



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Harbour East Community Council
June 11, 2009

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY: 
Denise Schofield, Acting Director of Community Development

DATE: May 27, 2009

SUBJECT: Case 01261: DA Amendment - 6 Admiral Street, Dartmouth

ORIGIN

Application by GEM Health Care Group to amend their existing development agreement for a provincially licensed long term care facility.

RECOMMENDATION

It is recommended that Harbour East Community Council:

1. Move Notice of Motion to consider the proposed Amending Agreement for 6 Admiral Street, Dartmouth, presented as Attachment A to this report, and schedule a public hearing;
2. Approve the proposed Amending Agreement for 6 Admiral Street, Dartmouth, presented as Attachment A to this report, to allow for a change in building layout; and
3. Require that the Amending Agreement be signed within 120 days, or any extension thereof granted by the Community Council on request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

In 2008, a development agreement (Case #01139) was approved by Harbour East Community Council for a provincially licensed long term care facility for senior citizens at 6 Admiral Street in Dartmouth. The new facility is meant to replace an existing nursing home (Glades Lodge) in Halifax. The site is currently vacant.

Designation Residential, under the Dartmouth Municipal Planning Strategy (MPS) (Map 1)

Zoning R-2 (Two Family Residential) Zone, under the Land Use By-law (LUB) for Dartmouth (Map 2)

Existing Development Agreement

The existing development agreement is for a 70 bed long term care facility. The facility would consist of five resident neighbourhoods, each with their own common space, facilities, and access to a garden. The site plan for the existing development agreement shows a building with three wings (Map 3). As outlined in the existing development agreement, the 'front' wing in the south corner of the property was supposed to consist of one level of underground parking with one resident neighbourhood above (Map 3).

Requested Amendment

Since the existing development agreement was approved, the funding for the project has been reduced, and it is no longer possible to construct underground parking (Map 3). To adapt to the change in funding, the applicant wishes to amend the building layout for the facility.

The 'front' wing in the south corner of the property will be removed. The underground parking will be replaced with a surface parking lot. Provincial regulations require an accessory building to house a generator. The generator shed will be constructed at the north end of the parking lot, near the service entrance. It has been designed to fulfill the compatibility considerations of Policies H-14 and IP-1(c), and will also serve to screen views of the parking lot. Schedules H and I of the amending agreement (Attachment A) show the generator shed in elevation.

The resident neighbourhood that was originally in the 'front' wing will be moved to the basement of the 'west' wing (Map 3). Since the site slopes down to the west, it is possible to add this neighbourhood to the bottom of the building without increasing the overall height.

By rearranging the resident neighbourhoods and the parking, the developer assures that:

- The height of the building will not change;
- The number of beds will not change; and
- The new building still fulfills policy considerations.

Enabling Policy

Policy H-14 of the Dartmouth MPS contains site-specific criteria for this property. Adopted in 1998, the policy enables a multi-unit residential development for senior citizens (Attachment B). The preamble to Policy H-14 states:

While it has been demonstrated by the community that there is support for this type of facility in this location [i.e. to meet the needs of seniors], there is a desire to ensure the development is properly integrated within the community, and that its appearance and scale, as well as the overall development of the site, is handled in a manner which is sensitive to the surrounding low density residential environment.

This statement sets the tone for the style of development desired and states the need to ensure the built form is compatible with the surrounding community. As the municipality cannot regulate tenants or residents, but only the built form, the only type of building that would comply with the policy would be a provincially licensed long term care facility.

DISCUSSION

The proposed amendments for the long term care facility have been reviewed in consideration of the relevant policies of the Dartmouth MPS, and it is staff's opinion that the proposal meets the criteria of both Policies H-14 and IP-1(c). Several items should be highlighted: a potential second phase; water servicing; and stormwater management.

Compatibility

The proposed new layout of the facility, parking lot, and an accessory building for a generator have been designed to minimize the impact of the development on the surrounding residential development. Further, the property will receive additional landscaping and controls on outdoor storage and display.

Future Expansion

The amending agreement also adds one new item to the list of potential non-substantive amendments. In recognition of the municipality's future need for seniors' facilities, a second phase of the proposal could be approved through a resolution of Council. Phase 2 would permit the developer to revert back to something similar to the original building layout, with one additional resident neighbourhood (to a maximum of 15 beds).

The net effect of the existing development agreement, today's amending agreement and a future Phase 2 amendment would be a long term care facility that looks like the one approved in 2008, with one additional resident neighbourhood in the basement of the 'west' wing of the building.

Water Servicing

As with the existing development agreement, the existing watermain on Admiral Street and along Major Street are inadequate for the proposal. GEM Health Care have submitted a preliminary plan to resolve the water issues which Halifax Water has reviewed and approved. The development agreement stipulates that the project may not proceed until this issue is addressed by upgrading service to Halifax Water's standards.

In addition, Phase 2 would be subject to review by Halifax Water, to ensure the upgraded watermain could service the additional resident neighbourhood.

Stormwater Management

The stormwater management plan (Schedule G of Attachment A) proposes to discharge stormwater to the abutting property to the north of the subject property. The abutting property is owned by the NS Department of Transportation and Infrastructure, and GEM Healthcare has received permission from the province to discharge stormwater according to the proposed stormwater management plan.

Public Meeting / Area of Notification

On May 7, 2008, a public information meeting was held for the existing development agreement. Issues that came up at the public meeting were: water pressure problems; site maintenance; and a need for more housing for seniors. Minutes of the meeting may be found in Attachment C.

The district councillor waived the requirement for a public information meeting for the amending agreement, based on the positive outcome of the first meeting and the proposed changes to the existing development agreement.

Should Council decide to hold a public hearing, in addition to newspaper advertisements, property owners in the notification area shown on Map 2 will be sent written notice.

Conclusion

The proposed substantive amendment, and the associated changes to the building layout, should not negatively impact abutting residential areas or municipal infrastructure. Therefore, staff recommend that Harbour East Community Council approve the proposed substantive amendments to the existing development agreement.


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 Amending Agreement. The administration of the Amending Agreement can be carried out within the approved 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.

ALTERNATIVES

1. Council may choose to approve the attached Amending Agreement. This is the recommended alternative.
2. Council may choose to propose modifications to the Amending Agreement. Such modifications may require further negotiations with the developer, or a second public hearing. 
3. Council may choose to refuse to enter into the Amending Agreement. If Council refuses to enter into the Amending Agreement, a reason must be given as to why the Amending Agreement is not consistent with existing policy in the Dartmouth MPS.

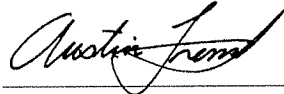
ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Location and Zoning
Map 3	Site Plan from the Existing Development Agreement
Attachment A	Proposed Amending Agreement
Attachment B	Excerpts from the Dartmouth MPS
Attachment C	Minutes from Public Information Meeting for Original Agreement

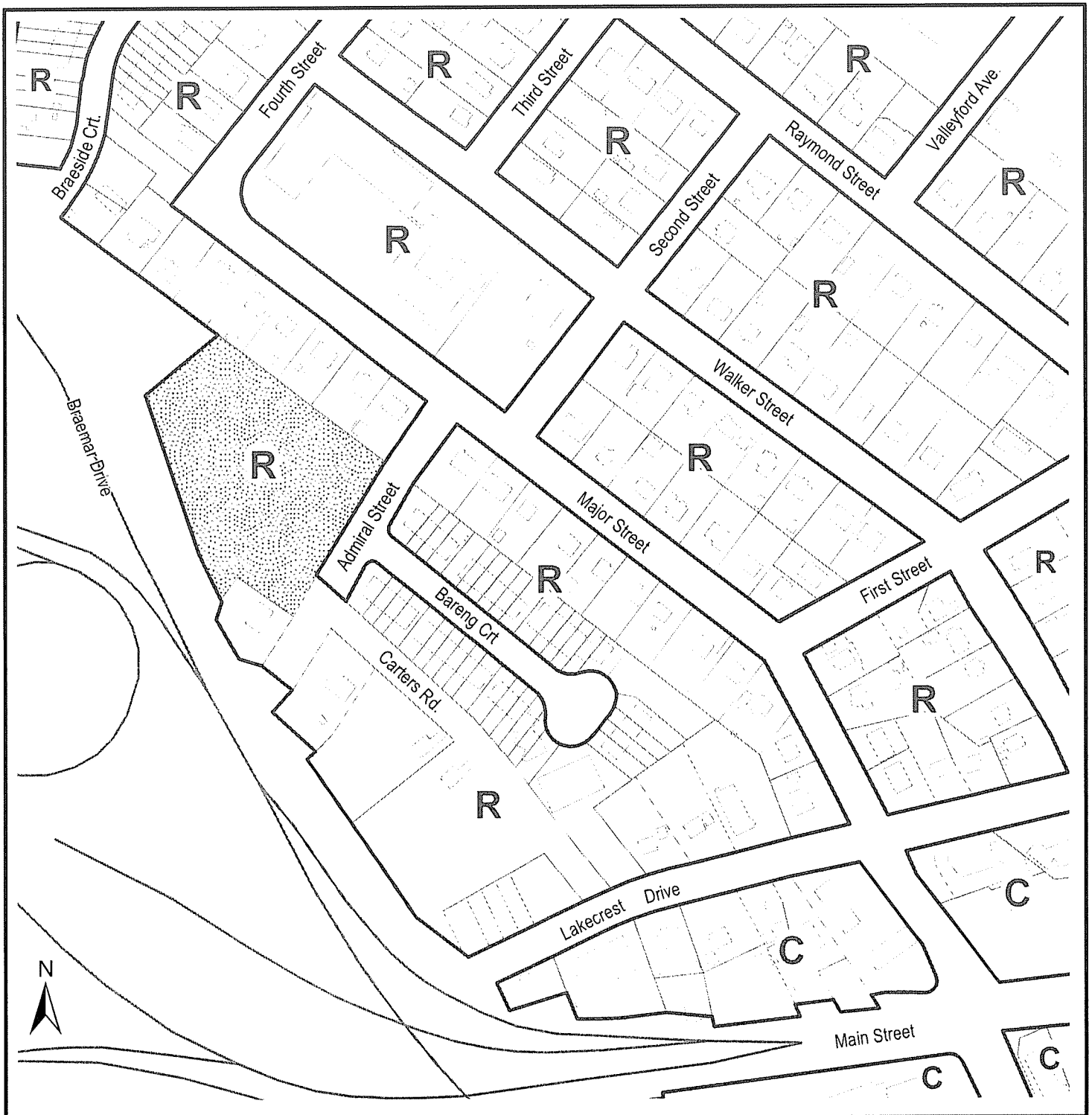
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Mackenzie Stonehocker, Planner I, 490-3999

