICATIONS

The proposed changes involve the collection of Capital Cost Contributions. The proposed amendments (Attachment F) and the Subdivision By-law ensure the collection of such charges is managed to ensure revenue neutrality. As the changes do not appear to have an impact on the collection of Capital Costs Charges for Bedford West or Wentworth charge areas, there are no budget 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 approved budget with existing resources.

COMMUNITY ENGAGEMENT

The *HRM Charter* requires that Council approve a public participation program when considering any amendment to an MPS. In February of 1997, Regional Council approved a public participation resolution which outlines the process to be undertaken for proposed MPS amendments which are considered to be

local in nature. This requires a public meeting be held, at a minimum, and any other measures deemed necessary to obtain public opinion.

In accordance with Regional Council's Public Participation Program for MPS amendments, a public meeting was held on April 7, 2014. Notice of the Public Information Meetings was posted on the HRM Website, in the newspaper, and mailed to property owners in within the notification area as shown on Map 8. Minutes of the meeting are attached as Attachment J. The meeting served as an opportunity for residents to comment and discuss the proposed amendments.

Prior to considering the approval of any MPS amendments, Regional Council must hold a public hearing. Likewise, North West Community Council and Halifax and West Community Council must hold a public hearing before it can consider approving a development agreement. Under these circumstances, and because of the relationship of the proposed amendments to the proposed development agreement, it is recommended that all three Councils proceed with a joint public hearing.

Should Regional Council, North West Community Council and Halifax and West Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, individual property owners within the notification area shown on Map 8 will be advised of the public hearing by regular mail. The HRM website will also be updated to indicate notice of the public hearing.

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 SPS and there are no environmental implications beyond those identified in the Discussion section of this report.

ALTERNATIVES

The North West Community Council could recommend that Regional Council:

1. Refuse the proposed amendment to the SPS's for Bedford West, Bedford South and Wentworth, as provided in Attachments A, B, and C of this report. This is not recommended. A decision of Council to refuse the proposed amendments is not appealable.

The North West Community Council could:

1. Choose to refuse to approve the amending agreements, as contained in Attachments E and F, and, in doing so, must provide reasons why the agreement does not reasonably carry out the intent of the MPS. This is not recommended. A decision of Council to reject this amending agreement, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Choose to approve the proposed amending agreement subject to modifications. This may necessitate further negotiation with the applicant and may require an additional public hearing.

The Halifax and West Community Council could recommend that Regional Council:

1. Choose to refuse the proposed amendment to the SPS for Bedford West, as provided in Attachment D of this report. This is not recommended. A decision of Council to refuse the proposed amendments is not appealable.

The Halifax and West Community Council could:

1. Choose to refuse to approve the amending agreement, as contained in Attachment E, and, in doing so, must provide reasons why the agreement does not reasonably carry out the intent of the MPS. This is not recommended. A decision of Council to reject this amending agreement, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Choose to approve the proposed amending agreement subject to modifications. This may necessitate further negotiation with the applicant and may require an additional public hearing.

ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Zoning
Map 3	Starboard Drive
Map 4	Bedford West Sub Area Map
Map 5	Bedford South Neighbourhood Map
Map 6	Bedford West Sub Area 9 Proposed Concept Plan
Map 7	Wentworth Cresco Lands Proposed Concept Plan
Map 8	Notification Area
Attachment A	Amendments to the Bedford West SPS – Bedford MPS
Attachment B	Amendments to the Bedford South SPS – Bedford MPS
Attachment C	Amendments to the Wentworth SPS – Halifax MPS
Attachment D	Amendments to the Bedford West SPS – Halifax MPS
Attachment E	Amendments to the Bedford West Sub Area 9 Development Agreement
Attachment F	Amendments to the Wentworth Cresco Lands Development Agreement
Attachment G	Development Agreement Policy Review–Bedford South Cresco Lands-Wentworth MPS
Attachment H	Development Agreement Policy Review–Bedford West Cresco Lands- Bedford MPS
Attachment I	Development Agreement Policy Review–Bedford West Cresco Lands – Halifax MPS
Attachment J	North West Planning Advisory Committee Public Meeting Minutes – April 7, 2014
Attachment K	Halifax Water Letter – CCC Charges

AVAILABLE UPON REQUEST

Staff Report – Wentworth Development Agreement (Case 01194)

Staff Report – Bedford West Sub Area 9 (Case 16666)

Initiation Report – Case 18514

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: Andrew Bone, Senior Planner, 490-6743

Original Signed

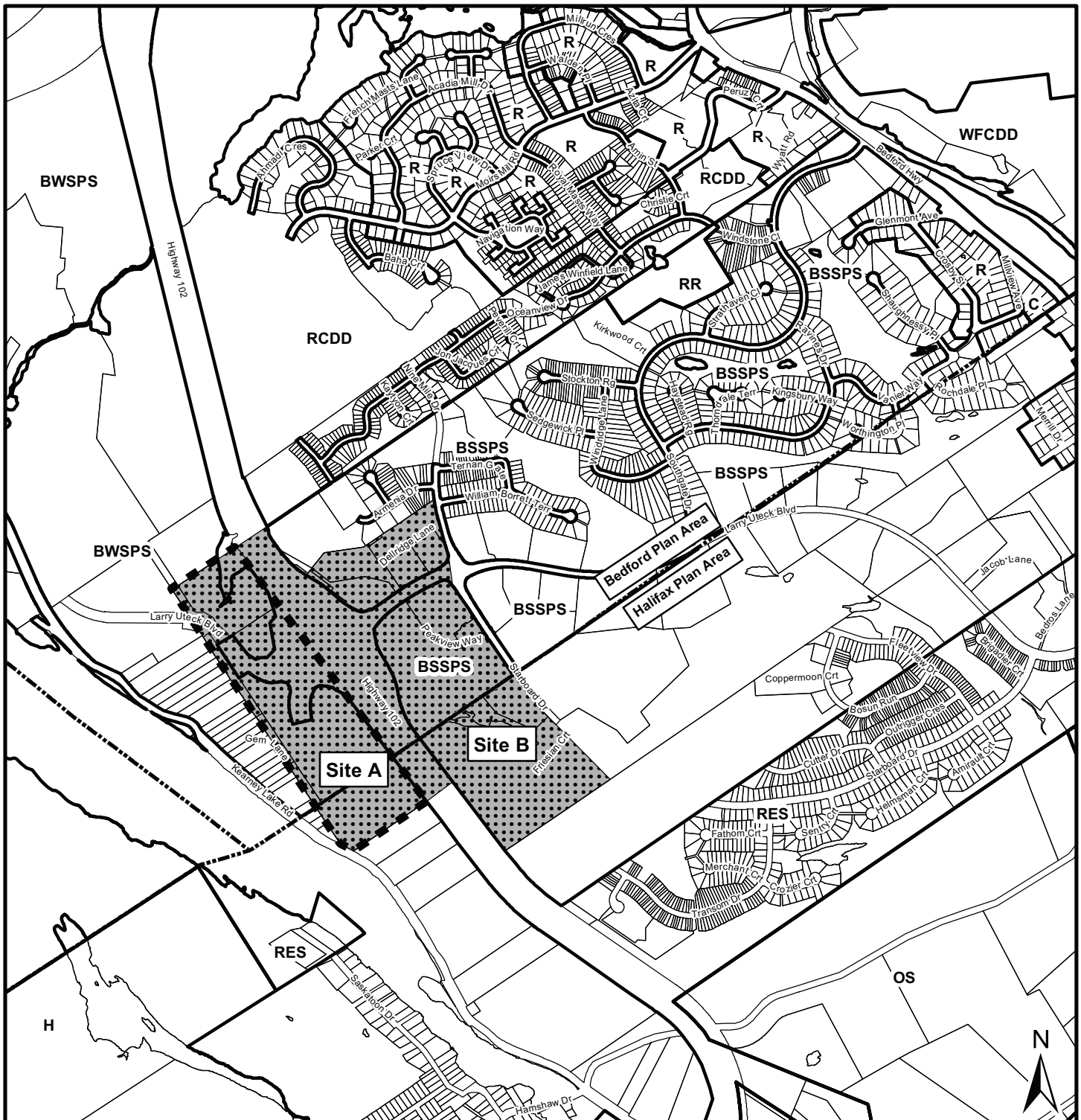
Report Approved by:

 Kelly Denty, Manager of Development Approvals, 490-4800

Original Signed


Report Approval by:


 for: Bob Bjerke, Chief Planner, 490-1627



Map 1 - Generalized Future Land Use

Bedford West and Bedford South

 Area of proposed amendments

 Community plan boundary

Bedford Plan Area
Halifax Plan Area

Designation - Bedford

R Residential
RR Residential Reserve
C Commercial
RCDD Residential Comprehensive Development District
WFCDD Waterfront Comprehensive Development District
BSSPS Bedford South Secondary Planning Strategy
BWSPS Bedford West Secondary Planning Strategy

Designation - Halifax

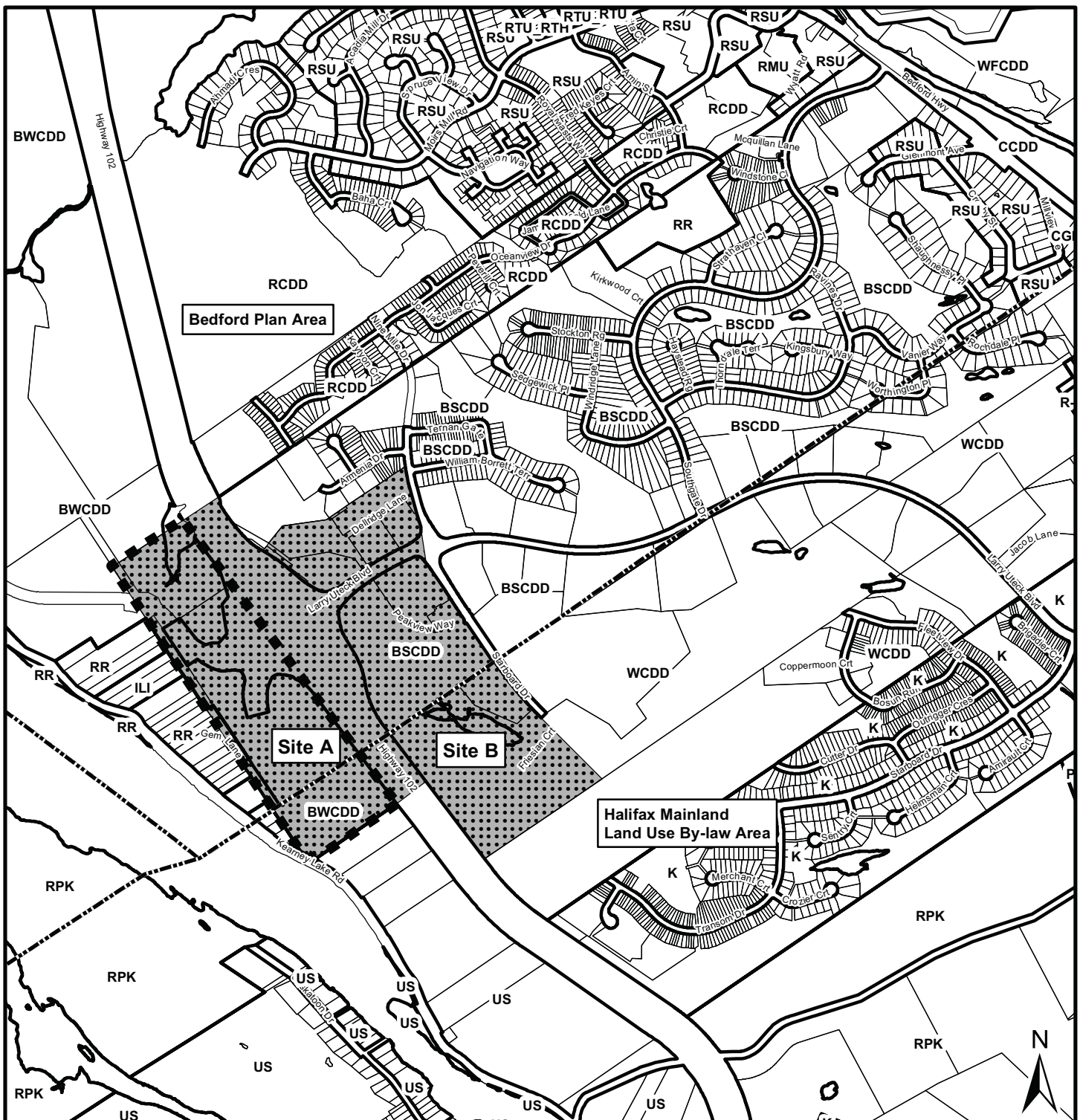
RES Residential Environments
H Holding Area
OS Major Community Open Spaces
BWSPS Bedford West Secondary Planning Strategy
WSPS Wentworth Secondary Planning Strategy

HALIFAX

0 200 400 m

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

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



Map 2 - Zoning

Bedford West and Bedford South

Area of proposed amendments

Land use by-law area boundary

Bedford Plan Area
Halifax Mainland Land Use By-Law Area

Zone - Bedford

RSU Single Dwelling Unit
RTU Two Dwelling Unit
RMU Multiple Dwelling Unit
RTH Townhouse
RR Residential Reserve
ILI Light Industrial
CGB General Business District
SI Institutional
RCDD Residential CDD
CCDD Commercial CDD
WFCDD Waterfront CDD
BSCDD Bedford South CDD
BWCCD Bedford West CDD

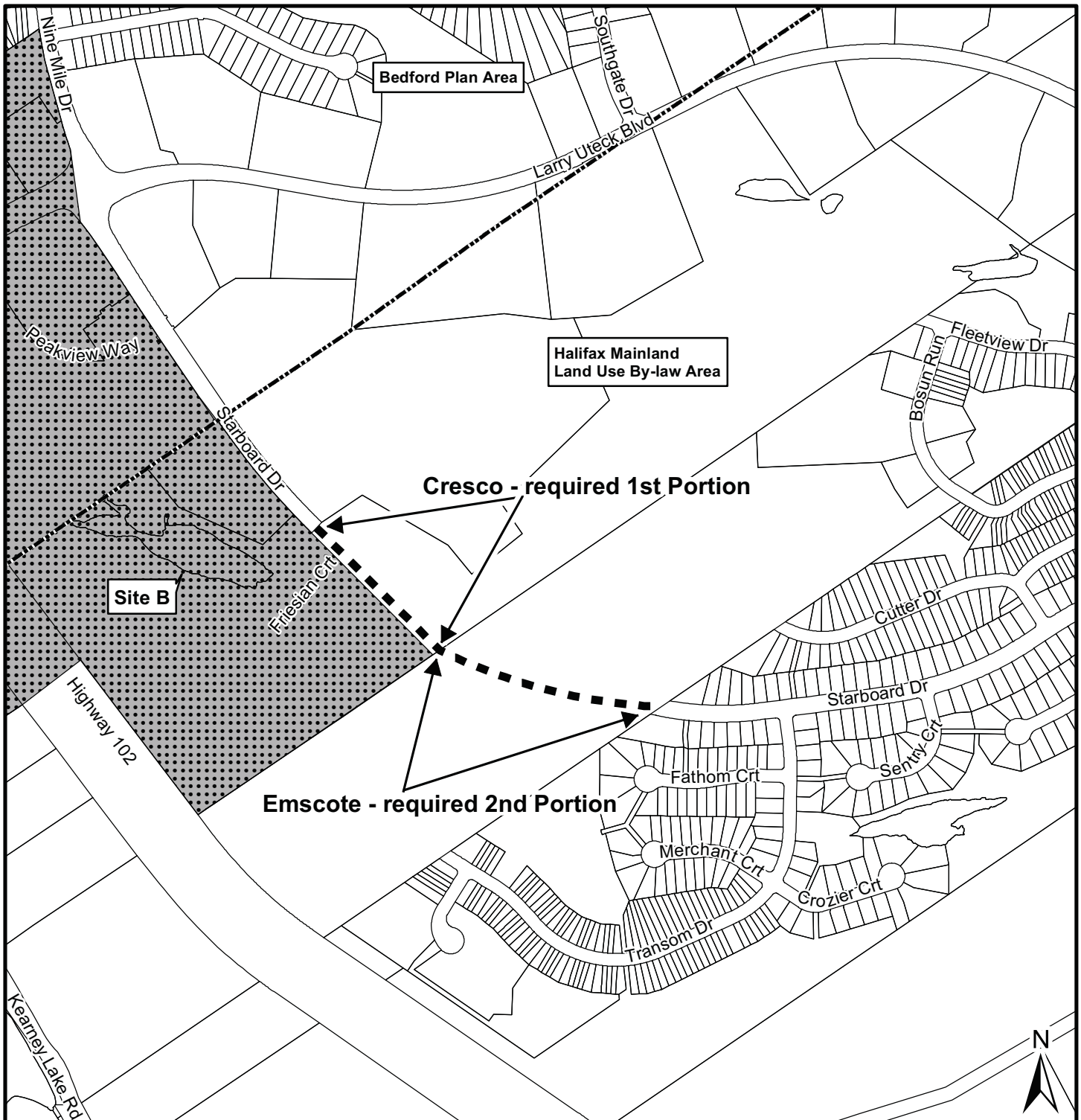
Zone - Halifax Mainland

R-1 Single Family
K Schedule K
P Park and Institutional
RPK Regional Park
US Urban Settlement
WCDD Wentworth CDD

0 200 400 m

This map is an unofficial reproduction of a portion of the Zoning Map for the plan areas indicated.


