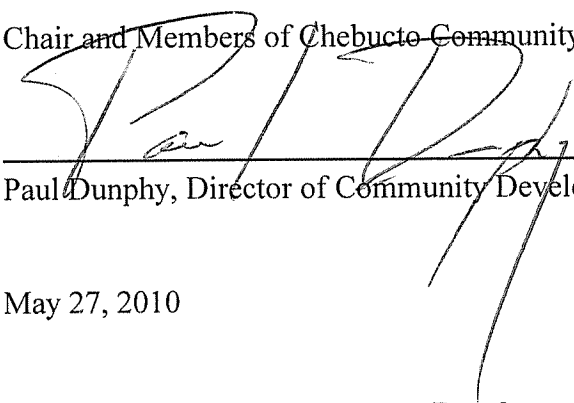




PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Chebucto Community Council
June 7, 2010

TO: Chair and Members of Chebucto Community Council

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: May 27, 2010

SUBJECT: Case 15976: Amendments to Development Agreement, Rockcliffe Village, Mainland South, Halifax

ORIGIN

Application by RV Atlantic Holdings Limited to amend the development agreement for “Rockcliffe Village”, a mixed-use development of lands at Northwest Arm Drive and Cowie Hill Road Extension, Halifax.

RECOMMENDATION

It is recommended that Chebucto Community Council:

1. Give Notice of Motion to consider an application by RV Atlantic Holdings Ltd. to amend the development agreement for “Rockcliffe Village” on lands at Northwest Arm Drive and Cowie Hill Road extension, Halifax, and schedule a public hearing;
2. Approve the amending development agreement, included as Attachment A of this report, to permit amendments to the mixed-use development; and
3. Require that the amending agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

Existing Development Agreement

The development agreement for the “Rockcliffe Village” mixed-use development was approved by Chebucto Community Council on July 6, 2009. The agreement allows for the subdivision and development of the site with a combination of single family dwellings, townhouses, multiple-unit dwellings, a small commercial building, two neighbourhood park parcels and conservation land via the extension of Cowie Hill Road to Northwest Arm Drive and the construction of two local streets.

Site Description:

The subject site is 34 acres in size. It is located immediately southeast of the Halifax Regional Water Commission lands at the end of Cowie Hill Road, Halifax, and fronts on the southernmost portion of Northwest Arm Drive where it intersects with Old Sambro Road (refer to Maps 1 and 2). The site abuts existing residential development at its northeast (Ridge Valley Road, Drummond Road) and southeast (Penny Avenue, Trelyn Road) boundaries.

The Proposal:

The following is a description of the proposed amendments (refer to Attachment A):

- elimination of the rear lanes behind the townhouses and relocating the driveway access and services for some of the townhouses off the minor collector street, thereby allowing for the subdivision of individual units;
- minor changes to the number and layout of single family and townhouse units including townhouses abutting the conservation land;
- minor changes to the road and driveway alignments;
- minor changes to the lot frontage and side/ front yard setback requirements for the single family dwellings;
- increase in the height allowance for two of the multiple-unit dwellings (buildings #2 and 3) from 10 to 12 storeys and greater flexibility in determining the mix of unit types;
- the ability to slightly increase population density through a future non-substantive amendment to the agreement which would require the approval of Council;
- elimination of non-substantive amendments which allowed for the replacement of a portion of the townhouses with one or two additional 4-storey residential buildings and the subdivision of the townhouse buildings so that each dwelling unit is on its own lot;
- the ability to allow for a future local street connection from the minor collector to an abutting land parcel (PID# 40181091, Mont Street) through a non-substantive amendment to the agreement, which would require additional traffic analysis and the approval of Council;

The proposed amendments are relatively minor and do not materially alter the original site concept. The amendments have no impact upon the relationship to abutting residential development, including the 50 foot natural vegetation buffer along the northeastern property line adjacent to Drummond Road properties. Relevant excerpts of the existing agreement are included as Attachment B.

Zoning and Enabling Policy:

The subject land is zoned RDD (Residential Development District). Section X (Mainland South Secondary Planning Strategy) of the Halifax Municipal Planning Strategy applies. The Generalized Future Land Use designation is Residential Development District (refer to Maps 1 and 2).

This application is made pursuant to Section 62B of the Halifax Mainland Land Use By-law which enables Council, by development agreement, in accordance with Policy 1.5.1 of Section X of the Municipal Planning Strategy, to approve a comprehensive residential development. The agreement was originally required as the proposal contained land uses and provisions which were not permitted as-of-right in the RDD zone.

DISCUSSION

Staff have evaluated the subject amendments in relation to the existing agreement and applicable policies of the Halifax Municipal Planning Strategy. The proposed amendments are in keeping with the Residential Development District guidelines of the MPS.

The Developer has advised that the proposed amendments are necessary in order to increase the financial viability of the project. The amendments would result in a more conventional subdivision, servicing and lotting arrangement for the townhouses. The adjustments to the detailed requirements for the small-lot single family units and the increase in height for two of the multiple-unit dwellings are reasonable given the attempt to concentrate development on the site while retaining as much open space (combined park and conservation land) as possible.

While the overall population density (27.1 persons per acre) remains unchanged from the original approval, a minor increase in population density was proposed by the Developer. Due to possible issues related to sewer capacity at Roach's Pond pumping station and the downstream trunk system, staff recommend that a future non-substantive amendment to the agreement is the most appropriate method of handling such an increase. As such, the draft amending agreement (Attachment A, Amendment #11) provides for such an increase which would require further staff review and, as indicated above, approval by Council.

The proposal has been reviewed by the Halifax Watershed Advisory Board. An excerpt of the minutes of the meeting held on April 21, 2010 is included as Attachment D. The Board's report will be forwarded to Council separately. The Board's first two recommendations are addressed by the watercourse setback and buffer provisions of the Land Use By-law. The third recommendation involving a water sampling program has not been included in the agreement as a requirement, as HRM does not yet have a program in place under which such sampling can be suitably administered. This is currently being addressed through an anticipated Water Quality Monitoring Functional Plan, which stems from the Regional Plan.

Conclusion

Staff is of the opinion that the proposed amendments are in keeping with the RDD guidelines and other policies and objectives of the Halifax MPS (Mainland South Secondary Planning Strategy) and the Regional Municipal Planning Strategy. The site is designated under the MPS for residential or

mixed-use development. The proposed amendments are relatively minor and do not impact upon the surrounding neighbourhood.

BUDGET IMPLICATIONS

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 this Agreement can be carried out within the proposed budget with existing resources.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