Report Approved by:




Austin French, Manager, Planning Services, 490-6717



Map 1 Generalized Future Land Use

6 Admiral Street

 Subject Property

Designation

R Residential
C Commercial

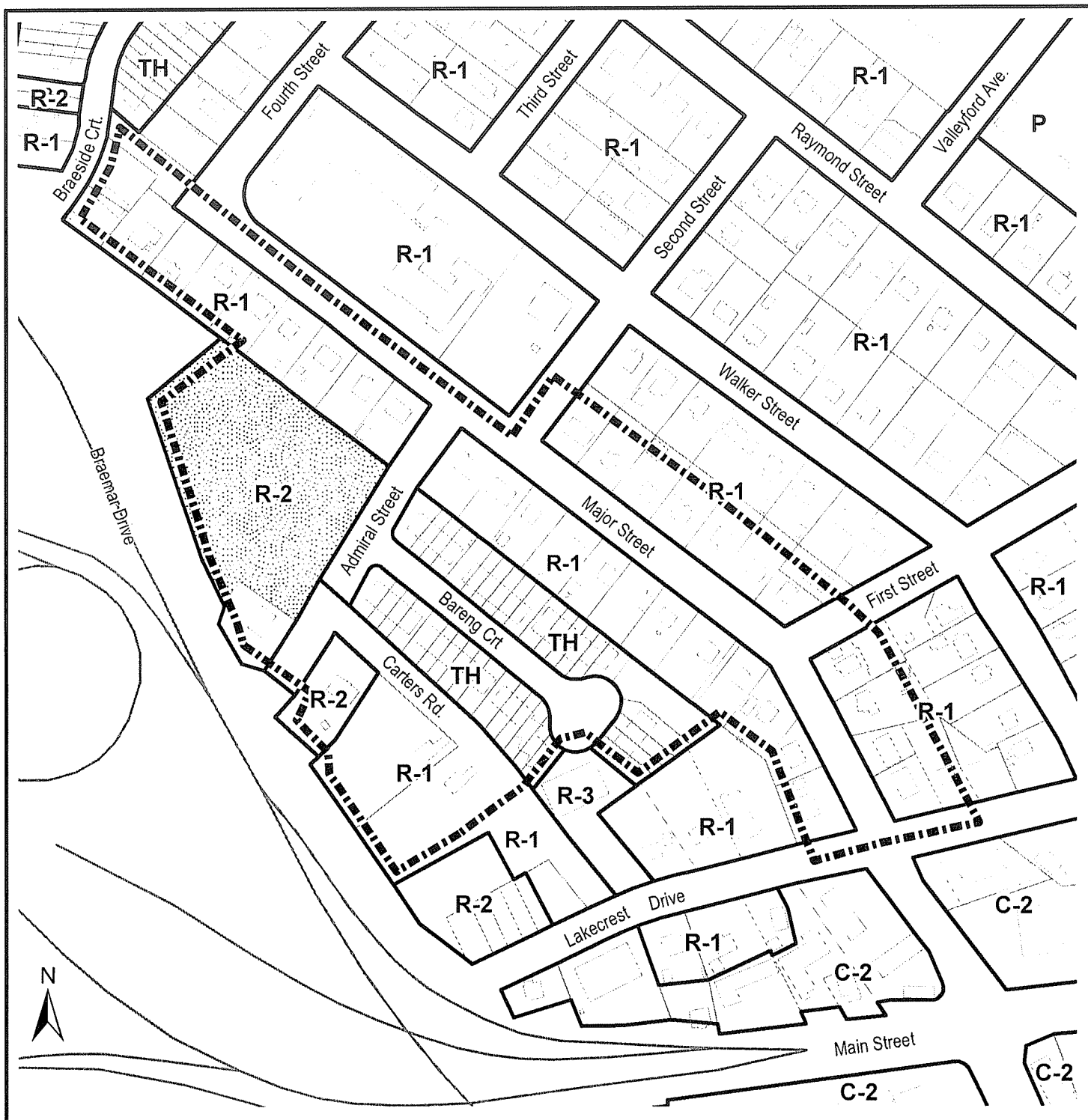
Dartmouth Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

90 45 0 90 180 270 Feet


This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Dartmouth Plan Area.


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



Map 2 Location and Zoning

6 Admiral Street

 Subject Property

 Proposed Notification Boundary

Dartmouth Plan Area

Zone

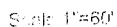
R-1	Single Family Residential
R-2	Two Family Residential
R-3	Multiple Family Residential
TH	Town Housing
C-2	General Business
P	Park

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

90 45 0 90 180 270 Feet

This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Land Use By-law area

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



PLANT SCHEDULE

Large Trees	40-50mm Cal.	45
Small Trees	150mm-250mm	70
Shrubs	300-500mm	260
Ground cover	4" pots	260
Perennial and grasses		150

Site Coverage 38%
67 Residential Units
45 Parking spaces
(19 inside and 26 outside)
6 Bicycle parking spaces
(3 inside and 3 outside)

Extent of
non-
disturbed
area

Crushed
stone path
with railing
5% grade

Pre-cast
concrete
retaining wall
and railing

Asphalt
Parking

‘West’ wing

'Front' wing

Wood Fence around
oil and A/C unit
Precast concrete
retaining walls
(top wall with rail)

Map 3: Site Plan from the Existing Development Agreement

REP: DUMAS/BO
 AVENTEST LITE
 1000 1000 1000 1000

64-200
DE ALTO COURT REPORTING

CONFIDENTIAL

EXISTICS 22 STARR LANE
1 STARR LANE DARTMOUTH
MA 01928-0001 FAX 192/466-3131

Land-use Architecture
Environmental Planning
Visual Impact Assessment
Landscape Design

SHIFT TITLE

GEM HEALTH
CARE GROUP

LONG TERM CARE
FACILITY

ADMIRAL ST
DARTMOUTH. N.S.

SCHEDULE B
Site Plan and Landscaping
30 June, 2008

SHEET 1 OF 1

**Attachment A:
Proposed Amending Agreement**

THIS AMENDING AGREEMENT made this day of , 2009,

BETWEEN:

GEM HEALTH CARE GROUP LIMITED

a body corporate, in the Halifax Regional Municipality,
Province of Nova Scotia (hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY

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

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 6 Admiral Street ([<<Insert-PID>>]), Dartmouth, and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Harbour East Community Council of the Municipality previously approved an application by the Developer to enter into a Development Agreement to allow for a Seniors Long Term Care Facility on the Lands, referenced as Municipal Case Number 01139, which said Development Agreement was registered at the Registry of Deeds in Halifax as Document Number 92601823 on January 20, 2009 (hereinafter called the "Existing Agreement");

AND WHEREAS the Developer has requested an amendment to the provisions of the Existing Agreement to enable a change in the building layout;

AND WHEREAS the Harbour East Community Council for the Municipality approved this request at a meeting held on [<<Insert-Date>>], referenced as Municipal Case Number 01261;