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




Map 3 - Starboard Drive

Bedford West and Bedford South

HALIFAX

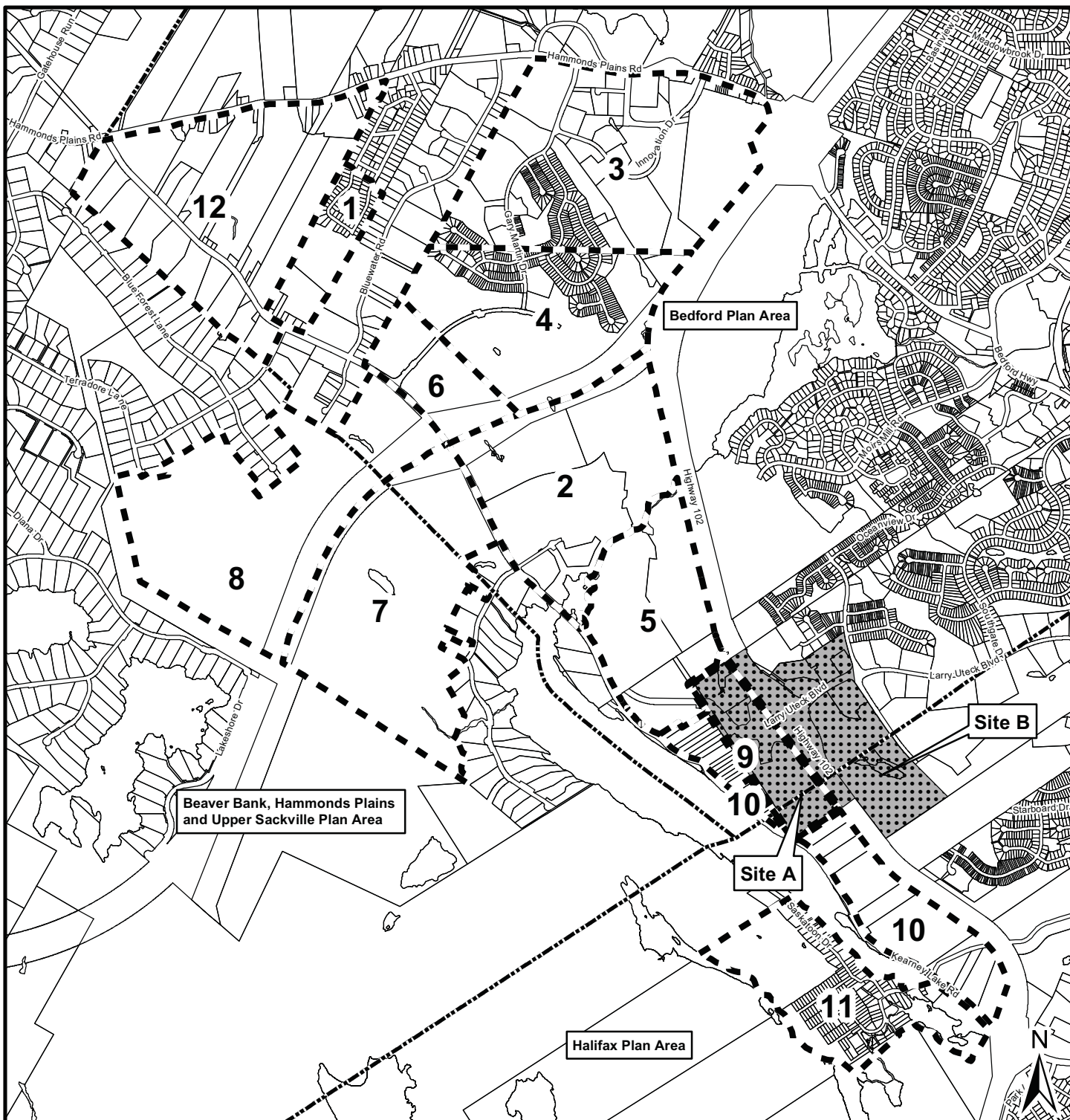
 Area of proposed amendments

0 100 200 m




Bedford Plan Area
Halifax Plan Area


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




Map 4 - Bedford West Sub-Areas

Bedford West and Bedford South

 Area of proposed amendments

 Bedford West Sub-Areas

 Community plan boundary

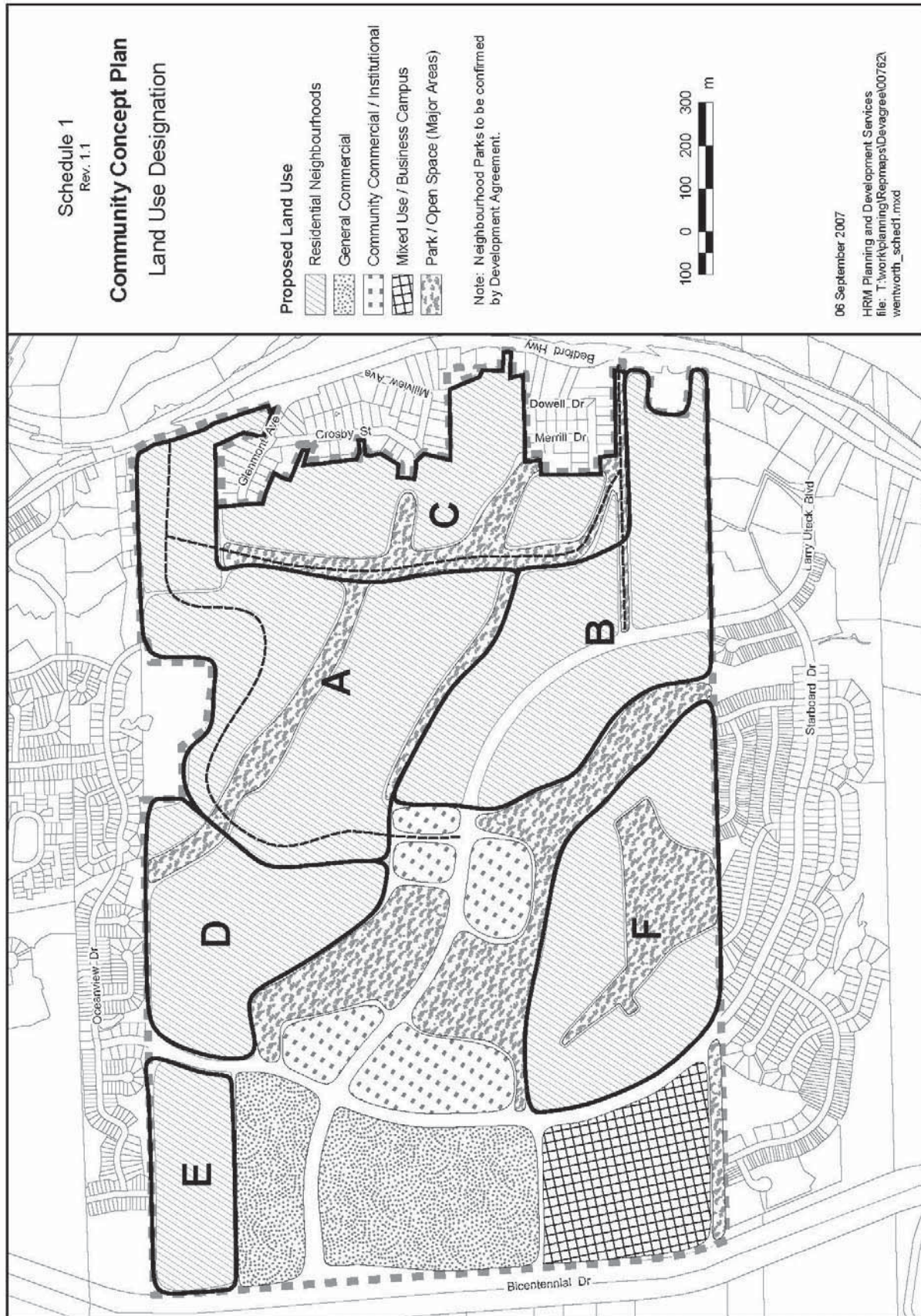
Bedford Plan Area
Halifax Plan Area

HALIFAX

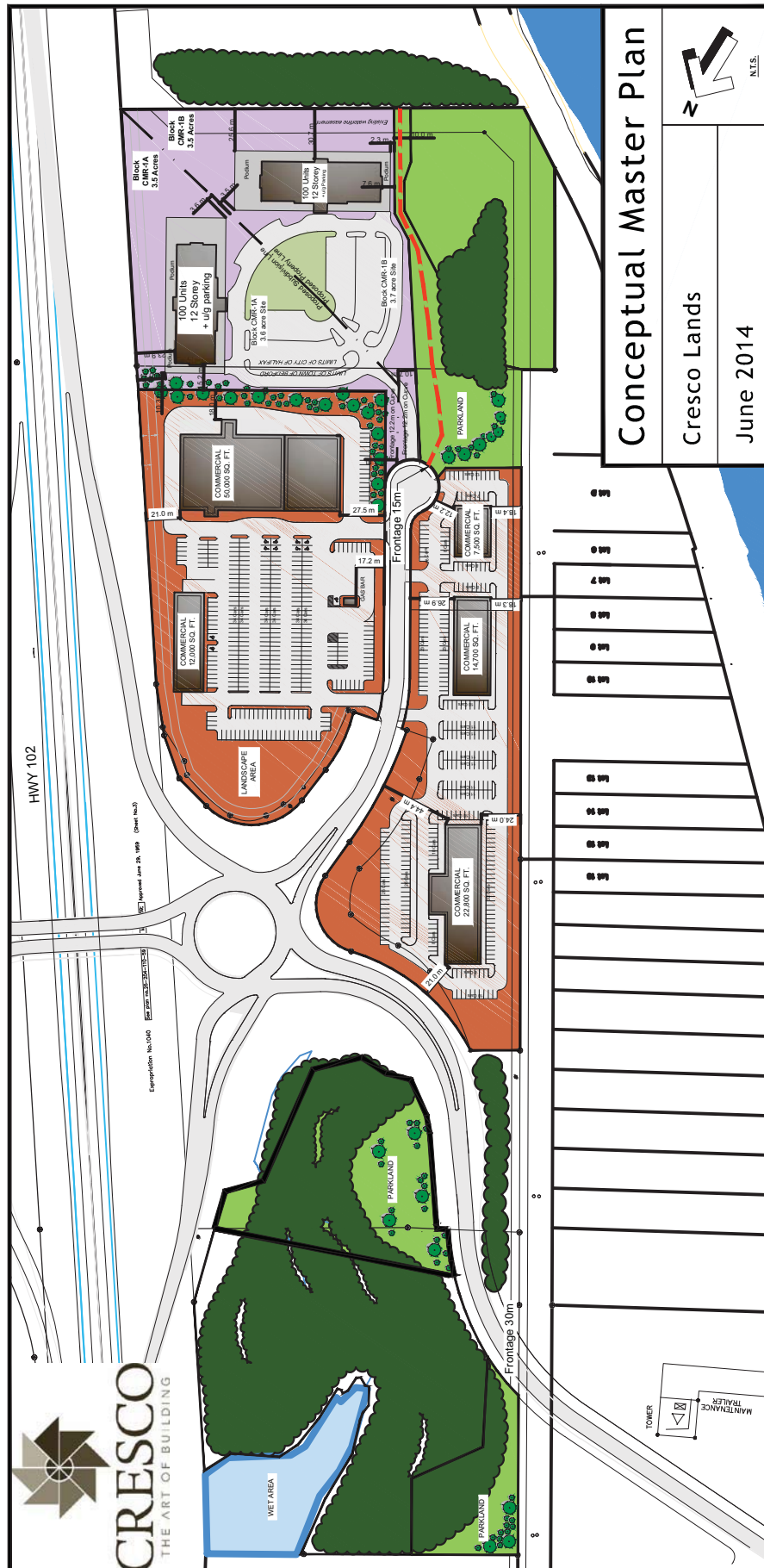
0 200 400 600 m

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

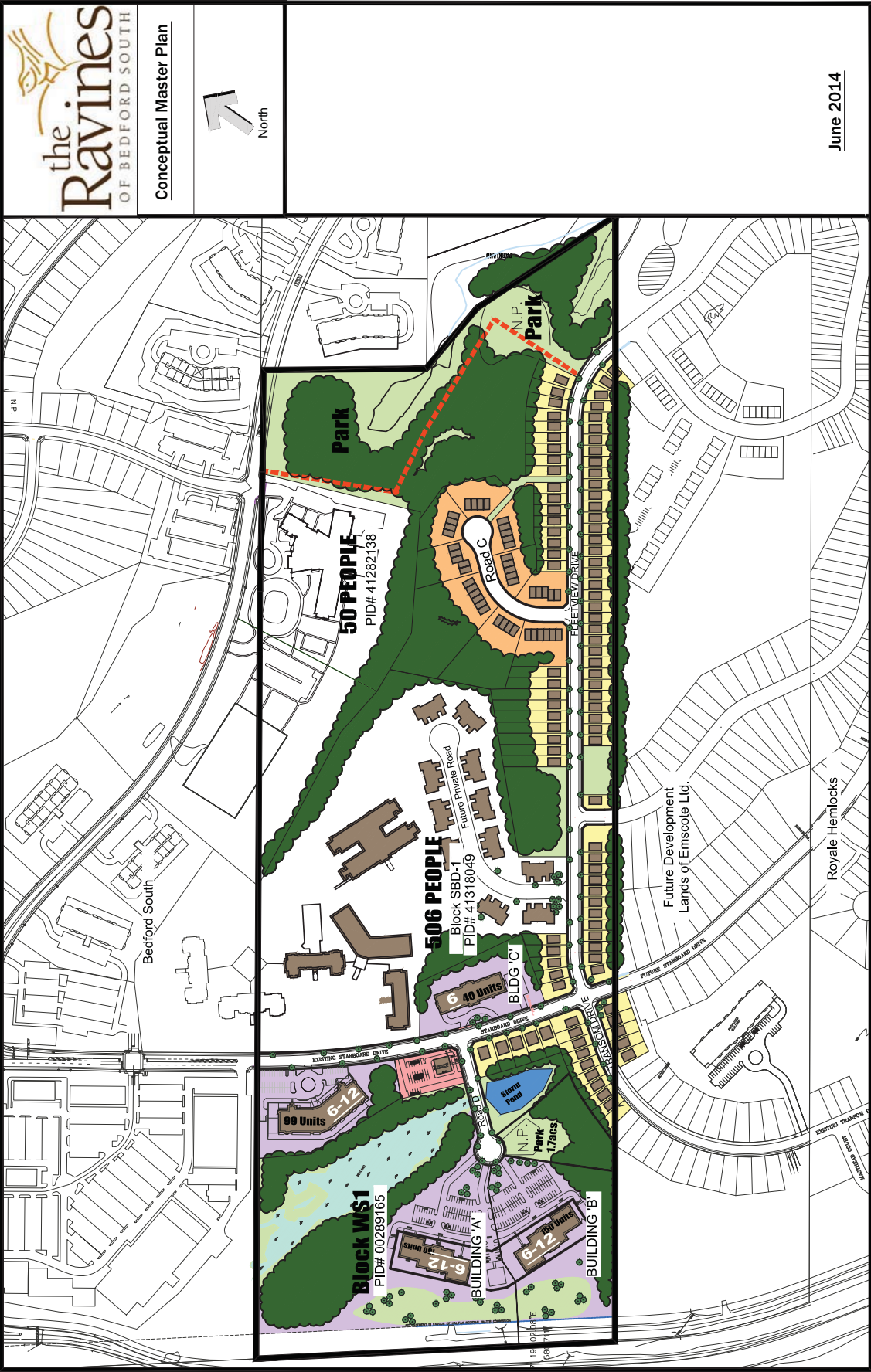
Map 5 – Bedford South Community Concept Plan

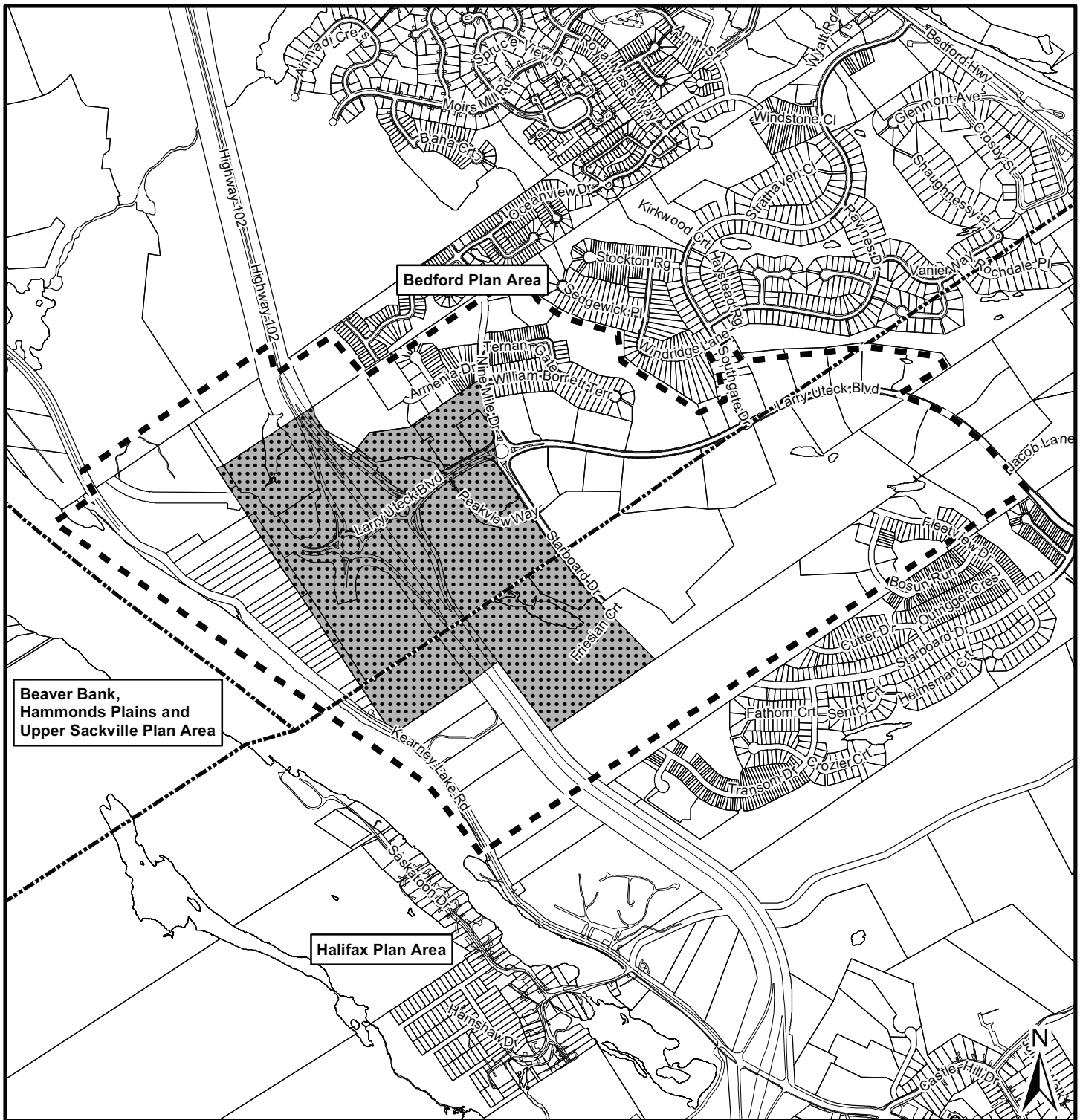


Schedule K



Map 7
Wentworth Cresco Lands Proposed Concept Plan








Map 8 - Notification Area

Bedford West and Bedford South

HALIFAX

 Area of proposed amendments

 Area of notification

 Community plan boundary

Bedford Plan Area
Halifax Plan Area

0 200 400 m

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

Attachment A
Amendments to the Bedford West SPS – Bedford MPS

BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Bedford as adopted by the Bedford Town Council on the 26th day of March, 1996, and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [INSERT DATE OF HEARING], is hereby amended as follows:

1. The following text, located within the Bedford West Secondary Planning Strategy, shall be added after Policy BW-40:

“The establishment of land uses around the Larry Uteck Boulevard interchange at Highway 102 has highlighted the need to ensure development around the interchange located in both Bedford West and Bedford South/Wentworth area is planned in a comprehensive manner considering development on both sides of the interchange. Both Secondary Planning Strategies enable a mix of commercial and multiple unit residential land uses in the vicinity of the interchange. As proximate development uses the same infrastructure, it is the intention of Council to create a node around the interchange where there is flexibility in the siting of uses so that land uses may be established in appropriate locations.