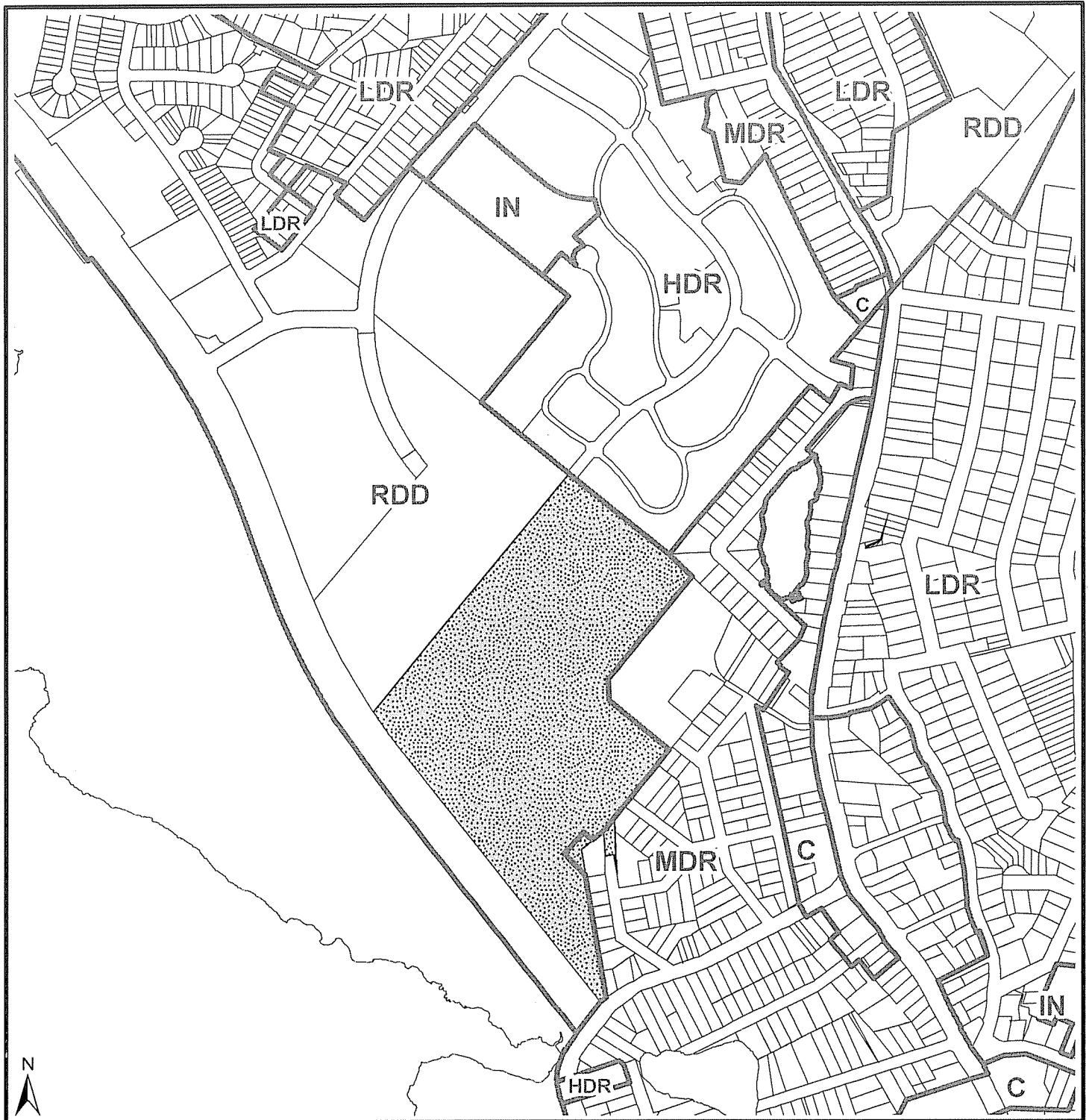
The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting held on April 8, 2010. A public hearing has to be held by Council before they can consider approval of any amendments.

For the Public Information Meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. Attachment C contains a copy of the minutes from the meeting. Some of the key issues raised, such as traffic, stormwater runoff and blasting, were related to and addressed within the original development proposal approved by Council in July of 2009. Should Council decide to proceed with a Public Hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area will be notified as shown on Map 2.

The proposed amending agreement will potentially impact the following stakeholders: local residents and property owners.


ALTERNATIVES

1. Council may approve the amending development agreement. This is the recommended course of action.
2. Council may refuse the amending agreement and, in doing so, must provide reasons based on conflict with existing MPS policy.
3. Council may approve the amending agreement with modifications which are acceptable to the applicant. Such modifications may require further negotiations with the applicant and/or revisions to the attached agreement.



Map 1 - Generalized Future Land Use

Rockcliffe Village
 North West Arm Drive
 Halifax

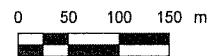
 Subject area

Halifax Plan Area
 Mainland South Detailed Plan Area

Designation

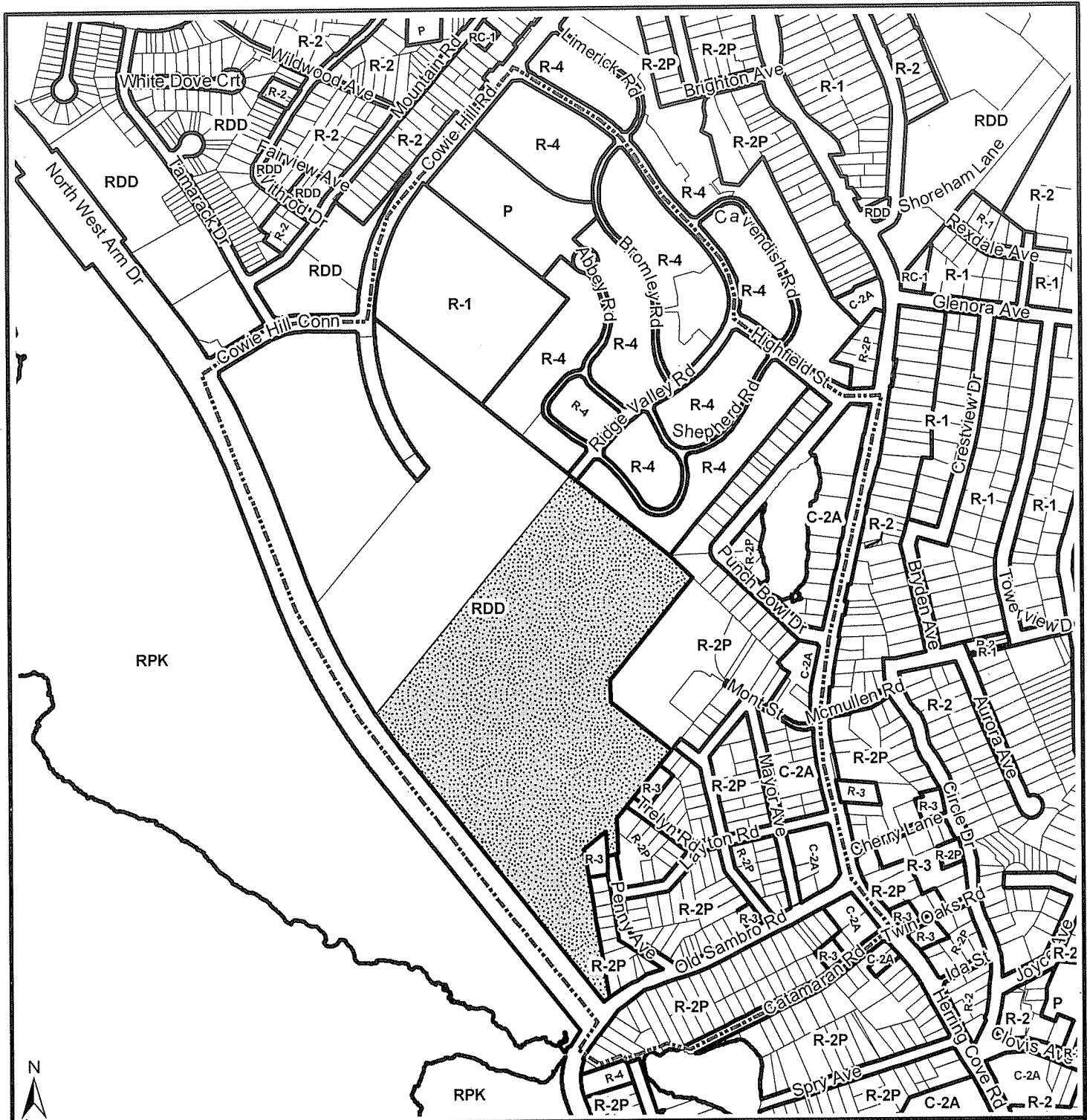
- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- C Commercial
- IN Institutional
- RDD Residential Development District

