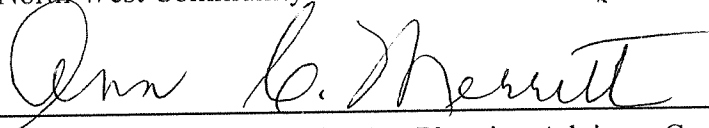




PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Community Council
March 26, 2009

TO: North West Community Council

SUBMITTED BY: 
Ann Merritt, Chair, North West Planning Advisory Committee

DATE: March 4, 2009

SUBJECT: Case 01159: Bedford South Development Agreement

ORIGIN

The North West Planning Advisory Committee meeting held on March 4, 2009.

RECOMMENDATION

It is recommended that the North West Planning Advisory Committee recommend that the North West Community Council:

1. Give Notice of Motion to consider the proposed development agreement presented in Attachment A of the report dated February 18, 2009, and schedule a public hearing.
2. Approve the proposed development agreement presented in Attachment A of the report dated February 18, 2009; and
3. Require the development 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 of said Agreement by the Community Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.

DISCUSSION

See attached staff report dated February 18, 2009.

BUDGET IMPLICATIONS

See attached staff report dated February 18, 2009.

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.

ATTACHMENTS

Staff Report Dated February 18, 2009.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208. Report Prepared by: Melody Campbell, Legislative Assistant

North West Planning Advisory Committee
March 4, 2009

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY:

Carrie Bond

Paul Dunphy, Director of Community Development

DATE: February 18, 2009

SUBJECT: Case 01159 - Bedford South Development Agreement

ORIGIN

Application by Clayton Developments Limited for a residential/commercial community over a 146 acre parcel of land located to the east of Highway 102, Bedford.

RECOMMENDATIONS

It is recommended that **North West Planning Advisory Committee recommend that North West Community Council:**

1. Give Notice of Motion to consider the proposed development agreement presented in Attachment A and schedule a public hearing.
2. Approve the proposed development agreement presented in Attachment A; and
3. Require the development 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 of said agreement by the Community Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.

EXECUTIVE SUMMARY

Clayton Developments Ltd. is seeking approval of a development agreement pertaining to Neighbourhood D, E, General and Community Commercial areas of Bedford South, all of which are part of the Bedford South Secondary Planning Strategy (the Secondary Plan). The lands, illustrated on Map 1, encompass 146 acres (59 hectares) to the east of Highway 102 in Bedford and are the remaining lands owned by Clayton Developments Ltd. within the Bedford South Master Plan area.

The development proposal integrates parks and open space with a variety of housing types, and community and general commercial. The proposed agreement (Attachment A) reflects this integration and includes terms pertaining to environmental protection, land development, parks and open space, the provision of municipal services and phasing. Further, the agreement is subject to capital cost contribution charges by the Municipality and Halifax Water.

A Public Information Meeting was held on October 9, 2008 to discuss the proposed development. Attachment C of this report contains a summary of this meeting. On December 10, 2008 Bedford Waters Advisory Board provided a positive recommendation on the proposed development and the detailed Stormwater Management Plan (Attachment D). Staff is recommending approval of the proposed development agreement (Attachment A) as it complies with the relevant policies for the Bedford South Secondary Planning Strategy.

BACKGROUND

In 2002, Regional Council approved the Bedford South Secondary Plan (the Secondary Plan) which provides guidance for the development of a new community between Bedford Highway and Highway 102 north of the Royale Hemlocks Subdivision and south of the Crestview subdivision. The goal of the strategy is to enable residential and commercial development which is cost effective for the municipality to service.

The Secondary Plan Area is divided into a number of neighbourhoods which are illustrated on Map 1. Clayton Developments Ltd., controls a large portion of land holdings in the Secondary Plan. Council has previously approved a number of development agreements for several hundred acres of development including Neighbourhoods A, B, C and portions of D.

Proposal:

Clayton Developments Limited has applied to enter into a development agreement for approximately 146 acres (a portion of PID#40834103 and 40288128) as illustrated on Map 2. This lands include Neighbourhood D, E, General and Community Commercial areas. A mixture of residential, community commercial, parkland and other open space uses are proposed. Plans illustrating key elements of the project such as municipal services, park dedications, trails and development phasing are found in Schedules B to T of the agreement (Attachment A).

The development is comprised of three key components: a community and general commercial area a residential area, and parkland.

- **Community and General Commercial Development**
Approximately 57 acres (17.4 hectares) of the development is intended for commercial purposes and will house a mix of community commercial and general commercial uses as well as multiple unit residential land uses. The developer is proposing:
 - three general commercial sites;
 - two community commercial sites; and
 - four multiple unit dwellings (323 units)
 - 156 units in two buildings (multiple unit dwelling or assisted living facility)

- **Residential Development**
The remaining lands, which cover approximately 241 acres (73.45 hectares) are intended to accommodate a mix of residential development. The applicant is proposing:
 - 91 single unit dwellings (Neighbourhood D)
 - 150 single unit dwellings / townhouses (Neighbourhood E)
 - 74 multiple unit dwelling (Neighbourhood E)

Parkland

Approximately 23 acres (9.3 hectares) of the site is reserved for park dedication and open space. In addition to the land dedication, the developer is proposing the construction of a 1253 metres (4111 ft) of trail and site preparation of a 929 square metres (10,000 sq ft) neighbourhood park.

It should be noted that additional parkland development adjacent the area bound by the development agreement is being developed by the Province of Nova Scotia. A new french high school near the intersection of Larry Uteck Boulevard and Southgate Drive is in the early stages of construction (site preparation). In association with this development, a playing field on 4.5 acres of land (Schedule C) is being constructed, and eventually deeded to the Municipality. As this project is provincial, it is outside the bounds of the development agreement process.

DISCUSSION

The Bedford South Secondary Planning Strategy (BSSPS) contained within the Bedford MPS sets out direction for development within the Bedford South Master Plan Area. Policy MCP-1 of the BSSPS establishes that development within Bedford South is contingent upon approval of a development agreement in conformance with the Community Concept Plan. When considering this development application an evaluation of the proposal against the policy criteria of the Secondary Plan is required and is presented as Attachment B.

Upon review of the MPS, the proposal appears to meet the intent of the relevant policies as presented in the proposed development agreement (Attachment A). While the proposal is consistent with the MPS, staff have identified the following issues, which must be addressed when considering this application. The following measures have been completed and incorporated into the agreement (Attachment A) to ensure compliance:

Environmental Protection:

- A master stormwater management plan has been prepared, reviewed by the Bedford Watershed Advisory Board and incorporated into the development agreement.
- Watercourses on the property, including wetlands greater than 2,000 square metres, have been identified and will be confirmed onsite and the lands abutting watercourses have been designated as non-disturbance areas. Wetlands are to be identified as non-disturbance areas except if alteration is permitted by Nova Scotia Environment. Much of the non-disturbance area is to be dedicated to the Municipality for parkland.

Municipal Services:

- The design of the sewer and water systems has received a recommendation of approval from the Development Engineer and Halifax Water.
- A series of sidewalks, walkways and secondary trails will be constructed by the applicant at the locations shown on Schedule I of the agreement (Attachment A).
- The design and location of public streets are as required by the SPS.
- The requirement that the interchange be constructed prior to occupancy permits being issued for any dwelling units.

Land Use:

- A variety of housing types including single unit, semi-detached, townhouse and multiple unit dwellings.
- Maximum density of Neighbourhood D and E is six units per acre.
- Maximum overall density of 20 persons per acre.
- Lifestyle community area for future Shannex lands.
- Design requirements for community commercial and general commercial sites.
- Design requirements for townhouse and multiple unit dwellings.
- Lighting Guidelines which require the preparation of a lighting plan for multiple and commercial sites.
- Landscaping plan required on multiple unit and commercial sites.

Transportation:

The primary transportation project intended to service Bedford South is the extension of Larry Uteck Boulevard to a new interchange to be constructed at Highway 102 (policies MS-6 and MS-7). These projects will be cost shared between HRM, the Province of Nova Scotia and the developers within the master plan area, including Clayton Developments as the largest land owner. On December 17, 2008 the federal and provincial announcement was made which secured funding for the new interchange on Highway 102 at Larry Uteck Boulevard. The funding is part of the Provincial Territorial Base Funding Agreement which secures funding for infrastructure projects throughout the Province. The interchange is expected to be open during the fall of 2010.

The proposed development agreement does not enable housing units prior to construction and connection of the interchange to Larry Uteck Boulevard however commercial development is permitted. Staff are of the opinion that this is consistent with the direction set out in policies MS-6 and MS-7 and with the overall intent of BSSPS in this regard.

Public Participation:

A public meeting was held on October 9, 2008 to consider the development agreement application. The minutes of the meeting are presented as Attachment C. Should Community Council schedule a public hearing for this application, public notices will be placed in the newspaper and property owners within the notification area will be contacted individually. The notification area is identified on Map 4.

Bedford Waters Advisory Board reviewed the proposed master stormwater management plan and conceptual layout of the subdivisions. The Board's recommendation (Attachment D) recommended acceptance of the proposed Stormwater Management Plan.

Staff are of the opinion that the proposed development agreement meets the intent of the Board's recommendations to the extent appropriate under a development agreement (Attachment A).

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 the Agreement. The administration of the agreement can be carried out within the approved budget with existing resources.

Capital Cost Contribution:

In accordance with the Municipality's capital cost contribution policies, the Municipality will be expected to cost share in certain infrastructure improvements needed to service the Secondary Plan Area. A Capital Cost Contribution Charge Area has been established over the lands and the lands are subject to charges under the Regional Subdivision By-law.

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. The Community Council may approve the proposed agreement. This is the recommended course of action.

2. The Community Council may choose to approve the proposed development Agreement subject to modifications. Such modifications may require further negotiations with the applicant and revisions to the schedules attached to the Agreement.
3. The Community Council may choose to refuse the proposed development agreement, and in doing so provide reasons based on conflict with existing Municipal Planning and Secondary Planning Strategy policies. This is not recommended for the reasons stated in this report.

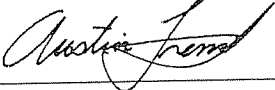
ATTACHMENTS

- Map 1: Bedford South Secondary Plan Area by Neighbourhood
Map 2: Generalized Future Land Use
Map 3: Zoning Map
Map 4: Notification Area
Attachment A: Proposed Development Agreement
Attachment B: Policy Evaluation of the Bedford South Secondary Planning Strategy
Attachment C: Minutes Public Information Meeting - October 9, 2008
Attachment D: Draft Recommendation of the Bedford Watershed Advisory Board

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.

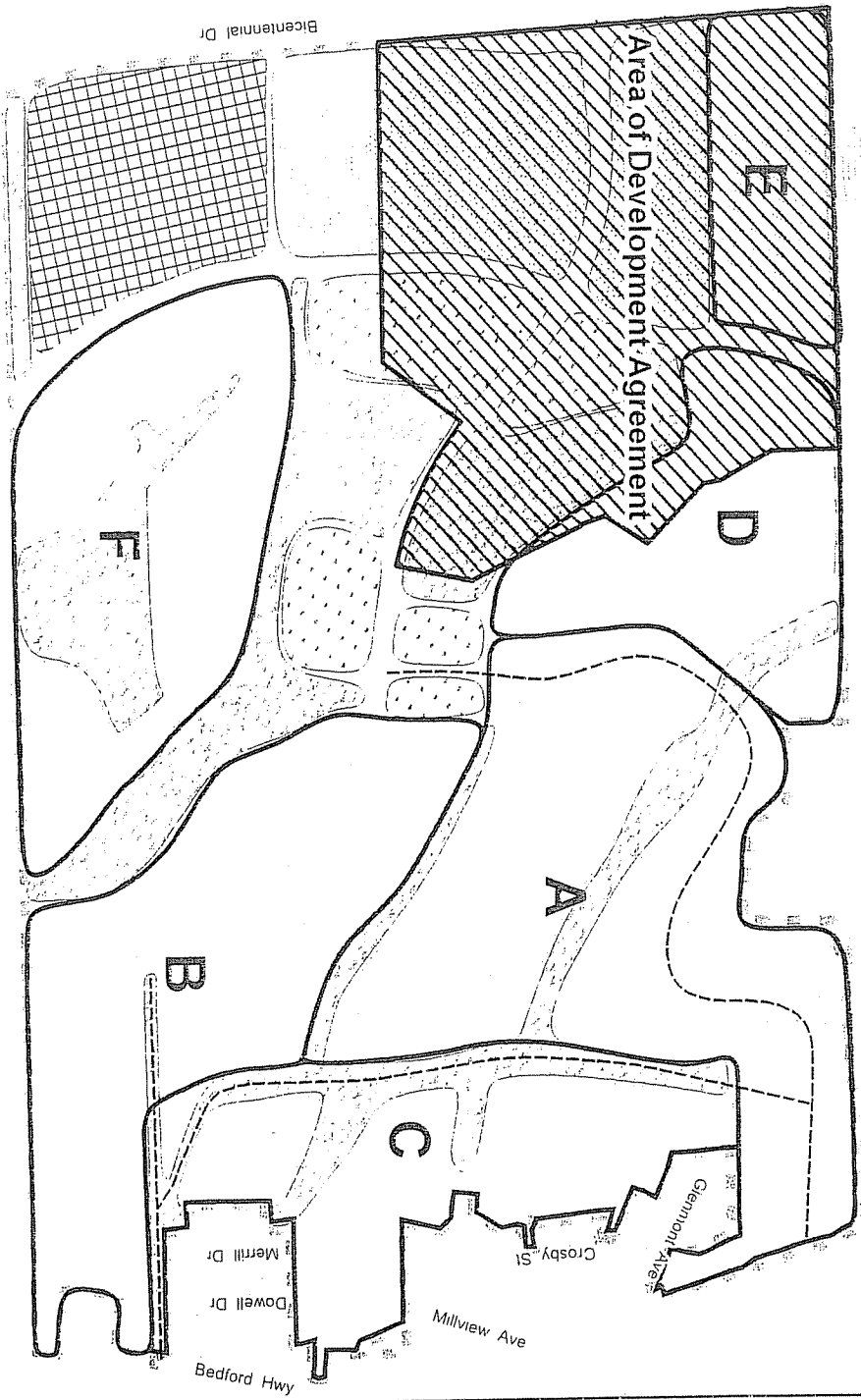
Report Prepared by: Thea Langille, Supervisor of Planning Applications. Central Region, 869-4104

Report Approved by: _____


Austin French, Manager of Planning Services. 490-6717

Oceanview Dr

Area of Development Agreement



Starboard Dr






Larry Uleck Blvd

Bicentennial Dr

Map 1

Community Concept Plan

Land Use Designation

- Proposed Land Use**
-  Residential Neighbourhoods
 -  General Commercial
 -  Community Commercial / Institutional
 -  Mixed Use / Business Campus
 -  Park / Open Space (Major Areas)

Note: Neighbourhood Parks to be confirmed by Development Agreement.



Feb. 17 2009

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Map 2
Generalized Future Land Use



Area of Development Agreement



Bedford Plan Area

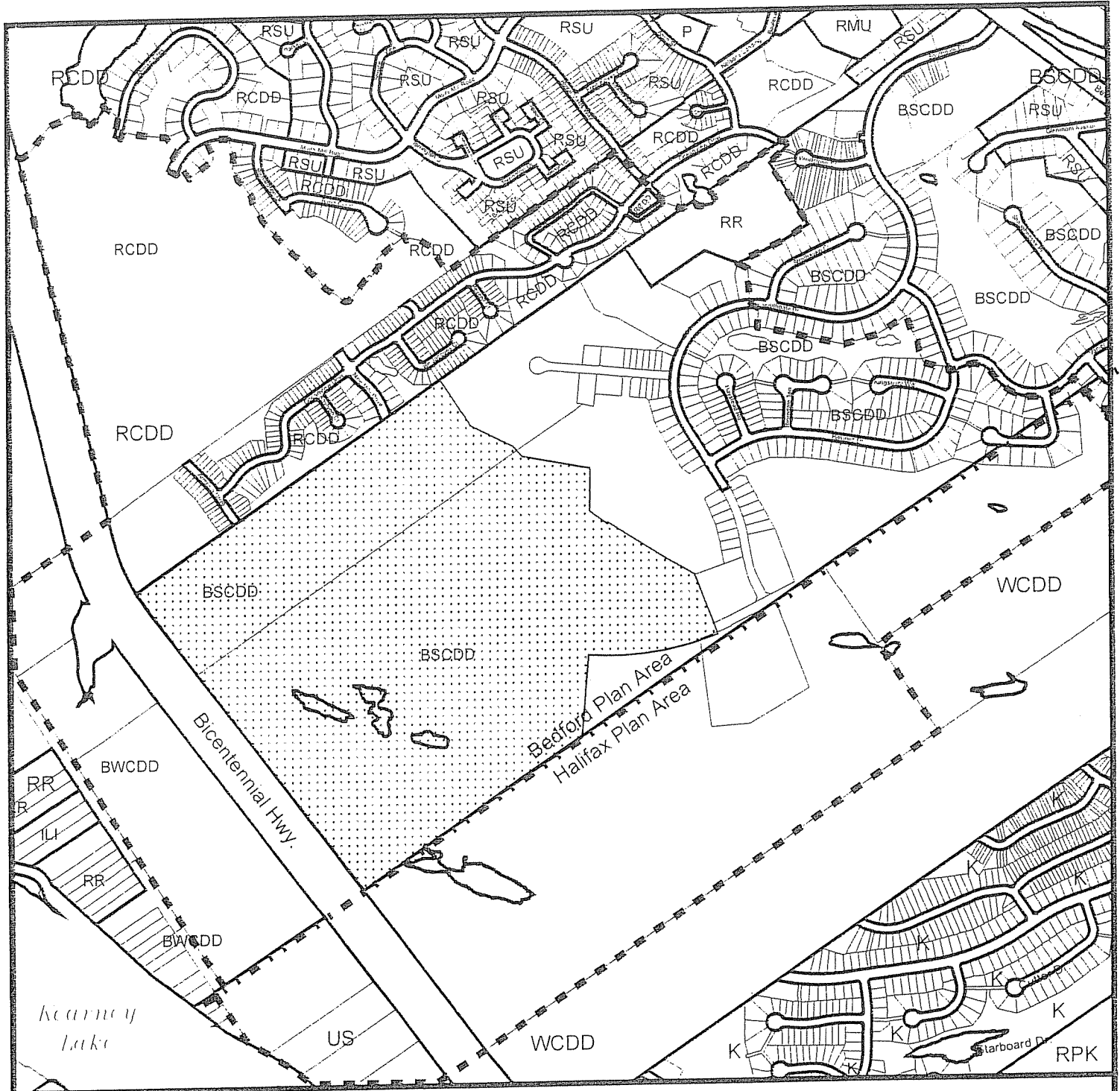
- R Residential Designation
- RCDD Residential Comprehensive Development District
- BSSPS Bedford South Secondary Planning Strategy

Halifax Plan Area

- WCDD Wentworth Comprehensive Development District
- BSSPS Bedford South Secondary Planning Strategy

--- Neighbourhood "D"





**Map 3
Zoning**

 **Area of Development Agreement**




Bedford Plan Area

- RSU Single Dwelling Unit Zone
- RR Residential Reserve Zone
- RCDD Residential Comprehensive Development District
- BSCDD Bedford South Comprehensive Development District

Halifax Plan Area

- US Urban Settlement Zone
- K Schedule "K"
- RPK Regional Park Zone
- WCDD Wentworth Comprehensive Development District

 **Notification Area**



Attachment A
Proposed Development Agreement

THIS AGREEMENT made this day of, 2009,

BETWEEN:

CLAYTON DEVELOPMENTS 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,
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located on the east side of the Bicentennial Highway, in Bedford and which said lands are identified by P.I.D.'s 40288128 and 40834103 as illustrated in Schedule A and further described in Schedule A-1 of this Agreement(hereinafter called the"Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a development agreement to allow for the construction of a mixed use development, consisting of residential, institutional and commercial uses on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter*, and the Municipal Planning Strategy and Land Use By-law for Bedford;

AND WHEREAS a condition of the granting of approval of Council is that the Developer enter into an development agreement with the Halifax Regional Municipality;

AND WHEREAS North West Community Council approved this request at a meeting held on [INSERT - Date], referenced as Municipal Case No. 01159;

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

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION**1.1 Applicability of Agreement**

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

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

Except as otherwise provided for herein, the development and use of the Lands shall comply with the requirements of the Bedford Land Use By-law ("the Land Use By-law") and the Regional Subdivision By-law for Halifax Regional Municipality ("the Subdivision By-law"), as may be amended from time to time.