BW-40A:

Within the Sub Area 9 and the adjacent Bedford South/Wentworth Secondary Planning Strategy areas it shall be the intention to establish a land use node as identified in Schedule BW-8. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:

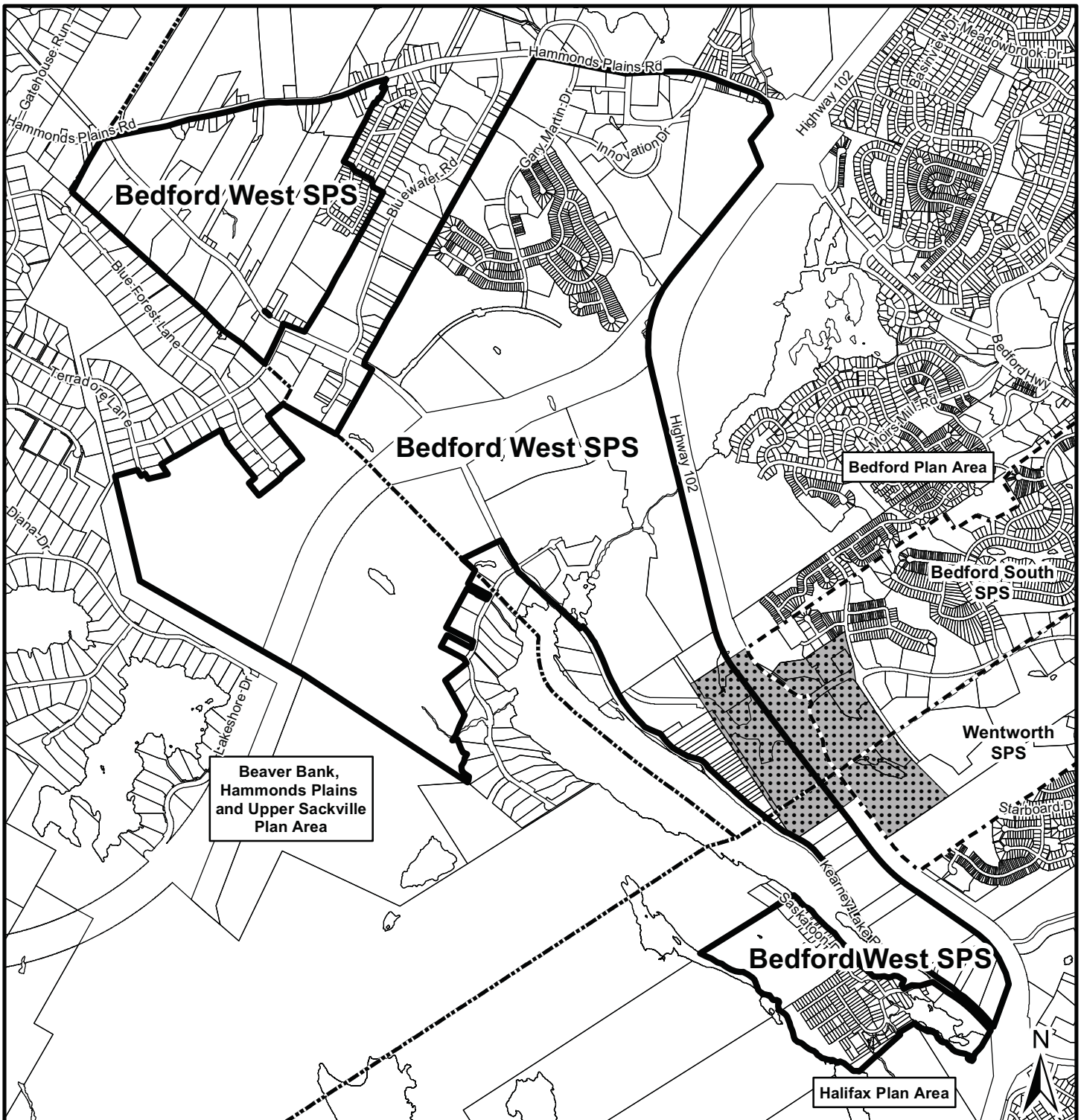
- a) the proposed land use to be relocated must be enabled within the Bedford West Secondary Planning Strategy portion of the node and the Bedford South/Wentworth portion of the node;*
- b) the collection of infrastructure charges;*
- c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);*
- d) the impact on water and sewer infrastructure;*
- e) that the proposed increase of density does not exceed that transferred out from the Bedford South and/or Wentworth Secondary Planning Strategies.*

2. The Bedford West Secondary Planning Strategy shall be amended by adding Schedule BW-8, attached as Schedule A-1 following Schedule BW-8.

THIS IS TO CERTIFY that the Municipal Planning Strategy of Bedford which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council on the _____ day of _____, 2014.

GIVEN under the hands of the Municipal Clerk and under the
Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2014.


Cathy Mellett
Municipal Clerk




Schedule BW-8 - Larry Uteck Interchange Node

Bedford West Secondary Plan Area

HALIFAX

 Larry Uteck Interchange Node

 Community plan boundary

Bedford Plan Area

Halifax Plan Area

Beaver Bank, Hammonds Plains and Upper Sackville Plan Area

0 200 400 600 m

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

Attachment B
Amendments to the Bedford South SPS – Bedford MPS

BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Bedford as adopted by the Bedford Town Council on the 26th day of March, 1996, and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [INSERT DATE OF HEARING], is hereby amended as follows:

1. The following text shall be added after Policy GC-1 located within the Bedford South Secondary Planning Strategy,:

“The establishment of land uses around the Larry Uteck Boulevard interchange at Highway 102 has highlighted the need to ensure development around the interchange located in both Bedford West and Bedford South/Wentworth area is planned in a comprehensive manner considering development on both sides of the interchange. Both Secondary Planning Strategies enable a mix of commercial and multiple unit residential land uses in the vicinity of the interchange. As proximate development uses the same infrastructure, it is the intention of Council to create a node around the interchange where there is flexibility in the siting of uses so that land uses may be established in appropriate locations.

Policy GC-2

Within the Bedford South/Wentworth Secondary Planning Strategy and the adjacent Bedford West Secondary Planning Strategy area it shall be the intention to establish a land use node as identified in Schedule V. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:

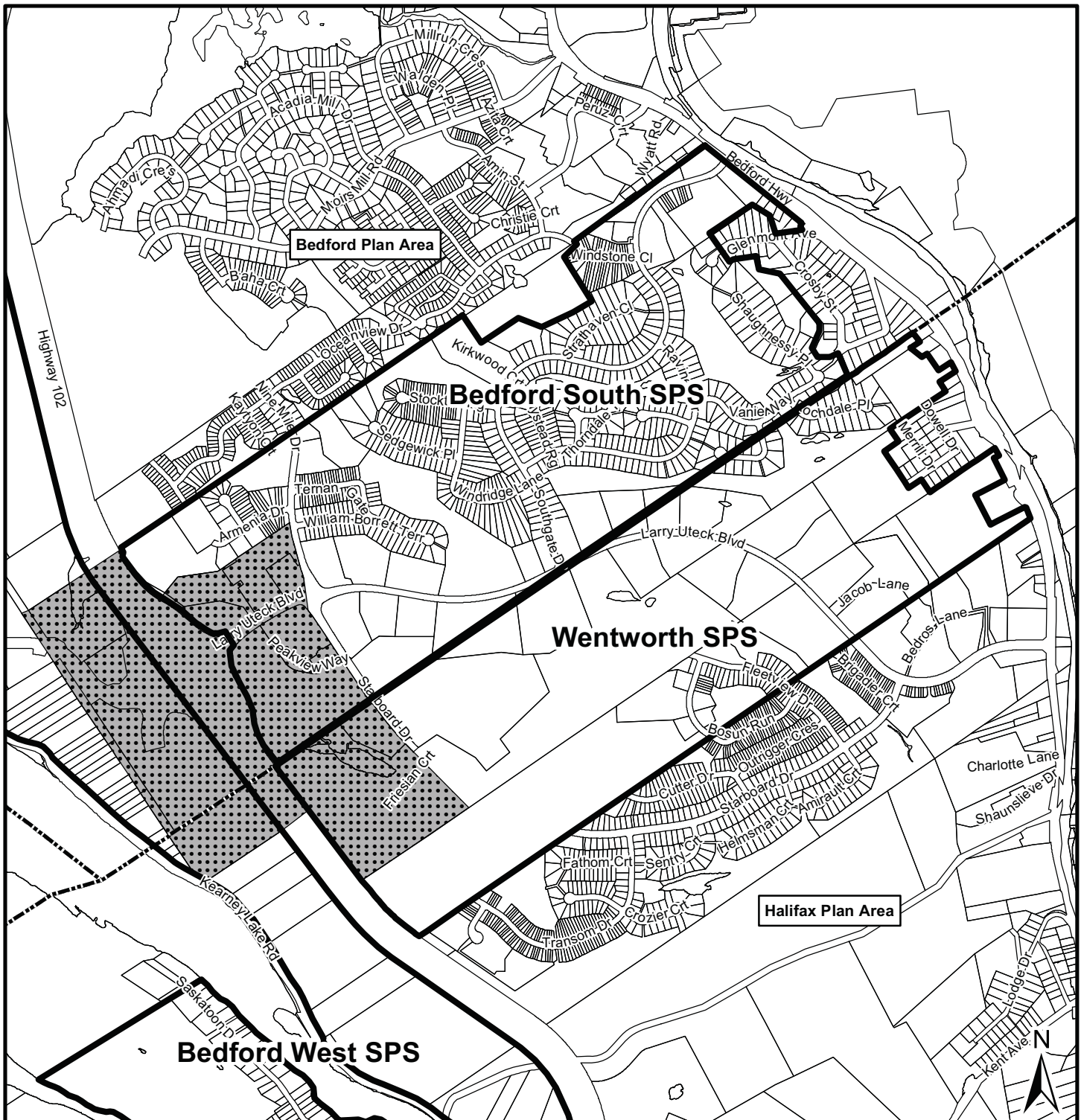
- a) the proposed land use to be relocated must be enabled within the Bedford South Secondary Planning Strategy portion of the node and the Bedford West portion of the node;*
- b) the collection of infrastructure charges;*
- c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);*
- d) the impact on water and sewer infrastructure;*
- e) that the proposed increase of density does not exceed that transferred out from the Bedford West and/or Wentworth Secondary Planning Strategies.”*

2. The Bedford South Secondary Planning Strategy shall be amended by adding Schedule V, attached as Schedule B-1 following Schedule IV.

THIS IS TO CERTIFY that the Municipal Planning Strategy of Bedford which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council on the _____ day of _____, 2014.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2014.

Cathy Mellett
Municipal Clerk




Schedule V - Larry Uteck Interchange Node

Bedford South SPS , Wentworth SPS and Bedford West SPS


HALIFAX

 Larry Uteck Interchange Node

 Community plan boundary

Bedford Plan Area
Halifax Plan Area

0 200 400 m



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

Attachment C
Amendments to the Wentworth SPS – Halifax MPS

BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Halifax as adopted by the former City Council on the 30th day of March, 1978, and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [INSERT DATE OF HEARING], is hereby amended as follows:

1. The following text, located within the Wentworth Secondary Planning Strategy, shall be added after Policy MUBC-2:

“The establishment of land uses around the Larry Uteck Boulevard interchange at Highway 102 has highlighted the need to ensure development around the interchange located in both Bedford West and Bedford South/Wentworth area is planned in a comprehensive manner considering development on both sides of the interchange. Both Secondary Planning Strategies enable a mix of commercial and multiple unit residential land uses in the vicinity of the interchange. As proximate development uses the same infrastructure, it is the intention of Council to create a node around the interchange where there is flexibility in the siting of uses so that land uses may be established in appropriate locations.

MUBC-3

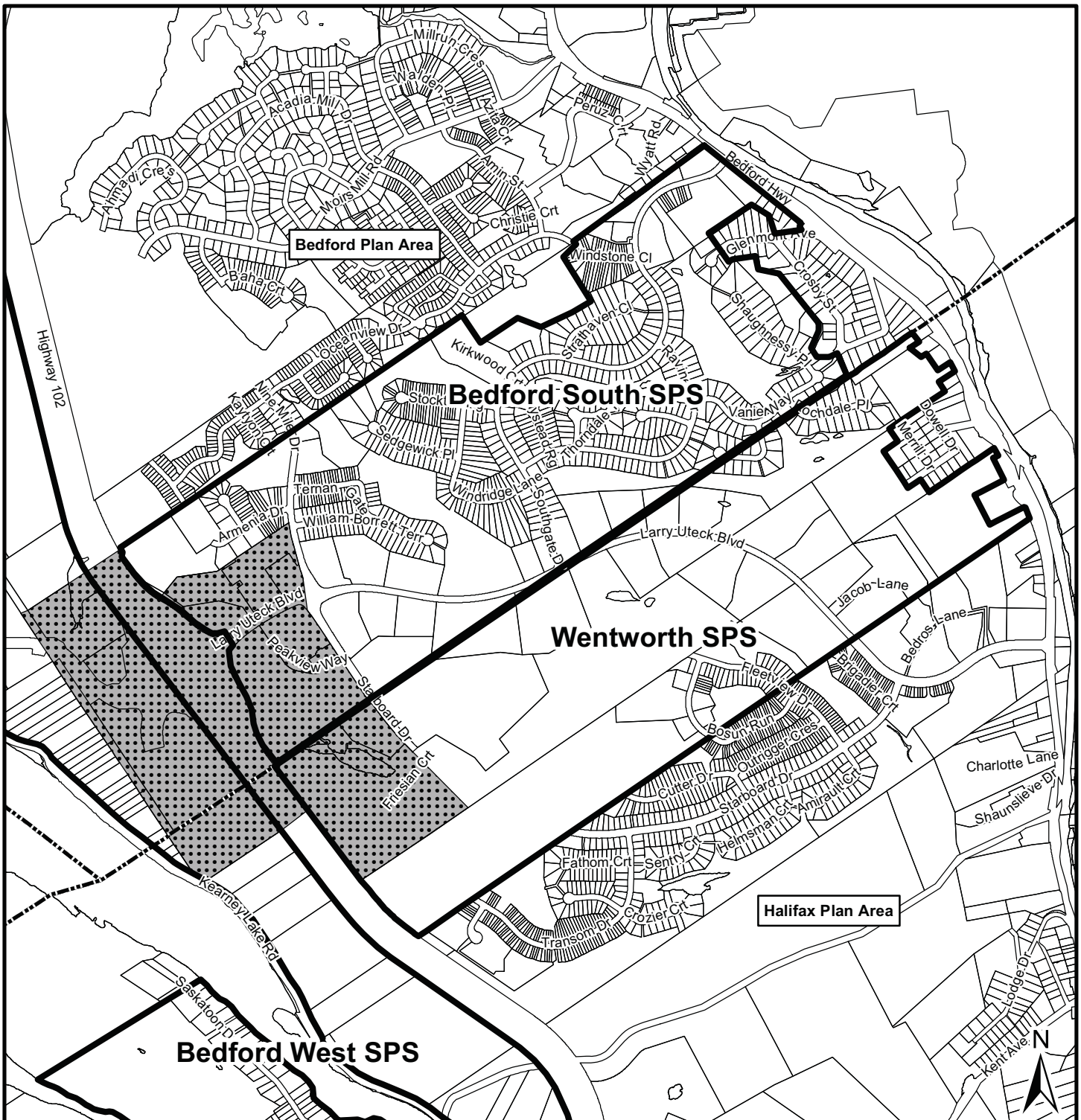
Within the Wentworth and/ Bedford South Secondary Planning Strategies and the adjacent Bedford West Secondary Planning Strategy area it shall be the intention to establish a land use node as identified in Schedule V. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:

- a) the proposed land use to be relocated must be enabled within the Wentworth/ Bedford South Secondary Planning Strategies portion of the node and the Bedford West portion of the node;*
 - b) the collection of infrastructure charges;*
 - c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);*
 - d) the impact on water and sewer infrastructure;*
 - e) that the proposed increase of density does not exceed that transferred out from the Bedford South and/or Bedford West Secondary Planning Strategies.”*
2. The Wentworth Secondary Planning Strategy shall be amended by adding Schedule V, attached as Schedule C-1 following Schedule IV.

THIS IS TO CERTIFY that the Municipal Planning Strategy of Halifax which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council on the _____ day of _____, 2014.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2014


Cathy Mellett
Municipal Clerk




Schedule V - Larry Uteck Interchange Node

Bedford South SPS , Wentworth SPS and Bedford West SPS


HALIFAX

 Larry Uteck Interchange Node

 Community plan boundary

Bedford Plan Area
Halifax Plan Area

0 200 400 m



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

Attachment D
Amendments to the Bedford West SPS – Halifax MPS

BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Halifax as adopted by the former City Council on the 30th day of March, 1978, and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [INSERT DATE OF HEARING], is hereby amended as follows:

1. The following text shall be added after Policy BW-21F located within the Bedford West Secondary Planning Strategy,:

“The establishment of land uses around the Larry Uteck Boulevard interchange at Highway 102 has highlighted the need to ensure development around the interchange located in both Bedford West and Bedford South/Wentworth area is planned in a comprehensive manner considering development on both sides of the interchange. Both Secondary Planning Strategies enable a mix of commercial and multiple unit residential land uses in the vicinity of the interchange. As proximate development uses the same infrastructure, it is the intention of Council to create a node around the interchange where there is flexibility in the siting of uses so that land uses may be established in appropriate locations.

Policy BW-21G

Within the Bedford West Secondary Planning Strategy and the adjacent Bedford South and Wentworth Secondary Planning Strategy areas it shall be the intention to establish a land use node as identified in Schedule BW-8. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:

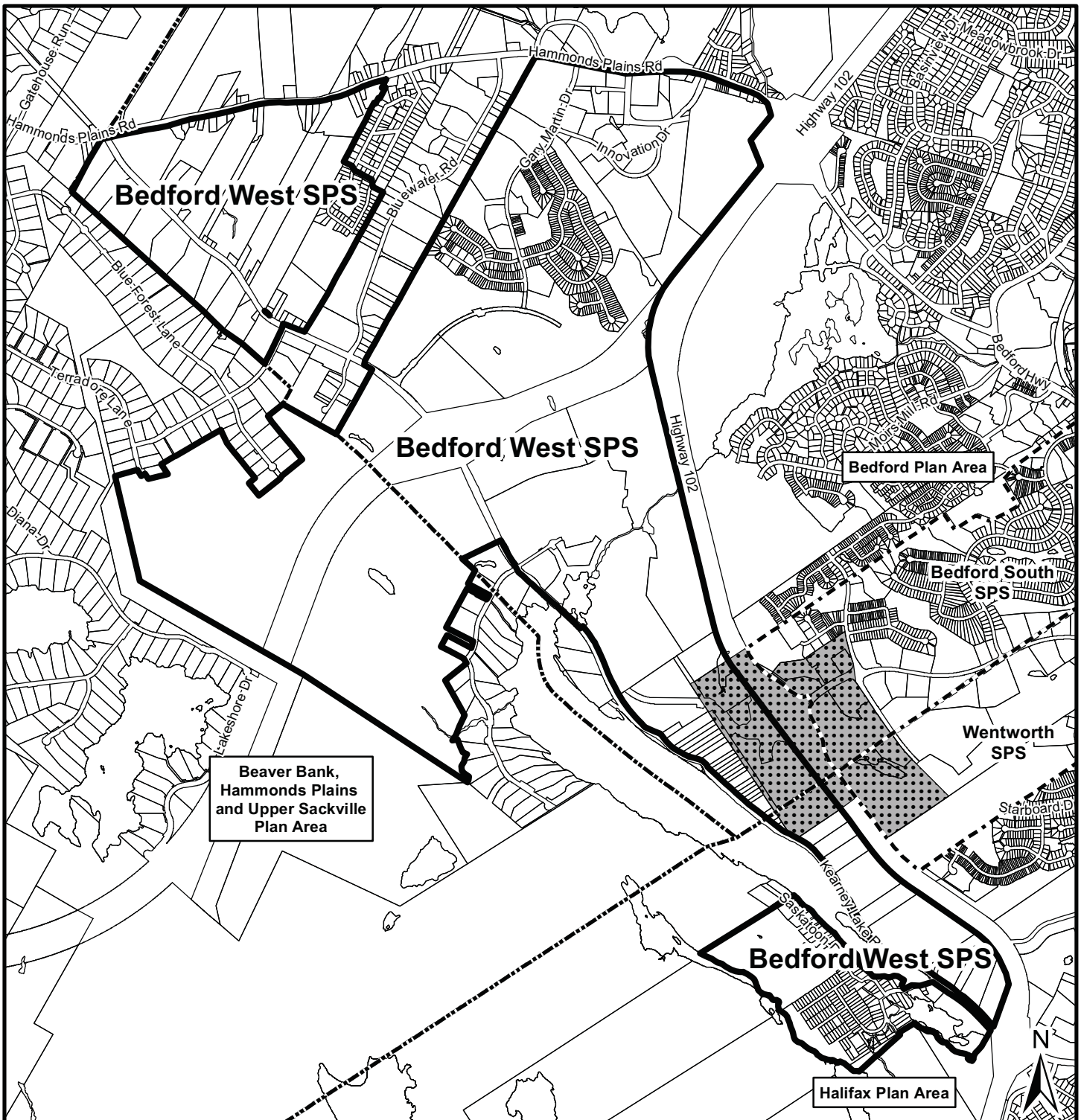
- a) the proposed land use to be relocated must be enabled within the Bedford West portion of the node and the Bedford South and Wentworth Secondary Planning Strategy portions of the node;*
- b) the collection of infrastructure charges;*
- c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);*
- d) the impact on water and sewer infrastructure;*
- e) the proposed increase of density does not exceed that transferred out from the Bedford South and/or Wentworth Secondary Planning Strategies.”*

2. The Bedford West Secondary Planning Strategy shall be amended by adding Schedule BW-8, attached as Schedule D-1 following Schedule BW-7.