HALIFAX
 REGIONAL MUNICIPALITY
 COMMUNITY DEVELOPMENT
 PLANNING SERVICES





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

HRM does not guarantee the accuracy of any representation on this plan



Map 2 - Location and Zoning

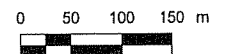
Rockcliffe Village
 North West Arm Drive
 Halifax

 Subject area
 Area of notification

Halifax Mainland
 Land Use By-Law Area

Zone

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-2P General Residential
- R-3 Low-Rise Apartment
- R-4 Multiple Dwelling
- RC-1 Neighbourhood Commercial
- C-2A Minor Commercial
- RDD Residential Development District
- P Park and Institutional
- RPK Regional Park



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

HRM does not guarantee the accuracy of any representation on this plan

ATTACHMENT A

THIS AMENDING AGREEMENT made this day of , 2010,

BETWEEN:

RV ATLANTIC HOLDINGS LIMITED,
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, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located to the east of Northwest Arm Drive and Cowie Hill Road, Halifax and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Chebucto Community Council of the Municipality, at a meeting held on July 6, 2009, approved an application by the Developer to enter into a development agreement to allow for a comprehensive mixed-use development on the lands (referenced as Municipal Case Number 01179), the said agreement being recorded at the Land Registry Office in Halifax on October 9, 2009 as Document # 94471258 (hereinafter called the "Existing Agreement");

AND WHEREAS the Developer has requested amendments to the provisions of the Existing Agreement;

AND WHEREAS the Chebucto Community Council of the Municipality approved this request at a meeting held on , 2010, referenced as Municipal Case Number 15976;

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

The Existing Agreement is amended as follows:

1. In Section 2.1, Schedule B (Conceptual Site/ Master Plan, Plan # 01179-001) shall be replaced with the following Schedule attached to this agreement:

“Schedule “B-1” Conceptual Site/ Master Plan Plan # 15976-001”

All references throughout the agreement to “Schedule B” shall be replaced by “Schedule B-1”.

2. In Subsection 2.4.1, clause (b), the number “25” shall be replaced with the number “18”;
3. In Subsection 2.4.1, clause (c), the number “8” shall be replaced with the number “6”;
4. In Subsection 2.4.1, clause (d), immediately following the word “feet”, the following text shall be added: “, except for the lots encumbered by the 50 foot natural vegetation buffer required by Subsection 2.6.2 where the minimum front yard shall be 10 feet ”;
5. In Subsection 2.4.1, clause (e), the number “12” shall be replaced with the number “10”;
6. In Subsection 2.4.2, clause (a), the following text shall be added at the end of the clause: "Notwithstanding this, the Development Officer may allow an increase to a maximum height of twelve storeys, not including the mechanical penthouse.";
7. In Subsection 2.4.2, the following clause shall be added immediately following clause (h):

“(i) The unit mix requirements of section 28CI of the Land Use By-law shall not apply”
8. Subsection 2.4.3 shall be deleted and replaced with the following:

2.4.3 Townhouses shall comply with the requirements of the R-2T zone of the Land Use By-law except as noted below. Where possible, utility meters, central air conditioning units, fuel tanks and exhaust vents shall be located in the side or rear of the dwelling. The minimum front yard setback for the townhouse buildings from Cowie Hill Road extension shall be as follows: minimum of 10 feet from the building facade, minimum of 3 feet from any exterior uncovered steps or staircases. The townhouse buildings shall meet the following other requirements:

- maximum of 40 feet in height
- maximum lot coverage of 50%, provided that this regulation shall be applied as if the lot was subdivided into as many lots as townhouses;

- minimum side yard of 8 feet, except along the common lot boundary dividing the townhouse building
- 9. Subsection 2.4.5 shall be amended by adding the following text at the end of the subsection:

“For the purposes of calculating density, one bedroom plus den units shall be considered to be the same as one-bedroom units. Population density tracking calculations shall be provided to the Development Officer of the Municipality with each application for Development or Construction permits for any multiple-unit building.”
- 10. Subsection 4.2, clauses (d) and (e) shall be deleted and noted as follows:

“(d) *Deleted*
(e) *Deleted*”
- 11. The following clause shall be added to Subsection 4.2:

“(g) an increase in population density identified in Subsection 2.4.5 from 27.1 persons per acre to up to 28.1 persons per acre, provided that the Developer confirms, to the satisfaction of the Development Engineer on the advice of Halifax Water, that there are no sewer capacity issues related to Roach’s Pond pumping station or the downstream trunk system and that the additional population is directed to the multiple-unit dwellings only.”
- 12. The following clause shall be added to Subsection 4.2:

“(h) the ability to allow for a future local street connection from the minor collector to an abutting land parcel (PID# 40181091, Mont Street), provided that all requirements of the Municipality are met as approved by the Development Engineer.

All other terms and conditions of the Existing Agreement shall remain in full force and effect. This Amending Agreement shall be binding upon the Parties hereto and their heirs, successors and assigns.

WITNESS that this Agreement, made in triplicate, was properly executed by the respective Parties on this _____ day of _____, 2010.

SIGNED, SEALED AND DELIVERED
in the presence of:

=====

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

RV ATLANTIC HOLDINGS LIMITED

per: _____

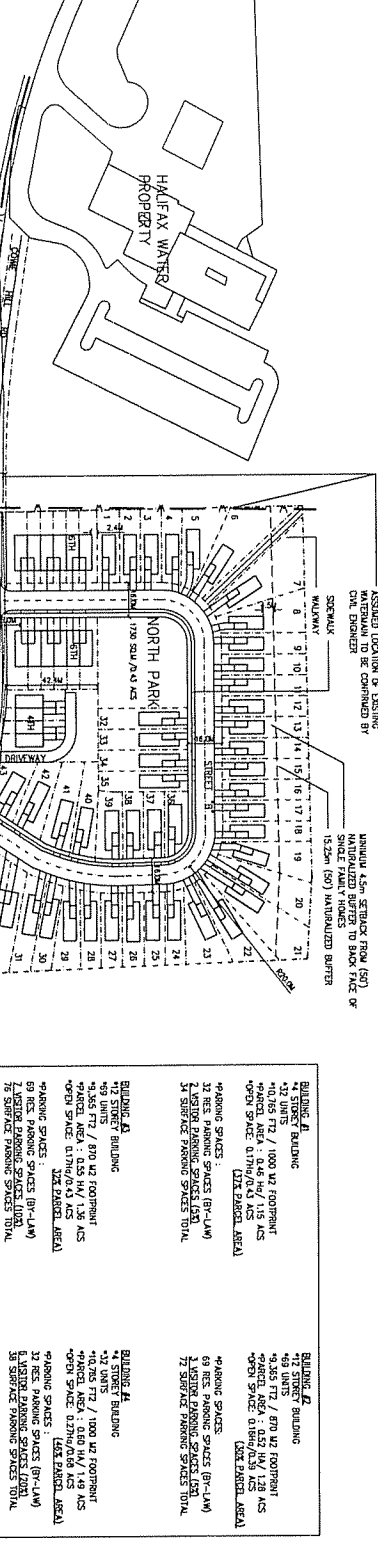
per: _____

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HALIFAX REGIONAL MUNICIPALITY