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

1. The Existing Agreement shall be amended by
 - (a) replacing Schedule B with a new **Schedule B - Site Plan and Preliminary Landscaping**, as attached to this Amending Agreement;
 - (b) replacing Schedule C with a new **Schedule C - West and South Elevations**, as attached to this Amending Agreement;
 - (c) replacing Schedule D with a new **Schedule D - East and North Elevations**, as attached to this Amending Agreement;
 - (d) replacing Schedule E with a new **Schedule E - Erosion and Sedimentation Control**, as attached to this Amending Agreement;
 - (e) replacing Schedule F with a new **Schedule F - Concept Water Servicing Plan**, as attached to this Amending Agreement;
 - (f) replacing Schedule G with a new **Schedule G - Stormwater Management**, as attached to this Amending Agreement;
 - (g) adding a new **Schedule H - Generator Shed Floor Plan**, as attached to this Amending Agreement;
 - (h) adding a new **Schedule I - Generator Shed Elevations**, as attached to this Amending Agreement;
 - (i) replacing **Section 3.1 - Schedules** with the following revised section:

The Developer shall develop the Lands in a manner which, in the opinion of the Development Officer, is generally in conformance with the Schedules attached to this Amending Agreement and the plans filed in the Halifax Regional Municipality as Municipal Case Number 01261. The schedules are:

Schedule A	Legal Description of the Lands (Lot X)
Schedule B	Site Plan and Preliminary Landscaping
Schedule C	West and South Elevations
Schedule D	East and North Elevations
Schedule E	Erosion and Sedimentation Control
Schedule F	Water Servicing
Schedule G	Storm Water Management
Schedule H	Generator Shed Floor Plan
Schedule I	Generator Shed Elevations

- (j) replacing Subsection 3.2.1 of **Section 3.2 - Requirements Prior to Construction** with the following revised subsection:

3.2.1 In addition to all other Municipal requirements prior to the issuance of a Construction Permit, the Developer shall submit the following:

- (a) Architectural drawings prepared by an Architect which carry out the intent of Section 3.5 of this Agreement concerning architectural and building requirements;
- (b) A detailed Landscaping Plan prepared by a Landscape Architect which carries out the intent of Section 3.8 of this Agreement concerning landscaping and amenity space;
- (c) A Lighting Plan in accordance with Section 3.7 of this Agreement concerning lighting;
- (d) Plans required under Part 5 of this Agreement concerning environmental protection measures; and
- (e) Written confirmation from Halifax Water that:
 - (i) the Admiral Street and Major Street water mains have been upgraded as shown on Schedule F;
 - (ii) the water mains are in compliance with Municipal standards; and
 - (iii) the lands can be adequately serviced with water.

- (k) replacing Subsection 3.3.1 of **Section 3.3 - Requirements Prior to Occupancy** with the following revised subsection:

3.3.1 Prior to the issuance of a Municipal Occupancy Permit, the Developer shall provide the following to the Development Officer:

- (a) Written confirmation from an Architect certifying that the Developer has complied with Section 3.5 of this Agreement concerning architectural and building requirements;
- (b) Written confirmation from a Landscape Architect certifying that the Developer has complied with Section 3.8 of this Agreement concerning landscaping and amenity space, and with the Site Plan and Preliminary Landscaping as shown on Schedule B of this Agreement, and with the Landscaping Plan as required pursuant to Subsection 3.8.1 of this Agreement;

- (c) Written confirmation from a qualified professional that the Developer has complied with Schedule E and with Section 5.1 of this Agreement concerning erosion and sedimentation control;
 - (d) Confirmation from HRM Traffic Services that the Developer has installed "No Parking" signage pursuant to Subsection 3.6.2 of this Agreement; and
 - (e) Written confirmation from Halifax Water that the Developer has entered into a Water Service Agreement with Halifax Water.
- (l) replacing Subsection 3.5.1 of **Section 3.5 - Architectural and Building Requirements** with the following revised subsection:
 - 3.5.1 Detailed building drawings prepared by an Architect shall be submitted with the application for a Development Permit. The Developer agrees that the building constructed on the Lands shall comply with the provisions of this section and the drawings as generally illustrated on Schedules B, C, D, H and I.
- (m) replacing Subsection 3.5.2 of **Section 3.5 - Architectural and Building Requirements** with the following revised subsection:
 - 3.5.2 The building siting, bulk and scale shall comply with the following:
 - (a) lot coverage shall not exceed 50%; and
 - (b) as illustrated on Schedules C and D, no portion of the building facing Admiral Street and the rear of the houses on Major Street shall exceed two storeys in height, with the exception of the south elevation of Neighbourhoods 1, 2 and 5 which may be three storeys in height; and no other portion of the building shall exceed three storeys.
- (n) replacing Subsection 3.5.4 of **Section 3.5 - Architectural and Building Requirements** with the following revised subsection:
 - 3.5.4 As generally illustrated on Schedules B and D, the service entrance to the building shall be located opposite Bareng Court, and shall be integrated into the design of the building.
- (o) adding a new Subsection 3.5.13 to **Section 3.5 - Architectural and Building Requirements** as follows;
 - 3.5.13 The generator shed and adjacent screened area shall act to screen the parking lot,

and their siting, bulk, scale and design shall generally comply with Schedules B, H and I, as well as the following:

- (a) The floor area of the generator shed shall not exceed 100 square metres (1076 square feet);
 - (b) The height of the generator shed shall not exceed 7.5 metres (24.6 feet) from the ground to the peak of the main roof, and shall not exceed 11.0 metres (36.1 feet) from the ground to the top of the aluminum finial;
 - (c) The generator shed shall be no closer than 3.05 metres (10 feet) to the property line along Admiral Street;
 - (d) The design of the generator shed shall add to the residential character of the neighbourhood, and shall be of high quality, including architectural interest, a sloped roof and windows;
 - (e) The exterior materials for the generator shed shall be of high quality (e.g. Hardie Plank) and complementary to the materials used for the main building; and
 - (f) The screened area shall be of an appropriate and complementary scale beside the generator shed, and fencing shall be opaque, of high quality materials (e.g. chain link is not acceptable), and at least 1.83 metres (6 feet) in height in order to screen the oil tank and the parking lot.
- (p) replacing Subsection 3.6.1 of **Section 3.6 - Parking, Circulation and Access** with the following revised subsection:
- 3.6.1 A minimum of one parking space for every two beds provided at the facility shall be provided.
- (q) replacing Subsection 3.8.5 of **Section 3.8 - Landscaping and Amenity Space** with the following revised subsection:
- 3.8.5 The Development Officer may approve modifications to the landscaping measures or the species, size and location of plant stock, provided such modifications enhance the attractiveness and visual appearance of the Lands, in the opinion of the Development Officer. Decreases in the size of some plants must be offset by increases in the size of others.
- (r) replacing Subsection 3.11.2 of **Section 3.11 - Outdoor Storage and Display** with the following revised subsection:

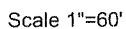
3.11.2 Propane tanks, air conditioner units, electrical transformers shall be located on the Lands in such a way to ensure minimal visual impact from Admiral Street, and the rear of abutting residential properties along Major Street. These facilities shall be secured in accordance with the applicable approval agencies and screened by suitable landscaping, and means of opaque fencing and / or masonry walls, as detailed in Subsection 3.5.13 for the generator shed and adjacent screened area.

- (s) replacing **Section 6.2 - Non-Substantive Amendments** with the following revised section:

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

- (a) The granting of an extension to the date of commencement of construction as identified in Section 8.3 of this Agreement;
 - (b) The length of time for the completion of the development as identified in Section 8.4 of this Agreement;
 - (c) Increase in the number of beds without exterior modification to the building; and
 - (d) An addition to the building in the southern corner of the Lands, shown as Phase 2 on Schedule B, and subject to the following:
 - (i) an addition that includes underground parking and one additional resident neighbourhood with a maximum of 15 beds; and
 - (ii) confirmation by Halifax Water that Phase 2 can be adequately serviced.
2. All other terms and conditions of the Existing Agreement shall remain in full force and effect.
3. This Amending Agreement shall be binding upon the parties thereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the land which is the subject of this amending agreement until it is discharged by the Council.

SIGNED, SEALED AND DELIVERED)	GEM HEALTHCARE
in the presence of)	
)	
_____)	Per: _____
)	
)	
SEALED, DELIVERED AND)	_____
ATTESTED to by the proper)	HALIFAX REGIONAL MUNICIPALITY
signing officers of Halifax Regional)	
Municipality duly authorized)	Per: _____
in that behalf in the presence of)	MAYOR
)	
_____)	Per: _____
)	MUNICIPAL CLERK



PLANT SCHEDULE

Large Trees	40-50mm Cal.	45
Small Trees	150mm-250mm	70
Shrubs	300-500mm	260
Ground cover	4" pots	260
Perennial and grasses		150

SITE DETAILS

Site Coverage 26%
67 Residential Units
43 Parking spaces
(includes 6 handicap spaces)
6 Bicycle parking spaces
(6 outside)

Extent of non-

Leave
natural

Swale 4%

Neighbourhood
3 Access

Neighbour

MAIN FLOOR	EL 170.0
GROUND FLOOR	EL 157.0

Extent of
non-
disturbed
area.

Crushed
stone path
with railing
5% grade.