THIS IS TO CERTIFY that the Municipal Planning Strategy of Halifax which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council on the _____ day of _____, 2014.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2014.

Cathy Mellett
Municipal Clerk



Schedule BW-8 - Larry Uteck Interchange Node

Bedford West Secondary Plan Area

HALIFAX



Larry Uteck Interchange Node



Community plan boundary

Bedford Plan Area
Halifax Plan Area

0 200 400 600 m

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

Attachment E
Amendments to the Bedford West Sub Area 9 Development Agreement

THIS AMENDING AGREEMENT made this day of , 2014

BETWEEN:

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

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY,
a municipal body corporate,
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS Cresco Holdings Limited and Halifax Regional Municipality previously entered into an agreement to allow for development of a residential mixed use subdivision at Sub Area 9 Bedford West, Kearney Lake Road, Bedford, the said Agreement being recorded at the Registry of Deeds at Halifax as Document 100634063 (hereinafter called the "Existing Agreement") (referenced as Municipal Case Number 16666);

AND WHEREAS the Developer requested to amend the Existing Agreement to permit the transfer of 118 dwelling units from Bedford West Sub Area 9 to Cresco's Wentworth Lands by entering into this amending agreement (hereinafter called the First Amending Agreement) (referenced as Municipal Case Number 18514); and

AND WHEREAS the North West Community Council and Halifax and West Community Council of Halifax Regional Municipality, at its meeting on the [INSERT DATE OF DECISION], approved this request;

WITNESSETH THAT in consideration to the granting by the Municipality of this Amending Agreement requested by the Developer, the Developer agrees as follows:

1. The Existing Agreement shall be amended by adding the following text after Section 2.2(f):

 “(g) “Private Open Space” means any land which is in private ownership and that remains undeveloped and has no buildings or other built structures upon it.”

2. The Existing Agreement shall be amended by deleting the text “318” in Section 3.3.2 and replacing it with the text “200”.
3. The Existing Agreement shall be amended by adding the text “Building lots shown on the schedules are conceptual in nature, the exact quantity and location of lots are not defined by this agreement and are subject to the lot provisions in Section 3.4.” to Section 3.3.4 after the text “of this agreement.”.
4. The Existing Agreement shall be amended by deleting the text “and Q” from Sections 3.4.1(a).
5. The Existing Agreement shall be amended by deleting the text “except the podium identified on Schedule Q shall be setback and configured in a manner, which in the opinion of the Development Officer, precludes a disturbance of the riparian buffer during construction” in Section 3.4.1a).
6. The Existing Agreement shall be amended by deleting both occurrences of the text “and Q” in Section 3.4.1a)iv.).
7. The Existing Agreement shall be amended by deleting the text “and Q” in Section 3.4.1a)v.).
8. The Existing Agreement shall be amended by deleting the text “or Q” in Section 3.4.1b).
9. The Existing Agreement shall be amended by adding Section 3.4.2A as follows after Section 3.4.2:

“3.4.2A Notwithstanding Schedule B and K, N and P, nothing in this agreement shall prevent the establishment of mixed use, residential and commercial, developments on Block CMR-1. For mixed use developments no subdivision approval or municipal development permit shall be granted for any mixed use development except in accordance with the following provisions:

- | | | |
|-----|-----------------------|-------------------------------------------------------------------------------------|
| (a) | Minimum lot frontage: | 30.48 metres (100 feet) |
| (b) | Minimum lot area: | 929 square metres (10,000 square feet). |
| (c) | Minimum front yard: | 4.57metres (15 feet) or one half the height of the building, whichever is greater. |
| (d) | Minimum side yard: | 4.57metres (15 feet) or one half the height of the building, whichever is greater. |
| (e) | Minimum rear yard: | 4.57 metres (15 feet) or one half the height of the building, whichever is greater. |

- (f) Minimum flankage yard: 4.57metres (15 feet); 7.6 metres (25 feet) vision triangle for corner lots)
- (g) Maximum lot coverage: 50%
- (h) Building height 12 storeys facing Road A
- (i) Commercial development within mixed use buildings shall not be located above the second storey.
- (j) for residential land uses, underground parking shall be provided to satisfy a minimum of fifty percent (50)% of the parking requirements of the Land Use By-Law.
- (k) the residential portion of the building conforms with the architectural design criteria for apartment buildings under Schedule I; and
- (l) the commercial portion of the development conforms with the General Commercial Guidelines and Requirements and General Commercial Uses under Schedules G and H.”

10. The Existing Agreement shall be amended by adding the following text after Section 3.6.5:

“3.6.6 Notwithstanding Section 3.6.1, lands identified as Lot MR-2 on Schedule B shall be used as public open space, public parkland, or private open space. It shall be at the discretion of the Municipality whether the MR-2 lands are accepted as public parkland or public open space. Should the lands not be accepted by the Municipality, the developer shall use the lands as private open space.”

11. The Existing Agreement shall be amended by deleting Section 3.10.8 and replacing it with the following :

“3.10.8 Access to Kearney Lake Connector (Larry Uteck Boulevard) shall be limited to road intersections. Driveway access to lands designated parkland shall be permitted from the Kearney Lake Connector subject to the review of Development Engineering and the Nova Scotia Department of Transportation and Infrastructure Renewal”

12. The Existing Agreement shall be amended by deleting Section 4.2.4.

13. The Existing Agreement shall be amended by deleting Section 4.4.4 and replacing it with the following text:

“4.4.4 Prior to the First Amending Agreement, the maximum population permitted by this agreement was 1476 persons. 265.5 persons (118 multiple unit dwelling units) of the maximum population has been transferred from this agreement to the Bedford South side of the Larry Uteck Boulevard interchange. The Developer shall not be eligible for the transferred units under this agreement.

The remaining population permitted by this agreement is 1210.5. Density may be transferred from lot to lot as required within the bounds of this agreement.

4.4.4A Prior to permits being issued for Block WS1 Building B (in the Wentworth SPS), infrastructure charges shall be paid for the following sites:

1. MR-2 Parkland;
2. Future HRM Open Space; and
3. Future Parkland 'B'

Further for the purposes of calculating infrastructure charges, the 118 units being relocated to the Wentworth SPS shall be assigned to site MR-2.”

14. The Existing Agreement shall be amended by deleting Schedule B and replacing it with a new Schedule B, attached as Schedule E-1.
15. The Existing Agreement shall be amended by deleting Schedule K and replacing it with a new Schedule K, attached as Schedule E-2.
16. The Existing Agreement shall be amended by deleting Schedule N and replacing it with a new Schedule N, attached as Schedule E-3.
17. The Existing Agreement shall be amended by deleting Schedule P and replacing it with a new Schedule P, attached as Schedule E-4.
18. The Existing Agreement shall be amended by deleting Schedule Q.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on 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: _____