MAYOR

MUNICIPAL CLERK

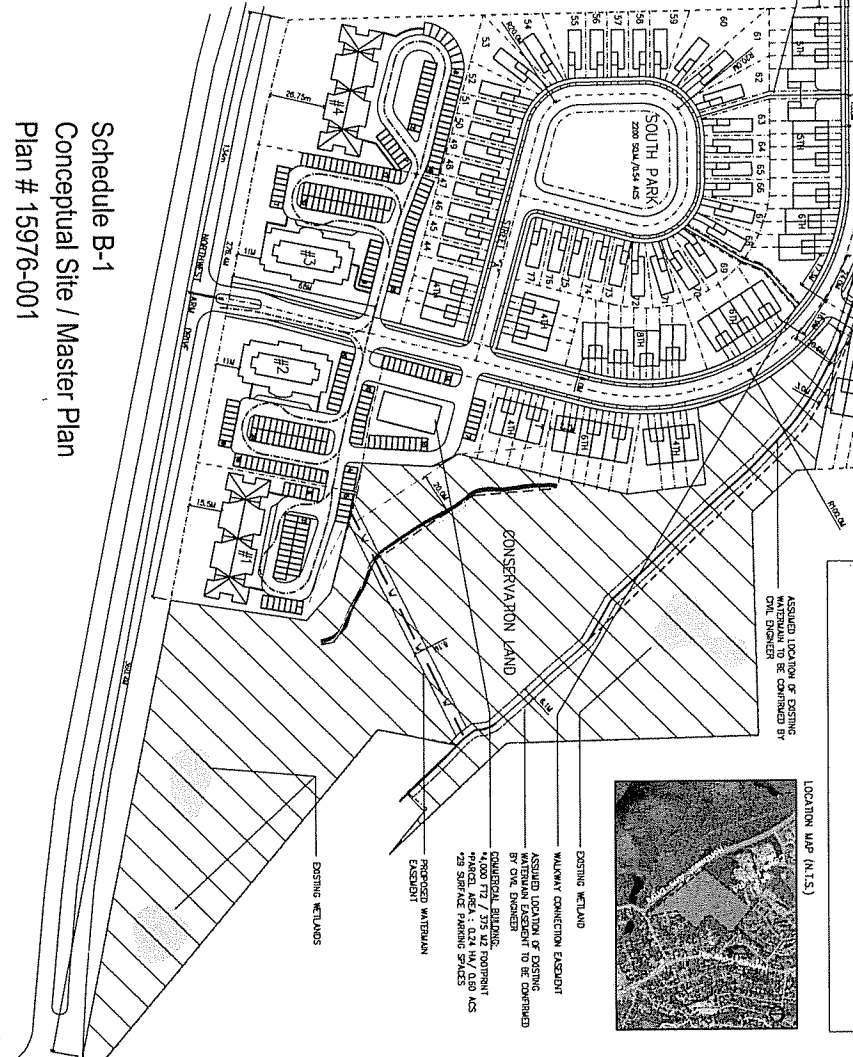
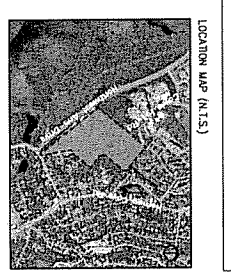


SITE STATISTICS FOR OPTION 1C MAY 25, 2010
SINGLE FAMILY 32' (9.75M) AND TOWNHOUSES 20' (6M) FRONTAGE

TOTAL CONSERVATION LAND:	414 Ha (10.23 ACRES)
(27.7 % OF TOTAL SITE AREA)	
PARKS:	
NORTH PARK (PASSIVE)	0.17 Ha (0.43 ACRES)
SOUTH PARK (PASSIVE)	0.22 Ha (0.54 ACRES)
TOTAL PARKS:	0.39 Ha (0.97 ACRES)
(2.82% OF TOTAL SITE AREA)	
TOTAL EXISTING WETLAND AREA:	0.18 Ha (0.45 ACRES)
(1.2% OF TOTAL SITE AREA)	
ROADS:	
ROADS LINEAR LENGTH:	1857 LIN. M.
AREA OF ROW:	1.69 Ha (4.18 ACRES)
BUILT FORM UNIT COUNT:	
SINGLE FAMILY:	77 UNITS x 3.35 PEOPLE=259
TOWNHOUSES:	72 UNITS x 3.35 PEOPLE=241
APARTMENTS:	202 UNITS x 2.25 PEOPLE=455
TOTAL:	351 UNITS
SINGLE FAMILY UNITS:	21.9 % OF TOTAL UNITS
TOWNHOUSE UNITS:	20.5 % OF TOTAL UNITS
APARTMENT FAMILY UNITS:	57.6 % OF TOTAL UNITS
SUMMARY:	
SITE AREA:	1323 Ha (3339 ACRES)
GROSS SITE AREA:	1422 Ha (3511 ACRES)
GROSS SITE AREA DENSITY:	271 PPA
RESIDENTIAL LOT AREA:	276 Ha (684 ACRES) 20% SITE AREA
SINGLE FAMILY LOT AREA:	220 Ha (544 ACRES) 16.0% SITE AREA
TOWNHOUSE LOT AREA:	215 Ha (531 ACRES) 15.7% SITE AREA
APARTMENT LOT AREA:	711 Ha (1756 ACRES) 51.8% SITE AREA
TOTAL RESIDENTIAL LOT AREA:	0.25 Ha (0.61 ACRES) 1.8% SITE AREA
COURTYARD:	1.69 Ha (4.18 ACRES) 12.8% SITE AREA
ROADS AREA:	4.67 Ha (11.54 ACRES) 3.4% SITE AREA
PARKS AND OPEN SPACE:	

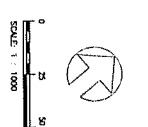
- BUILDING A1**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL
- BUILDING A2**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL
- BUILDING A3**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL
- BUILDING A4**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL

- BUILDING A5**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL
- BUILDING A6**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL
- BUILDING A7**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL
- BUILDING A8**
192 STREET BUILDING
482 UNITS / 700 H2 FOOTPRINT
PARKED AREA: 0.26 HA / 118 ACS
OPEN SPACE: 0.27 HA / 118 ACS
PARKING SPACES: 463 (PARKING SPACES (P-LAW))
2 VISITOR PARKING SPACES (P-LAW)
34 SURFACE PARKING SPACES TOTAL



APPROVED WATERMAIN	MIN 15/300
AT INTERSECTION WITH WESTERN	
REV. AGREEMENT	SEP 21 2010
REVISION 10/15 M	FEB 19/2010
REVISION 11 M	MAY 11 2010
REVISION 12 M	DEC 21 2009
REVISION 13 M	DEC 11 08
ROCKCLIFFE VILLAGE	
MASTER PLAN - OPTION 1C	
A1.0	

BFI GROUP
 Strategy Group / BFI Group Architects
 3545 University Ave., Suite 100
 Toronto, ON M3J 1M6 Canada
 Tel: 416 593 3322
 Fax: 416 593 6644
 www.bfigroup.com



ATTACHMENT B

RELEVANT EXCERPTS FROM EXISTING DEVELOPMENT AGREEMENT

2.1 Schedules

The Developer shall develop the lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the following Schedules attached to this agreement (plans numbered 01179-001 to 01179-004 inclusive) filed in the Halifax Regional Municipality as Case Number 01179.