1.3 Applicability of Other By-laws, Statutes and Regulations

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

The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to the sanitary sewer system, water distribution system, storm drainage system and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of HRM and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer except as provided for by an infrastructure charge collected under the provisions of the Subdivision By-law. All design drawings and information shall be certified by a Professional Engineer.

1.4 Conflict

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

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

1.5 Costs, Expenses, Liabilities and Obligations

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

1.6 Provisions Severable

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

PART 2: DEFINITIONS

- 2.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law.
- 2.2 In this Agreement, unless the context otherwise requires:
- (a) “Assisted Living Facility” means a building or part of a building where residents have access to 24 hour personal care and assisted living arrangements are provided for individual’s living in self contained units. All assisted living facilities shall include a common dining room, personal care, housekeeping and laundry facilities and services.
 - (b) “building height” means the vertical distance between the average finished grade of a building to the soffit of a building, excepting gables.
 - (c) “community commercial uses” means uses identified in Schedule N.
 - (d) “general commercial uses” means uses identified in Schedule P.
 - (e) “lot frontage” means the distance between the side lot lines of a lot as measured in a perpendicular direction from the front lot line at a horizontal distance equal to 7.01 metres (23 feet).
 - (f) “Master Stormwater Management Plan” means the document entitled *Master Stormwater Management Plan for Bedford South*, Project No. 1045671, prepared by Jacques Whitford NAWÉ Inc. in conjunction with Jacques Whitford Environment Ltd., for Clayton Developments Ltd., dated November 2008.
 - (g) “Secondary Planning Strategy” means the Bedford South Secondary Planning Strategy, adopted under the Bedford Municipal Planning Strategy, as amended from time to time.

- (h) "Lifestyle Community" means a variety of housing forms which may include townhouse, semi-detached and multiple unit dwellings, assisted living as well as residential care facilities as per the Bedford Land Use By-law. These dwelling units shall be managed by a single entity. Services may include personal care and supportive services such as security, health related services, meals, housekeeping and laundry, recreational activities, transportation and social services.
- (i) "Waters Advisory Board" means the Bedford Waters Advisory Board, as established by an administrative order of the Municipality.

PART 3 USE OF LANDS AND DEVELOPMENT PROVISIONS

3.1 SCHEDULES

The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the Schedules attached to this Agreement and the plans filed in the Halifax Regional Municipality as Case Number 01159:

The Schedules are:

Schedule A:	Illustration of the Lands
Schedule A-1:	Legal Description of the Lands
Schedule B:	Land Use Plan
Schedule C:	Parkland Plan
Schedule D:	Site Preparation Plan
Schedule E:	Sanitary Service Plan- Option 1
Schedule F:	Sanitary Service Plan- Option 2
Schedule G:	Stormwater Servicing Plan
Schedule H:	Water Service Plan
Schedule I:	Sidewalk and Walkways Plan
Schedule J:	Slope Map
Schedule K:	Environmental Constraints Plan
Schedule L:	Phasing Plan
Schedule M:	Design Guidelines for Townhouses and Multiple Unit Buildings
Schedule N:	Community Commercial Uses
Schedule O:	Community Commercial Requirements
Schedule P:	General Commercial Uses
Schedule Q:	General Commercial Requirements
Schedule R:	Lighting Guidelines
Schedule S:	UTGC - Option 2
Schedule T:	Density Chart
Schedule U:	Community Concept
Schedule V:	Bedford South/Wentworth Estates Master Plan Area

3.2 SUBDIVISION OF THE LANDS

- 3.2.1 This Agreement shall be deemed to meet the requirements of the Subdivision By-law with respect to concept plan approval.
- 3.2.2 The development of the Lands shall generally conform to the Schedules.
- 3.2.3 Unless otherwise acceptable to the Development Officer final subdivision applications shall be submitted to the Development Officer in accordance with the following:
- (a) The Developer may undertake the construction of all or a portion of Starboard Drive and Nine Mile Drive prior to the completion and connection of Larry Uteck Boulevard but Starboard Drive and Nine Mile Drive can not be accepted by HRM unless the construction of Larry Uteck Boulevard is completed and is connected and open for public use; and
 - (b) Applications for subdivision approval shall be submitted in the order of phasing, as set out in Schedule L.
- 3.2.4 Unless otherwise acceptable to Development Officer, prior to acceptance of any Municipal Service system, the Developer shall provide the following to the Development Officer:
- (a) Certification from a qualified professional engineer that the Developer has complied with the required Erosion and Sedimentation Control Plan as required pursuant to this Agreement (Section 5.1) ; and
 - (b) Certification from a qualified professional engineer indicating that the Developer has complied with the Stormwater Management Plan required pursuant to this Agreement (Section 4.5).
- 3.2.5 Site construction for each Phase or portion thereof shall not occur until the Developer provides a subdivision grading plan to the Development Officer indicating where lot disturbance is to occur at the time of construction of municipal services, as set out in section 3.3 and 3.9 of this agreement. No site preparation shall occur until a pre construction meeting is held.
- 3.2.6 Each subdivision application for each phase shall include a table with the number of units permitted by this agreement, the number of dwelling units for which municipal development permit applications are expected to be sought and the number of dwelling units which have received or are expected to receive municipal development permit approvals from previous subdivision applications submitted for the development pursuant to the provisions of this Agreement. This table shall be attached to each subdivision application.

3.2.7 Each subdivision application for each phase shall include a table similar to Schedule T with the total sewer capacities permitted by this agreement, sewer calculations for which municipal development permit applications are expected to be sought and the sewer calculations for uses which have received or are expected to receive municipal development permit approvals from previous subdivision applications submitted for the development pursuant to the provisions of this Agreement. This table shall be attached to each subdivision application.

3.3 REQUIREMENTS PRIOR TO APPROVAL

3.3.1 Non-disturbance areas and watercourse buffers as required by this agreement shall be identified with snow fence or other appropriate method such as flagging tape, as approved by the Development Officer, prior to any site preparation (i.e. tree cutting, and excavation activity). The Developer shall provide confirmation to the Development Officer that the non-disturbance areas and watercourse buffers have been appropriately marked. Such demarcations shall be maintained by the Developer for the duration of the construction and may only be removed only upon the issuance of an Occupancy Permit for the lot or unless otherwise directed by the Development Officer.

3.3.2 No subdivision approvals shall be granted unless the following conditions have been met:

- (a) all required park site preparation and site development (trails) has been agreed upon in accordance with the requirements of Sections 3.7 of this Agreement;
- (b) non-disturbance areas have been delineated on the final subdivision plan in accordance with the requirements of Section 3.9;
- (c) a note for non-publicly owned or private driveways has been placed on the subdivision plan in accordance with the requirements of Section 4.3;
- (d) an erosion and sedimentation control plan has been complied with in accordance with the requirements of Section 5.1;
- (e) certification of the subdivision grading plan has been complied with in accordance with the requirements of Section 5.2;
- (f) copies for all required watercourse and wetland alteration permits for the subdivision phase have been provided to the Development Officer;
- (g) if required, approval of Nova Scotia Transportation and Infrastructure Renewal; and

3.3.3 No municipal development permit shall be granted unless:

-
- (a) a lot grading plan has been prepared in accordance with the requirements of Sections 5.2 of this Agreement and the plan has been approved by the Development Engineer, and
 - (b) for all commercial, multiple unit residential and institutional land uses a landscaping plan has been prepared by a Professional Landscape Architect in accordance with the requirements of Section 3.10.
 - (c) a lighting plan for commercial and multiple unit residential buildings has been prepared by a qualified person in accordance with the requirements of Section 3.6.
 - (d) verification that the number of dwelling units and sewer flows have not been exceeded in accordance with the requirements of Section 4.5.
- 3.3.4 No development permit application shall be submitted to the Municipality for any multiple unit, commercial or institutional development unless the Developer has completed the Municipality's MICI (Multiple unit/Industrial/Commercial/Institutional) process.
- 3.3.5 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.
- 3.3.6 No Occupancy Permit shall be granted:
- (a) for any multiple unit, assisted living facility, general and community commercial or institutional development unless a certification has been received from a Professional Landscape Architect in accordance with Section 3.10 of this Agreement (Landscaping);
 - (b) for any multiple unit, assisted living facility, general and community commercial, or institutional development unless a certification has been received from a qualified person in accordance with Section 3.6 of this Agreement (Lighting) ;
 - (c) trees have been planted or a security provided in accordance with the requirements of Clause 3.5; and
 - (d) lot grading approval has been received or financial security provided for completion of the work in accordance with Section 5.2.

3.3.7 Prior to the acceptance of any streets and municipal services within any phase of subdivision, the Developer shall provide the Development Officer with certification from a Professional Engineer that the Developer has complied with the required Erosion and Sedimentation Control Plan as required by Section 5.1 of this Agreement and that there is permanent and/or temporary stabilization of all disturbed areas.

3.4 GENERAL DESCRIPTION OF LAND USE

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

- (a) A mixed use development as enabled by this Agreement and as generally illustrated on the Schedules;
- (b) Use of the Lands in the development shall be limited to the following as defined in this agreement or the Bedford Land Use By-law:
 - I) single unit dwellings;
 - ii) semi-detached dwellings;
 - iii) townhouse dwellings;
 - iv) multiple unit dwellings, assisted living and residential care facilities;
 - v) institutional uses;
 - vi) lifestyle community;
 - vii) community commercial uses as defined in Schedule N
 - viii) general commercial uses as defined in Schedule O
 - ix) parkland and open space uses;
 - x) home occupations in single unit, semi-detached, townhouse and multiple unit dwellings subject to the requirements of the Land Use By-law for Bedford, Part 5, Section 8 (a) through l) as amended from time to time.
 - xi) day care facilities, nursery schools, early learning centres, and after school care in single unit dwellings subject to the requirements of the Land Use By-law for Bedford, Part 5, Section 9 a) through I) as amended from time to time.

3.4.2 The location of land uses shall generally comply with Schedule B, C and U.

3.4.3 The number of dwelling units permitted by this agreement shall conform with Schedule T and Section 4.5.

Dwelling Units Prior to the Interchange

3.4.4 The Development Officer shall not grant Development Permits for any dwellings units on the Lands until the interchange has been constructed and connected to Larry Uteck Boulevard. Development and building permits for a community commercial (Schedule N)

or general commercial (Schedule P) use may be issued, however, Occupancy Permits shall only be issued once the interchange has been constructed and connected to Larry Utook Boulevard and open to the public.

3.5 DETAILED PROVISIONS FOR LAND USE

Land Use Requirements

3.5.1 No subdivision approval or municipal development permit shall be granted for any designated "singles" development except in accordance with the following provisions:

- (a) Minimum lot frontage: 12.19 metres (40 feet)
- (b) Minimum lot area: 371.6 square metres (4,000 square feet)
- (c) Minimum front yard: 4.57 metres (15 feet)
- (d) Minimum rear yard: 6.10 metres (20 feet)
- (e) Minimum side yard: 1.82 metres (6 feet)
- (f) Minimum separation between buildings: 3.66 metres (12 feet) except for garages permitted under Section 3.5.7
- (g) Minimum flankage yard: 4.57 metres (15 feet)
- (h) Maximum lot coverage: 35%
- (i) Maximum building height: 9.14 metres (30 feet)

3.5.2 No subdivision approval or municipal development permit shall be granted for any designated "semi-detached" development except in accordance with the following provisions:

- (a) Minimum lot frontage: 9.14 metres (30 feet) per dwelling unit
- (b) Minimum lot area: 278.7 square metres (3,000 square feet) per dwelling unit
- (c) Minimum front yard: 4.57 metres (15 feet)
- (d) Minimum rear yard: 6.10 metres (20 feet)
- (e) Minimum side yard: 1.82 metres (6 feet), 0 on common boundary between units
- (f) Minimum flankage yard: 4.57 metres (15 feet)
- (g) Maximum lot coverage: 35%
- (h) Maximum building height: 9.14 metres (30 feet)

3.5.3 No subdivision approval or municipal development permit shall be granted for any designated "townhouse" development except in accordance with the following provisions:

- (a) Minimum lot frontage: 6.10 metres (20 feet) per dwelling unit
- (b) Minimum lot area: 185.8 square metres (2,000 square feet) per dwelling unit
- (c) Minimum front yard: 4.57 metres (15 feet)
- (d) Minimum rear yard: 6.10 metres (20 feet)

- (e) Minimum side yard: 2.44 metres (8 feet) per block, 0 on common boundary between units
- (f) Minimum flankage yard: 4.57 metres (15 feet)
- (g) Maximum lot coverage: 35%
- (h) Maximum building height: 9.14 metres (30 feet)
- (i) Maximum driveway width: 3.65 metres (12 feet)
- (j) each dwelling shall be served with a hard surface driveway that extends from the street curb cut to the front facade of the building and a parking space for an automobile in the dwelling (i.e. garage) measuring not less than 3.05 metres (10 feet) in width and 5.49 metres (18 feet) in length.
- (k) the development conforms with the architectural design criteria for townhouses under Schedule M.
- (l) Access easement shall be required for internal units in each block.

3.5.4 No subdivision approval or municipal development permit shall be granted for any “institutional” use except in accordance with the provisions and requirements of the Institutional (SI) Zone of the Bedford Land Use By-law and this agreement.

3.5.5 No subdivision approval or municipal development permit shall be granted for any designated “multiple” or “assisted living facility” or “residential care facility” development except in accordance with the following provisions:

- (a) Minimum lot frontage: 30.48 metres (100 feet)
18.28 metres (60 feet) on a curve
- (b) Minimum lot area: 929 square metres (10,000 square feet)
- (c) Minimum front yard: 4.57 metres (15 feet) or one half the height of the building, whichever is greater
- (d) Minimum flankage yard: 4.57 metres (15 feet) or one half the height of the building, whichever is greater
- (e) Maximum lot coverage: 35%
- (f) buildings shall conform with the height restrictions shown on Schedule U. Where a building is not anticipated by the Schedules, the height shall not exceed six habitable storeys above grade facing the street. Where multi unit buildings are permitted in the General commercial area, the maximum building height shall be 12 habitable stories.
- (g) the minimum rear or side yard shall be the greater of 6.10 metres (20 feet) or one half the height of the building; and
- (h) underground parking shall be provided to satisfy a minimum of fifty percent (50)% of the parking requirements of the Land Use By-law. Where the number of units in a building exceeds 48, this requirement may be met through the construction of a parking structure.
- (i) the development conforms with the architectural design criteria under Schedule M.
- (j) buildings shall have a minimum 30m (100 feet) setback from Highway 102 right of way, where applicable.

(k) Multiple buildings shall be permitted on one lot in any "lifestyle community" development.

3.5.6 No subdivision approval or municipal development permit shall be granted for any "community commercial" development except in accordance with the following provisions:

- (a) Minimum lot frontage: 30.48 metres (100 feet)
- (b) Minimum lot area: 929 square metres (10,000 square feet)
- (c) Minimum front yard: 0 metres (0 feet)
- (d) Minimum side yard: 6.096 metres (20 feet)
- (e) Minimum rear yard: 4.57 metres (15 feet) or one half the height of the building, whichever is greater;
- (f) Minimum flankage yard: 6.096 metres (20 feet); 7.6 metre (25 feet) vision triangle for corner lots)
- (g) Maximum lot coverage: 50%
- (h) Building height six stories
- (i) the development conforms with the Community Commercial Uses under Schedule N and the Community Commercial Requirements under Schedule O.
- (j) no residential permitted on the ground floor of any building within 50 feet (15.24m) of a public street.