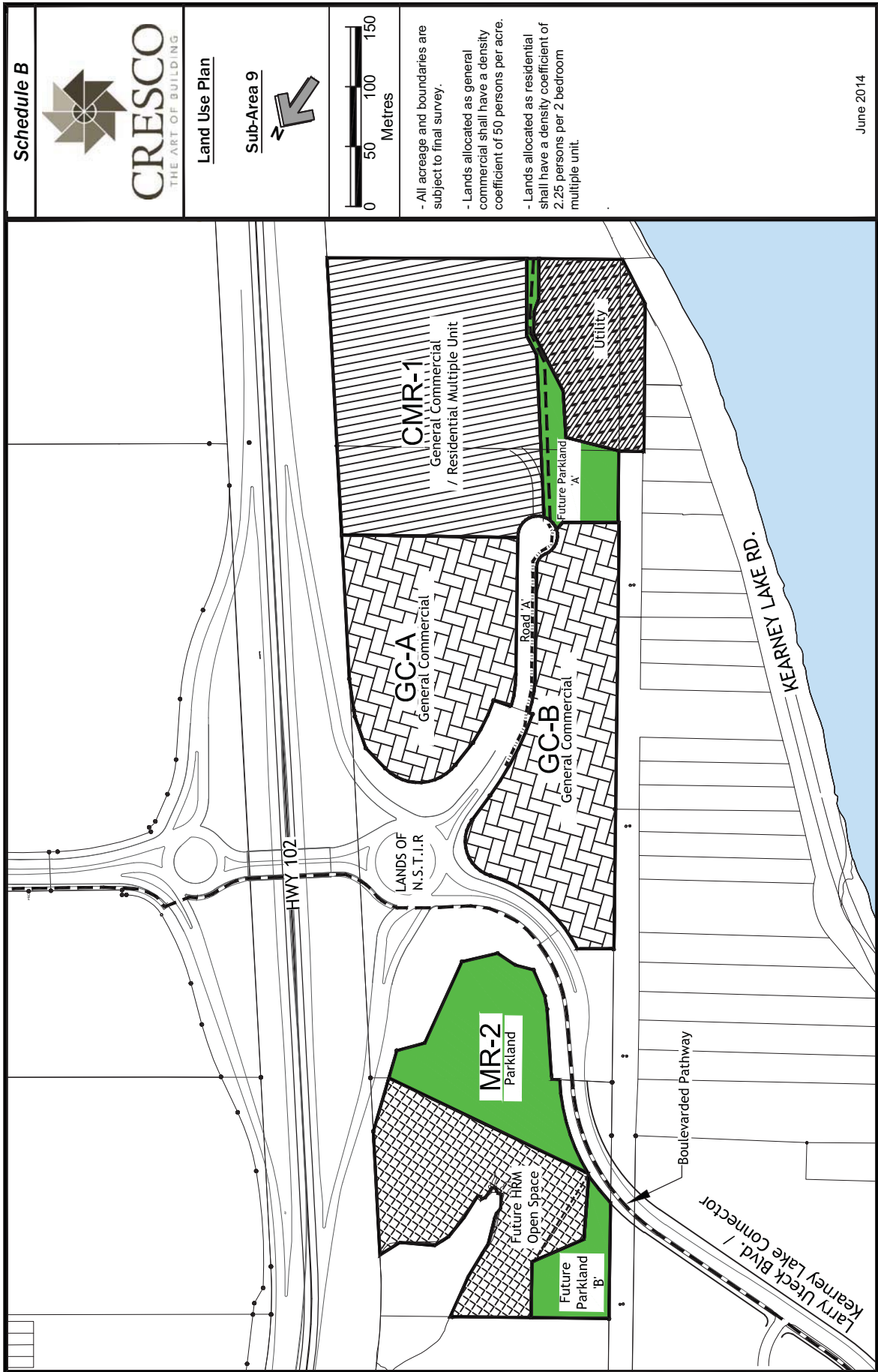
MAYOR

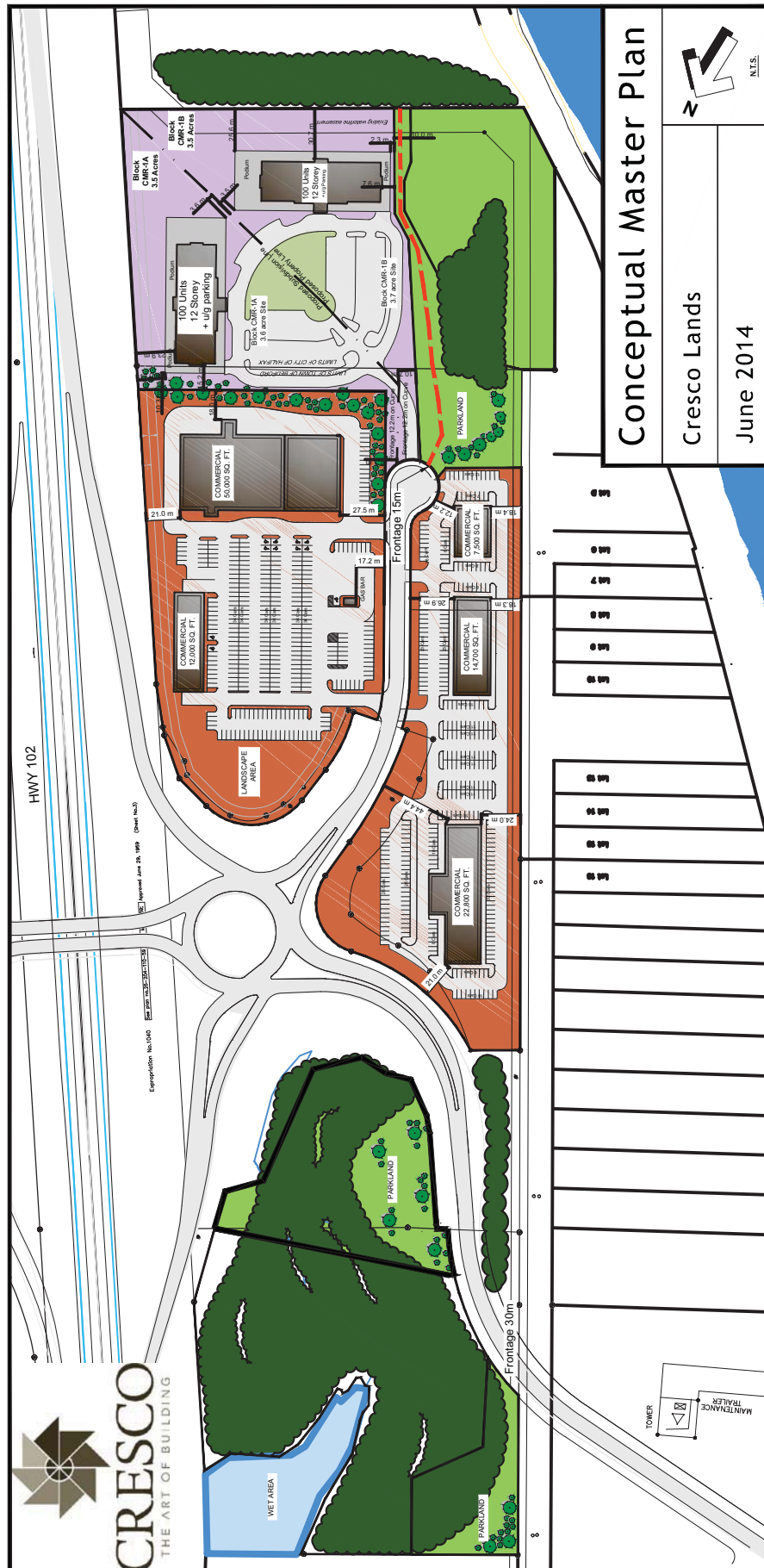
Witness

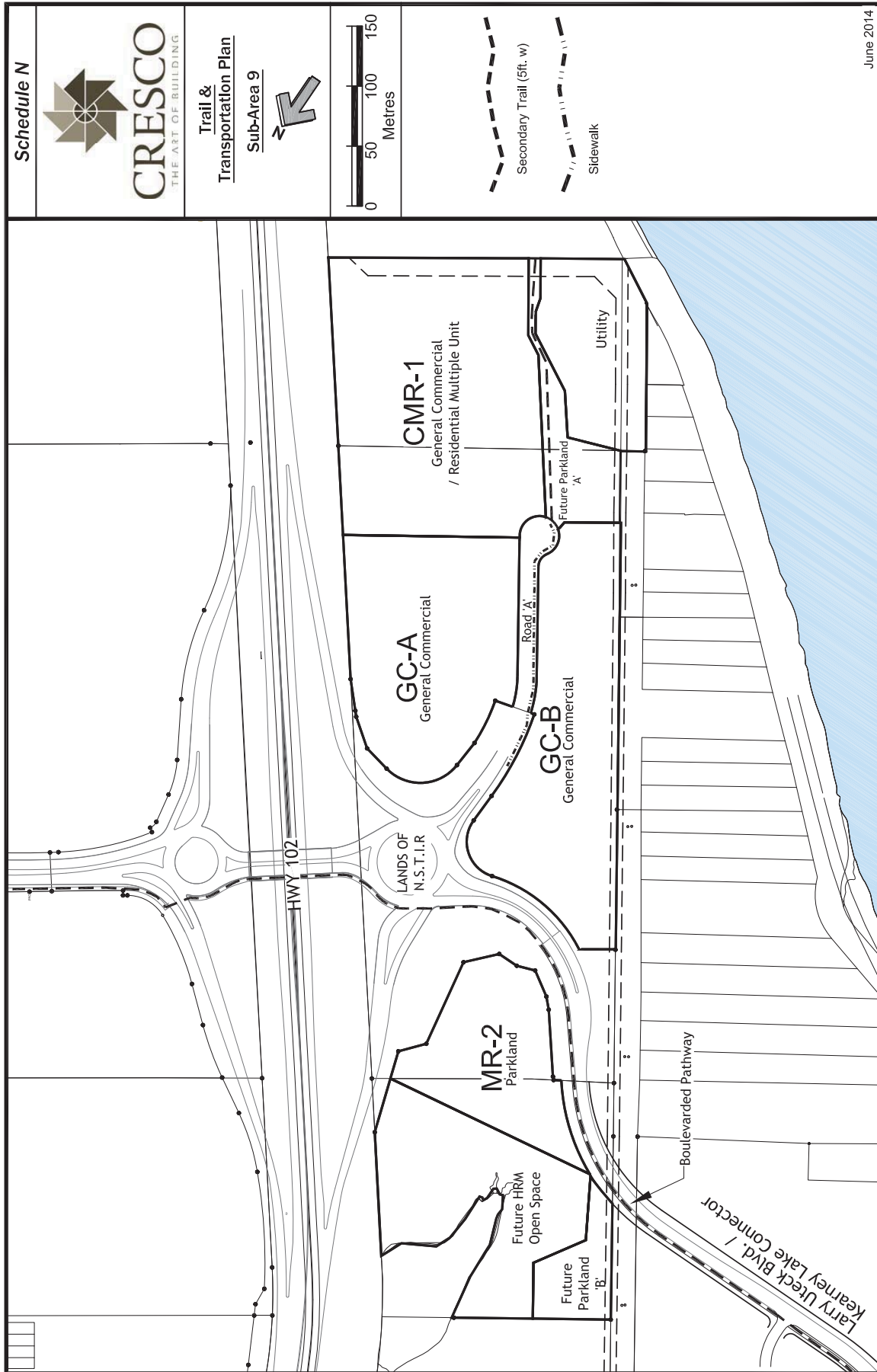
Per: _____

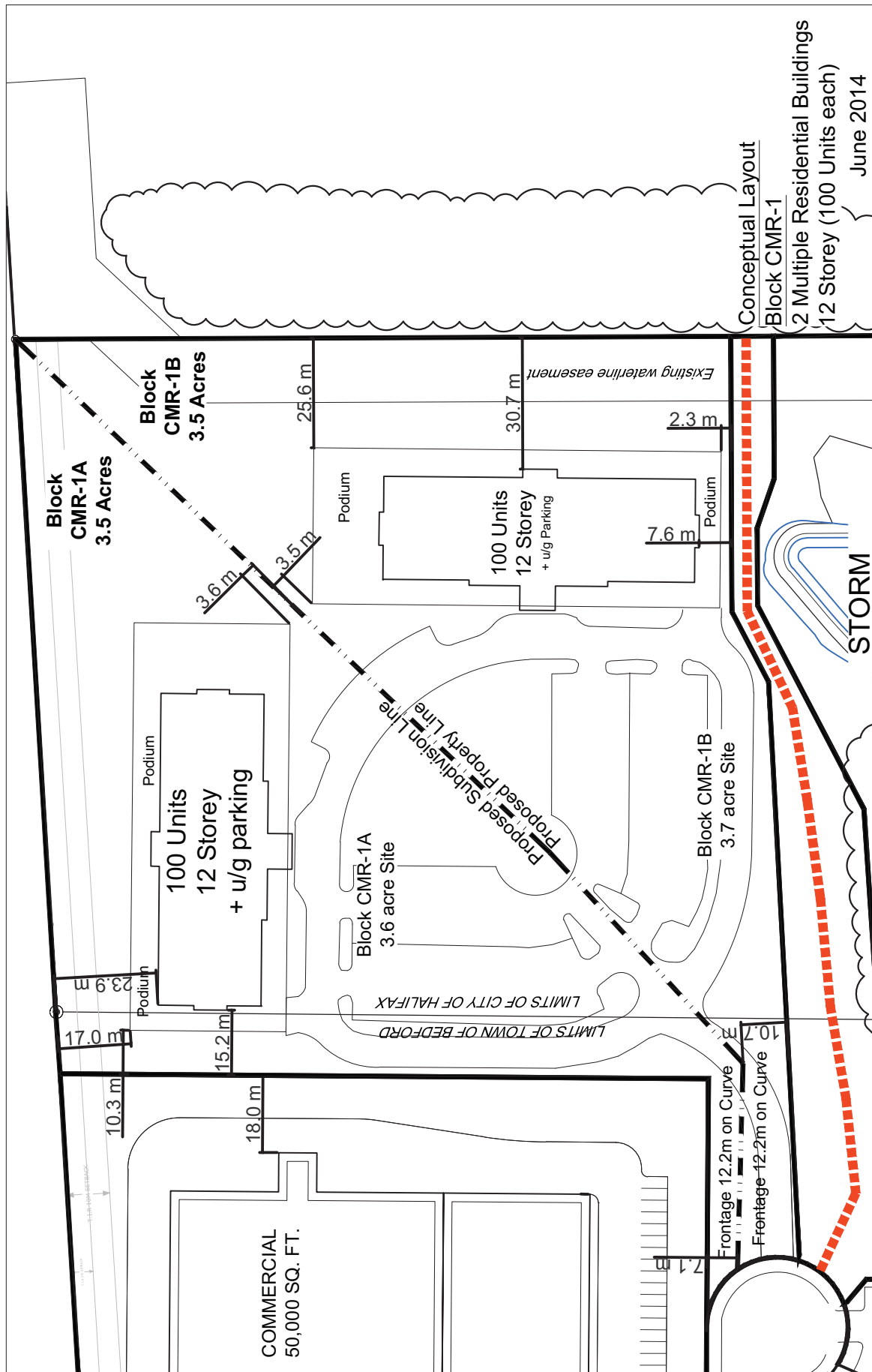
MUNICIPAL CLERK

Schedule E-1









Attachment F
Amendments to the Wentworth Development Agreement – Cresco Lands

THIS AMENDING AGREEMENT made this day of , 2014

BETWEEN:

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

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY,
a municipal body corporate,
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS Cresco Holdings Limited and Halifax Regional Municipality previously entered into an agreement to allow for development of a residential mixed use subdivision at Bedford South/Wentworth, Starboard Drive, Halifax, the said Agreement being recorded at the Registry of Deeds at Halifax as Document 94191039 (hereinafter called the “Existing Agreement”) (referenced as Municipal Case Number 01194);

AND WHEREAS the Developer requested to amend the Existing Agreement to transfer 118 dwelling units from Bedford West Sub Area 9 and reconfigure multiple unit dwellings on the mixed use business campus lands, establish a community commercial land use, permit reduced road frontage and area wide for single unit dwelling lots, reconfigure parkland, and reconfigure roads by entering into this amending agreement (hereinafter called the First Amending Agreement) (referenced as Municipal Case Number 18514); and

AND WHEREAS the North West Community Council of Halifax Regional Municipality, at its meeting on the [INSERT DATE OF DECISION], approved this request;

WITNESSETH THAT in consideration to the granting by the Municipality of this Amending Agreement requested by the Developer, the Developer agrees as follows:

1. The Existing Agreement shall be amended by deleting the text “Schedule B-1: Road Network Options” from Section 3.1.
2. The Existing Agreement shall be amended by deleting the text “12.19 metres (40 feet)” in Section 3.5.1(a) and replacing it with the text “13.72 metres (45 feet)”

3. The Existing Agreement shall be amended by deleting the text “371.6 square metres (4000 square feet)” in Section 3.5.1(b) and replacing it with the text “418 square metres (4500 square feet)”
4. The Existing Agreement shall be amended by deleting the text “4.57 metres(15 feet)” in Section 3.5.1(c) and replacing it with the text “6.10 metres (20 feet)”
5. The Existing Agreement shall be amended by adding the following text after Section 3.5.1:

“3.5.1A No subdivision approval or development permit shall be granted for any single unit dwelling designated "small lot singles" on Schedule B except in accordance with the following provisions:

- (a) Minimum lot frontage: 10.36 metres (34 feet)
- (b) Minimum lot area: 315.9 square metres (3,400 square feet)
- (c) Minimum front yard: 6.10 metres (20 feet)
- (d) Minimum rear yard: 6.10 metres (20 feet)
- (e) Minimum side yard: 1.83 metres (6 feet)
- (f) Minimum flankage yard: 4.57 metres (15 feet)
- (g) Minimum separation between buildings: 3.66 metres (12 feet) except for garages permitted under Section 3.5.5
- (h) Maximum lot coverage: 35%
- (i) Maximum building height: 9.14 metres (30 feet)
- (j) Maximum driveway width: 3.66 metres (12 feet)
- (k) each dwelling shall be served with a hard surface driveway that extends from the street curb cut to the front facade of the building and a parking space for an automobile in the dwelling measuring not less than 3.05 metres (10 feet) in width and 5.49 metres (18 feet) in length.
- (l) The width of an attached garage shall not exceed 4.27 metres (14 feet).
- (m) Where a lot fronts on both Starboard Drive and local street, driveway access for the lot shall be from the local street.”

6. The Existing Agreement shall be amended by adding the following words after Section 3.5.3(i):

“(j) Notwithstanding 3.5.3(g), side yards for Block WS-1 as shown on Schedule K may be reduced to 0 meters (0 feet) at the shared property line bisecting the parking podium provided the main buildings on each lot maintains a separation distance from each other equal to the height of the taller of the two buildings. Further, the parking podium shall be

permitted to maintain a 3 meter (10feet) sideyard where the parking podium is at or below grade and the main building maintains the prescribed setback in Section 3.5.3(g). Side yards for accessory structures on the podium at the shared property line shall be 20 feet (6.1metres).”

7. The Existing Agreement shall be amended by adding the following text after Section 3.5.4:

“3.5.4A Subdivisions or development approvals for lands designated “townhouses/small lot singles” shall comply with the proposed land use as identified in Section 3.5.1A and 3.5.2.”

“3.5.4B No subdivision approval or municipal development permit shall be granted for any neighbourhood commercial development except in accordance with the following provisions:

- (a) Minimum lot frontage: 30.48 metres (100 feet);
- (b) Minimum lot area: 929 square metres (10,000 square feet);
- (c) Minimum front yard: 6.1metres (20 feet);
- (d) Minimum side yard: 4.57 metres (15 feet);
- (e) Minimum rear yard: 6.1metres (20 feet) (15 feet) or one Half the height of the building, whichever is greater;
- (f) Minimum flankage yard: 4.57 metres (15 feet)); 7.6 metres (25 feet) vision triangle for corner lots);
- (g) Maximum lot coverage: 50%;
- (h) Building height: two storeys above grade facing the street;
- (i) the development conforms with the Community Commercial Guidelines and Requirements and Community Commercial Uses under Schedules O and P.”

8. The Existing Agreement shall be amended by adding the following words after Section 3.10.2:

“3.10.3 The Developer shall construct privacy fence consisting of a solid board wood fence or equivalent between the parking area of the Community Commercial lands and the northern property line. The fence(s) shall be a minimum of five feet (1.52m) in height.”

9. The Existing Agreement shall be amended by adding the following words after Section 3.13.1:

“3.14 SUBDIVISION OF THE LANDS

Subdivision applications shall be submitted to the Development Officer in accordance with the phasing sequence identified below and the Development Officer shall grant subdivision approval subject to and in accordance with the following terms and conditions:

- 3.14.1 All subdivision of the Lands shall meet the requirements of the Subdivision By-law except where varied by this agreement.
- 3.14.2 This Agreement shall be deemed to meet the requirements of the Subdivision By-law with respect to concept plan approval.
- 3.14.3 Prior to occupancy of any dwelling unit, the final parcel on which the dwelling unit is located shall be created through the subdivision process.
- 3.14.4 Final subdivision applications shall be submitted to the Development Officer in accordance with Schedule G and the Development Officer shall grant subdivision approvals for the phase for which approval is sought subject to and in accordance with the following terms and conditions:
 - (a) Applications for subdivision approval shall encompass entire phases of the development as indicated on the Schedules;
 - (b) Applications for subdivision approval shall be submitted in the alphanumeric sequence identified on Schedule G.
 - (c) Final subdivision approval for any phase shall not be granted until final approval has been granted for the previous Phase;
 - (d) Notwithstanding subsection 3.14.4 (c), the Development Officer may grant final subdivision approval of a Phase prior to granting final approval for the previous phase if the Developer submits performance security in the amount of 110 percent of the estimated cost of uncompleted services or if the Development Engineer determines that the portion of the incomplete phase is non-essential to the greater service network; and
 - (e) The Development Officer may grant final subdivision approval for partial Phases of the development.
 - (f) Notwithstanding 3.9.4 (c), the Development Officer, in consultation with the Development Engineer, may vary the sequence of phasing provided there are no negative effects of the proposed phasing change.
 - (g) The developer agrees that the construction of Starboard Drive in Phase 2A shall be complete and conveyed to the Municipality by no later than October 31, 2015. Should Starboard Drive not be complete by October 31, 2015, the Development Officer shall not issue any further permits until the street is complete and conveyed to the Municipality.
 - (h) Occupancy of Building C in Phase 1B shall not take place until Starboard Drive in Phase 2A is complete.

3.14.5 Building lots shown on the schedules are conceptual in nature, the exact quantity and location of lots are not defined by this agreement.

3.14.6 Where lots are being approved that may overlap into an adjacent development agreement within the Wentworth Comprehensive Development District, and the lot has frontage on the portion of a street which is pursuant to this Agreement, the lot(s) shall be approved at the Development Officers discretion, pursuant to this Agreement.

3.15 ACTIVE TRANSPORTATION TRAIL

The Developer shall provide to the Municipality at no cost, upon written request by the Municipality, the land identified on Schedule Q as Linear Active Transportation Trail. Should this request not be made within three years from this amendment, INSERT DATE OF COUNCIL DECISION, this clause shall be null and void.

3.16 HOURS OF OPERATION

3.16.1 The Community Commercial land uses shall be permitted to operate between the hours of 6:00 am and 11:00pm Sunday through Saturday.

3.16.2 Deliveries to the Community Commercial land uses, and the collection of refuse and recyclables, shall occur only between the hours of 7:00am and 10:00pm.

3.16.3 Hours of operation shall conform with all relevant Municipal and Provincial legislation and regulations, as may be amended from time to time.”

10. The Existing Agreement shall be amended by deleting Section 4.3.1A.

11. The Existing Agreement shall be amended by adding the following words after Section 4.5.2:

“4.5.2A Notwithstanding the maximum overall density of 20 persons per acre identified in Section 4.5.2, the Developer shall be permitted to build an additional 118 units (265.5 persons) on the multiple unit dwelling site on the west side of Starboard Drive.”

12. The Existing Agreement shall be amended by adding the following text after Section 4.6:

“4.7 Infrastructure Charges

No permits shall be issued for 118 dwelling units of the total permitted on Block WS1 Building B until infrastructure charges are paid for these units under the development agreement for Sub Area 9 of Bedford West.”

13. The Existing Agreement shall be amended by deleting Schedules B, B-1, C through G, J and K and replacing them with Schedules B, C through G, J and K attached as Schedule F-1 through F-8 of this amending agreement.
14. The Existing Agreement shall be amended by adding Schedules O, P, Q and R attached as Schedule F-9, F-10, F-11 and F-12 of this amending agreement.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on 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