The schedules are:

Schedule A	Legal Description of the Lands	
Schedule B	Conceptual Site/ Master Plan	Plan # 01179-001
Schedule C	Typical Elevation, 10-storey Residential	Plan # 01179-002
Schedule D	Typical Elevation, 4-storey Residential	Plan # 01179-003
Schedule E	Typical Elevation, 6-storey Residential	Plan # 01179-004

2.4.1 The single family dwellings shall comply with the requirements of R-1 zone of the Land Use By-law with the following exceptions:

- (a) Minimum lot area 3,200 square feet
- (b) Minimum lot frontage 32 feet, except 25 feet when lot faces the outer side of a curve
- (c) Minimum side yards 8 feet on one side, 4 feet on the opposite side
- (d) Minimum front yard 15 feet
- (e) Minimum separation distance of 12 feet between any dwellings
- (f) Maximum lot coverage 50%
- (g) Minimum of 50% of the required front yard shall be landscaped
- (h) Notwithstanding clauses (d) and (g) above, exterior staircases may encroach into the required front yard to a maximum of 10 feet

2.4.2 The multiple-unit residential (apartment) buildings, as generally shown on Schedules B, C, D and E, shall comply with the R-3 and R-4 zones of the Land Use By-law with the following exceptions:

- (a) Buildings No. 2 and 3 shall be permitted to a maximum height of ten storeys, not including the mechanical penthouse level. Dwelling units may be permitted within the same level as the mechanical penthouse;
- (b) Buildings No. 1 and 4 shall be permitted to a maximum height of four storeys, provided the Development Officer may allow an increase to a maximum height of six storeys in order to accommodate the transfer of densities permissible pursuant to Sect. 2.4.5;

- (c) For all buildings, angle controls may be waived from all property lines except the Northwest Arm Drive right-of-way;
- (d) Population density shall be calculated in accordance with Section 2.4.5;
- (e) There shall be no minimum lot frontage requirement for Buildings No. 1 and 4;
- (f) Landscaped open space requirements may be reduced by up to 50% for any of the multiple-unit buildings;
- (g) Building materials shall be generally as shown on Schedules C, D and E or may include an acceptable equivalent as determined by the Development Officer;
- (h) The Development Officer may allow the footprint, size and siting of the buildings to vary from that shown on Schedule B.

2.4.3 Townhouse sites shall be maintained or managed by a single, legal entity. The driveways servicing the rear of the townhouse buildings are to be under private ownership and, as such, the Developer shall be responsible for services, private driveway maintenance and snow and ice control. Individual driveways are prohibited off Cowie Hill Road extension (minor collector). Shared private driveways shall include identification signs at each entrance, be designed and constructed to commercial driveway standards and shall be identified as such on the final plan of subdivision. The townhouse buildings may be subdivided so that each building is located on its own lot. Where possible, utility meters, central air conditioning units, fuel tanks and exhaust vents shall be located in the side or rear of the dwelling. The minimum front yard setback for the townhouse buildings from Cowie Hill Road extension shall be as follows: minimum of 10 feet from the building facade, minimum of 3 feet from any exterior uncovered steps or staircases. The townhouse buildings shall meet the following other requirements:

- maximum of 40 feet in height
- maximum lot coverage of 50%
- minimum mean rear yard of 20 feet
- minimum side yard of 8 feet, except along the common lot boundary dividing the townhouse building

2.4.5 The residential population density of the entire development shall not exceed 27.1 persons per acre of Gross Lot Area as defined in the Land Use By-law. The number of multiple-unit (apartment) dwelling units shown on Schedule B shall be based on 2-bedroom equivalents, therefore, the actual number of units may vary. Population density shall be calculated on the following basis:

- | | |
|--------------------------|---|
| - Apartments: | - one person for each bachelor unit, |
| | - 2 persons for each one bedroom unit |
| | - 2.25 persons for all other unit types |
| - Townhouse | - 3.35 persons |
| - Single Family dwelling | - 3.35 persons |

The Development Officer shall allow the numbers of single family, townhouse or multiple-unit (apartment) dwelling units, as shown on Schedule B, to vary by up to 30%, provided that the population density of the entire development indicated above is not exceeded and provided the number of multiple-unit (apartment buildings) does not exceed four.

4.2 Non-Substantive Amendments

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

- (a) minor changes to the landscaping requirements as detailed in section 2.6;
- (b) an increase in the height of the multiple-unit residential buildings #1 or 4 above six storeys, provided that the overall population density of the entire development, as provided for in Section 2.4.5, is not exceeded;
- (c) an increase in the size of the commercial building as specified in Section 2.4.4;
- (d) the replacement of up to thirty percent of the townhouse dwelling units with one or two additional multiple-unit (apartment) building(s) not to exceed 4 storeys in height, provided that the residential population density of the entire development does not exceed 27.1 persons per acre pursuant to Section 2.4.5, subject to access and service requirements being met and approved by the Development Engineer;
- (e) the subdivision of any of the townhouse buildings so that each townhouse dwelling unit is on its own lot, subject to access and service requirements being met and approved by the Development Engineer;
- (f) the inclusion of commercial uses on the ground floor of any of the multiple-unit (apartment) buildings, provided such uses are in compliance with Section 29A of the Land Use By-law, notwithstanding that the building(s) may not contain 100 or more dwelling units and/ or be located within 120 feet of an intersection.

ATTACHMENT "C"

Public Information Meeting: Case 15976, April 8, 2010

In attendance: Councillor Mosher
Paul Sampson, Planner
Shanan Pictou, Planning Technician
Gail Harnish, Planning Services
Bill Campbell, Planner for Proponent
David Graham, Proponent
Dan O'Halloran, O'Halloran Campbell Consultants
Andy Bowman, O'Halloran Campbell Consultants
Elizabeth Kennedy, Hydrogeologist

Call to order, opening remarks

Mr. Paul Sampson called the public information meeting to order at approximately 7:00 p.m. at the Captain William Spry Centre. We are here tonight to discuss an application by RV Atlantic Holdings to amend the development agreement for Rockcliffe Village. This development was approved by Chebucto Community Council last July. The amendments being proposed tonight will be discussed, and members of the public will have an opportunity to ask any questions later in the meeting.

Overview of planning process

Mr. Sampson advised the zoning of the site is RDD (Residential Development District). The RDD zone allows for some as-of-right development but when you get into a mix of land uses for any development, it needs the approval of Community Council.

The development agreement was approved last summer and it was filed at the Registry of Deeds in October of 2009. Since that time, the applicant has been looking at the technical details of the project and decided to request amendments.

Included in the original submission that came forward in the spring of 2009 was a proposal for apartment buildings as well as townhouses and single family dwellings. As a result of public feedback, that proposal was amended to put all the multiples along Northwest Arm Drive.

Mr. Sampson displayed a side by side drawing showing the approved development and the proposed development.

Presentation of proposal

Mr. Bill Campbell presented the proposal for the proponent.

Why we are here again

Once they got into the detailed planning, they found some parts of the proposal were too expensive to make a reasonable go of it, so they tried to reduce some of the expensive items and to make a better project.

The principle part of the expenses was the lanes. Aside from the cost of the lanes, there is the problem with fire access and snow removal because they had to be controlled by private maintenance. The decision was to try and eliminate the lanes. In this proposed plan, you will see there is an absence of lanes.

The most significant difference in the plan is that the north park closest to Drumdonald is larger by almost 25%, and there is an addition of townhouses on this side of the road (pointed out).

They tried to keep the project "as is where is" except where they wanted to eliminate some of those expensive items.

When they started meeting with Planning staff, they were told to make their pitch for everything they wanted because they did not want them to keep coming back for amendments. The proposed development is very similar to what was approved before but with some tweaks.

Modifications from the first public information meeting

- The multiple unit building in the corner near Drumdonald was eliminated from an early plan.
- There was a direct connection through to the end of Ridgevalley Road which was taken out.
- There were concerns about the stormwater flow down below these lands, so they have done work on that to make improvements to the stormwater catchment.

The benefits of the changes

The key benefit is a walkway from the end of Ridgevalley Road that comes through to North Park Street, so they have access to this parkland and a walkway to the south park.

There is a nice pedestrian connection and it comes down through to the commercial centre. The interconnection between communities is important. This continues to link into a trail system that will come through to Old Sambro Road and Northwest Arm Drive. As part of this project they will be negotiating the construction of some of this trail with HRM. Some of this work will be done at the outset.

Coming back has allowed them to formalize this buffer along here (pointed out). Councillor Mosher took the position there should be a 50' buffer on that edge. They have pulled these buildings forward so the buffer can be real and the buffer will be undisturbed. It is a nice firm buffer.