3.5.7 No subdivision approval or municipal development permit shall be granted for any "general commercial" development except in accordance with the following provisions:

- (a) Minimum lot frontage: 30.48 metres (100 feet)
- (b) Minimum lot area: 929 square metres (10,000 square feet)
- (c) Minimum front yard: 6.096 metres (20 feet)
- (d) Minimum side yard: 6.096 metres (20 feet)
- (e) Minimum rear yard: 4.57 metres (15 feet) or one half the height of the building, whichever is greater;
- (f) Minimum flankage yard: 6.096 metres (20 feet); 7.6 metre (25 feet) vision triangle for corner lots)
- (g) Maximum lot coverage: 50%
- (h) Building height 12 stories.
- (i) the development conforms with the General Commercial Uses under Schedule P and General Commercial Requirements under Schedule Q.

Encroachments

3.5.8 The Developer Officer may approve unenclosed structures attached to a main building such as verandas, decks, porches, steps and mobility disabled ramps to be located within the minimum front, side and rear yards provided the provisions of the Bedford Land Use Bylaw as amended from time to time for such structures as adhered to. In addition to the provision of the Bedford Land Use Bylaw, the following encroachments may be approved for the Lands:

Structural Element	Location	Maximum Encroachment
fire place inserts	any yard	0.61 metres (2.0 feet)
window bays	front, side and rear yards	0.60 metres (2 feet)
Open, roofed porches not exceeding 1 storey in height	front and rear yards	1.22 metres (4 feet). 3 metres (10 feet) in a rear yard.
attached garage (not including habitable space)	side yard	0.61 metres (2 feet) except for townhouses

General Provisions

3.5.9 Unless other wise stated by this agreement, the Lands shall conform with the provisions and requirements of Part 5 of the Land Use By-law . For the purposes of Part 5, an RCDD Zone shall be deemed to apply to all residential and multiple unit residential land uses on the Lands and a CGB Zone shall be deemed to apply to all general commercial and community commercial land uses on the Lands.

Tree Planting

3.5.10 The Developer shall plant a minimum of one (1) tree on each lot designated for single, semi-detached or townhouse dwelling unit and two (2) trees for every lot designated for a single unit dwelling which is greater than or equal to 15.24 metres (50 feet) in width. Each tree shall be a type which is indigenous to Nova Scotia with a minimum height of 1.52 metres (5 feet) and a minimum diameter of 5 centimeters (2 inches). The location of the tree shall not interfere with services. The Development Officer may vary or waive the standard where it is determined that placement of tree(s) are not possible. No Occupancy Permit shall be granted unless this requirement has been satisfied or a security has been provided, in form acceptable to the Development Officer, in the amount of one hundred and twenty percent (120%) of the estimated cost of planting the required tree or trees as the case may be.

Variance

- 3.5.11 The Municipality agrees that the variance provisions and procedures made under the Halifax Regional Municipality Charter shall apply to the development of the Lands permitted under this Agreement as established under the Bedford MPS with the exception of building height.

Road Frontage

- 3.5.12 Notwithstanding the Regional Subdivision By-law, road frontage on Larry Ueck Boulevard, classified as "control of access" may be considered road frontage subject to the approval of Nova Scotia Transportation and Infrastructure Renewal.

3.6 BUILDING AND SITE LIGHTING

- 3.6.1 Lighting shall be directed to driveways, parking areas, loading area, building entrances and walkways and shall be arranged so as to divert the light away from streets, adjacent lots and buildings.
- 3.6.2 Lighting fixtures for all commercial and multiple unit developments shall be fully shielded except as identified in Schedule R.
- 3.6.3 The Developer shall prepare an exterior lighting plan for any multiple unit building, assisted living facilities, institutional, community commercial or general commercial building and submit it to the Development Officer for review to determine compliance with this Agreement. The lighting plan shall contain, but shall not be limited to, the following:
- (a) Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, other devices;
 - (b) Description of the illuminating devices, fixtures, lamps, supports and other devices. This description may include, but is not limited to, manufacturers' catalog cuts and drawings including sections where required;
 - (c) The lighting plan and description shall be sufficient to ensure compliance with the requirements of this section of the agreement. If such plan and description cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures or lamps proposed, the Developer shall submit evidence of compliance by certified test reports as performed by a recognized testing lab;
 - (d) The lighting plan and all lighting fixtures shall comply with Schedule R Lighting Guidelines;
 - (e) Should the Developer desire to substitute outdoor light fixtures or lamps and install them on the Lands after a permit has been issued, the Developer shall submit all changes to the Development Officer for approval, with adequate information to assure compliance with this clause;

- (f) The lighting plan shall include certification from a qualified person that the lighting design meet the requirements of this Agreement; and
- (g) Prior to Occupancy Permits being issued the Developer shall provide to the Development Officer a letter from a qualified person that the installation of lighting meets the requirements of this Agreement;

3.7 PARK DEDICATION

- 3.7.1 The Park Dedication shall include the identified land, site improvements (as described by this agreement), site preparation (grading, topsoil, and sod) and site development (trails).
- 3.7.2 Park Dedication through the land acquisition shall substantially conform with the classification, location and dimensions illustrated on Schedules B & C which complies with the overall Park Dedication for the Bedford South Master Plan area. The land is to be considered a Primary Service.
- 3.7.3 Site Preparation (Schedule C and D) and Site Development of Trails (Schedule C) design and construction shall be approved by the Development Officer prior to Final Subdivision approval. The Site Preparation and Site Development shall be a Secondary Service and must be 110% bonded if not complete at the time of land acquisition. All construction shall meet the design, construction, and approval requirements of the Municipality.
- 3.7.4 The Developer agrees, at their expense, to design and construct 1253 metre (4111 ft) of Secondary Trail System with a 1.5 metre (4.92 ft) wide granular travel surface to the Points of Interest (entrances and high point) generally identified on Schedule C. Detailed design specifications shall be included in the Final Subdivision Application. Final centreline location of the trail system shall be determined on site.
- 3.7.5 Site Preparation of Schedule D shall be at the expense of the Developer and shall include be reinstated/finished with 150mm topsoil and sod or approved equivalent.
- 3.7.6 The Municipality agrees that fulfillment of the requirements of Clauses 3.7.1 and 3.7.2 of this Agreement shall be deemed to satisfy all park dedication requirements of the Subdivision By-law for any subdivision approvals sought for the Lands.

3.8 WATERCOURSE PROTECTION

- 3.8.1 Part 5, Section 21 of the Bedford Land Use By-law shall apply. For the purposes of this clause the Environmental Constraints Map (Schedule J and K) shall act as the equivalent of the environmental sensitivities map.

- 3.8.2 Except as required for safety reasons or to allow for the installation of a municipal service systems or to allow for the construction of a park facility such as a trail, no lands shall be disturbed within the required setback from a watercourse unless a management plan has been prepared by a qualified consultant and submitted to the Community Council for approval. The plan shall be submitted to the Waters Advisory Board for recommendation for approval prior to the Community Council making a decision.
- 3.8.3 Notwithstanding Section 3.8.1, the required setback from a watercourse for Commercial uses on UTGC-2 and 3 may be reduced to 20m (66 ft) in accordance with the detailed Stormwater Management Plan.

3.9 NON-DISTURBANCE AREAS

- 3.9.1 The Developer agrees that non-disturbance areas as shown on Schedule K shall be identified on all survey plans and submitted to the Municipality. Further, the plan shall identify all watercourse setbacks required under clause 3.8.1 and all wetlands greater than or equal to 2000 square metres, as defined by Nova Scotia Environment. Further, no development, tree cutting or grade alteration shall be permitted within any non-disturbance area except where approved in writing by the Development Officer under one of the following circumstances:
- (a) To install municipal service systems. In these cases, the location, size and extent of the disturbance shall be identified on a plan prepared and endorsed by a qualified professional which shall identify measures to minimize disturbance within the non-disturbance area to the satisfaction of the Development Officer. Further where the disturbance is related to the construction of the interchange and related infrastructure at Highway 102, the Development Officer shall permit disturbance as permitted by Nova Scotia Environment.
 - (b) To remove a tree that is dead, dying or in decline and which represents a danger to private property, public infrastructure or other natural trees and vegetation. Prior to granting approval for the removal of such a tree, the Development Officer shall have the discretion to require that the landowner engage a Certified Arborist, Landscape Architect, Landscape Technologist, Urban Forester or other person with equivalent credentials to certify in writing that the tree poses a danger to people or property or is in severe decline. If trees are removed or tree habitat damaged beyond repair, with the exception of those to be removed in accordance with Section 3.9.1, the Developer shall replace each tree with a new tree of 1½ inch (38mm) caliper for every one removed or damaged, as directed by the Development Officer; or
 - (c) To remove fallen timber and dead debris where a fire or safety risk is present. The Development Officer may require verification in writing by a qualified professional (i.e., Arborist, Forester or Forestry Technician, Landscape Architect) prior to granting approval under this clause.

- (d) Where wetlands and watercourses have been identified within the construction boundaries for the proposed interchange and adjacent infrastructure and such boundaries are identified by Nova Scotia Infrastructure Transportation and Renewal as interchange infrastructure, disturbance shall be permitted as approved by Nova Scotia Environment.

3.9.2 Where a non-disturbance area is established over lots intended for development, the area shall be shown on a plan of subdivision and a lot grading plan for each individual property as a non-disturbance area with a note on the plan that no vegetation or soils are to be removed or altered unless undertaken in accordance with a management plan approved pursuant to the requirements of this Agreement.

3.10 LANDSCAPING

3.10.1 Any municipal development permit submitted for a multiple unit building, assisted living facility, institutional, general commercial or community commercial development pursuant to the provisions of Section 3.5 of this Agreement shall include a landscaping plan, prepared by a Professional Landscape Architect in good standing, which illustrates:

- (a) landscaping to be introduced to all areas disturbed during construction;
- (b) natural vegetation, landscaping or screening is to be employed around parking areas and measures are to allow for safe and convenient pedestrian access to public entrances of buildings;
- (c) walkways extending from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property; and
- (d) the applicable requirements of Schedule M, O, Q.

3.10.2 No Occupancy Permit shall be granted unless a Professional Landscape Architect certifies that the landscaping has been undertaken in accordance with the landscaping plan submitted for approval, as required by Section 3.10.1, or a security has been provided, in form acceptable to the Development Officer, in the amount of one hundred and twenty percent (120%) of the estimated cost of completing the landscaping plan.

3.11 TEMPORARY DEVELOPMENTS

3.11.1 A maximum of one ground sign shall be permitted at each street entrance to the Lands and at the street entrance to any Phase to denote the community or subdivision name. The locations of such signs shall require the approval of the Development Officer. The maximum height of any such sign inclusive of support structures shall not exceed 3.05 metres (10 feet) and the face area of any sign shall not exceed 4.65 square metres (50 square feet). All such signs shall be constructed of natural materials such as wood, stone, brick, enhanced concrete or masonry. The only illumination permitted shall be low wattage, shielded exterior fixtures.

Any sign erected pursuant to this provision shall be removed within one (1) month of the date of the final municipal development permit being issued pursuant to the provisions of this Agreement. This section shall not preclude the construction of decorative permanent entrance gates.

- 3.11.2 A sales office may be located on the Lands provided that the location has been approved by the Development Officer. The sales office shall be closed or removed from the Lands within one (1) month of the final municipal development permit being issued pursuant to the provisions of this Agreement. Siting of a sales office shall be as per section 3.5.1 of this agreement. Any signs associated with the sales office shall not exceed 9.29 square metres (100 square feet). Temporary sales signs shall be permitted to denote specific phases and or buildings. Such signs shall be permitted for a period of one year from time of placement and may be renewed at the discretion of the Development Officer for up to two additional one year time periods. All signs shall be removed at the end of the permitted time period or any extension permitted by this agreement. Temporary signs shall not exceed 9.29 square metres (100 square feet).

3.12 CIVIC ADDRESSING

- 3.12.1 Street Naming and Addressing shall meet the requirements of By-law C-300 respecting civic addressing and the HRM Civic Addressing Policy.
- 3.12.2 The driveway for Parcel UTGC-1 as identified on Schedule U shall be signed as a private lane and all units in this complex shall be addressed off the private driveway.

3.13 BICYCLE FACILITIES

- 3.13.1 Bicycle facilities shall be provided as required in the Bedford Land Use By-law, Part 5, clauses 37a) through c), as amended from time to time.

3.14 MAINTENANCE

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

PART 4 STREETS AND MUNICIPAL SERVICES

4.1 General

- 4.1.1 All construction shall satisfy Municipal Service Systems Design Guidelines (MSS) unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineer prior to undertaking the work.

4.2 Off-Site Disturbance

- 4.2.1 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer.
- 4.2.2 Nothing in this Agreement shall preclude the Developer from storing or removing rocks, soils or grubbing materials from other development phases established under the Secondary Planning Strategy, provided that all permission has been granted by the Engineer and all required municipal and provincial approvals have been obtained.

4.3 Streets

- 4.3.1 Unless otherwise acceptable to the Municipality, streets, sidewalks and walkways shall generally conform with the locations and alignments illustrated on Schedule I. Further, the street system may include round-a-bouts, subject to the approval of the Development Engineer.
- 4.3.2 All roads internal to the development shall include turning lanes and, or other transportation infrastructure as required. The Developer shall provide a statement by a Transportation Engineer outlining upgrades required as a result of the full build out of the Lands.
- 4.3.3 The Parties agree that traffic calming measures may be considered in the street design but any such proposal will only be accepted if recommended for approval by the Development Engineer;
- 4.3.4 Where any private driveway is proposed to service more than one building, no subdivision approvals shall be granted with lot frontage on the private driveway and a note shall be placed on the subdivision plan that the Municipality does not own or maintain the private driveway. All private driveways shall be constructed with roll over curbs and be capable of supporting emergency vehicles and their navigation.
- 4.3.5 Driveway access to Larry Uteck Boulevard shall be restricted to general commercial and community commercial developments, multiple unit dwellings, assisted living facilities, institutional and clustered housing developments comprised of at least eight housing units with one shared driveway access.
- 4.3.6 Nine Mile Drive and Starboard Drive shall be constructed with a minimum right-of-way width of 59 feet (18m) and additional width for turning lanes. Larry Uteck Boulevard shall be constructed as a Minor Collector in accordance with the Municipal Service System Specifications.

4.3.7 Driveways may be considered as shown on the plans subject to a review of the Development Engineer, the Province of Nova Scotia (where applicable) and all applicable By-laws. Driveways shall be located and designed for safe access.

4.4 Water Distribution System

4.4.1 The water distribution system shall conform with the Halifax Water Design and Construction Specifications and, unless otherwise required by Halifax Water, the water distribution system shall conform with the Bedford South Capital Cost Contribution Analysis, prepared by CBCL and Schedule H. Further, where the water system crosses private land, appropriate easements shall be provided to Halifax Water.

4.5 Sanitary Sewer System and Storm Drainage System

4.5.1 The sanitary sewer system and the storm drainage system shall conform with the MSS and Schedule E or F, unless otherwise acceptable to the Engineer.

4.5.2 General Commercial lands as generally illustrated on Schedule B shall be designed for a maximum population of 50 persons per acre. Density within General Commercial lands may be transferred from lot to lot within these lands provided the overall maximum population does not exceed 50 persons per acre.

4.5.3 Community Commercial lands as generally illustrated on Schedule B shall be designed for a maximum population of 30 persons per acre. Density within Community Commercial lands may be transferred from lot to lot within these lands provided the overall maximum population does not exceed 30 persons per acre.

4.5.4 The remainder of the lands within Neighbourhood D and E as identified on Schedule B, shall be designed for a maximum population of 6 units per acre per each Neighbourhood.

4.5.5 The total lands of the Bedford South Master Plan area shall not exceed an overall density of twenty (20) persons per acre.

4.5.6 In accordance with subsections 4.5.1 to 4.5.5, the Developer shall with each application for subdivision, submit to the Municipality a summary of the total number of lots approved to date, by category, and the number of persons per acre as illustrated in Schedule T. This shall also show any outstanding applications for which approvals have not been granted.

4.5.7 Within the General and Community Commercial lands, the maximum population per acre may be increased by transferring density which has not been allocated or constructed in other residential neighbourhoods and commercial areas provided Sections 4.5.4, 4.5.5 and 4.5.6 have been met.

4.5.8 Changes to the phasing or transfer of density shall be subject to a review of the impact on infrastructure charges. Any change which will have a negative impact may be declined by the Municipality.

4.5.9 For the purposes of calculating sewer allocation, the following conversion factors shall be used:

Land Use Type	Equivalent per Unit
Single unit, semi-detached townhouse	3.35 persons per unit
Multiple	2.25 persons per unit
Lifestyle Community	Multiple Unit Building - 2 persons per unit Assisted Living Building - 1 persons per unit Townhouse - 2 persons per unit
Other	As determined by the Development Engineer

4.5.10 A qualified consultant shall provide professional certification that the storm drainage system conforms with the recommendations of the Master and Detailed Stormwater Management Plan and Schedule G, unless otherwise acceptable to the Development Officer .

4.5.11 Where mitigative measures are proposed along a watercourse, no mitigative measure shall be located in a location which would negatively impact the 1 in 100 year floodplain for the watercourse. All stormwater plans shall indicate the 1 in 100 year floodplains as determined by a qualified professional.

4.5.12 No subdivision approvals shall be granted under this Agreement unless the Engineer is satisfied that there is sufficient capacity remaining in the downstream sanitary sewer system directly affected by the Bedford South Development area.

4.5.13 The Developer agrees to maintain all public stormwater treatment units proposed for the storm sewer system for a minimum of three (3) years from the date of receiving subdivision approval for the development phase in which the stormwater treatment units are located.

4.5.14 Roof leaders (downspouts) for residential properties shall not directly connect to the Municipal storm drainage system.

4.5.16 Storm drainage systems shall include Best Management Practices to minimize storm flows and provide treatment of stormwater. Further these systems may include bioretention facilities as a component and shall be shown on individual storm water management plans for each lot. For the purposes of this clause bioretention may include

but not be limited to rain gardens (bioretention cell), filter strips, vegetated swales and other similar facilities.

4.6 Solid Waste Facilities

For all land uses (except single unit, two unit and townhouses), the buildings shall include a designated space for three stream (refuse, recycling and composting) source separation services. This designated space for source separation services shall be shown on the building plans and approved by the Development Officer. This solid waste storage area shall be screened from public view by means of opaque fencing or masonry walls with suitable landscaping.