~~Asphalt
Parking~~

□ T B

Precast concrete
retaining walls
(with rail)

ADMIRAL STREET

—Bicycle parking

- Entry plaza concrete with block edge detail

- Concrete curb and sidewalk

- Asphalt drive and parking

- Concrete retaining

Timber privacy
fence 6' ht.
along boundary
with properties
on Major
Street

CARTERS

BARENT
COURT

**OF DAMAGED
ARCHITECT LTD**
200 COURT RD. YORK PLAZA SUITE 400
BIRMINGHAM, AL 35203

COSTELLO FITT
LIMITED

EKISTICS PLANNING & DESIGN
1 STARR LANE, DARTMOUTH
PH (902)81-2525 FAX: (902)85-3131

*Landscape Architecture
Environmental Planning
Final Impact Assessment
Golf Architecture*

SHEET TITLE

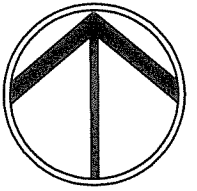
**GEM HEALTH
CARE GROUP**

**LONG TERM CARE
FACILITY**

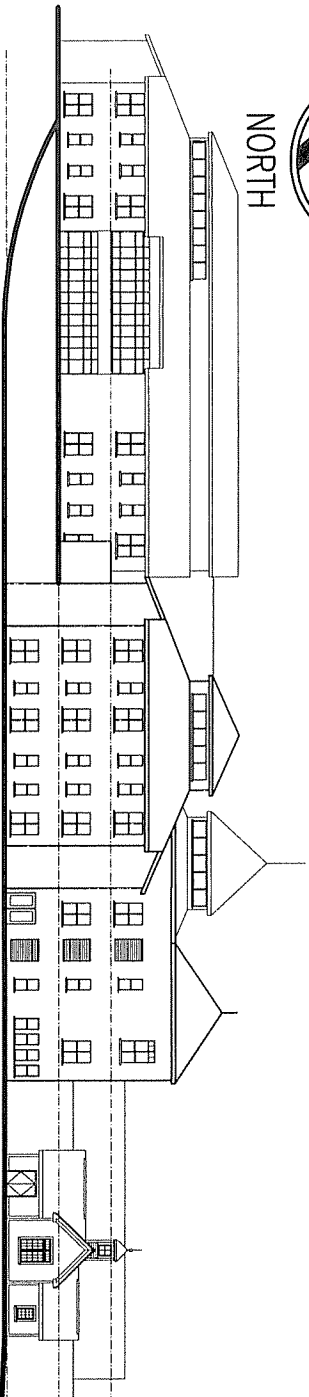
**ADMIRAL ST
DARTMOUTH, N.S.**

SCHEDULE B
Site Plan and
Preliminary Landscaping
MAY 06, 2009

SHEET 1 OF 1

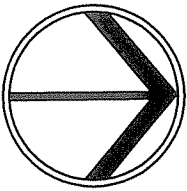


NORTH

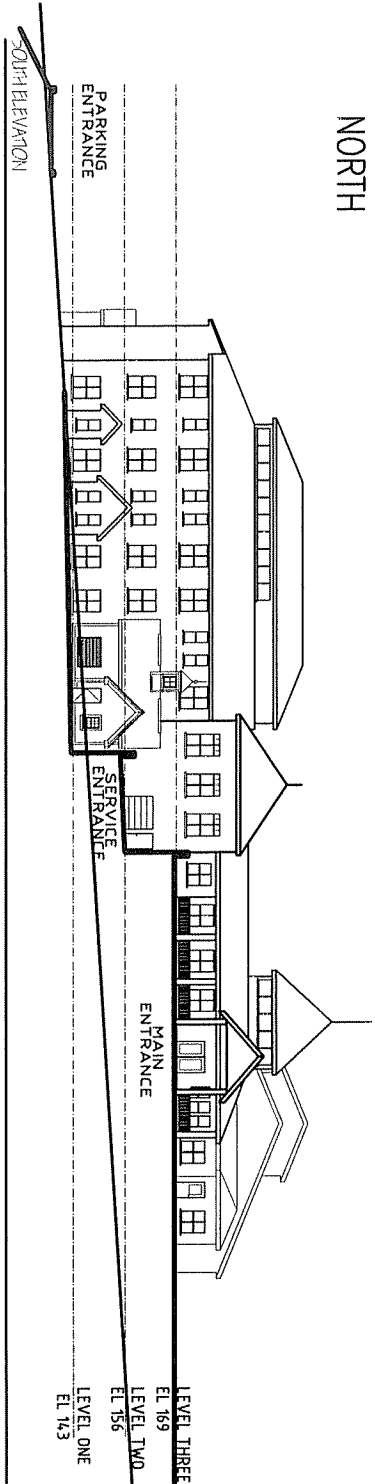


LEVEL THREE
EL. 169
LEVEL TWO
EL. 156
LEVEL ONE
EL. 143

WEST ELEVATION



NORTH



LEVEL THREE
EL. 169
LEVEL TWO
EL. 156
LEVEL ONE
EL. 143

SOUTH ELEVATION



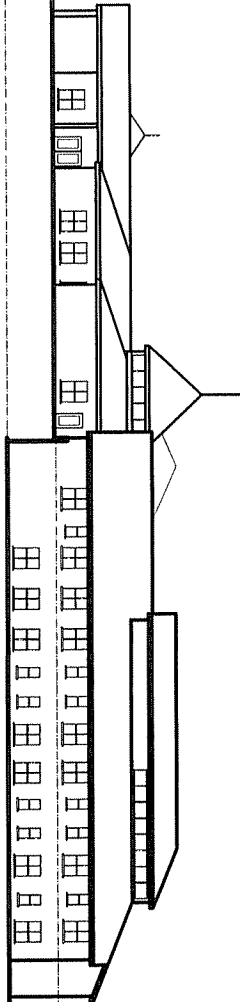
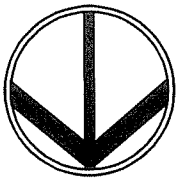
SHEET TITLE

GEM HEALTH CARE GROUP
LONG TERM CARE FACILITY
ADMIRAL ST
DARTMOUTH, N.S.



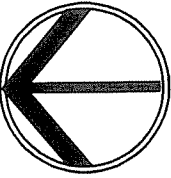
SCHEDULE C
ELEVATIONS
FEB 20, 2008
REVISED
MAY, 2009



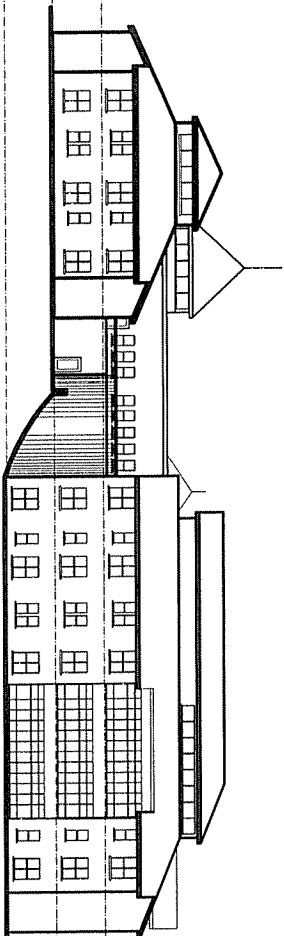


LEVEL THREE
EL 169
LEVEL TWO
EL 156
LEVEL ONE
EL 143

EAST ELEVATION



NORTH



LEVEL THREE
EL 169
LEVEL TWO
EL 156
LEVEL ONE EL
143

NORTH ELEVATION



SHEET TITLE

GEM HEALTH CARE GROUP
LONG TERM CARE FACILITY
ADMIRAL ST
DARTMOUTH, N.S.