Substantive amendments

- Removal of the lanes. There will be no private lanes. All access will be over public roadways.
- Because the lanes have been removed from the back of the townhouses, they can have driveways on the road that is connected onto Cowie Hill. They have tried to maintain as few driveways as possible so as not to interrupt the traffic movement.
- There are some corner lots where they have asked for smaller frontages.
- They have asked for a small reduction on some sideyards to give some flexibility with the location of the building on the property.
- Overall there is a 1 person per acre increase in density. There are ten more single family homes and ten more townhouses. Because of this re-arrangement, they have found room for these additional units, however, the project essentially looks the same.

Non-substantive amendments

- The townhouses will have access to services in the street.
- Remove the requirement for a 1:3 unit mix for the multiple unit buildings.
- As a result of pulling the properties forward for the buffer, they are asking for a 5' reduction in the front yard setback for those lots.
- They have slightly altered the location of the apartment building.
- They have asked for some consistent wording in the agreement for townhouses that was inconsistent with the wording for singles and multiple units.
- They have asked for an amendment to be able to come back to Community Council at some future time to consider an increase in the height of the two multiple unit buildings to twelve storeys.

Clarifications

- They have shifted the intersection with Northwest Arm Drive 10m to the north.
- The alignment of the entire road is shifted a little bit.
- There is a small change to how they access the commercial site.
- There is an increase in the size and configuration of the parkland and attached walkway to provide the interconnection.
- They have confirmed a bit of the channel which was not deemed to be a watercourse by the Department of the Environment.

Summary

- The cost of the lanes and related fire and snow removal issues drove the need for amendments.
- In the detailed planning, they looked at creating the same development with no significant change but to provide some improvements as well.
- Better open space/parks.
- Interconnected walkways between the neighbourhoods.
- Formalized the buffer at the back of the property.

Mr. Sampson advised the amendment to permit the ability to have a twelve storey building is a relatively common clause in development agreements in the Mainland. In Clayton Park West, for example, they have asked for the ability to go to twelve storeys with their apartment buildings, but left some of them at six and eight storeys in height.

Stoneridge on the Park and Stanley Park had the same kind of ability. It is a common clause to have the ability to go to that height and no higher. The marketing of the buildings usually works that out. We want to hear the public's opinion on that request.

Questions and comments

Ms. Joan Sinden questioned if the townhouses and multiple unit buildings would be rental buildings.

Mr. David Graham responded the singles and townhouses would be owned but the multiple unit buildings could be a combination. It will depend upon the market. When they finish this

process, they will do the marketing studies.

Ms. Sinden indicated she was concerned about things like who would mow the lawns. If the occupants are renting, they might not care about that.

Mr. Graham noted there would be less control over single family homes than the multiple unit buildings.

Ms. Sinden questioned what is the highest storey building on Northwest Arm Drive in comparison to what they will be building.

Ms. Sampson responded he believed it was twelve storeys.

Ms. Sinden commented another twelve storey building might not be such a bit deal.

Mr. Graham clarified they have asked for the ability to ask for a twelve storey building at a later date. The footprint of the building might be smaller if they go with the higher building.

Ms. Linda Mason questioned what the dimension of the backyards was from the Cowie Hill project.

Mr. Graham responded they were originally at 114' but now they are at 130-135'. He clarified the 50' buffer would be included as part of that. He expected it would be 70-80' to the house.

Ms. Mason asked if they gave consideration to the lady slippers in the area.

Mr. Graham indicated they had no intention of disturbing the conservation area.

Mr. Campbell noted they would have to locate them before they could comment.

Mr. Raymond Wilkie commented when they built Cowie Village, they looked at a plan like this which showed a nice green buffer zone between them and Cowie Hill. What they ended up with was a 30-40' wall of boulders in their backyards. He asked if they would have a buffer zone of trees.

Mr. Graham responded he has walked the property many times. There are trees that run along their property that will remain undisturbed. They would prefer not to have to dig granite but there is some leveling to do but only on the lots and typically where the houses will be situated which is 75-85' from the lot line. There is existing natural vegetation which will remain undisturbed.

Mr. Wilkie indicated the 1000 people means they will end up having another 500 cars all going through the Rotary, and asked if any consideration was given to that.

Mr. Graham advised they had a traffic study done. It was their hope to have a local urban road but because it connects to a major arterial they were required to have a minor collector road with sidewalks on both sides. The traffic study indicated 70-75% of the cars would use Northwest Arm Drive.

Mr. Dan O'Halloran indicated he was filling in for Marcel Deveaux of their office who headed up this project. Referencing the documentation provided to Mr. Graham, he advised:

For Halifax Peninsula, 40% of the traffic, 28% would be on Northwest Arm Drive and 12% on Herring Cove Road.

For Halifax Mainland South, 34% of the traffic, 22% would be on Northwest Arm Drive and 8.5% on Herring Cove Road.

For Halifax Mainland, approximately 10% of the total, all the traffic would be on Northwest Arm Drive.

For the Lakeside/Timberlea area, 3% of the total, all the traffic would be on Northwest Arm Drive.

For the Bedford/Sackville area, 5% of the total, all the traffic would be on Northwest Arm Drive.

For Dartmouth, 8% of the total, 50% would be on Northwest Arm Drive and 50% on Herring Cove Road.

Approximately 24% of the total traffic would use the Herring Cove Road and find its way to the Rotary and the remaining traffic would be on Northwest Arm Drive. They feel that is reasonable and a lot of research went into developing those numbers.

Ms. Cathie Thibeault commented she would mourn the loss of the little patch of woods because she walked her dog there but she realized it was being allowed to deteriorate. She was very happy that something useful was being put in its place, and hoped it lives up to its promise especially the conservation area.

Ms. Thibeault asked what the frontages on North Park Street were being reduced from.

Mr. Campbell, referencing the plan, noted the corner lots in the original agreement had 25' and they have asked for them to be reduced to 18'.

Ms. Thibeault asked about the reduction in the sideyards.

Mr. Campbell advised they asked for the sideyards to be reduced from 8' and 4' to 6' and 4', which is a 2' reduction in total between the units.

Ms. Thibeault indicated she understood they are very close to an area that produces radon, and asked what the impact is of escaping radon gas into the atmosphere by digging into the ground. Will that pose any kind of health risk?

Ms. Elizabeth Kennedy advised the Halifax formation, which is underneath this building as well as all of Halifax Peninsula, has a potential for radon gas. When we have an enclosed space over the radon gas, it gets trapped and can build up to a level that is harmful to humans. If there is radon underneath the site, it is above the site. It is happening all the time. The issue is not whether they will be exposing more radon into the atmosphere but rather they will be putting basements in these units and enclosing it. It will not be a greater risk to anyone than it is now. Exposing more of this formation will not release more gas.

Ms. Kennedy asked about the affects of blasting and creating cracks in the formation.

Ms. Kennedy responded the likelihood of blasting anything off site is extremely low because of the formation. Cracks in the formation will not make the radon any worse than an uncracked formation. Radon is a radioactive gas. It will expose more surface area. It is not likely to get trapped in the rock. It is leaching at a fixed rate all the time. It is a product of decaying mineral.

Ms. Brenda Jollymore referenced the apartment buildings along Northwest Arm Drive and indicated there is quite a rock face along there. She has called over the years about falling rocks into the gully. The elevations on these buildings will be higher because of that. The twelve storey multiple unit buildings will look like they are twenty storeys high.

Mr. Graham advised the property ends before the rock level goes up. He pointed out the location of the rock wall and noted their property is pretty much at road level.

Ms. Jollymore asked how much stormwater runoff will be created from that area that will run downhill.