5.0 ENVIRONMENTAL PROTECTION MEASURES

5.1 Erosion and Sedimentation Control Plans

5.1.1 The Developer agrees to have prepared by a Professional Engineer and submitted to the Municipality and the Department of the Environment (if applicable) a detailed Erosion and Sedimentation Control Plan for all development on the Lands. The plans shall comply with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by the Nova Scotia Environment. Notwithstanding other Sections of this Agreement, no work is permitted on the Lands until the requirements of this clause have been met and implemented.

5.1.2 The Developer agrees to undertake all construction activities in accordance with the erosion and sedimentation control plan, unless otherwise directed by the Nova Scotia Environment and also agrees to assume sole responsibility for compliance with all environmental regulations of the Nova Scotia Environment. Nova Scotia Environment may direct the Developer and/or the Developer's agents to remedy any and all environmental problems that may result from development of the Lands. The developer shall be responsible for all costs in this regard;

5.2 Subdivision and Lot Grading Plans

5.2.1 Any Subdivision Grading Plan submitted for subdivision approval shall be certified by a qualified professional that the plan conforms with the recommendations of the Master Stormwater Management Plan;

5.2.2 Any non-disturbance area established pursuant to Section 3.9 of this Agreement shall be shown on any lot grading plan submitted pursuant to the requirements of the Municipality's Grade Alteration By-law.

5.2.3 The Developer shall prepare lot grading plans which comply with the Subdivision Grading Plan. Modifications to the site grading and proposed finished elevations may be

approved by the Development Engineer. The Developer shall provide written confirmation of compliance that the lot has been graded in accordance with the lot grading plan and, where it has been determined that any lot grading has not been properly carried out, remedial or corrective measures shall be carried out by the Developer at it's cost.

- 5.2.4 No occupancy permit shall be granted unless the requirements of Section 5.2.3 have been satisfied or a security deposit for the completion of the work has been provided in accordance with the requirements of Part 6 of the Municipality's Lot Grading By-law

PART 6: AMENDMENTS

6.1 Substantive Amendments

Amendments to any matters not identified under Section 6.2 shall be deemed substantive and may only be amended in accordance with the approval requirements of the Halifax Regional Municipality Charter.

6.2 Non-Substantive Amendments

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 granting of an extension to the length of time for the completion of the development as identified in Section 8.4 of this Agreement;
- (c) amendments to the Schedules E, F, G, H, I, M, O, Q, R of this Agreement ;
- (d) number of dwelling units that can be constructed before the interchange has been constructed and connected to Larry Uteck Boulevard provided compliance with the subsections of MS-7 in accordance with the Bedford Municipal Planning Strategy as amended from time to time; and
- (e) issuance of occupancy permits for a Community or General Commercial Use (Schedule N and P) prior to the interchange being constructed and connected to Larry Uteck Boulevard.
- (f) signage.

PART 7: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT**7.1 Enforcement**

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

7.2 Failure to Comply

If the Developer fails to observe or perform any covenant or condition of this Agreement after the Municipality has given the Developer fourteen days written notice of the failure or default, except that such notice is waived in matters concerning environmental protection and mitigation, then in each such case:

- (a) Where trees or other vegetation are removed in contravention to the requirements of section 3.7 of this Agreement, the Development Officer may direct that a site rehabilitation plan be prepared with measures including but not limited to, the replanting of trees or vegetation of a similar size, age, and appearance within the disturbed area. The property owner shall pay all expenses associated with preparing and undertaking the plan and shall submit the plan to the Waters Advisory Board for a recommendation of approval and to the Community Council for approval before work being undertaken;
- (b) the Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
- (c) the Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Development Agreement, whereupon all reasonable expenses whether arising out of the entry onto the lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the Assessment Act;
- (d) the Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and

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

PART 8: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

8.1 Registration

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

8.2 Subsequent Owners

- 8.2.1 This Agreement shall be binding upon the parties thereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the lands which is the subject of this Agreement until this Agreement is discharged by the Council.
- 8.2.2 Upon the transfer of title to any lot, the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot.

8.3 Commencement of Development

- 8.3.1 In the event that development of the Lands has not commenced within five years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Municipality may, by resolution of Council, either discharge this Agreement, whereupon this Agreement shall have no further force or effect, or upon the written request of the Developer, grant an extension to the date of commencement of construction.
- 8.3.2 For the purposes of this section, commencement shall mean approval of Final Subdivision of the first phase of the Lands.

8.4 Completion of development

Upon the completion of the development or portions thereof, or within/after fifteen years from the date of registration of this Agreement with the Registry of Deeds or Land Registry Office, whichever time period is less, Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement; and
- (c) discharge this Agreement on the condition that for those portions of the development that are deemed complete by Council, the Developer's rights

hereunder are preserved and the Council shall apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law for Planning Bedford, as may be amended from time to time.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on the day and year first above written:

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

) CLAYTON DEVELOPMENTS LIMITED

)

)

per: _____

) per: _____

)

)

per: _____

) per: _____

**Sealed, Delivered and Attested
by the proper signing officers of
Halifax Regional Municipality
duly authorized on that behalf
in the presence of:**

) HALIFAX REGIONAL MUNICIPALITY

)

)

)

)

per: _____

) per: _____

)

MAYOR

)

per: _____

) per: _____

MUNICIPAL CLERK

Highway #102



Clayton Developments Ltd

PID # 40834103

Clayton Developments Ltd

PID # 40288128

Land Owned by TIR.
Future Sports Field

Schedule A

the
Ravines
OF BEDFORD SOUTH

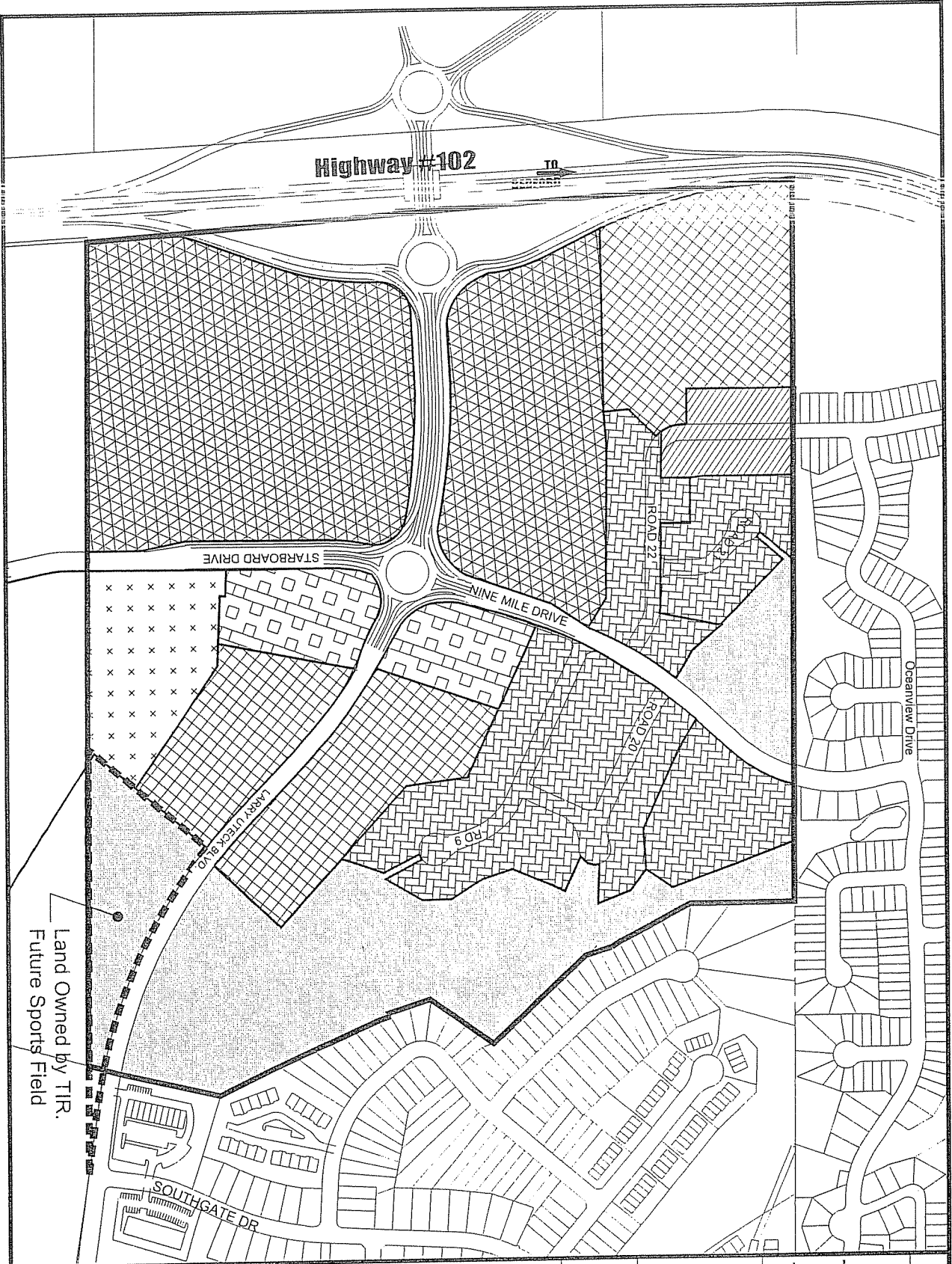
Development Area



0 200 400 600
Metres

N.T.S. - units in feet

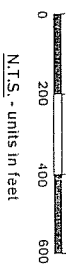
Development Area
(146± acres)











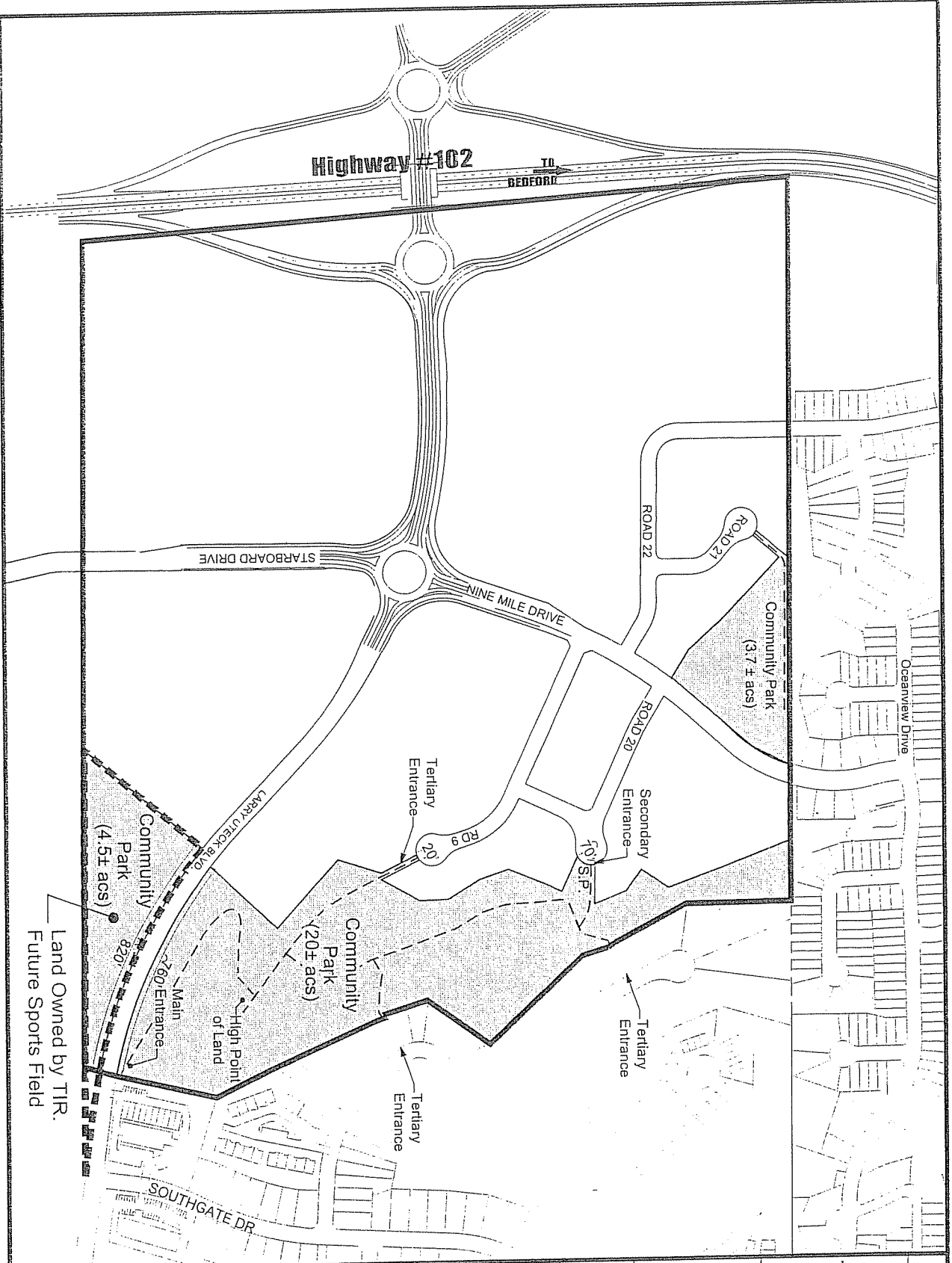
Schedule B

the Ravines
OF OREM, UTAH SOUTH

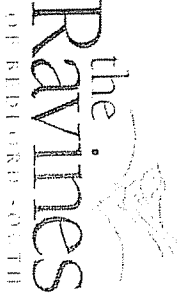
Land Use Plan



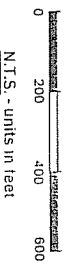
-  SINGLES (min 40')
-  TOWNHOUSE/SEMI-DETACHED/SINGLES
-  MULTIPLE
-  COMMUNITY COMMERCIAL
-  COMMERCIAL
-  PARKLAND (HRM)
-  GENERAL COMMERCIAL
-  LIFESTYLE COMMUNITY



Schedule C

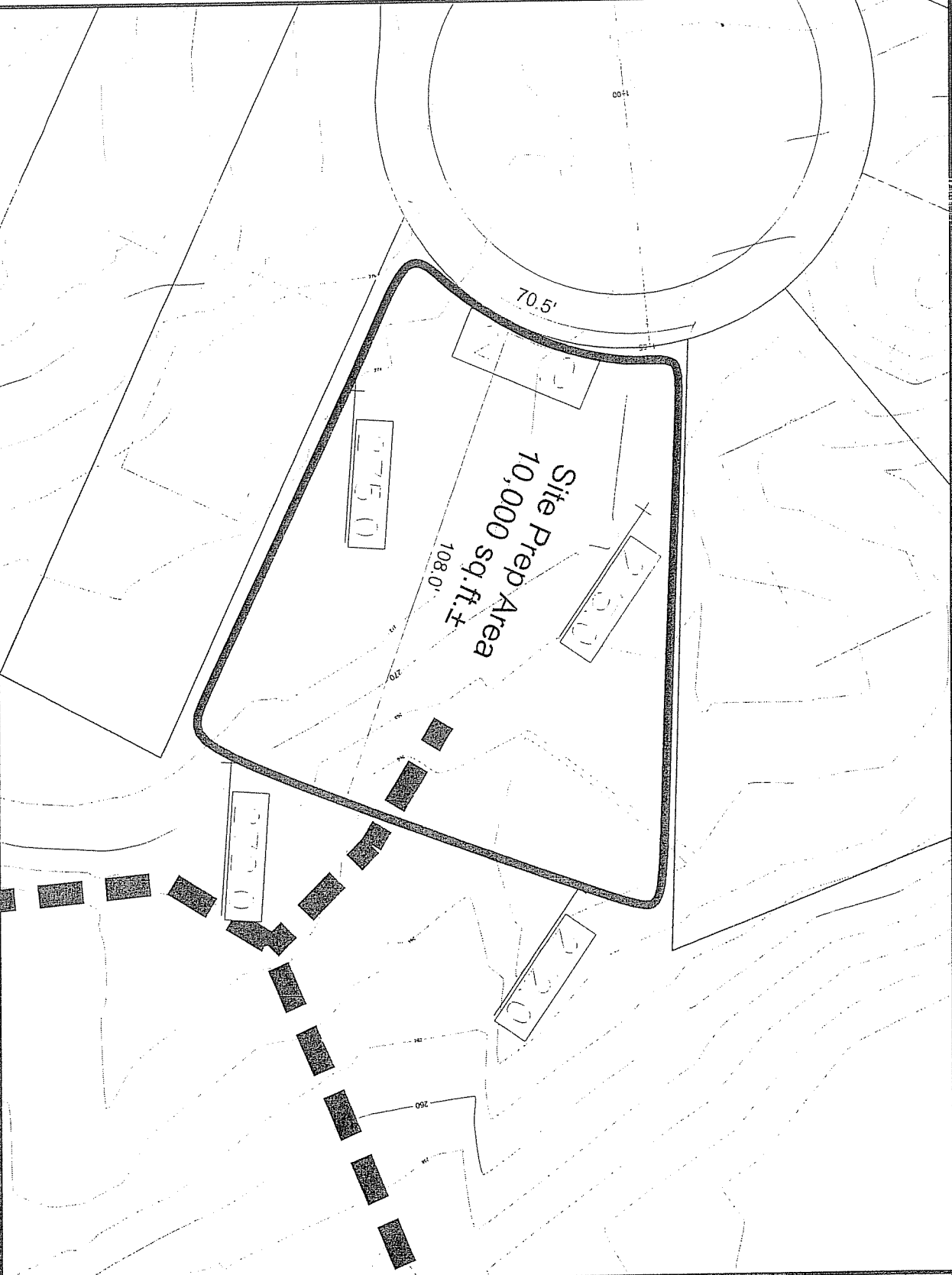


Parkland Plan



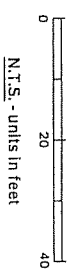
- Parkland (HRM)
- Secondary Trail
- S.P. Site Preparation