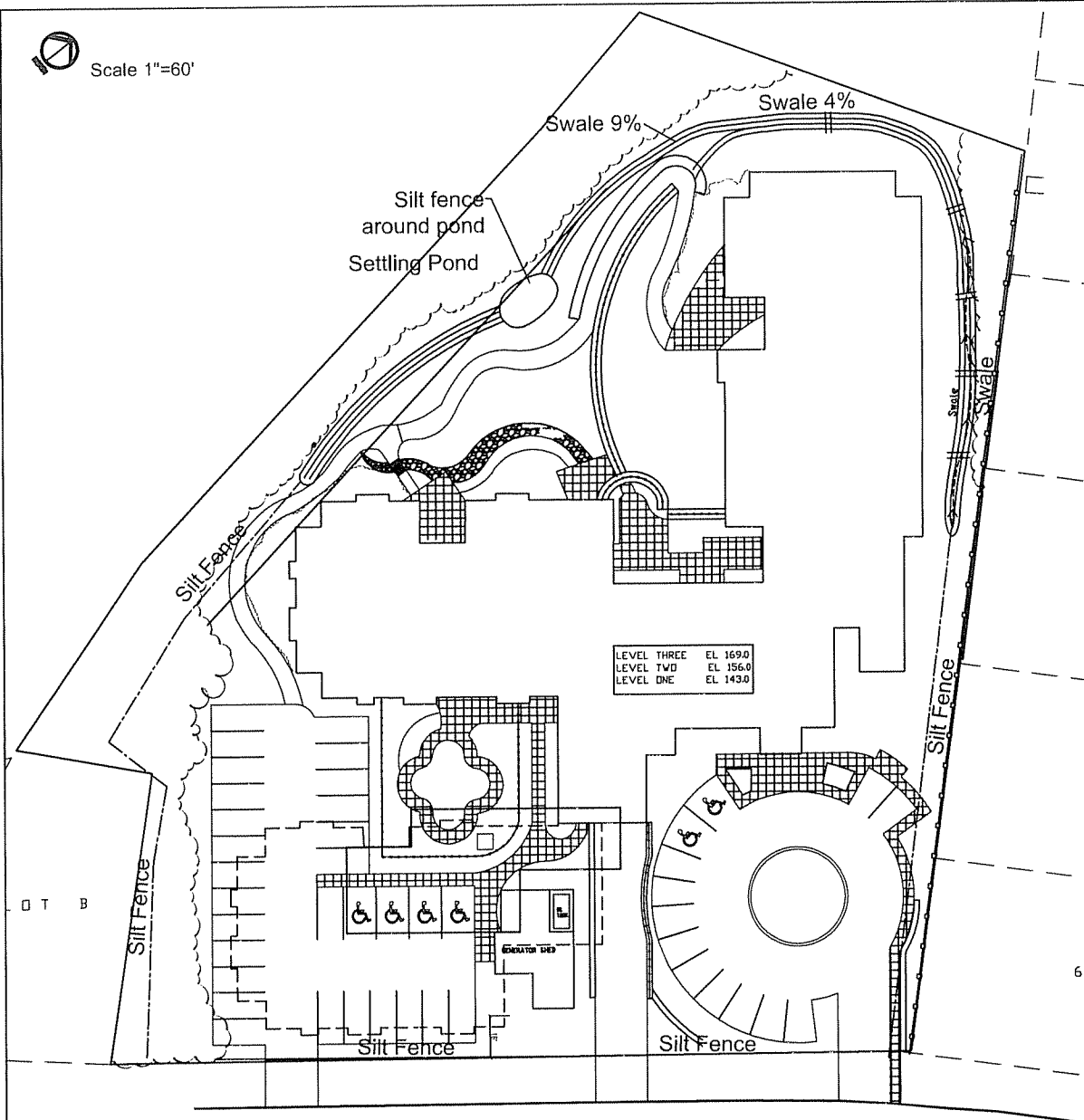
SCHEDULE D
ELEVATIONS
FEB 20, 2008
REVISED
APRIL, 2009



Scale 1"=60'



*Landscape Architecture
Environmental Planning
Visual Impact Assessment
Golf Architecture*



ADMIRAL STREET

TERRACE

ENGINEERING

EROSION CONTROL NOTES:

1. Install erosion control fence as detail 1/G2 in areas indicated.
2. Do not disturb areas outside the boundary of silt fence.
3. Install rock lined settling pond, check dams and rock lined ditches as shown (see detail 2/G2).
4. Excavate unsuitable material to fill layer as directed by geotechnical engineer.
5. Direct site runoff to settling pond when grading.
6. All work to be performed in accordance with the current edition of the "N.S. Erosion and Sediment Control Handbook for Construction Sites" and the requirements of Nova Scotia Environment.
7. Contractor is responsible for the protection of natural watercourses from the impact of all site development.
8. Contractor shall inspect the sediment and erosion control structures twice daily to confirm operating performance. All necessary repairs shall be made immediately and contractor shall keep a log documenting inspections, remediation procedures, and daily reporting of exposed areas and weather conditions.
9. Contractor shall obtain all necessary permits to perform works, and shall comply with all permitting conditions.
10. Contractor to have a stockpile of no less than 10% of the final required silt fence, baled hay, and hay/mulch on site for remediation as may be required.
11. All exposed surfaces to be stabilized with hay or mulch throughout the completion of this contract.
12. Maintain clean gravel access roads to site, periodically applying additional gravel cover to minimize mud ruts that develop.

SHEET TITLE

**GEM HEALTH
CARE GROUP**

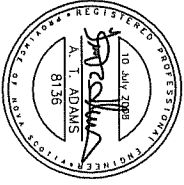
**LONG TERM CARE
FACILITY**

**ADMIRAL ST
DARTMOUTH, N.S.**

**SCHEDULE E
SEDIMENT & EROSION**

MAY 06, 2009

SHEET 1 OF 1

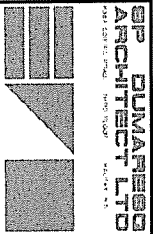


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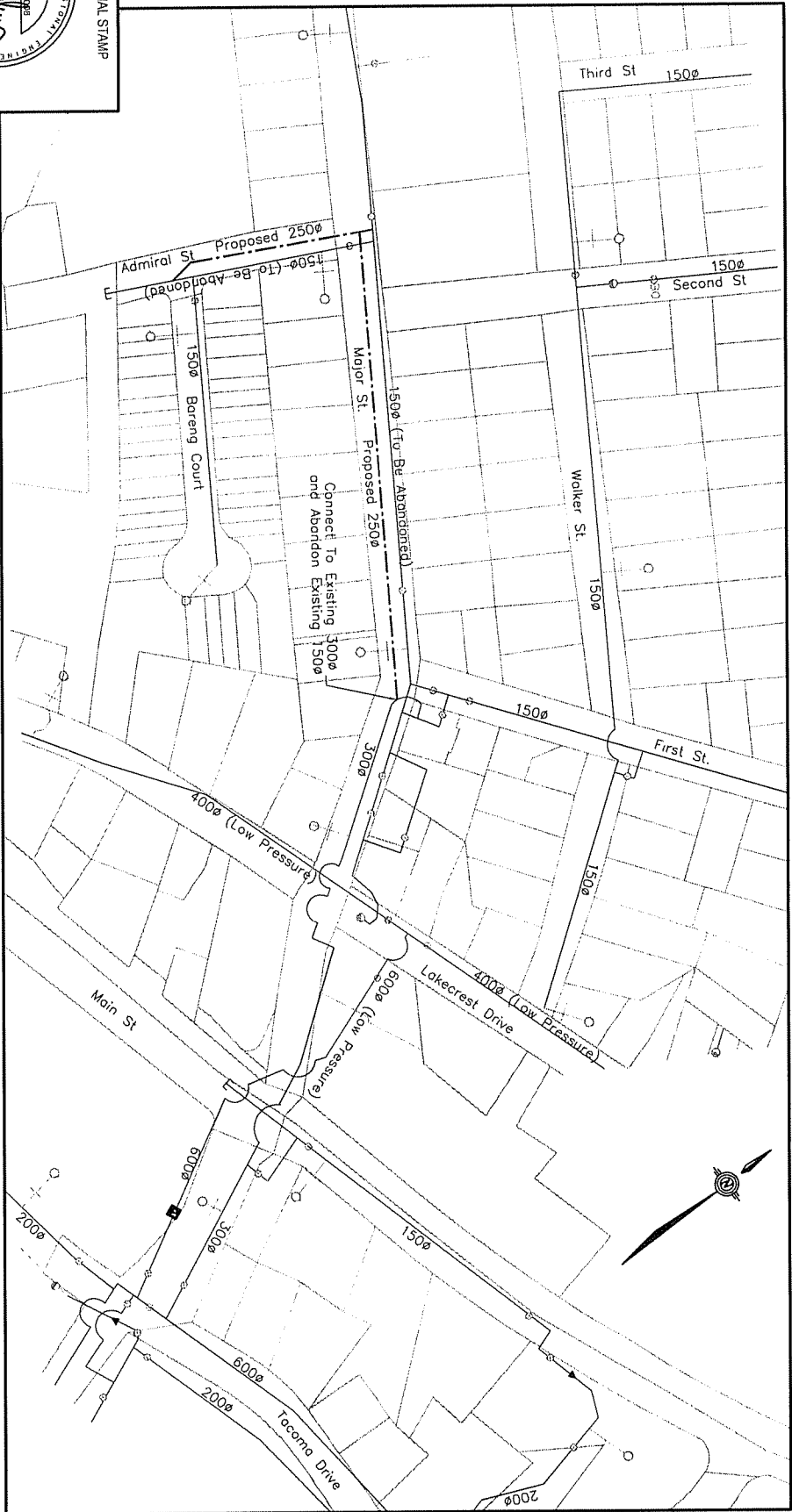
KVM
CONSULTANTS LIMITED

51 Coburn Road, Lufkin, Texas, 75901
Phone (937) 364-7287 Fax (937) 364-7282
E-Mail: KVMconsultants@earthlink.net

HEALTH CARE GROUP
gcm
Tailoring lives

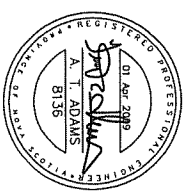


GEM DARTMOUTH
DARTMOUTH NOVA SCOTIA
CONCEPT WATER SERVICING PLAN
SCHEDULE 'F'
Dwg. P100 SCALE 1:2000 DATE: JULY 23 2008



Drainage Area		Peak Flow (ft ³ /s)	
ID	Area (ft ²)	Uncontrolled	Reduced to 40%
A	13400	1.23	0.49
B	23000	1.84	0.73