Ms. Kennedy advised the plan is for collection systems throughout the developed areas. Right now this portion of the site (pointed out) is draining to this neighbourhood. In this new plan, the stormwater is collected and discharged around this point and there will be stormwater management in this area of the park. The pre and post development flows from the site will be balanced. The intent is to balance those flows right here (pointed out) so in effect these wetlands will not have any change in hydrology. These wetlands are in the lowest part of the site which is where the stormwater is directed. If this development affects those wetlands, they would have to go through a wetlands alteration permitting process with the Department of the Environment which is very expensive, so they are motivated to maintain these wetlands undisturbed. The stormwater will be managed before it gets to the wetlands so they will have added treatment from the natural wetlands.

Ms. Jollymore asked if there are any studies for Long Lake Park, where there is a watershed.

Ms. Kennedy advised the water does not go to Long Lake.

Ms. Jollymore asked if this development would have any impact on that, to which Ms. Kennedy responded no.

Ms. Jollymore expressed concern about blasting.

Ms. Kennedy responded there would not be much blasting; most of it would be done by ripping. If there is blasting, it will be very contained and the shock would not travel more than 200m in this type of bedrock.

Ms. Jollymore referenced the traffic between Withrod and Osborne and noted people come down to the Northwest Arm Drive and all go through there. You have fifty cars backed up because there is no set of lights. There will be another 500 cars so she did not think the traffic issues have been addressed.

Ms. Jollymore noted a lot of people walk up Northwest Arm Drive and there are no sidewalks. She asked if sidewalks would be included as part of this development

Councillor Mosher pointed out that is a provincial road and suggested they call their local MLA. HRM will never put sidewalks along there.

Mr. O'Halloran, referencing the plan, pointed out an area where there would be a signalized intersection with Northwest Arm Drive at the time of the development. Referencing the traffic study, he noted he never saw one as thick as the one for this development. The numbers were looked at very carefully and were accepted by HRM and the Department of Transportation. The study was reworked based on the slightly revised density numbers.

Mr. Sampson advised the findings of the original traffic study were reviewed and okayed by HRM Development Engineers as well as the Department of Transportation. They did not have any concerns about any negative impacts. This is just tweaked a bit but does not change the overall population in the development.

Mr. Dennis Field noted there are green trees there and he really wanted them to stay green, and really wanted a buffer. The water is flowing in the direction of his yard, and he did not want water coming onto his property.

Mr. Field indicated he was concerned about blasting and noise coming off that hill as it would affect his business and put him out of business. He realized it would be awhile before they got back to the corner. They loved the area. When Punch Bowl Drive was done, they were in front of his place for three days. Also, the rodents would be coming out in droves when they disturbed the area. They are thrilled to see the greenbelt but they want it to be green.

Mr. Sampson noted in terms of noise, the Municipality does have rules and by-laws. The land is zoned for development. The question is the type of development and what type of process it has to go through, either in terms of a development agreement or the as-of-right process. If the proposed development had been for single family homes and duplexes, this process would not have happened and it would have gone through the as-of-right subdivision and permitting process.

Mr. Field indicated his business would be shut down if they hammered on Lots 19, 20 and 21 for three days. Also, because of the stormwater, his neighbour lost his driveway last summer. His neighbours let him bring in heavy equipment to build a trench to divert the water away from his house.

Mr. Graham stated in addition to following the guidelines, they will be obligated to do a blasting survey in the area of a certain distance and they have to have insurance. He advised they would alert the gentleman of their hours when they started to work in his area, and perhaps they could share their work schedule with each other. It probably would not be for a couple of years. In terms of flooding, when you engineer a development like this, there should be a lot less stormwater coming into the area. They have an obligation to ensure there is 40% less water flow.

Ms. Kennedy pointed out the water from this developed site (pointed out) is crossing across to this area, which they are aware of. The water coming from the roof gutters and lawns from this proposed development will be directed into the street. The water coming from 90% of this area is being directed to the road and the road will take it to here (pointed out). This area will have a lot less water going to it when this area is developed.

Mr. Campbell also pointed out the back of those properties will have natural vegetation because they are part of the buffer.

Mr. Field commented they went through a lot of summers of bad floods. It took a lot of work. When Punch Bowl Drive was being done, the City was out and said they would not do anything and they installed drains in the front of his property. He had to build a big trench around his property in order to put everything down to the City storm drains.

Ms. Kennedy indicated from looking at this plan, this development will not make more water go down to this area. She could say with a lot of certainty that it will take water away from this area. She thought it would solve that flooding problem.

Councillor Mosher noted in terms of the rodents, they experienced the same problem with every development. If they see any rodents, they should give her a call and HRM will send somebody out.

Mr. Sampson advised before the development could happen, the developer would have to submit subdivision applications. Part of that process is to submit detailed engineering drawings to the

Development Engineer. There is a subdivision agreement plan required and individual lots would need a lot grading plan with each application for a building permit, which would show the direction of the water.

Mr. Ross Hubley asked if an owner of the lots with the buffer could go in and do whatever they wanted with it.

Mr. Sampson advised the 50' buffer is part of the lots so it is individually owned. The development agreement has a clause right now that says the back 50' has to be left undisturbed. What could happen is that individual owners could over time start to infringe on that, and then it is an enforcement issue on the part of HRM, who would require them to either re-vegetate or vacate that space.

An individual commented she thought it would be a buffer that was not owned by the individual homeowners.

Mr. Sampson clarified they would not be able to place structures or sheds in the buffer area. That type of arrangement exists in a lot of development agreements across HRM. It is quite a common thing.

Councillor Mosher indicated somebody has to own the buffer zone. It is to the homeowner's advantage to have a non-disturbance zone. HRM cannot own them because they would be liable if something happened on them. The intent of the buffer is for the public good. You cannot cut down trees or put structures in the buffer zone. If something happens in the buffer zone, then HRM sends out an enforcement officer. It is not practical or feasible for HRM to own all the buffer zones. It is of benefit to the homeowner. They will still get the benefit of the natural vegetation around their property.

The individual asked if the homeowner could be fined for disturbing the buffer zone, to which Councillor Mosher responded yes.

Mr. Graham stated the homeowner benefits from having the 50' buffer.

Mr. Hubley asked if the units abutting Drummond Road would be four storeys high.

Mr. Graham responded they are two storeys with a pitched roof.

Mr. Hubley noted the area used to be a quarry and asked if they would be able to use any of that rock. Mr. Graham responded he doubted it.

Mr. Hubley indicated the percentages given for the traffic were for the full day, and indicated he thought most people would be concerned about the hour between 6:45 a.m. and 7:45 a.m.

Mr. O'Halloran responded he believed there was discussion of that point at the previous public meeting. Peak hour numbers were generated. For this development, it is 367 vehicles and that is based on the standard methodologies, taking into account the number and type of buildings. The question is what the split will be. They made reference to a lot of HRM traffic data in preparing the splits. Based on existing traffic movements, their opinion is that all the traffic will not go down to Herring Cove Road at those hours. The split will be around 70/30 for Northwest Arm Drive versus Herring Cove Road. They used existing traffic flow data and traffic count numbers from the area to generate the estimates in their report.

Mr. Max Keeping questioned if those numbers take into consideration the other subdivisions opposite the lake further down Herring Cove Road.

Mr. O'Halloran advised their numbers do not include the other developments. Those traffic numbers are traffic movements in and out of this development either on a peak hour basis or a twenty-four hour basis. HRM has to review the numbers from the other developments separately.

Mr. Mike Harvey referenced the conservation land which he was previously told would be undeveloped parkland, and asked if it would become City parkland. The first proposal talked about a wind turbine.

Mr. Sampson advised there would be no wind turbine. That was part of the initial plan but was taken out of the plan approved by Community Council last year. The conservation land will be owned by HRM but will not be developed parkland. The access to the area will be by trail. He understood they were looking at having the trail run where it now runs in the area of the water easement.

Mr. Campbell pointed out they have to negotiate that with Parkland Planning staff.

Mr. Harvey indicated when they get heavy rains, the water pours down Penny Avenue, and questioned if that is being addressed in this development.