Land Owned by TIR.
Future Sports Field



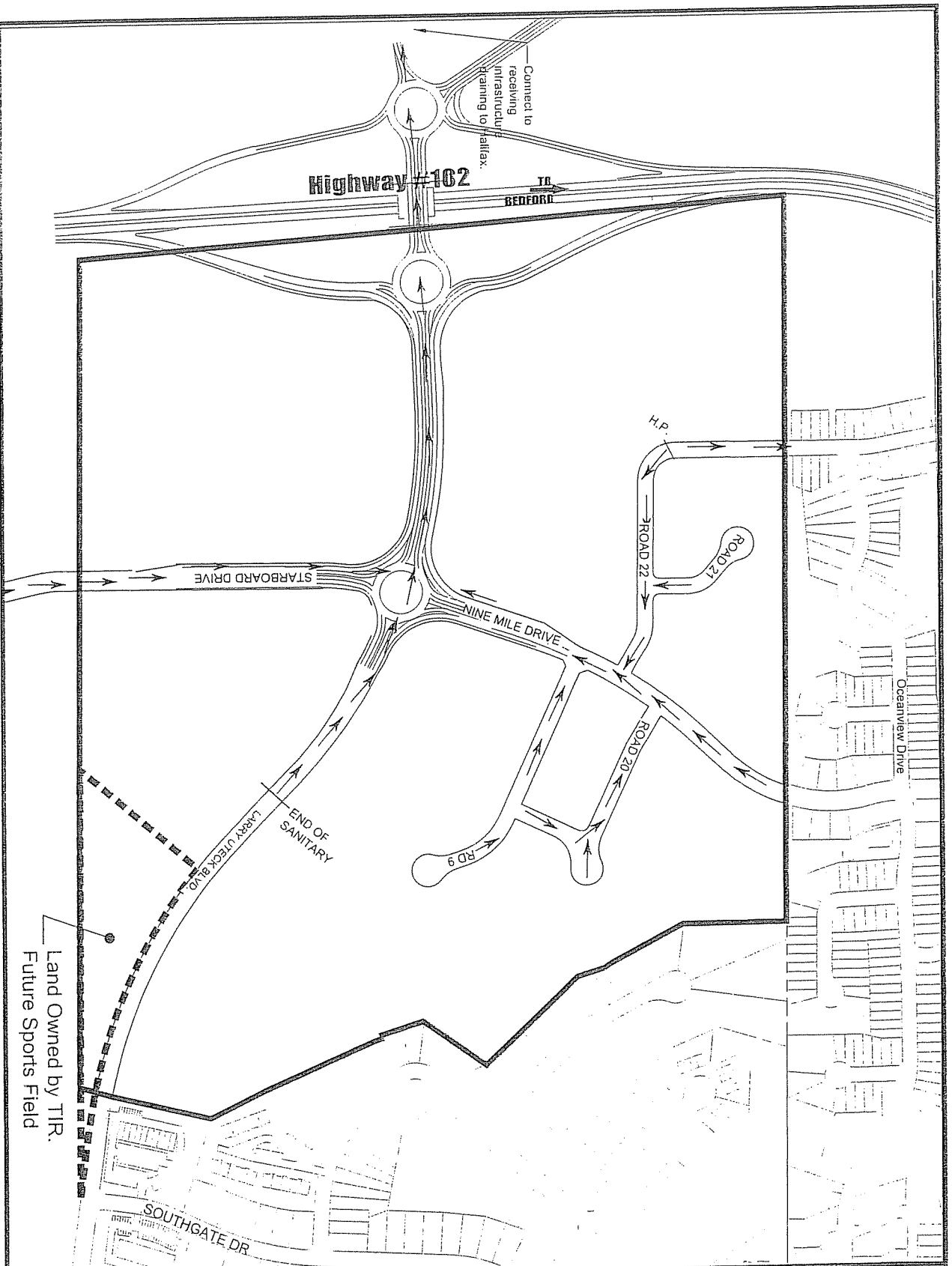
Schedule D

the Ravines
OF REDFORD SOUTH
Site Preparation Plan



Prepared site area, Road 20

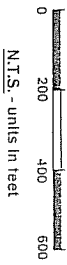
Note: Final adjustments to configuration and grade are to be determined on site.



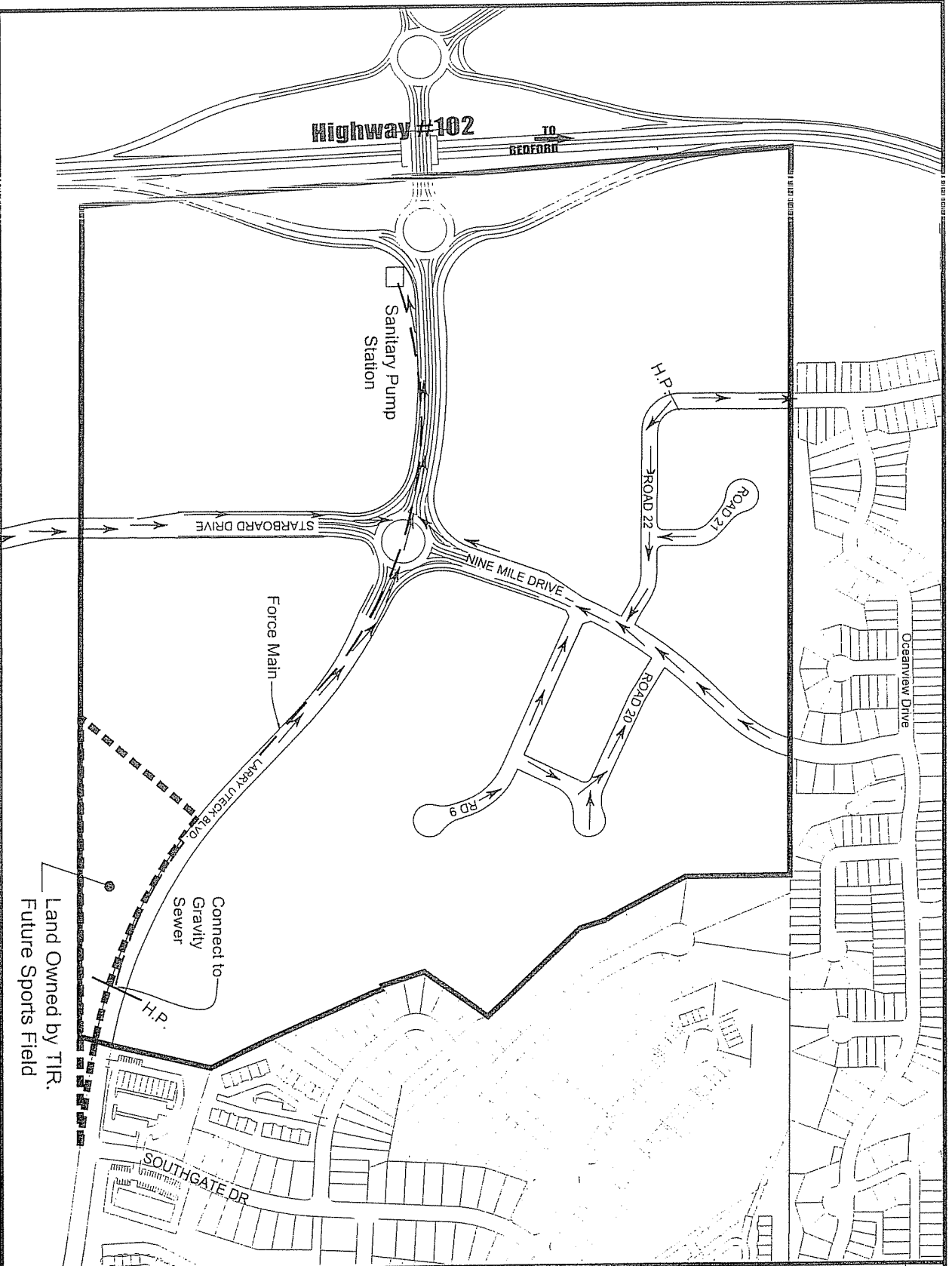
Schedule E

the Ravines
OF RIDGEMOOR SOUTH

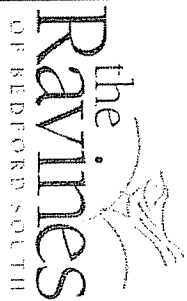
Sanitary Service Plan
Option #1



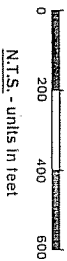
Sanitary Flow






Schedule F

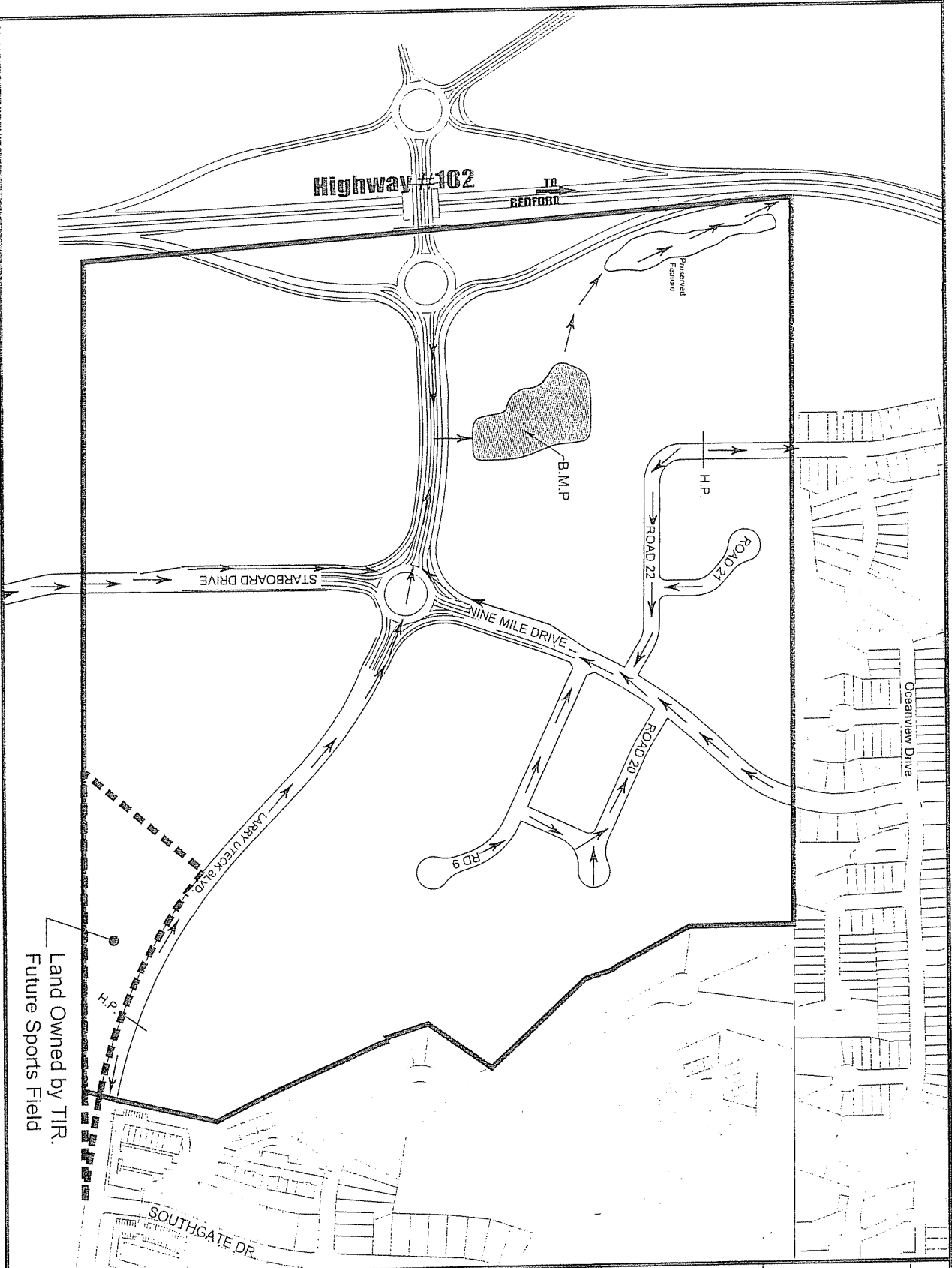


Sanitary Service Plan
Option #2



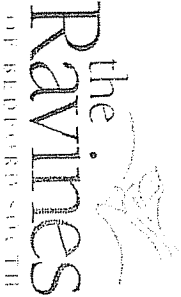
-  Sanitary Flow
-  Force Main
-  Pump Station

Note: Final pump station location to be determined at detailed design stage.

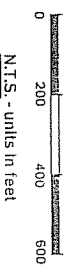


Land Owned by TIR.
Future Sports Field

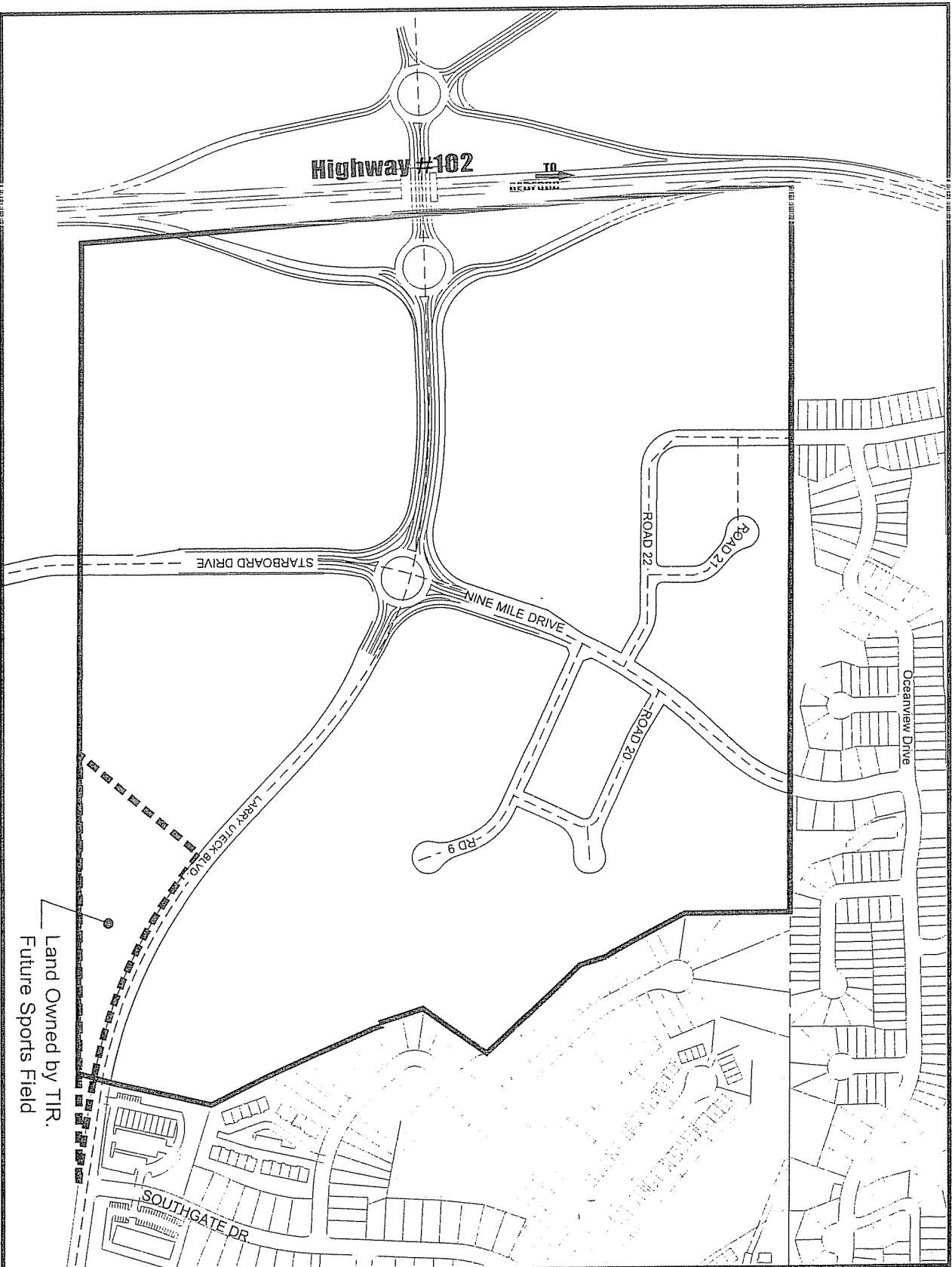
Schedule G



Stormwater Servicing Plan



Stormwater Flow
 B.M.P. Best Management Practice
 Note: Final size of BMP's to be determined at detailed design stage.