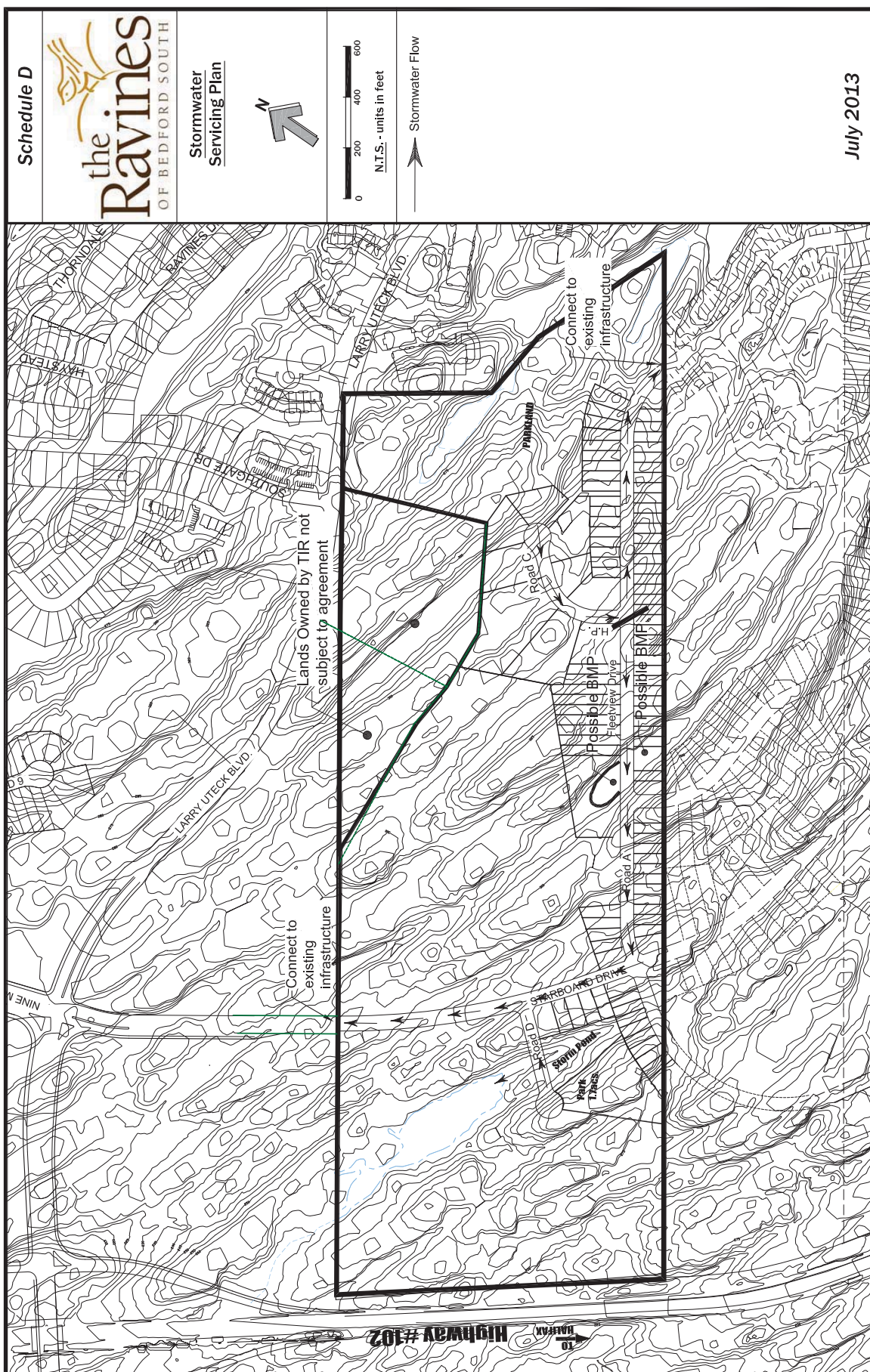
Witness

Per: _____
MUNICIPAL CLERK

Schedule F-1

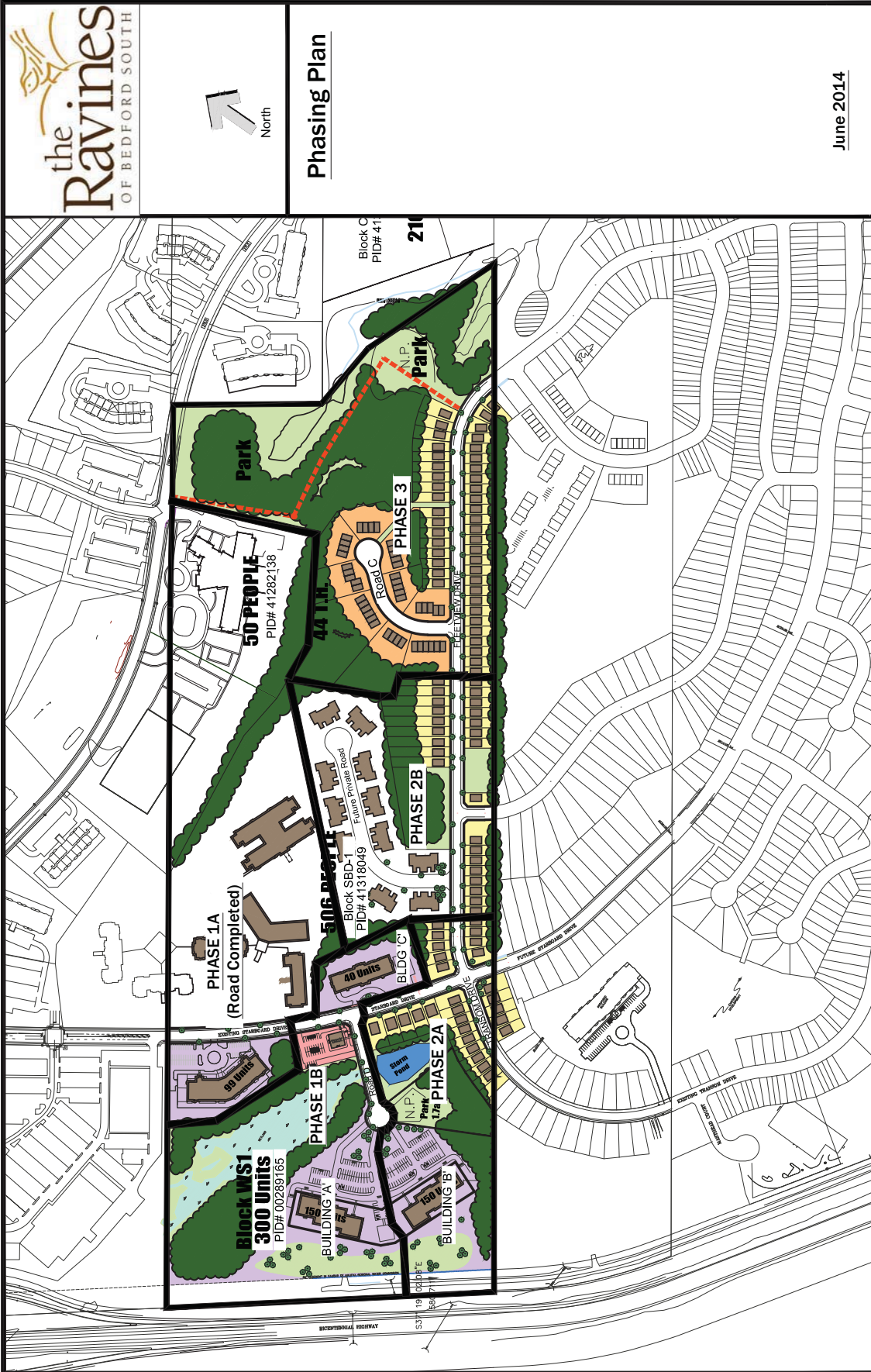








Schedule G



June 2014

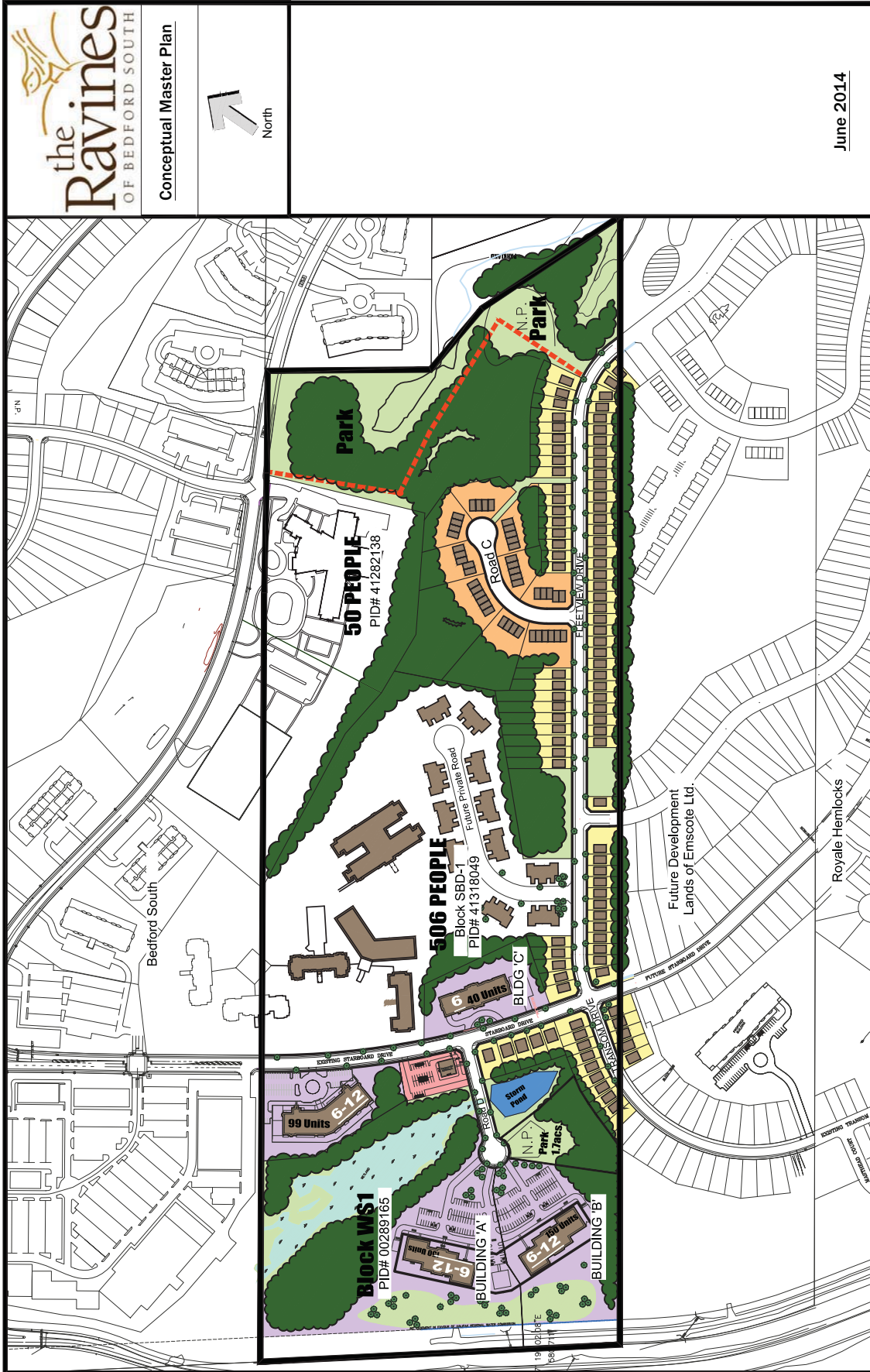
Schedule J

Density Chart

PLAN REVISION #6		Option 2			
19-Jul-13	Max Population	3146	(2880+265.5)		
Approved in 2006 Case 00624	Neighbourhood 'B'		Multiple	S.F.	People
	Block M-1		146		328.5
	Block 6-R1		133		299.25
	Block 6-R1 (Wagner Extension)			4'	13.4
	Block CHL-1A & 1B		210		472.5
Neighbourhood 'F'					
School				50	
Block SBD-1 (Shannex)				506	
Fleetview Drive			78	261.3	
Townhouse street			44	147.4	
Transom			12	40.2	
Starboard SF			5	16.75	
Starboard Comm		0.7		21	
Multiple					
Block SBD-2		99		222.75	
Starboard Drive- East		40		90	
Starboard Bulk (Block WS1)		182		409.5	
Starboard Bulk transfer from West Bed		118		265.5	
		928	143		
		Population		3144.1	

Table 1 **Density allocation for SF and TH in neighbourhoods 'B' & 'F' will fluctuate as a result of lot sizes***

Schedule K



June 2014

Schedule O
Community Commercial Guidelines

Pedestrian Access, Circulation and Parking

Applicants shall submit a detailed pedestrian circulation and parking plan with all development applications that provides safe, efficient and convenient pedestrian access and circulation patterns within and between developments. All applications shall comply with the following:

Required Pedestrian Connections - An on-site system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:

- a) The primary entrance or entrances to each commercial building;
- b) Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with neighbourhood commercial development; and
- c) Any public sidewalk system along the perimeter streets adjacent to the commercial development;

Minimum Walkway Width - All site walkways shall be a minimum of 1.5 metres in width.

Walkways along Buildings- Continuous pedestrian walkways shall be provided along the full length of a building along any facade featuring a customer entrance and along any facade abutting customer parking areas. Such walkways shall be located at least 1.8 metres from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.

Amount of Parking: Parking shall be provided in accordance with the parking provisions of the Halifax Mainland Land Use By-law, as amended from time to time. The Development Office may permit a reduction in the required parking by 30 percent where parking is to serve multiple tenants or uses.

Location of Parking:

- a) A maximum of fifty percent (50%) of the off-street surface parking spaces provided for a site shall be located between the facade of the closest building to the right-of-way of Starboard Drive.

Building Design

a) Minimum Wall Articulation for Commercial Buildings

- i) All buildings walls shall consist of a building bay or structural building system that is a maximum of ten (10) metres in width. Bays shall be visually established by architectural features such as columns, ribs or pilasters, piers, changes in wall planes, changes in texture or materials, and fenestration pattern no less than thirty (30) centimeters in width. The only exception being the rear and side wall of a

Schedule P
Community Commercial Land Uses

No development permit shall be issued in a Community Commercial area except for one or more of the following uses:

- (a) A store for the purpose of retail trade, rental and services only, excluding:
 - (i) motor vehicle dealers;
 - (ii) motor vehicle repair shops which such shops are not primarily engaged in providing service station facilities;
 - (iii) adult entertainment uses; and
 - (iv) amusement centres
- (a) Bank, public hall, office, municipal building, hairdresser, beauty parlour, restaurant, receiving office of a dry cleaner or dyer;
- (b) radio, television, and electrical appliance repair shops;
- (c) watch and jewellery repair shops;
- (d) offices;
- (e) a restaurant;
- (f) community facilities;
- (g) a store for the purpose of personal service including shoe repair shops, barber and beauty shops, dry cleaners, self- service laundries, funeral services, and excepting massage parlours, adult entertainment uses and amusement centres.
- (h) day care facility
- (i) any use accessory to any of the foregoing uses.

All uses shall be defined as found in the Halifax Mainland Land Use By-law.

No outdoor storage or display is permitted in conjunction with community commercial land uses.

- building greater than 4,645 square metres of gross floor area where the articulation can be widened to thirty (30) metres in width.
- ii) Any wall exceeding ten (10) metres in length shall include at least one change in wall plane, such as projections or recesses, having a depth of at least three percent (3%) of the entire length of the façade and extending at least twenty percent (20%) of the entire length of the façade.
 - iii) All building walls shall include materials and design characteristics consistent with those on the front.

Building Walls Facing Public Areas - In addition to the above, building walls that face public streets, connecting walkways, or adjacent development shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, trellises with vines, or alternate architectural detail, along no less than sixty percent (60%) of the façade.

Windows Adjacent Walkways, Sidewalks and Parking areas - In addition to the above, building walls that face sidewalks, connecting walkways, shall include windows which provide natural surveillance over these public areas.

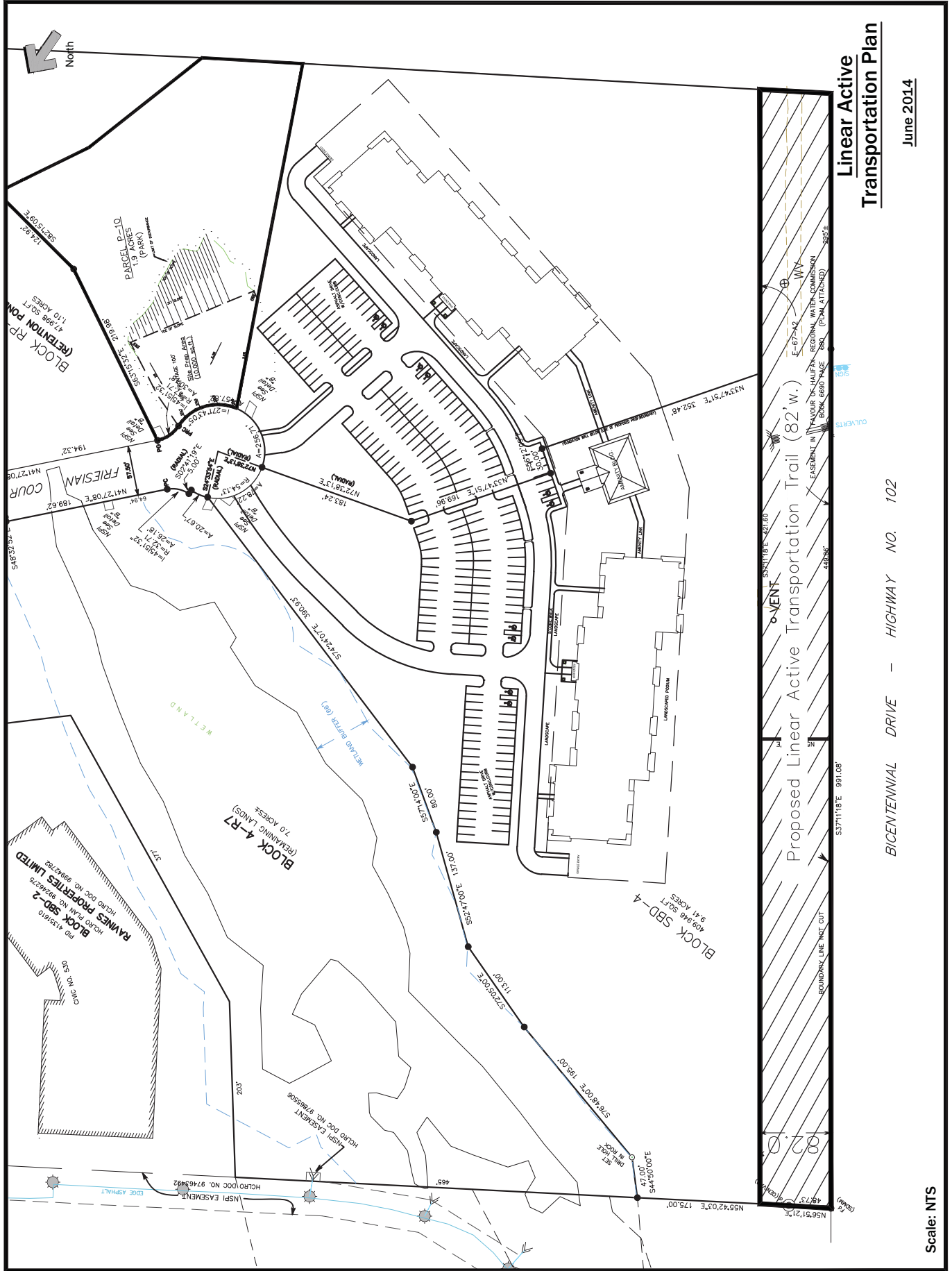
Miscellaneous Requirements

- (a) Architectural detailing including, but not limited to, lintels, pediments, pilasters, columns, porticos, overhangs, cornerboards, frieze, fascia boards, shall be incorporated.
- (b) Architectural treatment shall be continued around all sides.
- (c) Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These facilities shall be screened by means of opaque fencing, structural walls or suitable landscaping .
- (d) Any exposed foundation in excess of 0.61 metres (2 feet) in height and 1.86 square metres (20 square feet) in total area shall be architecturally detailed or veneered with stone or brick
- (e) Any exposed lumber on the exterior shall be painted, stained or clad on a painted metal or vinyl.
- (f) Buildings shall be designed such that the mechanical systems (HVAC, exhaust fans, etc.) are not visible from a street 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.
- (g) Mechanical equipment shall be screened from view be a combination of architectural treatments, fencing and landscaping.
- (h) Fixed or retractable awnings are permitted at ground floor levels provided the awnings are designed as an integral part of the building façade.
- (i) 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. Service

entrances shall be integrated into the design of the building and shall not be a predominate feature.

- (j) Drive-thru access lanes shall not be located between a building and a public street. Where drive-thru access lanes or parking is adjacent a public street, landscaping shall be provided which provides a partial visual barrier to reduce the impact of vehicle head lights and the parking area on the right-of-way.
- (l) Loading areas and bays shall be located at the rear of any commercial building.

Schedule Q



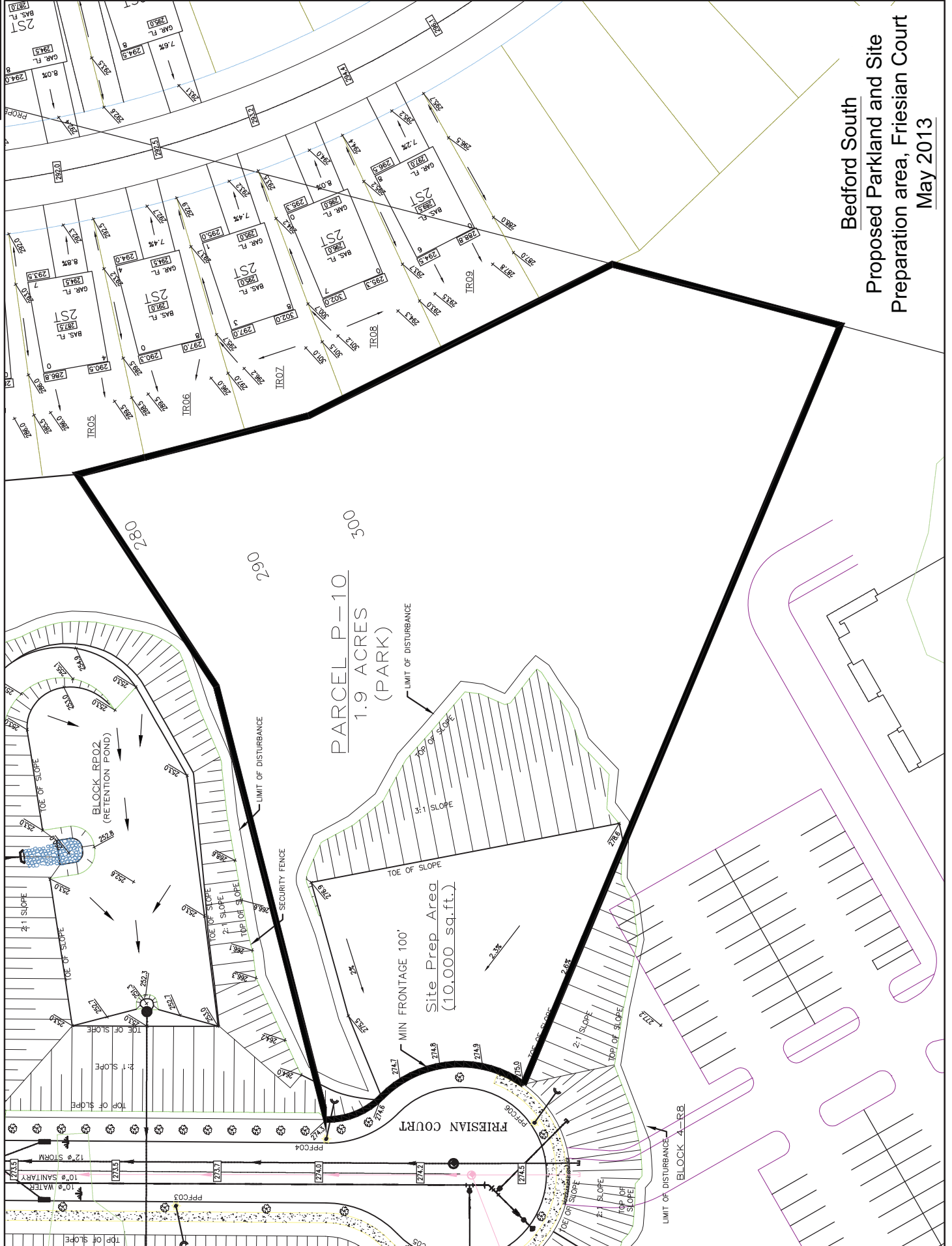
Linear Active
Transportation Plan

June 2014

BICENTENNIAL DRIVE - HIGHWAY NO. 102

Scale: NTS

Schedule R



Attachment G
Development Agreement Policy Review – Cresco Wentworth Lands –Wentworth SPS

A full policy analysis was previously completed for the review and approval of the original development agreement for the Cresco Wentworth lands (Case 01194) and is available upon request. Staff have reviewed the Wentworth SPS policies and wish to identify that the proposed amendments impact the following policies.