Ms. Kennedy responded the water from the site is being captured and directed to a stormwater management system. Any rain that lands on this site will be directed to a stormwater management facility. That water will be retained and let go over a slow period of time. It will eventually discharge into these wetlands and into a culvert under the road and carries on. They are matching the pre-development flows in this stormwater management facility. There will be no change pre or post-development to anything running off the site now at this wetland. The connection between the two sites does not allow it.

Ms. Kennedy clarified it would be an engineered system.

Mr. Harvey said he had a problem with the apartment building up the road (Stoneridge). Once this development goes through the planning stages, will it be locked down?

Councillor Mosher stated the Stoneridge development was approved in 1991. There was only trees in the neighbourhood at the time and there were no people. They kept coming back asking for amendments. The agreements were written by the planners and not Legal. The community said it wanted these big single family homes which was supported by Council. They had 2-four storey buildings and 1-twelve storey building and did not have enough room for the last one, so they came in and applied for two towers connected by a common podium. That was turned down by Community Council, and they appealed that decision to the N.S. Utility and Review Board who upheld the developer's wishes and said it was one building. Instead of up to 20 persons per acre, it says they are allowed that number. We went to the Supreme Court of Nova Scotia who upheld the Review Board's decision.

She subsequently came back and questioned why planners are writing development agreements. She asked and received the support of Community Council that all development agreements be vetted through Legal. This one slipped through the cracks and was reviewed by Planning and not Legal. When this comes back to Community Council, she will be asking that it be vetted through Legal. Legal agreed there is some wording we can put in agreements to tighten up things. If this comes back, she will take it as an opportunity to have the wording tightened up. She was confident this developer listened to the residents. It was her job to work with Legal and tighten it up.

It is a developer's right to ask for amendments but there were so many amendments for Stoneridge. She was not happy to be here again for this application but as part of this process they were asked to think about every possible amendment they could think of now so they would not have to come back again. She understood the only thing they could come back and ask for again was the increase in height from ten to twelve storeys. They want a development that fits in the community and has benefits to the community as well.

Mr. Sampson clarified Legal did review the agreement for Rockcliffe.

Councillor Mosher noted they did look at it but she said some things could be changed.

Mr. Sampson stated the Stoneridge development agreement was the original Stanley Park agreement which was approved in 1991. The agreements were done differently back then. They were much shorter and the plans were more general. We make them a lot more detailed now. Some of the amendments being requested for this development are substantive and require a public hearing, and some of the amendments could be approved by Community Council by resolution. Because there are both types of amendments, the idea was to put them all into one package and present them to the public and Council in one step, instead of doing a number of amendments over time. The other thing about the Stanley Park development agreement was that there was no sunset clause. It had no expiration, so that enabled them over time to apply for all the amendments.

Mr. Graham stated the conservation land can never be developed. They have more than ten acres of parkland which represents 30% of this development, when they only have a requirement to provide 10%. He has been at this project for three years.

When they went to the Halifax Watershed Advisory Board, Walter Regan, who is a very diligent individual, indicated that other than requiring an oil and grit separator and turning the conservation park over to the City, he would like to commend them for doing all the design work upfront, and suggested the City give them increased density because they have taken the time to deal with transportation, stormwater, etc., and for putting together a design that is very attractive for the neighbourhood and leaves fantastic parks in the neighbourhoods and should be a credit to the City.

The City is asking them to do considerably more today to ensure there is no flooding. He liked to measure twice and cut once. There are a few things they feel have to be done to make this a viable project. They have asked to get rid of the private laneways because they are a tremendous expense; in so doing they are able to move the street over a little bit; they asked that the intersection be moved 10m to the north; and they asked for the ability to have two additional storeys to give them more flexibility. If you were to look at both the plans (the approved one and the proposed one with the amendments) you would have a hard time trying to find the differences. They listened to the residents, and moved the building and took out the connection to Ridgevalley Drive.

Mr. Sampson asked if they planned on remaining at four storeys for the remaining two multiple unit buildings if they went to twelve storeys for the other two buildings.

Mr. Graham responded likely.

Mr. Sampson noted the agreement currently allows them to go up to six storeys.

Mr. Graham indicated he was asking for a couple of additional floors and the flexibility because of the market changes.

Ms. Robin Paris Adams asked if there would be traffic lights at the intersection with Cowie Hill Road. Right now it is a three way stop.

Mr. Campbell clarified she was talking about the area where the Water Commission building is. He did not believe there are any lights planned for there. He pointed out an area where there would be traffic lights when the intersection is constructed.

Mr. Sampson responded it may be that HRM over time makes a decision to do that, but not as part of this development.

Ms. Adams asked if they would clear the whole area when they started, and which part of the development would start first. Will all the blasting be done first or stage by stage?

Mr. Graham responded it will likely be phased. They will perhaps build a road so far and stop and build and so forth. It will depend upon the market.

Ms. Adams asked about the timeframe for the project.

Mr. Graham responded it would probably be a four to seven year project. Once they finish this process, they go into a five to eight month process to do the detailed engineering work.

An individual questioned if there was a top number of cars that can be allowed to go through the rotary.

Mr. Sampson responded he did not know if there is an upper limit. Our traffic engineers look at the traffic study for each proposed development. These studies are reviewed based on the most recent figures that we have. At some point our engineers may say there is a need to do something else.

Councillor Mosher commented the rotary has changed to a round about, which we are now monitoring. We are going to be doing traffic counts at all the access and egress points. The rotary was changed as part of the Regional Plan. That was a solution for twenty-five years, so they are now down to about twenty years. The Herring Cove Road widening project will continue. We have it on the Canada-Nova Scotia Infrastructure request list. We own a lot of the property. In addition there is a problem with the Purcells Cove-Herring Cove merge. We are getting rid of the reversing lanes and will have four dedicated lanes going down. That will give better access. We will continue to do the monitoring and if that is not sufficient they will proceed further with Bayers Road.

Traffic warrants were done at Withrod. Our traffic engineer feels that it will make it more attractive for more people to come through the community if traffic lights are installed there.

We should not expect any major projects for the Herring Cove Road for the next twenty years.

Ms. Ruth Scott indicated they have a tender out for the Water Commission land to increase the size of their facility. Apparently they intend to consolidate their staff and bring them in from other areas for water and sewer. She thought the idea of having lights there is a good idea.

Mr. Sampson noted the Water Commission property is covered by a development agreement, so they would have to go through an amendment process if they could not comply with the provisions of the current agreement. The agreement exists and runs with the land.

Ms. Scott commented there will be more traffic because there will be more staff.

Albert... referencing the plan, noted the land all slopes this way and this area now has a swamp.

Ms. Kennedy confirmed it would remain as a swamp.

The individual indicated nobody knows who owns the culvert under the Old Sambro Road. He cleaned it three or four times a year. This area floods the highway every single year if that culvert is blocked. He asked if anything would be done with that.

Ms. Kennedy responded it would not get worse. The water from this site is being managed before the wetland area.

Councillor Mosher indicated she would raise that with the Water Commission. If it is not ours, then it should be raised with Graham Steele.

Adjournment

The meeting adjourned at approximately 8:50 p.m.

Attachment D
HALIFAX WATERSHED ADVISORY BOARD
Extract of Meeting Minutes - April 21, 2010

5. Business Arising Out of the Minutes/ Status Sheet Items:

5.1.2 Case 015976: Amendments to Development Agreement, Rockcliffe Village, Northwest Arm Drive, Halifax (Mainland):

1. Confirm as a requirement that no development takes place within the 20-metre set-back area.
2. Ensure controls are in place regarding any grading or changes to the vegetation in the back yards so that there is no negative impact on the watercourse.
3. Require baseline testing of the brook and the start of the pond with one test prior to construction and three subsequent tests.