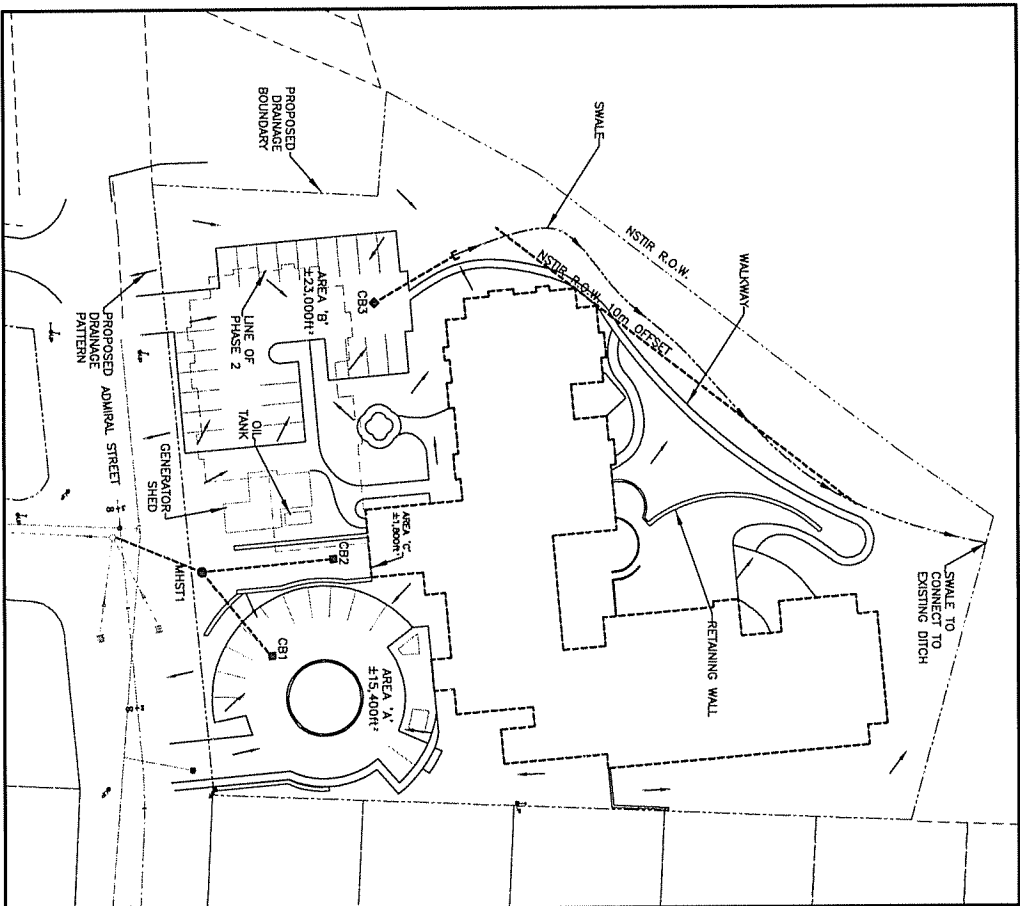
*Based on 10-Year Halifax DF Curve



PROFESSIONAL STAMP

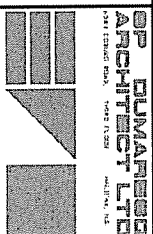
KVM
CONSULTANTS LIMITED

51 Coburg Road, Lwr Sackville, NS
Phone (902)84-7267 Fax (902)84-3432
E-Mail: KVMconsultants@eastlink.ns.ca



Drainage Plan
SCALE = 1" = 80'

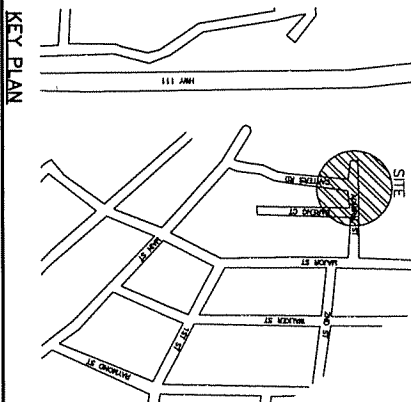
HEALTH CARE GROUP
Tuckering LIT^{NS}



GEM DARTMOUTH
DARTMOUTH NOVA SCOTIA

STORMWATER MANAGEMENT
SCHEDULE G

DWG 411-DR01 SCALE 1" = 60' DATE: APR 17 2009



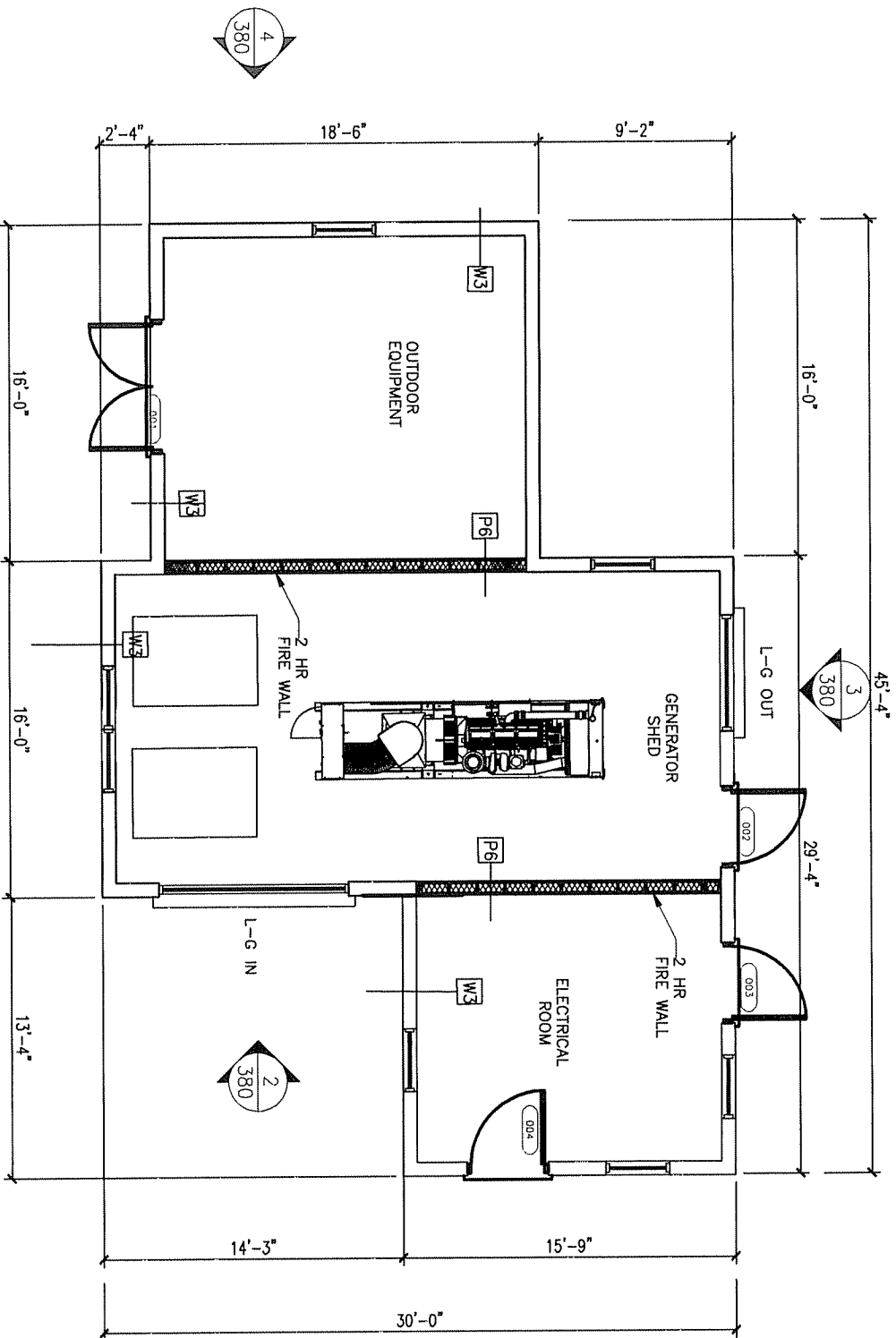
KEY PLAN

NOTES:

1. RAINFALL INTENSITIES BASED ON BASED ON HALIFAX RAINFALL INTENSITY-DURATION CURVES.
2. ROOF DRAINAGE FROM REAR OF BUILDING TO BE DISCHARGED TO GRADE AND ROOF DRAINAGE FROM FRONT OF BUILDING TO BE PIPED TO STORM SEWER.

LEGEND

- DITCH
- SURFACE FLOW DIRECTION
- DRAINAGE AREA BOUNDARY



PLAN
N.T.S.