Schedule H

the Ravines
OF BEDFORD SOUTH

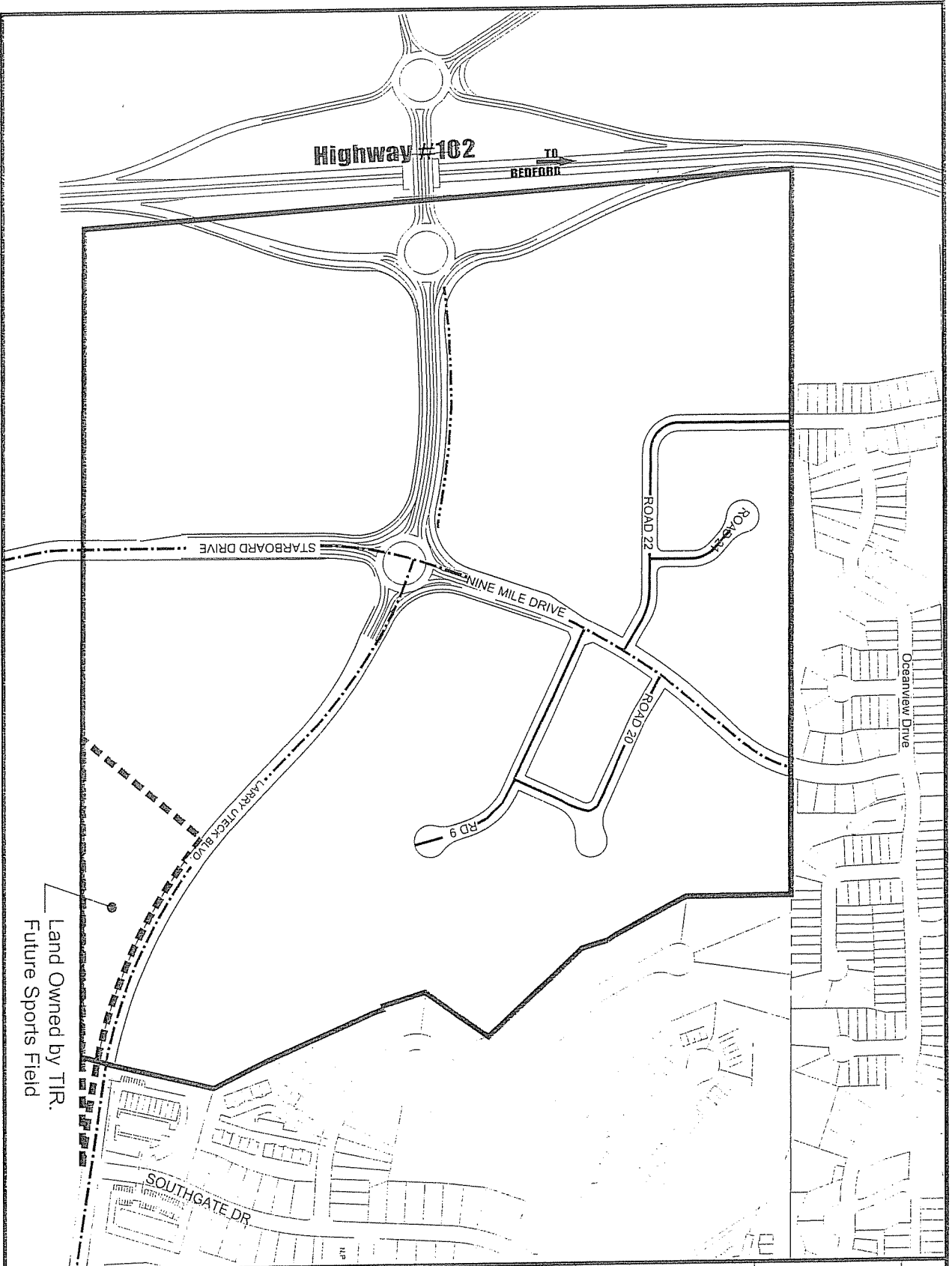
Water Service Plan



0 200 400 600
N.T.S. - units in feet

----- WATERLINE

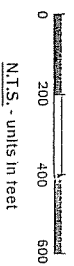
Note: See Terrain Group's
Municipal Water Servicing
Schematic, Dec. 2004,
DWG# W02376204 for
detailed water zone
information



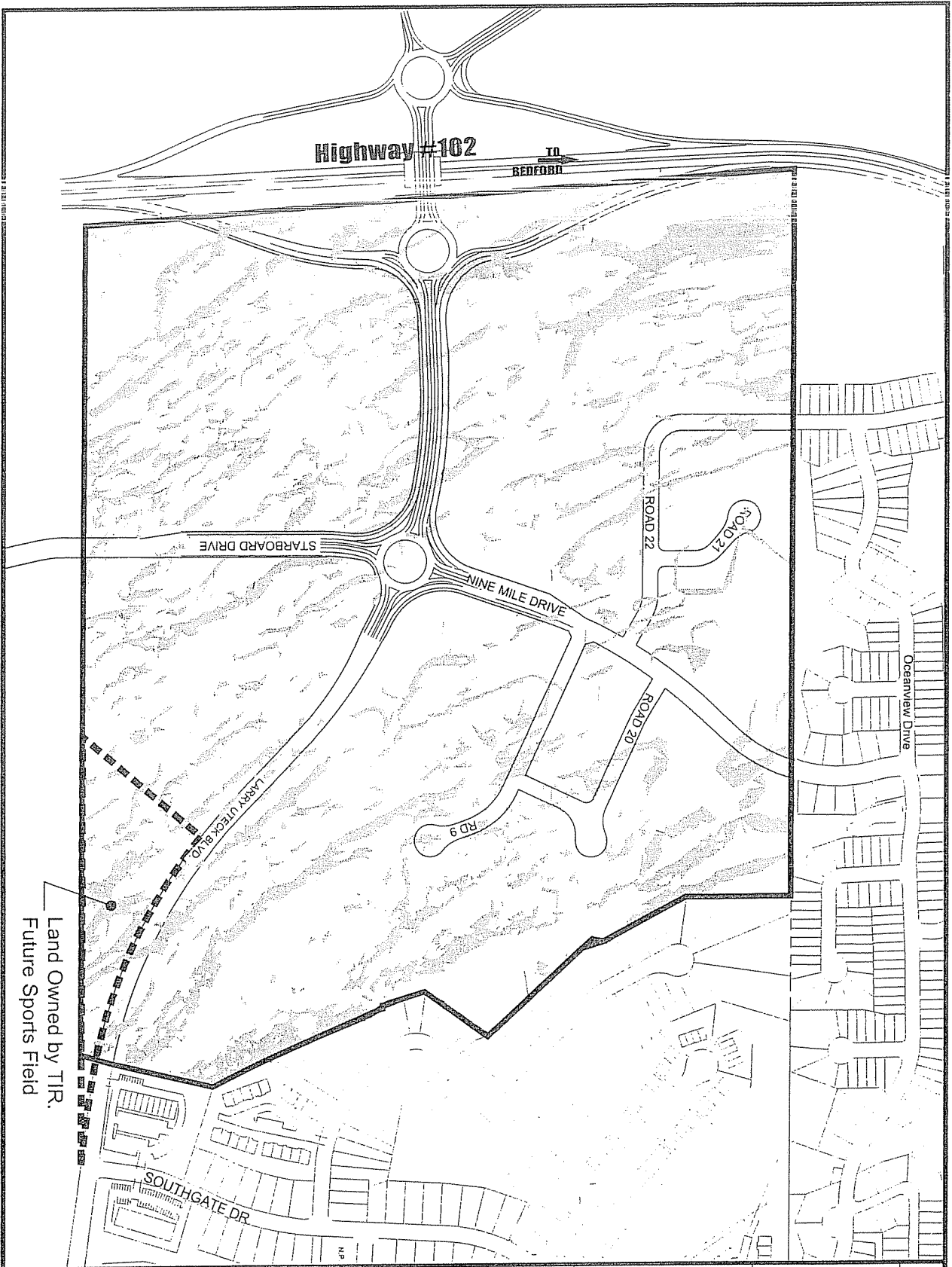
Schedule I

the Ravines
OF BEDFORD SOUTH

Sidewalks & Walkways



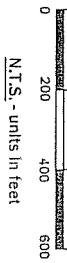
- SINGLE SIDEWALK
- - - TWO SIDEWALKS
- BOULEVARD WALKWAY




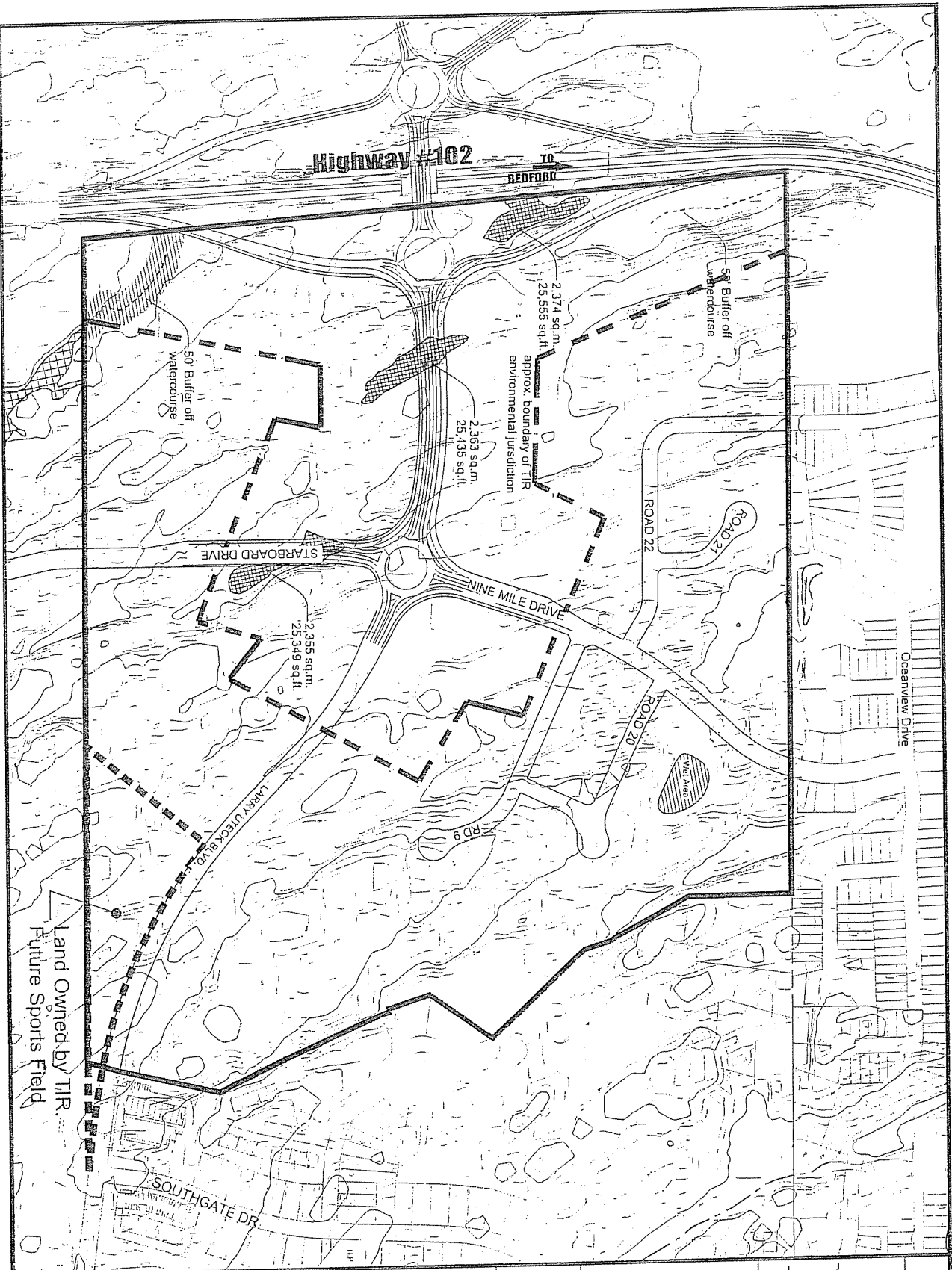
Schedule J

the Ravines
OF BEDFORD SOUTH

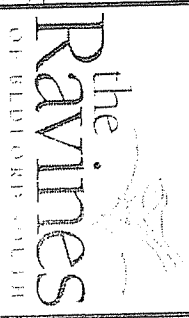
Slope Map



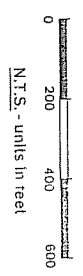
 Slopes > 25%

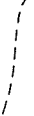
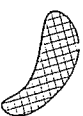



Schedule K

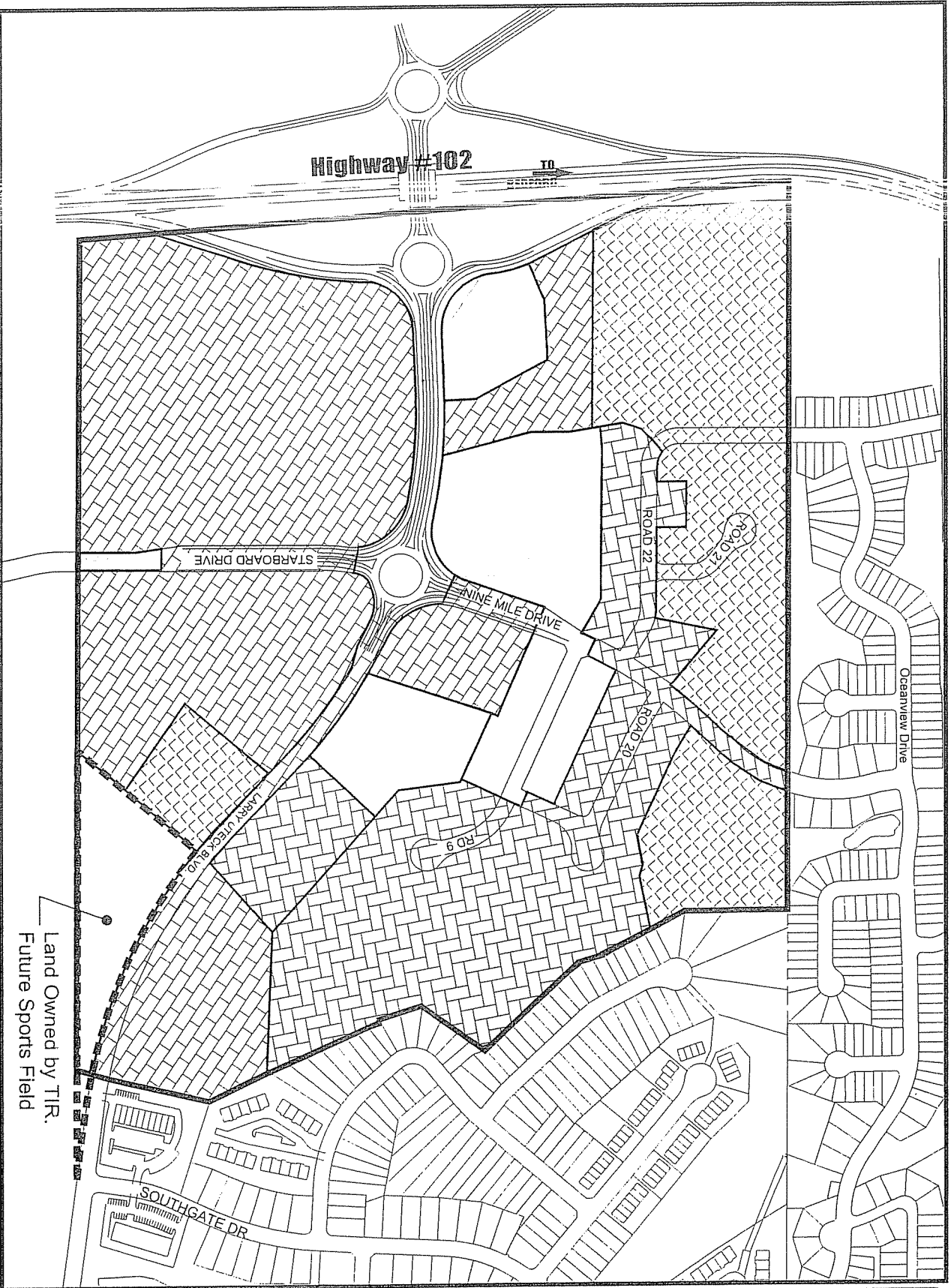


Environmental Constraints Plan



-  Watercourse
-  Wetlands
-  Non-disturbance areas

Note:
 - Contour intervals are 5 feet.
 - Contour source data is based on a mixture of LRS and survey information.



<p>Schedule L</p>			<p>Phasing</p> <table border="0"> <tr> <td></td> <td>YEAR 1 - 2009/2010</td> </tr> <tr> <td></td> <td>YEAR 2 - 2010/2011</td> </tr> <tr> <td></td> <td>YEAR 3 - 2011/2012</td> </tr> <tr> <td></td> <td>YEAR 4 - 2012/2013</td> </tr> </table>		YEAR 1 - 2009/2010		YEAR 2 - 2010/2011		YEAR 3 - 2011/2012		YEAR 4 - 2012/2013	<p>PROJECT Bedford South</p>	<p>DRAWING 5 yr. Phasing Plan</p>
	YEAR 1 - 2009/2010												
	YEAR 2 - 2010/2011												
	YEAR 3 - 2011/2012												
	YEAR 4 - 2012/2013												

Schedule M
Design Criteria for Townhouses and Multiple Unit Buildings

All townhouse developments shall conform with the following design criteria:

- (a) Architectural detailing including, but not limited to, lintels, pediments, pilasters, columns, porticos, overhangs, cornerboards, frieze, fascia boards, shall be incorporated.
- (b) Architectural treatment shall be continued around the sides of the building.
- (c) Vinyl siding may be utilized to a maximum of forty percent (40%) on front elevations. Vinyl siding may be permitted along the side and rear of the units.
- (d) Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These facilities shall be screened by means of opaque fencing, structural walls or suitable landscaping if located in side yard.
- (e) Electrical power, telephone, cable and similar utilities shall be brought by underground conduit to the building.
- (f) Any exposed lumber on the front facade of any townhouse shall be painted, stained or clad in metal or vinyl.
- (g) Any exposed foundation in excess of 1 metre (3.28 feet) in height shall be architecturally detailed, veneered with stone or brick, painted, stucco, or an equivalent.
- (h) Buildings should be oriented with the main entrance facing a public street where possible.

Multiple unit building developments shall conform with the following design criteria:

- (a) Architectural detailing including, but not limited to, lintels, pediments, pilasters, columns, porticos, overhangs, cornerboards, frieze, fascia boards, shall be incorporated.
- (b) Architectural treatment shall be continued around all sides.
- (c) Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These facilities shall be screened by means of opaque fencing, structural walls or suitable landscaping.
- (d) Electrical power, telephone, cable and similar utilities shall be brought by underground conduit to the building if location in the side or rear yard.
- (e) Any exposed foundation in excess of 0.61 metres (2 feet) in height and 1.86 square metres (20 square feet) in total area shall be architecturally detailed or veneered with stone or brick.
- (f) Any exposed lumber on the exterior shall be painted, stained or clad in metal or vinyl.
- (g) Mechanical equipment shall be screened from view by a combination of architectural treatments, fencing and landscaping.

Schedule N
Community Commercial Uses

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

- a) All Age/Teen Clubs
- b) Banks and Financial Institutions
- c) Billiard and Snooker Clubs
- d) Commercial Photography
- e) Daycare Facilities, Nursery Schools, Early Learning Centres
- f) Drycleaning Depots
- g) Funeral Homes
- h) Garden Markets
- I) General Retail exclusive of mobile home dealerships
- j) Ice cream stands
- k) Medical Clinics
- l) Neighbourhood Convenience Stores
- m) Office Uses
- n) Private Clubs (social)
- o) Full Service and Take Out Restaurants
- p) Service, Personal Service Shops, Health and Wellness Centres exclusive of massage parlours
- q) Veterinary clinics
- r) Institutional (SI) uses, excluding cemeteries
- s) parking lots and structures
- t) Multiple Unit Dwellings
- u) Uses accessory to the foregoing uses

(All uses shall be defined as found in the Bedford Land Use By-law)

Schedule O Community Commercial Requirements

Multiple Unit Residential: Where a multiple unit dwelling is proposed in a Community Commercial area with no commercial space, the requirements of this agreement and are exempt from the requirements identified below but are subject to all other applicable requirements of the agreement.