THE WENTWORTH SECONDARY PLANNING STRATEGY

Policy Criteria	Staff Comments
<i>Policy MCP-1: The Community Concept Plan, presented as Schedule I, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the master plan area and any development of the land shall be subject to approval of a development agreement.</i>	The proposed and existing development agreement amendment is consistent with the Community Concept Plan.
<i>Policy P/OS-1: The areas designated as Park/Open Space on Schedule I shall be reserved for active and passive recreational uses, stormwater management and environmental protection. Provided that the area of the designation is not materially reduced, the boundaries of the Park/Open Space Designation may be varied where such changes provide:</i> <i>1 .enhanced protection of environmentally sensitive site features;</i> <i>more opportunity for preservation of significant aesthetic features;</i> <i>more suitable lands for active recreational uses; or</i> <i>a more functional path system for pedestrians and cyclists</i>	The proposed parkland dedication is consistent with the lands pre-designated. Additional Parkland adjacent the Lands were developed by the Province as a new French high school and associated playing fields (4 acres) all of which contribute to the overall Park/Open Space requirements. In addition, the Municipality has the ability to acquire additional lands along the existing Halifax Water trunk waterline, which could be used as an active transportation corridor.
<i>Policy CTS-1: A community street and trail system shall be developed in substantial conformity with the designations and alignments presented on Schedule II except that variations to the alignment may be considered to enhance safety, provide a better fit with the natural terrain or preserve significant environmental features. The following requirements shall be applied:</i> <i>3. Starboard Drive shall have the same design specifications as in the abutting Royale shall be required;</i> <i>6. a community trail system shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel in the community.</i>	Section 4.3 and Schedule K ensures compliance with this policy. Starboard Drive will be constructed to a Minor Collector standard with sidewalks on both sides from the intersection of Nine Mile Drive/Starboard Drive east. The proposed street system is in conformance with the designation and alignments presented on Schedule II. Compliance is ensured through the provisions of the existing and amended development agreement (The major trail system for the area is located outside the bounds of this application. No trails are proposed in this phase however staff have enable the acquisition of the land for the Halifax Trunk Waterline which currently functions as an ad hoc trail.
<i>Policy RN-1: The Municipality shall require that any development agreement application encompass an entire Residential Neighbourhood Designation unless satisfied that a property owner within the designation is not willing to participate. In such instance, a development agreement may be approved for part of the neighborhood provided that a neighbourhood concept plan is prepared for the entire neighbourhood which identifies the significant transportation</i>	The proposed agreement includes a portion of Residential Neighbourhood F. The adjacent land owner (Emscote Limited) has an existing development agreement and both the adjacent parcels and the existing agreement and amendments fully completes significant transportation systems, parkland and open space features and municipal service system. Staff are satisfied that the concept plan conforms with all objectives and policies established under

Policy Criteria	Staff Comments
<p><i>systems, parkland and open space features and municipal service systems and the Municipality is satisfied that the concept plan conforms with all objectives and policies established under this Municipal Planning Strategy and provides for a fair and reasonable allocation of development rights among property owners. Any subsequent development agreement application within the affected Residential Neighbourhood shall conform with neighbourhood concept plan unless an alternative design is provided which is satisfactory to the Municipality.</i></p>	<p>this MPS and provides for a fair and reasonable allocation of development rights among property owners. The proposed network under the proposal provides appropriate access to adjacent lands and provides a plan which is consistent with the MPS.</p>
<p><i>Policy RN-2: The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation:</i></p> <ol style="list-style-type: none"> <i>2. community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops;</i> <i>3. sidewalks and pathways facilitate safe and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services;</i> <i>4. the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists;</i> <i>5. the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;</i> <i>6. building locations, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian scale and compatibility with the natural environment;</i> <i>7. natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the total on-site parking supply;</i> <i>8. all open space/parkland dedications proposed conform with the objectives and policies adopted for the community parkland/open space under this municipal planning strategy and any administrative guidelines adopted by the Municipality and;</i> <i>8. the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.</i> 	<p>The proposed amendments require this policy to be considered, however the clauses in the existing development agreement adequately deal with this matter and further amendments are not required.</p>
<p><i>Policy RN-3: Each residential neighbourhood shall conform with the following provisions:</i></p>	

Policy Criteria	Staff Comments
<p><i>Neighbourhood F:</i> <i>Lands will be developed primarily with lower density residential housing which may include single, semi-detached and townhouse units. Apartment buildings may be considered on lots with frontage on Starboard Drive.</i></p>	<p>The lands within Neighbourhood F are single unit dwellings and townhouses. The existing agreement requires a minimum lot frontage of 34 ft, minimum. Apartments are enabled under the existing agreement for lands fronting on Starboard Drive.</p>
<p><i>Policy MUBC-1: The Mixed Use Business Campus designation shall support a wide range of businesses which produce goods and services, as well as institutional facilities. To encourage development of the Community/Commercial and General Commercial Designations, retail uses and restaurants shall only be permitted as accessory uses within larger buildings and retail uses shall be restricted in floor area. The following matters shall be considered in any development agreement application for business and institutional facilities:</i></p> <p><i>(a) building facades incorporate materials and design elements to create a sense of interest from public streets;</i></p> <p><i>(b) no outdoor storage or outdoor display and sales shall be permitted and any outdoor waste containers shall be screened;</i></p> <p><i>(c) open spaces are integrated into the layout and where feasible, larger trees are retained;</i></p> <p><i>(d) landscaping is introduced to all areas disturbed during construction;</i></p> <p><i>(e) where more than twenty parking spaces are to be provided, no more than fifty percent (50%) of the parking spaces shall be located between a building and the front lot line and no loading bays shall be located on the building facade facing a public street and parking areas are buffered to provide a visual break from the street and adjacent land uses with fencing, landscaping or both;</i></p> <p><i>(f) bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces.</i></p> <p><i>(g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;</i></p> <p><i>(h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces;</i></p> <p><i>(i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces;</i></p> <p><i>(j) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.</i></p>	<p>Community Commercial uses are proposed on a small portion of the Mixed Use/Business Campus at the corner of Friesian Court and Starboard Drive. The remainder of the lands are being developed under Policy MUBC-2 which allows an alternate land use (multiple unit residential dwellings).</p> <p>(a) the amending agreement requires design standards to ensure building facades incorporate materials and design elements to create a sense of interest from public streets;</p> <p>(b) the agreement does not permit outdoor storage or outdoor display and sales and any outdoor waste containers are required to be screened;</p> <p>(c) open spaces are integrated into the general layout of the layout of the subdivision, the majority of trees are maintained in these areas. Maintenance of trees are also required via non-disturbance around natural features.;</p> <p>(d) the existing agreement requires landscaping is introduced to all areas disturbed during construction;</p> <p>(e) no more than fifty percent (50%) of the parking spaces are permitted to be located between a building and the front lot line and no loading bays are to be located on the building facade facing a public street. Parking areas are required to be buffered to provide a visual break from the street and adjacent land uses with fencing, landscaping or both;</p> <p>(f) bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces.</p> <p>(g) the proposed amending agreement requires that walkways are to be integrated into commercial developments.</p> <p>(h) buildings, structures and parking lots are located on a lots so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces;</p> <p>i) the existing development agreement requires the preparation of stormwater management plan at the design stage and prior to permits being issued.</p> <p>j) the proposal meets all the noted requirements.</p>
<p><i>Policy MUBC-2: Residential developments may be considered by development agreement within the Mixed Use Business Campus Designation. Consideration will be</i></p>	<p>The proposed residential development within the Mixed Use Business Campus is consistent with policy RN-3. The proposal includes a revised multi-unit dwelling design which</p>

Policy Criteria	Staff Comments
<p><i>given to the provisions of policies RN-3 and the provisions for Residential Neighbourhood F under policy RN-3.</i></p>	<p>must meet development controls proposed in the existing development agreement and as proposed in the amending agreement.</p>
<p><i>Policy GC-1: The General Commercial Designation shall support a wide range of goods, services and facilities with the exception of adult entertainment uses, automobile sales and leasing or any other business requiring extensive outdoor display areas. Multiple dwelling units shall also be permitted. The following matters shall be considered in any development agreement application:</i></p> <ul style="list-style-type: none"> <i>a) Except as may be accessory to a permitted use, the outdoor storage of building or waste materials in the GC Zone shall be prohibited;</i> <i>b) the criteria of policy MUBC-1 with the exception of clause (b).</i> 	<p>A portion of the site to the east of Starboard Drive and north of Road D is within the General Commercial Designation. Multiple unit dwellings are being proposed and one has already been developed.. The proposal is consistent with the requirements of this policy.</p>
<p><i>EP-8: Development of land on major slope areas in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value.</i></p>	<p>The site is comprised of a series of rock ridges and includes many areas with slopes exceeding 25%. Complete disturbance of much of the site (excluding open space and park areas) is anticipated and because blasting of the site is a necessity, extreme slopes will be rendered safe. Slopes within watercourse riparian buffers and slopes within parkland will be protected in accordance with the existing agreement.</p>
<p><i>MS-1: For sewage flow calculations, the population of the master plan area shall not exceed a gross density of twenty (20) persons per acre. To provide for an equitable distribution of development among property owners, three sub areas are established as illustrated in Schedule "III". Within each area, a maximum twenty persons per acre shall be permitted.</i></p>	<p>The existing agreement meets this requirement. The amended agreement exceeds this by 118 dwelling units (265.5 persons) as enabled by policy MUBC-3.</p>
<p><i>MS-2: Populations shall be calculated based on an assumed occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling. Commercial densities shall be calculated to a maximum of 50 persons per acre for general commercial uses and to a maximum of 30 persons per acre for community commercial, community facility and institutional uses. Final determination of the commercial densities shall be established by development agreement in accordance with intended land uses. In the event that the design population proposed for a residential neighbourhood or commercial designation is less than the maximum permitted, the Municipality may allow the difference to be allocated to another residential neighbourhood or commercial designation within the applicable sub area, provided that all other policy criteria can be satisfied.</i></p>	<p>The existing agreement ensures compliance with this matter.</p>
<p><i>MS-9: In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no development agreement shall be entered until infrastructure charges are in effect.</i></p>	<p>The Capital Cost Contribution for the Bedford South/Wentworth Estates Master Plan (known for this site as the Wentworth South Charge Area) is in effect. The agreement varies these requirements to ensure that the developer is not charged more money than the developer is obligated under the existing Wentworth and Bedford West charge areas.</p>

Policy Criteria	Staff Comments
<p><i>MUBC-3 Within the Wentworth and/ Bedford South Secondary Planning Strategies and the adjacent Bedford West Secondary Planning Strategy area it shall be the intention to establish a land use node as identified in Schedule V. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:</i></p> <ul style="list-style-type: none"> <i>(a) the proposed land use to be relocated must be enabled within the Wentworth/ Bedford South Secondary Planning Strategies portion of the node and the Bedford West portion of the node;</i> <i>(b) the collection of infrastructure charges;</i> <i>(c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);</i> <i>(d) the impact on water and sewer infrastructure;</i> <i>(e) that the proposed increase of density does not exceed that transferred out from the Bedford South and/or Bedford West Secondary Planning Strategies.</i> 	<ul style="list-style-type: none"> (a) the proposed land use is multiple unit dwellings. This land use is enabled in the Mixed Use Business Campus which is the location for the 118 dwelling units reallocated from the Bedford West side. (b) It is anticipated the transfer of infrastructure charges will be revenue neutral and all charges will be collected at current levels via the charge in the originating area. In this instance the charge for the 118 dwelling units will be via the existing Bedford West Sub Area 9 charge rate. (c) As traffic from the proposed transfer of units will access the same road network, it is not anticipated to have a significant impact on the road network; (d) the proposed transfer of units uses the same general water and sewer network and is anticipated to have no net impact on these systems.; (e) that the proposed transfer of density (118 units) is equal to that transferred from Bedford Sub Area 9 and the Bedford West Sub Area 9 agreement is proposed to be amended to reduce the permitted density by 118 units.

Attachment H

Development Agreement Policy Review Bedford – Bedford West Sub Area 9 Bedford MPS

A full policy analysis was previously completed for the review and approval of the original development agreement for Bedford West Sub Area 9 (Case 16666) and is available upon request. Staff have reviewed the Bedford West SPS policies and wish to identify that the proposed amendments impact the following policies.

Policy Criteria	Staff Comments
<p><i>Policy BW-16: Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed to satisfy the following conditions:</i></p> <ul style="list-style-type: none"> a) <i>a maximum density of 40 persons per acre shall be permitted for all lands to be developed as a mixed use business campus within Sub-Area 3;</i> b) <i>a maximum density of 50 persons per acre shall be permitted for all lands designated community commercial centre within Sub-Areas 2, 6, 7 and 8 as illustrated on schedule BW-7 or proposed for general commercial uses within Sub-Area 9 and 12;</i> c) <i>For all other Sub-Areas or part thereof, a maximum density of 20 person per acre shall be permitted; and</i> d) <i>the temporary pumping station and forcemain, illustrated as "PS (TEMP)" and "FORCEMAIN (TEMP)" on schedule BW-4, shall be permitted to service a maximum of 6,100 persons where upon the permanent pumping station and forcemain along the Kearney Lake Road must be designed and constructed to service all lands intended to flow to the Halifax Sewage Treatment Plant (as illustrated on schedule BW-4). This requirement may be waived if:</i> <ul style="list-style-type: none"> i.) <i>the financing for the construction for the permanent pumping station and forcemain has been secured by the Municipality and a time frame for construction agreed upon; and</i> ii.) <i>there is sufficient capacity remaining in the temporary pumping station and forcemain to allow for additional sewage discharge to the Mill Cove Sewage Treatment Plant.</i> <p><i>In the event that any Sub-Area is not developed to the maximum permitted density, the Municipality may consider allowing the difference to be allocated to another Sub-Area provided that the development proposal conforms will all other policies established under this secondary planning strategy.</i></p>	<p>The original development agreement enables development of a maximum of 1476 persons. This population complies with the required densities. The proposed amendment reduces the density by 265 persons or 118 dwelling units as this population is being transferred to the Cresco Wentworth lands on the opposite side of Highway 102.</p>
<p><i>Policy BW-16A – The maximum permitted population for Sub-Area 9 (including portions within the Halifax Municipal Planning Strategy) shall not exceed 1476 persons.</i></p>	<p>The existing development agreement enables a population of 1476 persons within Sub-Area 9. The proposed amendment reduces the density by 265 persons or 118 dwelling units as this population is being transferred to the Cresco Wentworth lands on the opposite side of Highway 102.</p>
<p><i>Policy BW-21: In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-Law over the area governed by this Secondary Planning Strategy and no subdivision approvals shall be</i></p>	<p>Infrastructure charges have been established for transportation in the Regional Subdivision By-Law. Halifax Water has established charges in conjunction with the NS Utility and Review Board. All lands subject to this agreement and the amending agreement are required to pay infrastructure charges subject to the Subdivision By-law and other relevant legislation. Staff have clarified in the</p>

<p><i>granted until infrastructure charges are in effect.</i></p>	<p>agreement that infrastructure charges are to be paid in the originating charge area before being transferred.</p>
<p><i>Policy BW-23: The Community Concept Plan, presented as Schedule BW-7, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the community concept plan area and any development of the land shall be subject to approval of a development agreement. In the event that the lands allocated for the proposed Highway 113 right-of-way are not required by the Province for a highway, then the lands may be used for development permitted within the abutting land use designation.</i></p>	<p>The original and proposed amending development agreement conforms to Schedule BW-7 and the policies of the SPS. Staff note that site MR-2 (northwest corner of Larry Uteck Boulevard interchange) will no longer be used for residential land uses and will be used as open space or parkland. Staff is of the opinion that this is reasonably consistent with SPS policies.</p>
<p><i>Policy BW-25: The areas designated as Open Space on Schedule BW-7 shall be reserved for recreational uses, conservation uses including stormwater management and environmental protection. Provided that the area of the designation is not materially reduced, the boundaries of the Open Space Designation may be varied where such changes provide:</i></p> <ul style="list-style-type: none"> <i>a) enhanced protection of environmentally sensitive site features;</i> <i>b) more opportunity for preservation of significant aesthetic features;</i> <i>c) more suitable lands for recreational uses; or</i> <i>d) a more functional trail system for pedestrians and cyclists.</i> <p><i>The intended purpose of all open spaces shall be identified and agreed to in a development agreement application. Lands within the Open Space Designation may be allocated to satisfy the Municipality's Subdivision By-Law requirements for parkland dedication.</i></p>	<p>The proposed amending agreement complies with Schedule BW-7. Further additional open space lands have been designated on the MR-2 site (northwest corner of Larry Uteck Boulevard interchange).</p>
<p><i>Policy BW-39: A comprehensive development district zone shall be applied to larger undeveloped parcels within Sub-Area 9. Commercial uses may be considered on lands in the vicinity of the proposed interchange with consideration given to the criteria of policy BW-38A. Residential uses may be permitted on the remaining lands with consideration given to the criteria of policy BW-32. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate collaboration in preparing a conceptual community design for the Sub-Area.</i></p>	<p>The development agreement is consistent with this policy. Commercial development has been reviewed under policy 38A. Multi-unit dwellings proposed on the site have been reviewed in consideration of Policy BW-32. A public participation process was previously undertaken with created MPS policies for Sub Area 9 and in conjunction with this previous development agreement developed options for community design. The proposed amendments to enable the reallocation of population to other areas around the Larry Uteck Boulevard interchange is being proposed to be implemented subsequent to additional public consultation which has already taken place.</p>
<p><i>BW-40A Within the Sub Area 9 and the adjacent Bedford South/Wentworth Secondary Planning Strategy areas it shall be the intention to establish a land use node as identified in Schedule BW-8. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:</i></p> <ul style="list-style-type: none"> <i>(a) the proposed land use to be relocated must be enabled within the Bedford West Secondary Planning Strategy portion of the node and the Bedford</i> 	<ul style="list-style-type: none"> <i>(a) the proposed land use is multiple unit dwellings. This land use is enabled on the Bedford West site MR-2 and within Mixed Use Business Campus area which is the location for the 118 dwelling</i>

<p><i>South/Wentworth portion of the node;</i></p> <p>(b) <i>the collection of infrastructure charges;</i></p> <p>(c) <i>the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);</i></p> <p>(d) <i>the impact on water and sewer infrastructure;</i></p> <p>(e) <i>that the proposed increase of density does not exceed that transferred out from the Bedford South and/or Wentworth Secondary Planning Strategies.</i></p>	<p>units reallocated from the Bedford West side.</p> <p>(b) It is anticipated the transfer of infrastructure charges will be revenue neutral and all charges will be collected at current levels via the charge in the originating area. In this instance the charge for the 118 dwelling units will be via the existing Bedford West Sub Area 9 charge rate.</p> <p>(c) As traffic from the proposed transfer of units will access the same road network, it is not anticipated to have a significant impact on the road network.</p> <p>(d) the proposed transfer of units uses the same general water and sewer network and is anticipated to have no net impact on these systems.</p> <p>(e) the proposed transfer of density (118 units) is equal to that transferred from Bedford Sub Area 9 and the Bedford West Sub Area 9 agreement is proposed to be amended to reduce the permitted density by 118 units.</p>
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Attachment I
Development Agreement Policy Review Sub Area 9 -Halifax MPS

A full policy analysis was previously completed for the review and approval of the original development agreement for Bedford West Sub Area 9 (Case 16666) and is available upon request. Staff have reviewed the Bedford West SPS policies and wish to identify that the proposed amendments impact the following policies.