TOTAL GROSS FLOOR AREA
980 SQ. FT.



HEALTH CARE GROUP
open
Transition from

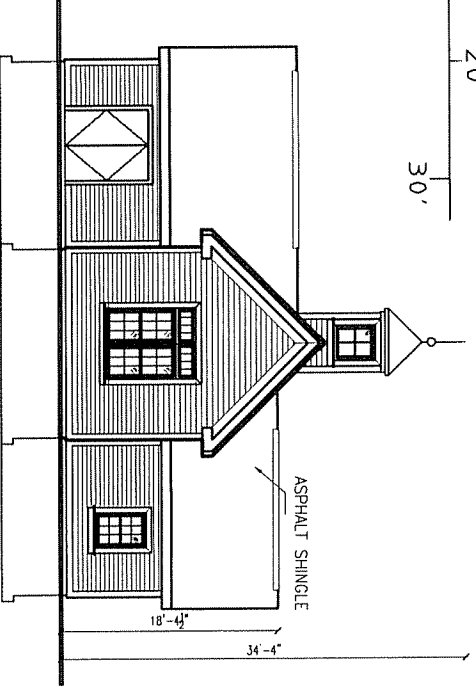
SHEET TITLE
**GEM HEALTH CARE GROUP
LONG TERM CARE FACILITY
ADMIRAL ST
DARTMOUTH, N.S.**



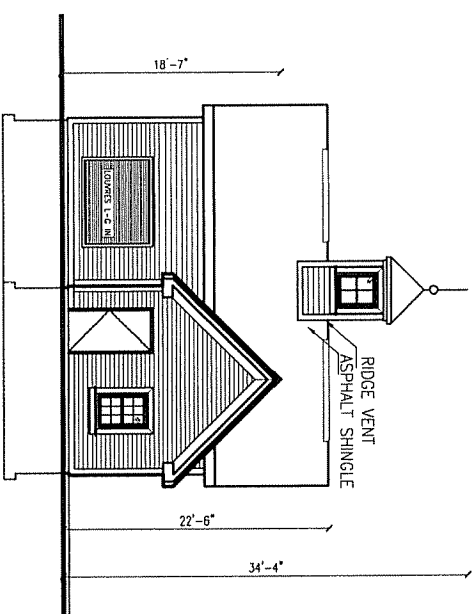
SCHEDULE H
GENERATOR
SHED PLAN
REVISED
APRIL 16, 2009

0 10' 20' 30'

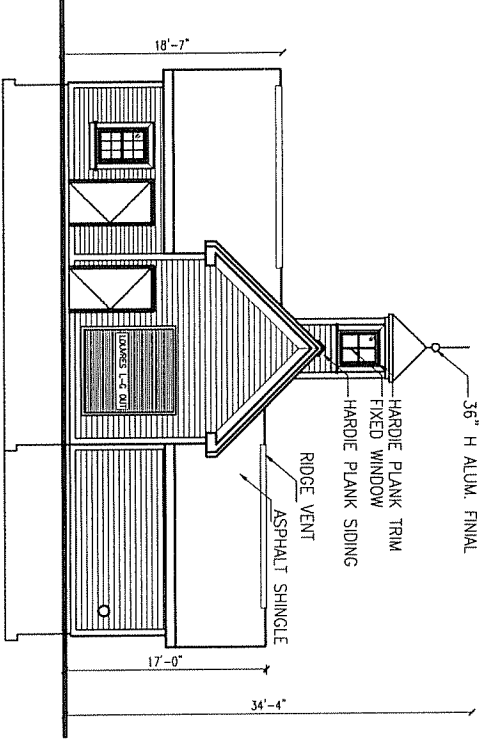
1 EAST ELEVATION
381



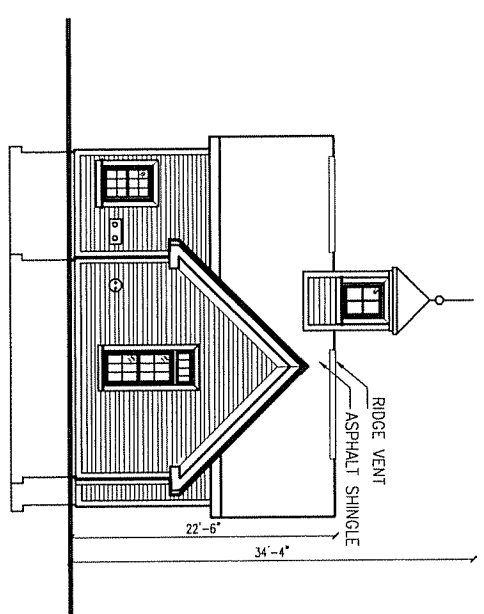
2 NORTH ELEVATION
381



3 WEST ELEVATION
380



4 SOUTH ELEVATION
380



BP BUMARRO
ARCHITECT LTD
2007 CEDAR ROAD, THIRDS FLOOR
NANTUCKET, MA 02543

HEALTH CARE GROUP
open
Touching Lives

GEM HEALTH CARE GROUP
LONG TERM CARE FACILITY
ADMIRAL ST
DARTMOUTH, N.S.

COSTELLO FITT
LIMITED

SCHEDULE 1
GENERATOR
SHED
ELEVATIONS
REVISED
APRIL 16, 2009

**Attachment B:
Excerpt from the Dartmouth MPS**

6 ADMIRAL STREET

The owners of the property at 6 Admiral Street in Dartmouth (former Evangel Temple) wish to develop a multiple unit dwelling specifically designed to meet the needs of senior citizens. While it has been demonstrated by the community that there is support for this type of facility in this location, there is a desire to ensure the development is properly integrated within the community, and that its appearance and scale, as well as, the overall development of the site is handled in a manner which is sensitive to the surrounding low density residential environment. It is, therefore, desirable that the development of 6 Admiral Street, for the purposes of a multiple unit dwelling specifically designed for senior citizens, be considered by development agreement.

Policy H-14

It shall be the intention of Council to consider a multiple unit dwelling, specifically designed for senior citizens, at 6 Admiral Street in Dartmouth, according to the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard for the following:

- (a) the height, bulk, lot coverage and appearance (exterior design) of the building is compatible with adjacent land uses;
- (b) site design features, including landscaping, amenity areas, parking areas and driveways, are of an adequate size and design to address potential impacts on adjacent land uses and to provide for the needs of the residents of the development;
- (c) the site is located in reasonable proximity to community facilities, such as recreation areas and transit routes;
- (d) municipal central services are available and capable of supporting the development;
- (e) appropriate controls are established to address environmental concerns;
- (f) traffic related matters such as traffic generation and circulation, sighting distances, site access and egress and pedestrian safety are addressed;
- (g) general maintenance of the development is addressed; and
- (h) any other matters, including criteria listed in Policy IP-1(c), are addressed.

Policy IP-1(c)

In considering zoning amendments and contract zoning, Council shall have regard to the following:

- (1) that the proposal is in conformance with the policies and intent of the Municipal Development Plan;
- (2) that the proposal is compatible and consistent with adjacent uses and the existing development form in the area in terms of the use, bulk, and scale of the proposal;
- (3) provisions for buffering, landscaping, screening, and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries;
- (4) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the City is to absorb any costs relating to the development;
 - (ii) the adequacy of sewer and water services and public utilities;
 - (iii) the adequacy and proximity of schools, recreation and other public facilities;
 - (iv) the adequacy of transportation networks in adjacent to or leading to the development;
 - (v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas;
 - (vi) preventing public access to the shorelines or the waterfront;
 - (vii) the presence of natural, historical features, buildings or sites;
 - (viii) create a scattered development pattern requiring extensions to truck facilities and public services while other such facilities remain under utilized; and
 - (ix) the detrimental economic or social effect that it may have on other areas of the City.
- (5) that the proposal is not an obnoxious use;
- (6) that controls by way of agreements or other legal devices are placed on proposed developments to ensure compliance with approved plans and coordination between adjacent or near by land uses and public facilities. Such controls may relate to, but are not limited to, the following:
 - (i) type of use, density, and phasing;
 - (ii) emissions including air, water, noise;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage and landscaping;
 - (v) provisions for pedestrian movement and safety;

- (vi) management of open space, parks, walkways;
 - (vii) drainage both natural and sub-surface and soil-stability; and
 - (viii) performance bonds.
- (7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock outcroppings, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors;
- (8) that in addition to the public hearing requirements as set out in the Planning Act and City by-laws, all applications for amendments may be aired to the public via the "voluntary" public hearing process established by City Council for the purposes of information exchange between the applicant and residents. This voluntary meeting allows the residents to clearly understand the proposal previous to the formal public hearing before City Council;
- (9) that in addition to the foregoing, all zoning amendments are prepared in sufficient detail to provide:
- (i) Council with a clear indication of the nature of proposed development; and
 - (ii) permit staff to assess and determine the impact such development would have on the land and the surrounding community.
- (10) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS.