Pedestrian Access, Circulation and Parking

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

- Required Pedestrian Connections** - An on-site system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:
- (a) The primary entrance or entrances to each individual commercial building.
 - (b) Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with community commercial development;
 - (c) Any public sidewalk system along the perimeter streets adjacent to the commercial development ; and

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

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

Location and Amount of Parking: No parking or loading areas shall be located between a public street and a building. Parking shall be provided in accordance with the parking provisions of the Bedford Land Use By-law, as amended from time to time. Notwithstanding, parking requirements for a Take Out Restaurant shall be calculated at 8 spaces per 1,000 square feet of gross floor area. The Development Office may permit a reduction in the required parking by 30 percent where parking is to serve multiple tenants or uses.

Parking Lot Landscaping:

Any development on the Lands shall conform with the provisions and requirement of Part 5 Section 32 and 35 of the Bedford Land Use Bylaw as amended from time to time, unless otherwise stated by this agreement. Notwithstanding, Section 32 Landscaping Requirements for Commercial Zones shall not apply to the Community Commercial lands.

Building Design

Minimum Wall Articulation for Commercial Buildings

- (a) building walls that face public streets, connecting walkways, or adjacent development shall include features such as but not limited to windows, entrances, arcades, arbors, awnings, trellises with vines, or alternate architectural detail along no less than sixty percent (60%) of the façade.
- (b) No interrupted length of any facade facing a public street shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 horizontal metres (100 feet) in length, measured horizontally, having a depth of at least 3 of the length of the facade and extending at least 20% of the length of the facade.
- (c) One clearly defined, visible entrance way shall be provided on the facade oriented to the public street shall be provided. The entrance way and front facade shall include no less than three of the following elements:
 - i) canopies or porticos
 - ii) overhangs
 - iii) recesses/projections
 - iv) arcades
 - v) raised corniced parapets over the door
 - vi) peaked roof forms
 - vii) display windows
 - viii) architectural details such as tile work, and moldings which are integrated into the building
 - ix) integral planters or wing walls that incorporate landscaped areas and sitting places; and
 - x) or any other similar architectural treatment deemed to be an acceptable equivalent;
- d) Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall to be screened (visually). The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

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

Other Requirements

- (a) All buildings with commercial occupancies shall be located within in 6.01 metres (20ft) of the street line;
- (b) Architectural treatment shall be continued around all sides.
- (c) Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These

-
- facilities shall be screened by means of opaque fencing, structural walls or suitable landscaping .
- (d) Electrical power, telephone, cable and similar utilities shall be brought by underground conduit to the building.
 - (e) Any exposed foundation in excess of 0.61 metres (2 feet) in height and 1.86 square metres (20 square feet) in total area shall be architecturally detailed or veneered with stone or brick.
 - (f) Any exposed lumber on the exterior shall be painted, stained or clad on metal or vinyl.
 - (g) Mechanical equipment shall be screened from view by a combination of architectural treatments, fencing and landscaping.

Signage

Signage shall be provided in accordance with the sign provisions of the Bedford Land Use By-law, as amended from time to time.

Schedule P
General Commercial Uses

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

- a) All Age/Teen Clubs
- b) Banks and Financial Institutions
- c) Billiard and Snooker Clubs, Bowling Alleys, Theatres
- d) Commercial Photography
- e) Daycare Facilities, Nursery Schools, Early Learning Centres
- f) Drycleaning Depots
- g) Funeral Homes
- h) Garden Markets
- I) General Retail exclusive of mobile home dealerships
- j) Hotels and Motels
- k) Ice cream stands
- l) Medical Clinics
- m) Neighbourhood Convenience Stores
- n) Office Uses
- o) Private Clubs (social)
- p) Full Service, Take Out and Drive-Thru Restaurants, Taverns and Lounges
- q) Service, Personal Service Shops, Health and Wellness Centres exclusive of massage parlours
- r) Service stations and gas bars
- s) Veterinary clinics
- t) Institutional (SI) uses, excluding cemeteries
- u) mixed use commercial/multiple unit residential buildings
- v) transit terminals and park and ride facilities
- w) parking lots and structures
- x) Multiple unit dwellings
- y) Self Storage Facilities
- z) Uses accessory to the foregoing uses

(All uses shall be defined as found in the Bedford Land Use By-law)

Schedule Q General Commercial Requirements

Pedestrian Access, Circulation and Parking

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

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

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

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

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

Location and Amount of Parking: Parking shall be provided in accordance with the parking provisions of the Bedford Land Use By-law, as amended from time to time. Notwithstanding, parking requirements for a Take Out Restaurant shall be calculated at 8 spaces per 1,000 square feet of gross floor area. The Development Office may permit a reduction in the required parking by 30 percent where parking is to serve multiple tenants or uses.

Parking Lot Landscaping:

Any development on the Lands shall conform with the provisions and requirement of Part 5 Section 32 and 35 of the Bedford Land Use Bylaw as amended from time to time, unless otherwise stated by this agreement.

Building Design

Minimum Wall Articulation for Commercial Buildings

- (a) building walls that face public streets, connecting walkways, or adjacent development shall include features such as but not limited to windows, entrances,

- arcades, arbors, awnings, trellises with vines, or alternate architectural detail along no less than sixty percent (60%) of the façade.
- (b) No interrupted length of any facade facing a public street shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 horizontal metres (100 feet) in length, measured horizontally, having a depth of at least 3 of the length of the facade and extending at least 20% of the length of the facade.
 - (c) One clearly defined, visible entrance way shall be provided on the main facade. The entrance way and front facade shall include no less than three of the following elements:
 - i) canopies or porticos
 - ii) overhangs
 - iii) recesses/projections
 - iv) arcades
 - v) raised corniced parapets over the door
 - vi) peaked roof forms
 - vii) display windows
 - viii) architectural details such as tile work, and moldings which are integrated into the building
 - ix) integral planters or wing walls that incorporate landscaped areas and sitting places; and
 - x) or any other similar architectural treatment deemed to be an acceptable equivalent;
 - (d) Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall to be screened (visually). The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

Other Requirements

- (a) Architectural treatment shall be continued around all sides.
- (b) Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These facilities shall be screened by means of opaque fencing, structural walls or suitable landscaping .
- (c) Electrical power, telephone, cable and similar utilities shall be brought by underground conduit to the building.
- (d) Any exposed foundation in excess of 0.61 metres (2 feet) in height and 1.86 square metres (20 square feet) in total area shall be architecturally detailed or veneered with stone or brick
- (e) Any exposed lumber on the exterior shall be painted, stained or clad on metal or vinyl.

- (f) Mechanical equipment shall be screened from view by a combination of architectural treatments, fencing and landscaping.
- (g) no outdoor storage or outdoor display and sales shall be permitted

Signage

Signage shall be provided in accordance with the sign provisions of the Bedford Land Use By-law, as amended from time to time. Notwithstanding these provisions, multi-tenant ground signs shall be permitted in addition to the permitted number of signs in accordance with the following:

Block UTGC-1

- a) one multi-tenant ground sign adjacent to Highway 102 and shall not exceed 18.3 metres (60 ft) in height and not exceed 37.16 m (400 sq ft) in size per face.
- b) one multi-tenant ground sign adjacent to Larry Uteck Boulevard and shall not exceed 12.2 metres (40 ft) in height and not exceed 23.22 metres (250 sq ft) in size per face.
- c) one multi-tenant ground sign adjacent to Larry Starboard Drive and shall not exceed 6.1 metres (20 ft) in height and not exceed 9.3 metres (100 sq ft) in size per face.

Blocks UTGC 2

- a) one multi-tenant ground sign adjacent Larry Uteck Boulevard and shall not exceed 12.2 metres (40 ft) in height and not exceed 23.22 metres (250 sq ft) in size per face.
- b) one multi-tenant ground sign adjacent Starboard Drive and shall not exceed 6.1 metres (20 ft) in height and not exceed 9.3 metres (100 sq ft) in size per face.

Block UTGC 3

- a) one multi-tenant ground sign adjacent to Highway 102 and shall not exceed 18.3 metres (60 ft) in height and not exceed 37.16 metres (400 sq ft) in size per face.
- b) one multi-tenant ground sign adjacent Larry Uteck shall not exceed 12.2 metres (40 ft) in height and not exceed 23.22 metres (250 sq ft) in size per face.

Schedule R Lighting Guidelines

1. Purpose

The intent of these guidelines are to establish lighting which is compatible with surrounding land uses.

2. Lighting Configuration

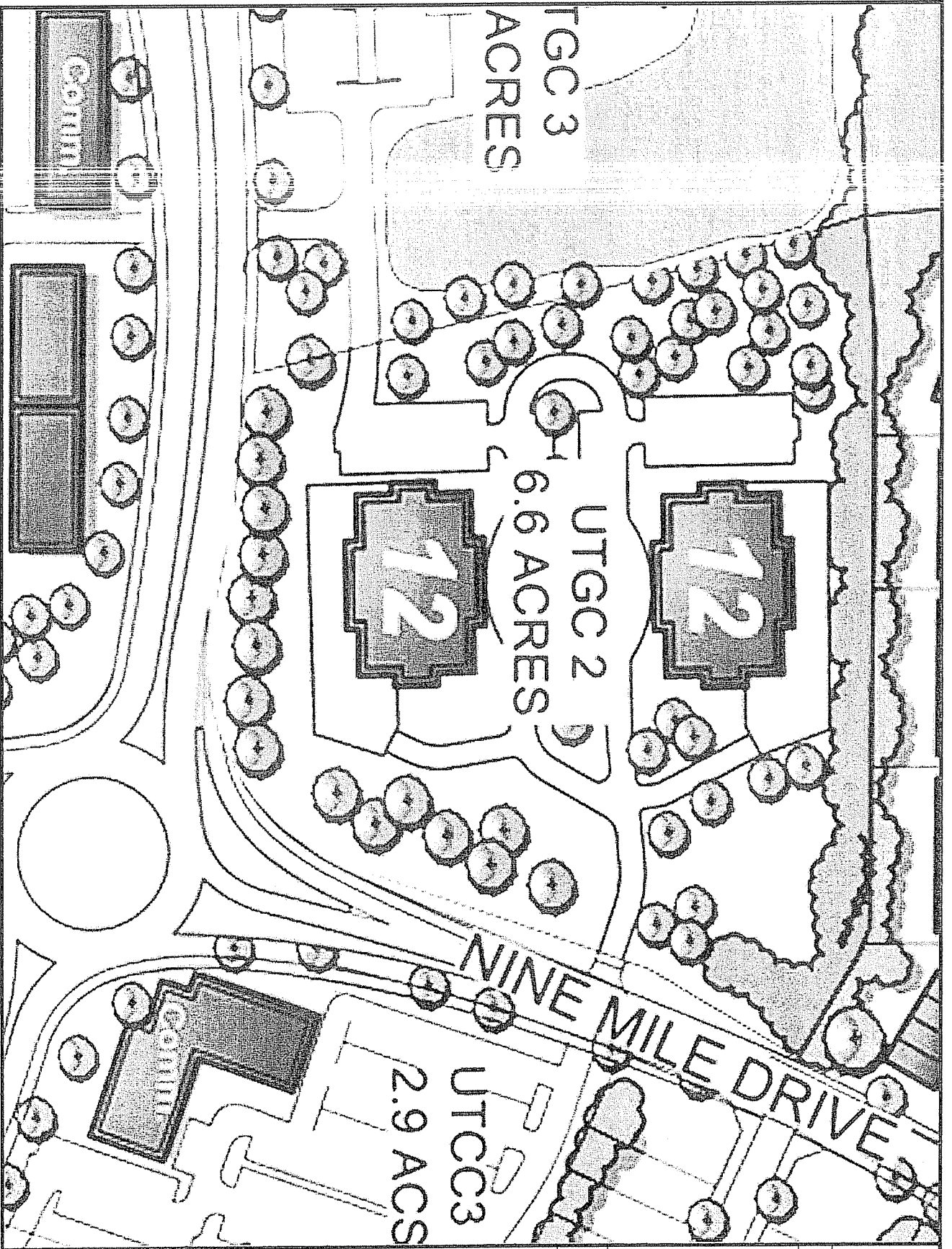
- (a) The mounting of light fixtures shall be governed by the following:
 - (i) Building mounted light fixtures shall be attached only to walls and the top of the fixture shall not be higher than the top of the parapet or roof, whichever is greater; and
 - (ii) Freestanding light fixtures shall not exceed eighteen (18) feet in height in any residentially designated area or within fifty (50) feet of any area intended for single family, semi-detached or townhouses; and
 - (iii) Freestanding light fixtures shall not exceed twenty-five (25) feet in height within fifty (50) to one hundred fifty (150) feet of any area intended for single family, semi-detached or townhouses; and
 - (iv) Freestanding light fixtures shall not exceed thirty (30) feet in all other locations; and
 - (v) For the purpose of this requirement, height shall be measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture.
- (b) Transitional lighting shall be incorporated in exterior areas going to and from the building(s) or use(s) within the site.
- (c) All exterior lighting shall be directed downward and away from adjoining property, with luminaries shielded to prevent unnecessary glare.
- (d) Any exterior lighting device (luminaire) designed for security lighting shall be protected by weather and vandal-resistant covering, a managed light source, directed down, to minimize glare and intrusiveness.

5. Definitions.

- (a) Outdoor light fixtures shall mean outdoor artificial illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot or flood lights for:
- (1) Buildings and structures, including canopies and overhangs;
 - (2) Parking lot lighting;
 - (3) Landscape lighting;
 - (4) Billboards and signs;
 - (5) Display and service areas.
- (b) Fully shielded shall mean fixtures that are shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

6. Restrictions.

- (a) Outdoor building, landscaping and signs. The unshielded outdoor illumination of any building or landscaping is prohibited except with incandescent fixtures with lamps of one hundred (100) watts or less (or equivalent illumination level). Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure and shall comply with the shielding requirements.
- (b) Construction and emergency lighting. Lighting necessary for construction or emergencies is exempt from the provisions of these guidelines, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.



the Ravines
OF BEDFORD SOUTH

Schedule S

Overall Conceptual

Master Plan



NTS

Trail

Block UTGC2
Multiple
Option

Bedford South
Locator Map



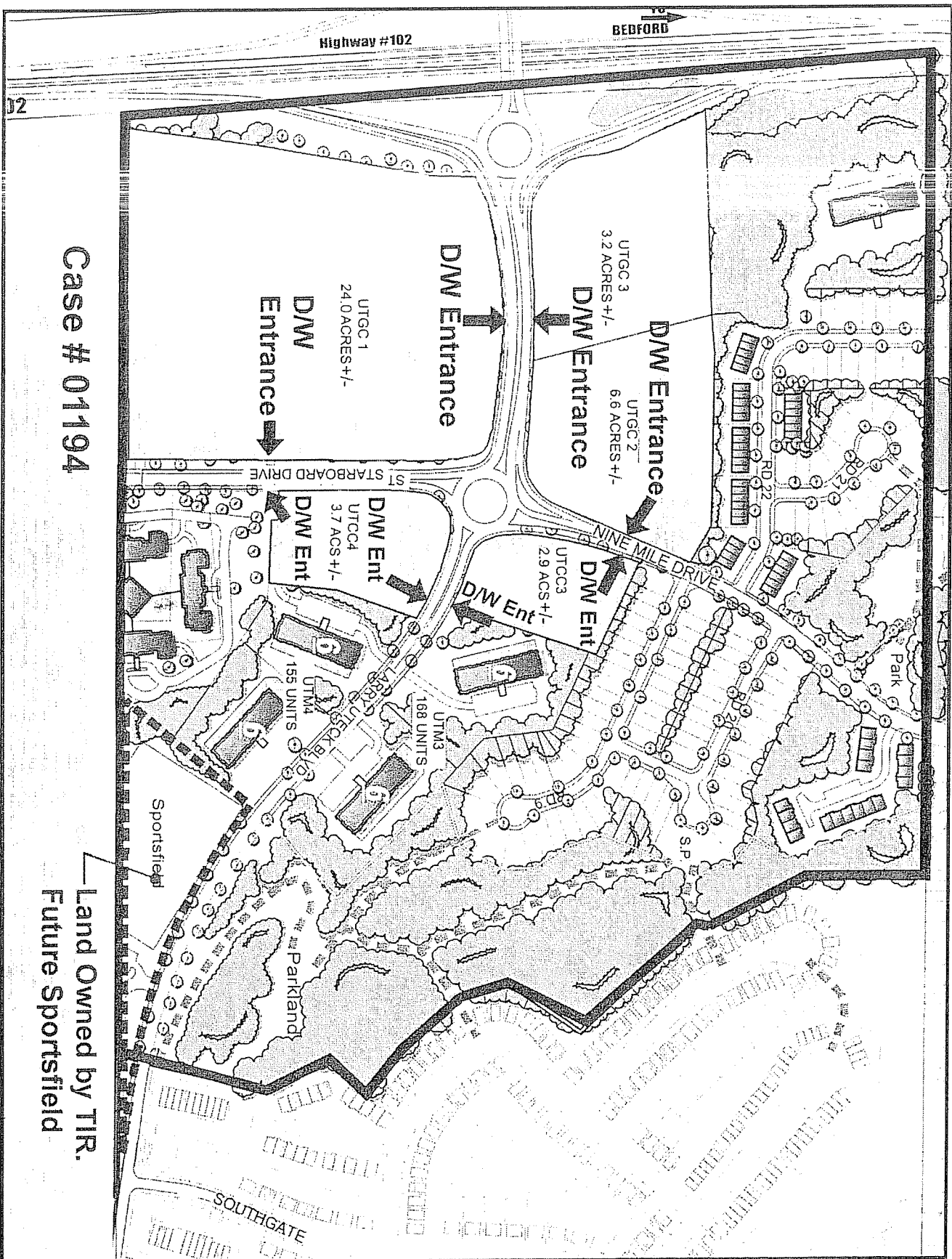
Schedule T

CLAYTON DEVELOPMENTS LTD.