Policy Criteria	Staff Comment
<i>Policy BW-16: Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed for a maximum density of 50 persons per acre for general commercial uses and a maximum density of 20 person per acre shall be permitted for all residential uses.</i>	See Attachment H for Staff Comment.
<i>Policy BW-16B The maximum permitted population for Sub-Area 9 (including portions within the Bedford Municipal Planning Strategy) shall not exceed 1476 persons.</i>	See Attachment H for Staff Comments.
<i>Policy BW-21: In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no subdivision approvals shall be granted until infrastructure charges are in effect.</i>	See Attachment H for Staff Comments.
<i>Policy BW-21C: Further to Schedule BW-7, Sub-Area 9 may be comprised of medium or higher density residential land uses on the northwest side of the site, and general commercial uses in the center portion of the Sub-Area, south of the interchange. On the south-east portion of the Sub-Area, general commercial or higher density residential land uses may be permitted.</i>	The development agreement reflects the distribution of land uses identified in this policy. Further lands anticipated to be medium of high density on the northwest side of the site have not been established and are being transferred to the Cresco Wentworth lands via policy BW-21 G and the amending agreement. In addition staff have clarified in the agreement that mixed use (commercial and residential) land uses are permitted on the south-east portion of the site.
<p><i>Policy BW-21E: A range of general and highway commercial, medium and higher density residential, institutional, and recreational uses may be permitted within the General Commercial Centre Designation shown on Schedule BW-7 subject to consideration of the following matters:</i></p> <p><i>a) natural vegetation, landscaping or screening is employed around parking areas and measures are employed to provide safe and convenient pedestrian access to the buildings they are intended to serve;</i></p> <p><i>b) sidewalks and/or plazas are provided so as to encourage a secure and inviting walking environment throughout the commercial centre and to neighbouring residential neighbourhoods;</i></p> <p><i>c) provisions are made for the storage of bicycles;</i></p> <p><i>d) exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;</i></p> <p><i>e) the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;</i></p> <p><i>f) the massing, height of buildings and architectural detail contribute to a pedestrian oriented environment; and</i></p> <p><i>g) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy</i></p>	<p>The existing and proposed agreement meets these requirements.</p> <p>The proposal complies with these requirements via series of architectural and landscaping requirements under the existing and proposed agreement.</p>

<p><i>regarding environmental protection, the community transportation system and municipal services.</i></p>	
<p><i>Policy BW-21G Within the Bedford West Secondary Planning Strategy and the adjacent Bedford South and Wentworth Secondary Planning Strategy areas it shall be the intention to establish a land use node as identified in Schedule BW-8. Land uses within this node shall be established by existing policies however the densities or allotment of land uses may be redistributed throughout the Larry Uteck interchange node subject to the following:</i></p> <ul style="list-style-type: none"> <i>(a) the proposed land use to be relocated must be enabled within the Bedford West portion of the node and the Bedford South and Wentworth Secondary Planning Strategy portions of the node;</i> <i>(b) the collection of infrastructure charges;</i> <i>(c) the impact on major road networks, specifically Larry Uteck Boulevard and the completion of Starboard Drive (Bedford South/Wentworth);</i> <i>(d) the impact on water and sewer infrastructure;</i> <i>(e) the proposed increase of density does not exceed that transferred out from the Bedford South and/or Wentworth Secondary Planning Strategies.</i> 	<ul style="list-style-type: none"> (a) the proposed land use is multiple unit dwellings. This land use is enabled on the Bedford West site MR-2 and within Mixed Use Business Campus area which is the location for the 118 dwelling units reallocated from the Bedford West side. (b) It is anticipated the transfer of infrastructure charges will be revenue neutral and all charges will be collected at current levels via the charge in the originating area. In this instance the charge for the 118 dwelling units will be via the existing Bedford West Sub Area 9 charge rate. (c) As traffic from the proposed transfer of units will accesses the same road network, it is not anticipated to have a significant impact on the road network. (d) the proposed transfer of units uses the same general water and sewer network and is anticipated to have no net impact on these systems. (e) the proposed transfer of density (118 units) is equal to that transferred from Bedford Sub Area 9 and the Bedford West Sub Area 9 agreement is proposed to be amended to reduce the permitted density by 118 units.

Attachment J
North West Planning Advisory Committee Public Meeting Minutes – April 7, 2014



NORTH WEST PLANNING ADVISORY COMMITTEE
PUBLIC MEETING MINUTES
April 7, 2014

PRESENT: Councillor Steve Craig
 Councillor Tim Outhit
 Ms. Ann Merritt
 Mr. Brian Murray

REGRETS: Mr. Michael Cogan
 Mr. Paul Russell

STAFF: Mr. Andrew Bone, Senior Planner
 Mr. Alden Thurston, Planning Technician
 Ms. Melissa Eavis, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

*The agenda, supporting documents, and information items circulated to the North West Planning
Advisory Committee are available online:*
<http://www.halifax.ca/boardscom/NWPAC/NWPACPIMApril72014.html>

The meeting was called to order at 7:01 p.m., and the Committee adjourned at 8:38 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:01 p.m.

2. PUBLIC PARTICIPATION

- 2.1** Case No. 18514 - Application by Clayton Developments, on behalf of Cresco Holdings Limited, to amend the Bedford South Secondary Planning Strategy and the Halifax Municipal Planning Strategy to enable the re-allocation of residential units, by development agreement, in the vicinity of the Larry Uteck Boulevard interchange, Bedford; as well as to amend the existing development agreement for Bedford West Sub-Area 9 and the development agreement for Wentworth/Bedford South.

Ms. Ann Merritt, North West Planning Advisory Committee Chair, introduced the Committee members, Councillors in attendance and staff. She provided a brief introduction to the case and introduced the Senior Planner on the case, Mr. Andrew Bone.

Mr. Bone made a presentation to the public outlining the planning process, applicable policies, the site and surrounding uses, the proposal and amendment requests.

Mr. Kevin Neatt, Associate Planner with Clayton Developments, made a presentation on behalf of the applicant. He discussed the history of the proposal, existing approvals, existing infrastructure, and the amendments being requested.

Ms. Merritt briefed the members of the public on the process and ground rules for the meeting and opened the floor up to comments.

Ms. Lorraine Rogers, a resident of Starboard Drive, asked staff what has been approved and if the permits have been issued.

Mr. Bone responded that four permits have been issued for grade alteration, blasting, topsoil removal and subdivision. He added that no permits for buildings have been issued at this point. He also clarified that the developer has the right to build only what has been approved and they are not permitted to build anything beyond the current agreement at this time.

Ms. Rogers asked if the density was approved, whether this would have an impact on the type of building constructed. Mr. Bone responded that there are broad definitions for building size and height and staff would have to make a determination as to whether the requirements were being met.

Ms. Rogers inquired as to the progress of the completion of Starboard Drive and whether the requested amendments could be contingent upon its completion. Mr. Bone responded that staff understands this is a community priority and they are investigating as to how this connection can be completed as soon as possible. Mr. Neatt stated that the developer needs to know what is

being planned, and in particular the densities being planned, prior to putting pipes in the ground. Mr. Bone added that Council has advised staff that this connection is a priority issue and it will be discussed in the staff report for this case.

Ms. Rogers stated that the traffic report is misleading, as this proposal will cause an increase in traffic. Mr. Bone replied that this issue would be considered during the staff review and advice from engineering staff would be sought.

Ms. Rogers also inquired as to which of the three options staff would be choosing to connect Transom Drive. Mr. Bone stated that Transom Drive would be connected to Peakview at an intersection of Starboard. Ms. Rogers also commented that a coffee shop is unnecessary.

Ms. Maureen Palmeter, a resident of Merrill Drive, asked how the development would impact the Wagner Avenue extension. She expressed concern regarding density and stated that she is trying to keep track of the density numbers. She noted that in a report, there was mention of fluctuating density allocations and solidification. Ms. Palmeter requested clarification on the meaning of those terms and whether excess density would be allocated to her neighborhood.

Mr. Neatt responded that it is unclear as to what the final design will be. He clarified that the single unit dwelling density numbers get solidified closer to construction time due to market fluctuations.

Ms. Palmeter stated that it is important for staff to be tracking the density numbers for this neighborhood to ensure Wagner Avenue does not end up with the excess density from across the highway. Mr. Bone affirmed that staff is aware of this situation and it will be a part of the review.

Mr. Joseph Daniel spoke on behalf of Cresco Holdings and stated that the current development agreement allows for twenty-four single family homes on that extension and the reason it has not progressed is because there is no servicing commitment from the Municipality. As the development is built out, the number of single-family dwellings that will be located on Wagner Avenue is between four and twenty-four and not more than that.

Mr. Charles Lineaux, a resident of Starboard Drive, stated that the consolidation of units and additional parkland is a good thing. He suggested that the developer seriously rethink the commercial node next to Starboard Place as this area is surrounded by four other commercial properties. He did not support a coffee shop in the commercial space, as litter would be an issue. He stated that single unit dwellings would be a more acceptable use for that site. He also noted that the proposed parkland area is unsuitable for development and will not be usable green space as they are steeply sloped.

Mr. Neatt responded that a portion of the proposed parkland area would be brought farther up to grade.

Mr. Lineaux also stated that he supports a trail being located along the water feature and circling back to Starboard Drive.

Mr. David Colville, a resident of Starboard Drive, agreed with previous commenters and stated that he has no issue with moving the density from one location to another. He also expressed support for the parkland proposal. He did not support the commercial uses being proposed and stated that the area should be dedicated parkland. Mr. Colville stated that neither a coffee shop nor residential uses would be appropriate on that site.

Mr. Brian Boyden, a resident of Starboard Drive, stated that the community urgently needs Starboard Drive to be completed. He also stated that in recompense, the park should be completed by finishing the tennis court and soccer field.

Mr. Neatt clarified that the uncompleted park is not within the Cresco Holdings lands. Mr. Bone added that the park referred to is likely owned by HRM.

Ms. Wendy McDonald, a resident of Warwick Lane, stated that in spite of the steep slope, the proposed parkland dedication is a positive aspect of the development. She inquired about the waterline trial that runs from Kearny Lake Road and asked that staff ensure connectivity from the pedway to Bedford West.

Mr. Bone responded that this would be reviewed by Halifax Water and with the Parks Department.

Ms. McDonald went on to state that tree retention is important as this area is a habitat for various wild life including bald eagles. She noted that biodiversity and wildlife habitat is important. She also inquired as to the 34-foot lots and whether these lots impeded snow removal and street parking.

Mr. Bone responded that standards have changed for these types of lots and attention has been paid to driveway access and parking requirements. He stated that the experience with these lot sizes in Bedford West has been positive and no significant issues have been brought forward.

Ms. McDonald stated that there does not appear to be additional space set aside for the construction of a school.

Mr. Bone responded that the Halifax Regional School Board is a review agency and has already commented on the existing development. As this proposal is not increasing the number of persons in the area, there would not be a significant impact on schools.

Ms. McDonald inquired as to the consideration of transit, connectivity and active transportation. She stated that the residents of Starboard Drive need a bus. She stated that these are key points that need to be considered. She also inquired as to the situation on Nine Mile River. Mr. Bone stated that he would double-check the timing on that issue.

Ms. McDonald also stated that the mapping is very confusing and should be more accessible to the public. She also stated that the vision presented is very positive and that aspects including parkland, trails, family living, and active living are well received.

Ms. Davena Davis, a resident of Fernly Park, asked if there were any provisions for pedestrian traffic and how pedestrians would traverse the traffic circles.

Mr. Bone replied that there are existing requirements for pedestrians. Within the traffic circles there are crossing points and there are connections across Larry Uteck Boulevard, which would become more apparent as the development is constructed.

A gentleman who had previously spoke, stated that on the proposed commercial site, parkland would be the best possible use.

Ms. Margo Duncan, a resident of Starboard Drive, inquired as to the scale of the development and whether it would impact her view. She also inquired as to the legal obligation to protect wetlands.

Mr. Neatt responded that the view would improve as the vegetation and foliage grows in. In terms of the wetlands, he stated that the Municipality has a Blasting By-law and a third party is ensuring the development meets those requirements.

Ms. Karen Lineaux, a resident of 530 Starboard Drive, stated that it appears the road is already infringing on the wetlands.

Mr. Bone responded that the crossing does infringe slightly and this was approved previously. He confirmed that there is a 50-foot buffer around the remainder.

Ms. Lorraine Rogers stated that a convenience store would be equally undesirable on the commercial use site.

Mr. Neatt explained that the commercial space site represents an allocation of density and moving that density elsewhere may be a possibility. If that site gets revised to parkland, the density would be relocated to another area. Mr. Bone clarified that the developer would not want to decrease their density allotment so that site would need to be developed or alternatively, the density could be shifted elsewhere within the development.

Ms. Rogers also asked if the community would be included in the meetings for the completion of Starboard Drive. Mr. Bone responded that there is an existing agreement and the next phase is required to be the completion of Starboard. They cannot proceed with that until the current proposal is completed.

Mr. Terry Hill, a resident of Starboard Drive, asked about blasting regulations and whether there would be significant disruptions.

Mr. Bone stated that residents could contact him and he would provide details on the Blasting By-law regulations.

Mr. Daniel clarified that there is no commitment as to what the community commercial uses will be on the site. This site has a density allotment of twenty-one people and that would have to be allocated elsewhere if the site is not developed as a commercial use.

Mr. John Beverage, a resident of Starboard, asked if there were any plans to complete the facility across Starboard Drive that has already undergone blasting and is currently rubble.

Mr. Bone responded that he has no information on that project but would look into it.

Mr. Bone provided closing comments and stated that residents may contact him with any additional comments or questions.

3. ADJOURNMENT

Meeting was adjourned at 8:38 p.m.

Melissa Eavis
Legislative Support



450 Cowie Hill Road, P.O. Box 8388 RPO CSC, Halifax, Nova Scotia B3K 5M1 phone 902 490-4820 fax 902 490-4808

19 June 2014

Halifax Regional Municipality
Development Services Division, Central Region,
Bayers Road, P. O. Box 1749, Halifax, N.S., B3J 3A5
Attention: Ashley Blissett

Dear Ms. Blissett:

Re: Case #18514 – Amendments the Bedford South, Wentworth and Bedford West SPS's to enable reallocation of residential density around the Larry Uteck Boulevard Interchange, Bedford and Halifax.

Further to our letter of December 4, 2013, Halifax Water offers the following:

Halifax Water supports to reallocation of residential density from the lands contained within the Development Agreement Case 16666 (Bedford West Master Plan Area) to the lands contained within the Development Agreement Case 01194 (Bedford South Master Plan Area) with the following conditions/understandings:

- 1) The Bedford West and Bedford South Master Plan areas are adjacent to each, separated by the HWY 102. As the two infrastructure plans progressed, there were components of wastewater and water infrastructure identified that benefit each area. The CCC rates established for the Bedford West Master Plan area best reflect the costs to provide service to the 118 units being considered for transfer to the Bedford South area from the Bedford West area.
- 2) In keeping with Item 1, the full CCC Charges for the lands within the Bedford West Master Plan area, as they exist, with the un-transferred density shall be paid to the Bedford West CCC.

Table 1 – Bedford West CCC's for Cresco Lands Subarea 9

CCC's for Subarea 9 PID's	Wastewater \$ 10,223.88 ¹ x 1.4838 ²	Water \$ 3,181.33 ¹ x 1.48382	Amount Owed
00289140 (10.13 acres) ³	\$ 153,674.06	\$ 47,818.23	\$ 201,492.29
00360511 (21.6907 acres)	\$ 329,052.11	\$ 102,390.03	\$ 431,442.13
41308610 (2.3455 acres)	\$ 35,581.69	\$ 11,071.83	\$ 46,653.52



Halifax Regional Water Commission

450 Cowie Hill Road, P.O. Box 8388 RPO CSC, Halifax, Nova Scotia B3K 5M1 phone 902 490-4820 fax 902 490-4808

00360339 (7.2896 acres)	\$ 110,584.64	\$ 34,410.25	\$ 144,994.89
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¹ 2013 CCC Rates – rates are subject to annual adjustments for CPI² Subarea 9 Density Factor³ All areas are subject to final plan of surveys for the respective parcels.

CCC's related to PID's 41308610 and 00360339 are due and payable upon subdivision(s) that create the proposed Parkland parcels **OR** upon the first subdivision of parcels 00289140 and /or 00360511. CCC's attributable to PIDs 00289140 and 00360511 are due and payable under typical land development through the acceptance of infrastructure (Hogan Court) or the connection of new buildings to water services (as per the current versions of Halifax Water Rules and Regulations).

- 3) With the payment of the CCC's outlined in the Table 1, Halifax Water will not require additional payment on Block WS1 (PID 00289165) in the Bedford South/Birch Cove North Master Plan Area to reflect the increase in density on these lands above the allocated 20 ppa.
- 4) The MPS Policy and Development Agreement for the Bedford West Lands (Case 16666) allows for a population equivalent of 1476 people. Should the transfer occur, it is recommended the language within the Development Agreement (possibly the MPS) be amended to reflect the transfer and the population equivalent permitted be reduced to 1211 equivalent people (1476 people – 118 units*2.25 ppu).

If you have any questions regarding the above, please contact the undersigned at 490-5029.

Yours truly,

original signed

Kenda MacKenzie, P.Eng.

Manager of Engineering Approvals, Halifax Water

cc via email: Kevin Gray, MURP, P.Eng, Development Engineer, Halifax Water
 cc via email: Chris Marks, CET, Engineering Approvals Technologist, Halifax Water
 cc via email: Greg Winchester, CET, Engineering Approvals Technologist, Halifax Water
 cc via email: Andrew Bone, Senior Planner, Halifax Regional Municipality