Attachment C:
Minutes from Public Information Meeting for Original Agreement

PUBLIC INFORMATION MEETING
CASE 01139 - 6 Admiral Street
DARTMOUTH PLAN AREA

May 7, 2008
137 Main Street, Dartmouth
7:00 p.m.

STAFF IN

ATTENDANCE: Hanita Koblents, Planner
Jennifer Chapman, Planner
Jennifer Little, Planning Controller

APPLICANT: Costello Fitt Ltd.

OTHER: Andrew Younger, Councillor for District 6

**MEMBERS OF
THE PUBLIC:** 18

PRESENTATION / OVERVIEW

Andrew Younger, Councillor for the area, welcomed residents to the meeting and thanked them for attending. He introduced Hanita Koblents, Planner who has been the contact on this application but, has accepted a new position within HRM and will no longer be the Planner on this case. He then introduced Jennifer Chapman as the Planner who will be taking over this application from this point forward. He explained that a number of years ago, Council approved 6 Admiral Street for a nursing home / seniors residence. This is the only purpose that is permitted on this site. Tonight's meeting is an overview of how the use will be developed and if it meets the Municipal Planning Strategy.

Ms. Koblents introduced Jennifer Little, Planning Controller and explained that she would be taking the minutes of the meeting.

Ms. Koblents explained the purpose of the meeting is to discuss an application for a development agreement (DA) to permit a senior's long term care facility at 6 Admiral Street. The property is directly above the retaining wall on Braemar Drive, Dartmouth.

With use of a power point presentation Ms. Koblents gave an overview of the planning process. She reviewed a photo of the site above the retaining wall on Braemar Drive, the entrance to the

site and the drive way the church used to use and a photo of the site looking at it from its westernmost property boundary on Admiral Street.

Ms. Koblents reviewed the Municipal Planning Strategy Policy Provisions and described a Development Agreement, explaining that it is a contract between the landowner and the Municipality that governs the use of land, that it is recorded at the Registry of Deeds and is binding on the lands until discharged with consent of both parties. Ms. Koblents reviewed the H-14 Policy Criteria and noted that it directs Council to have concern for a number of criteria when reviewing a proposal. The criteria includes height, built, lot coverage and appearance compatible with the community, is the landscaping, amenity and parking area adequately able to serve the residence who would be living on the site and to also direct potential community impacts. Other criteria that needs to be reviewed is if the water and sewer service adequate and if traffic matters are addressed, including pedestrian issues.

Ms. Koblents explained the planning process typically begins with an application. An HRM planner is assigned to the case and begins a technical review of the proposal by circulating it to relevant agencies and departments. A public information meeting (what we are doing now) is also held to help staff get a sense of any issues the community may have, and how these might be addressed.

Once the review is complete, the planner prepares a staff report with a recommendation to Community Council. Harbour East Community Council normally meets the first Thursday of every month and consists of a subset of Regional Council including representatives from Dartmouth, Cole Harbour/ Westphal and Eastern Passage/ Cow Bay.

If Community Council decides to proceed, they will set a Public Hearing date. If you received notice in the mail for this PIM, you will receive notice for the hearing. The public hearing will also be advertised in the Herald for two consecutive Saturdays before the meeting.

The public hearing is a formal opportunity for any member of the public to speak for or against the proposal before Council makes a decision to accept or reject the proposal. After the decision is made, there is a 14 day appeal period.

Mr. Jim Balcom, Director of Operations for GEM Healthcare expressed his excitement to speak with the Community about this project. GEM Healthcare is a nursing home operator that has been around for thirty years and has eight facilities around the province. He explained that they have tried a number of years ago to develop a nursing home building on Admiral Street however, at that time they were unable to make it work in the market and couldn't get Provincial backing. He explained that one of their current operating nursing homes is Glades Lodge which is the oldest nursing home in the Province and is located over the Bay Road in Halifax. There was a study conducted by the Department of Health to review the current and future needs towards nursing home beds. They concluded that there is not enough nursing home facilities in Dartmouth and since have been working with GEM Healthcare to develop a new nursing home at this location.

The nursing home will be very unique and will be more residential and homelike. Mr. Balcom introduced Sydney Dumaresq, Architect, Thelma Costello, Project Manager, George Oickle, Construction Manager and Colin Bagnell, Project Management.

Mr. Sydney Dumaresq, Architect on this project introduced himself and spoke regarding the design of the Nursing Home. He explained that there is a whole new model of care for Nursing Homes in Nova Scotia. New homes will be divided into residential neighborhoods where there will only be 12 residence in this residential neighborhood. Each resident will have their own private room and private bathroom. Within their neighborhood they will have their own living room, dining room and kitchen, this is designed to give them a feeling of independence. The nursing home will consist of 62 beds inside 5 of these neighborhoods. The guidelines note that each neighborhood would need to have direct grade access to a private garden; however, this site is on a steep hill. The solution is to work with the contours of the land. Mr. Dumaresq reviewed the plans, pointing out where each neighborhood would be located, the driveway and the general layout of the structure. He explained that there will be an underground parking lot for visitors which will accommodate for 45 spots and will also have a drive-up service area.

QUESTIONS AND COMMENTS

At this time Jennifer Chapman explained that she would be the Planner that would be taking over this application.

Blair Hammond, 38 Major Street noted that at the last meeting held regarding this application, there were some issues raised and was wondering if they have been addressed. He questioned if a water main has been put in and if the water pressure issues were addressed?

Ms. Thelma Costello explained that there has been an engineer study done that tested the water issue. However, they have not yet received the report back. The Plan is to run a new water main down Admiral Street and up to the corner of First Street. This needs to be done to accommodate fire requirements.

Mr. Hammond explained that there is not much fill where the church used to be and was wondering if there would be much disturbance.

Ms. Costello explained that in the area of where the church was there was an oil tank that had ruptured. Therefore, they have had environmental assessments done. There is a lot of fill on the site and has provided a good foundation for building on. Mr. Dumaresq noted that they will have to truck fill off the site.

Mr. Hammond noted his concern with them cutting down all the trees. Mr. Dumaresq explained that there are number of trees will remain. All the trees around the property line will not be touched.

Mr. Hammond noted concern with falling trees that were destroyed following Hurricane Juan and asked if they would be removing them.

Mr. Dumaresq explained that they have signed a contract with HRM which will stipulate landscaping around the area and noted that the fallen trees would be removed. Ms. Koblents added that Mr. Hammonds request to remove the damaged trees can be added into the contract.

Mr. Hammond explained that having a fence will help block traffic noise and appreciates them building it.

Joe Scaulley, explained that his property is directly across from the site and added his concern with the upkeep of the landscaping. He added that it is unsightly and that he would like to see someone keep it mowed.

Mr. Balcom explained that if all goes well the construction would be starting this summer with an estimate time of completion of 2010.

Mr. Scaulley questioned what the drainage route will be.

Mr. Dumaresq explained that the surface line will be taken underground in the storm sewer and will be rerouted.

Mr. Scaulley noted concern about not having a cross walk and asked if there would be a new system put into place for the seniors so that they didn't have to walk far to get to a cross walk to access the bus route.

Ms. Koblents explained that at this time there are no plans. The service will be on Main Street. Metro Transit's guidelines state that the service needs to be 500 metres from the Transit Stop. She added that most of the residence will not be independent and most would not be taking the bus.

Mr. Scaulley welcomes the Seniors Home to the area and feels it would be a great addition to the neighbourhood.

Susan MacIntosh, 8 Bareng Court noted her concern with the Teachers parking on Admiral Street and noted concern with children walking and crossing on Admiral Street. She questioned if there will be a parking requirement in front of the Seniors Building?

Ms. Koblents explained that the fire department has requested that no parking signs be put up.

Mr. Frank Moore, 3 Bareng Court, noted his concern with this site generating heavy volume of traffic and concern with there being no parking if the street parking is taken away.

Ms. Koblents explained that the Development Agreement requires adequate amount of parking so the Nursing Home will not generate additional overflow of parking. There will be 45 parking spaces for visitors and staff.

Mr. Hammond noted concern with the increased traffic possibly putting the children in danger that walk and cross this street. Can HRM put a better system for the children to prevent accidents?

Councillor Younger explained that the traffic lights are covered by another body. Traffic issues are recognized by HRM and the police have been addressing this issue by administering tickets for speeding.

Ms. Koblents added that she has walked the street with one of HRM's Engineers and has looked for blind spots. She explained that the north side of Admiral Street would not need a side walk and that it is not safe for Pedestrians to cross there.

Mr. Reed Joseph noted concern with Teacher's illegal parking.

Ms. Koblents explained that if you see someone parking illegally, you can report it to HRM at 490-4000.

Councillor Younger explained that the report will be sent to Community Council in July. There will be a Public Hearing in August which will lead to a 14 day appeal period. He explained that providing approval from HRM, the application will be completed by September 2008.

The target for the structure to be roof tight is 8-12 weeks prior to starting the process with a completion date estimated in 2010.

Ms. Koblents asked if there were any other questions, and then closed the meeting.

MEETING ADJOURNMENT

Meeting adjourned at approximately 7:56 p.m.