BEDFORD SOUTH, FULL BUILD OUT- ESTIMATED DENSITY AND POPULATION PROJECTIONS

UPDATED-02 03 09

		Units	Persons	UPA	PPA
Neighbourhood's A & C	Total Low Density	429	1437		
	Total Multiple	134	302	16.4	
Area in Acres	Subtotal	563	1739		
	Total Commercial	3.21	100		
	Total		1839	3.6	11.8
	Neigh.A&C Population				1839
Neighbourhood B	Multiple Units	608	1368		
	Commerical	3.9	117		
Area in Acres					
	Neigh. B Population				1485
Neighbourhood D	Currently approved	148	496		
	Awaiting Approval	95	318	2.7	9
Area in Acres	243				
	Neigh. D Population				814
Neighbourhood E	Total S F. / T'house	76	255		
	Multiple	74	167		
Area in Acres	150	421		6.0	
	Neigh. E Population				421
Commercial					
	UTM 3	168	378		
	UTM 4	155	349		
	UTCC3	2.9	87		
	UTCC4	3.6	108		
	SBM1 - Shannex Village	192	341		
	UTGC 1	22.6	1130		
	UTGC 2	6.7	335		
	UTGC 3	3.2	160		
			2888		
	Commercial Population				2888
	Total Project Population				7447
	People per Acre				19.96
	Entitlement				7460
Bedford South Acreage	373				

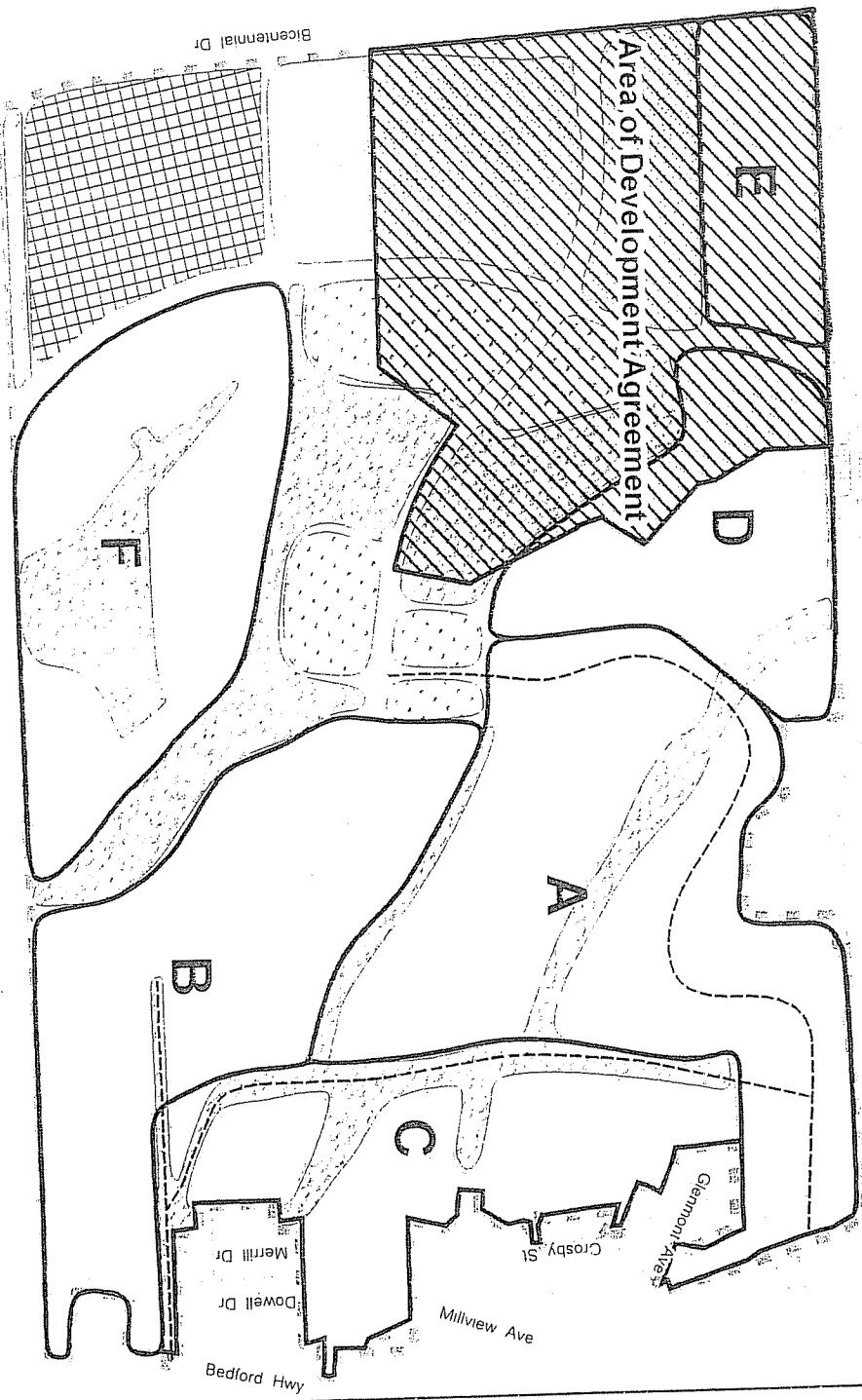







Case # 01194

Land Owned by TIR.
Future Sportsfield

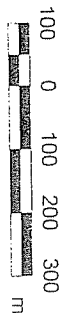
<p>the Ravines OF BEDFORD SOUTH</p>	<p>Schedule U Overall Conceptual Master Plan</p>	<p>NTS</p> <p>NTS</p> <p>Trail</p>	<p>Bedford South Locator Map</p>
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Schedule V
Total Lands maximum density
20 persons per acre



- Proposed Land Use**
-  Residential Neighbourhoods
 -  General Commercial
 -  Community Commercial / Institutional
 -  Mixed Use / Business Campus
 -  Park / Open Space (Major Areas)

Note: Neighbourhood Parks to be confirmed by Development Agreement.



Attachment B
Policy Evaluation

THE BEDFORD SOUTH SECONDARY PLANNING STRATEGY

Policy Criteria	Staff Comments
<p>MCP-1: The Community Concept Plan, presented as Schedule I, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the master plan area and any development of the land shall be subject to approval of a development agreement.</p>	<p>The proposal and the proposed development agreement (Attachment A) is consistent with the Community Concept Plan.</p>
<p>MCP-2: Unless otherwise specified by this secondary planning strategy, the standards for developments applied under the Municipal Planning Strategy and Land Use By-law shall be preferred under any development agreement application brought forward for approval.</p>	<p>Standards for development have been prescribed in the proposed development agreement (Attachment A).</p>
<p>P/OS-1: The areas designated as Park/Open Space on Schedule I shall be reserved for active and passive recreational uses, stormwater management and environmental protection. Provided that the area of the designation is not materially reduced, the boundaries of the Park/Open Space Designation may be varied where such changes provide:</p> <ul style="list-style-type: none"> (i) enhanced protection of environmentally sensitive site features; (ii) more opportunity for preservation of significant aesthetic features; (iii) more suitable lands for active recreational uses; or (iv) a more functional path system for pedestrians and cyclists. 	<p>The proposed parkland dedication is consistent with the lands pre-designated. Approximately 23 acres (9.3 hect) are reserved as parkland and open space. In addition, the Developer is constructing a trail and site preparation (Section 3.7 of Attachment A). Additional Parkland adjacent the Lands are being developed by the Province as a new french high school and associated playing fields (4.5 acres) all of which contribute to the overall Park/Open Space requirements.</p>

Policy Criteria	Staff Comments
<p>P/OS-2: No streets shall be permitted to cross the Park/Open Space Designation except:</p> <ul style="list-style-type: none"> a) as illustrated on Schedule I; b) to allow for a local road connection between residential neighbourhoods A and C; c) to allow for a local road connection between Neighbourhood A and the Neighbourhood Collector leading to the Bedford Highway; or d) to allow for a road connection the Royale Hemlocks Estate Subdivision and the Mixed Use/Business Campus Designation 	<p>The proposal and the proposed development agreement (Attachment A) is consistent with this provision.</p>
<p>P/OS-3: No stormwater management, sanitary sewer or water service system shall be located within the Open Space/Park Designation which would adversely affect environmentally sensitive areas, detract from the aesthetics of the area or impair any recreational functions intended and, unless otherwise necessary, all such systems shall be located outside areas delineated for active and passive recreation.</p>	<p>The proposal and the proposed development agreement (Attachment A) is consistent with the Community Concept Plan. Further, Section 4.5 of Attachment A ensures complies with this policy.</p>
<p>P/OS-4: In the event that the Municipality is unable to determine whether any undertaking will adversely affect environmentally sensitive areas, the Municipality shall require that an environmental impact assessment be undertaken at the cost of the developer by a person qualified to make such a determination.</p>	<p>Section 3.8 of Attachment A ensures complies with this policy.</p>
<p>P/OS-5: The development of all recreational facilities shall conform with the HRM Guidelines for Parkland Planning and the recommendations adopted under the Hemlock Ravine Park Management Plan (Halifax Regional Municipality. July 7, 2000).</p>	<p>Section 3.7 of Attachment A ensures complies with this policy.</p>

Policy Criteria	Staff Comments
<p>CTS-1: A community street and trail system shall be developed in substantial conformity with the designations and alignments presented on Schedule II except that variations to the alignment may be considered to enhance safety, provide a better fit with the natural terrain or preserve significant environmental features. The following requirements shall be applied:</p> <p>a) between the Royale Hemlocks Subdivision and the Nine Mile Drive/Starboard Drive intersection, Larry Uteck Boulevard shall have sufficient right-of-way width to allow for two lanes of traffic and sidewalks on both sides with provisions for turning lanes at major intersections and driveways. Driveway access shall only be permitted for apartment buildings, clustered housing comprising at least ten housing units, commercial and institutional developments. Traffic signals shall be provided at the Neighbourhood Collector and the Nine Mile Drive/Starboard Drive intersections. Driveway locations, the geometric design of intersections and the timing of installation of traffic signals shall be negotiated under development agreements;</p>	<p>The proposed street and trail system is in conformance with the designation and alignments presented on Schedule II. Compliance is ensure through the provisions of the proposed development agreement (Attachment A).</p> <p>Section 4.3 and Schedule I of Attachment A ensures complies with this policy. Larry Uteck Boulevard will be constructed to a Major Collector standard with sidewalks on both sides from the intersection of Nine Mile Drive/Starboard Drive east. Section 4.3 restricts driveway access and round-a-bouts (no traffic lights) are proposed at the intersection of Larry Uteck Boulevard and Nine Mile Drive/ Starboard Drive.</p>

Policy Criteria	Staff Comments
<p>b)between the proposed interchange and the Nine Mile Drive/Starboard Drive intersection, Larry Uteck Boulevard shall have sufficient right-of-way width for four lanes of traffic and sidewalks on both sides with provisions for turning lanes at the Nine Mile/Starboard Drive intersection. Driveway access shall be restricted to right-in and right-out movements unless traffic signals are provided and the need for sidewalks shall be determined at the time development agreements are negotiated;</p> <p>c)Starboard Drive shall have the same design specifications as in the abutting Royale Hemlock Estates subdivision. For residential developments, a minimum lot frontage of fifty feet shall be required;</p> <p>d)Nine Mile Drive shall have sufficient right-of-way width for two lanes of traffic with sidewalks on both sides and provisions for turning lanes at Larry Uteck Boulevard. The number of driveway accesses shall be minimized.;</p> <p>f)a community trail system shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel .</p> <p>RN-1: The Municipality shall require that any development agreement application encompass an entire Residential Neighbourhood Designation unless satisfied that a property owner within the designation is not willing to participate. In such instance, a development agreement may be approved for part of the neighborhood provided that a neighbourhood concept plan is prepared for the entire neighbourhood which identifies the significant transportation systems, parkland and open space features and municipal service systems and the Municipality is satisfied that the concept plan conforms with all objectives and policies established under this Secondary Planning Strategy and provides for a fair and reasonable allocation of development rights among property owners. Any subsequent development agreement application within the affected Residential Neighbourhood shall conform with neighbourhood concept plan unless an alternative design is provided which is satisfactory to the Municipality.</p>	<p>Section 4.3 and Schedule I of Attachment A ensures compliance with this policy. Portion of Larry Uteck Boulevard between the two round-a-bouts is proposed as four lanes with a boulevard walkway on one side with width for turning lanes. Section 4.3 restricts driveway access and round-a-bouts (no traffic lights) are proposed at the intersection of Larry Uteck Boulevard and Nine Mile Drive/ Starboard Drive.</p> <p>Section 4.3 of Attachment A ensures compliance with this policy.</p> <p>Section 4.3 and Schedule I of Attachment A ensures compliance with this policy. Nine Mile Drive shall be constructed with a right-of-way width of 59 feet (18m) with sidewalks on both sides. Schedule U illustrates no driveway accesses to Nine Mile Drive with the exception of the commercial lands.</p> <p>Section 4.3 (sidewalks) and 3.7 (trails) of Attachment A requires the developer to construct accordance with Schedule I. This ensures the community trail system is constructed as development occurs in the area.</p> <p>The proposal and proposed development agreement is consistent with this requirement and encompasses the balance of Neighbourhood D and all of Neighbourhood E. Under Case 01090 a portion of Neighbourhood D was negotiated and it was determined to meet the intent of this policy.</p>

Policy Criteria	Staff Comments
<p>RN-2: The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation:</p> <ul style="list-style-type: none"> a) the density of housing units does not exceed six units per acre within neighbourhoods A, C, D or E; b) community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops; c) sidewalks and pathways facilitate safe and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services; d) the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists; e) the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods; f) building locations, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian scale and compatibility with the natural environment; g) natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the on-site parking supply; h) all open space/parkland dedications proposed conform with the objectives and policies adopted for the community parkland/open space under this municipal planning strategy and any administrative guidelines adopted by the Municipality and; i) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services. 	<p>Section 4.5 of Attachment A ensures the density of Neighbourhood D and E does not exceed six units per acre per Neighbourhood</p> <p>Under this proposal community facilities and neighbourhood commercial included in Neighbourhood D and E given the proximity to the community and general commercial area, however Section 3.5 of the agreement contains provisions for day cares and home based business.</p> <p>Section 4.3 and Schedule I of Attachment A ensures compliance with this policy</p> <p>Section 4.3 and Schedule I of Attachment A ensures compliance with this policy</p> <p>Section 3.5 of Attachment A ensures compliance with this policy</p> <p>Section 3.5 of Attachment A ensures compliance with this policy</p> <p>One multiple unit building is proposed and is located in Neighbourhood E. Section 3.5 and 3.10 of Attachment A ensures compliance with this policy.</p> <p>Section 3.7 and Schedule C of Attachment A ensures compliance with this policy.</p> <p>Section 3.5, 3.8, 3.9 and Part 4 and Part 5 of Attachment A ensures compliance with this policy</p>

Policy Criteria	Staff Comments
<p>RN-3: Neighbourhood D: Lands located between the neighbourhood collector and Nine Mile Drive will contain a mixture of single unit, semi-detached and townhouse units with a majority being single unit. No apartment buildings will be permitted and single family dwellings will be required to have a minimum lot frontage of forty feet, a minimum four foot side yard and a minimum twelve foot separation between buildings.</p> <p>Neighbourhood E: Lands will be developed primarily with lower density residential housing which may include single, semi-detached and townhouse units. Apartment buildings may be considered on lands abutting the Bicentennial Highway provided that a minimum separation distance of 100 feet is maintained between any buildings and the Bicentennial Highway right-of-way. Single unit dwellings shall have a minimum lot frontage of 40 feet, a minimum four foot side yard and a minimum twelve foot separation between buildings.</p>	<p>The lands within Neighbourhood D are single unit dwellings and townhouses. Section 3.5 of Attachment A requires a minimum lot frontage of 40 ft, minimum 6 ft side yard and minimum 12 ft separation between buildings.</p> <p>The lands within Neighbourhood E are single unit dwellings, townhouses and one six storey multiple unit building on the lands abutting the Bicentennial Highway. Section 3.5 of Attachment A requires a minimum lot frontage of 40 ft, minimum 6 ft side yard and minimum 12 ft separation between buildings for single unit dwellings and a minimum separation distance of 100 ft any building and the Bicentennial Highway right-of-way.</p>
<p>CCI-1: A range of community commercial, institutional, and recreational uses may be permitted within the Community Commercial/Institutional Designation subject to consideration of the following matters:</p> <ul style="list-style-type: none"> • no parking or loading areas are located between a public street and a building and any buildings with commercial occupancies shall be located in close proximity to the street line; • parking areas are designed so as not to appear obtrusive from a public street or dominate the streetscape, provide safe and convenient pedestrian access to the buildings they are intended to serve; • provisions are made for the storage of bicycles; • exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment; • the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets; • no building height exceeds six stories in height and no residential uses are permitted on the ground floor of any building within fifty (50) feet of a public street; • the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services. 	<p>Section 3.5 and Schedule N and O of Attachment A ensures compliance with these policy provisions.</p>

Policy Criteria	Staff Comments
<p>GC-1: The General Commercial Designation shall support a wide range of goods, services and facilities with the exception of adult entertainment uses, automobile sales and leasing or any other business requiring extensive outdoor display areas. Multiple dwelling units shall also be permitted. The following matters shall be considered in any development agreement application:</p> <ul style="list-style-type: none"> • Except as may be accessory to a permitted use, the outdoor storage of building or waste materials in the GC Zone shall be prohibited; • the criteria of policy MUBC-1 with the exception of clause (b). 	<p>Section 3.5 and Schedule P and Q of Attachment A ensures compliance with these policy provisions.</p>
<p>EP-1: No development agreement shall be entered into unless a master storm water management plan has been prepared for the entire Wentworth/Bedford South master plan area and accepted by the Municipality. The management plan shall:</p> <ol style="list-style-type: none"> a) identify significant constraints and sensitivities with regard to flood potential, and environmental features; b) provide estimates of pre-development and post development flow rates at critical locations within watercourses such as at culverts and other road crossings and at downstream developments; c) specify water quality and quantity objectives which are consistent with all municipal and provincial guidelines and identify the means of preventing adverse changes to the quantity and quality of watercourses and groundwater; d) specify the type and location of storm water management facilities and the design requirements to protect receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows; e) prepare a program for implementation and monitoring before, during and after construction, including securities and any remedial action to be taken in the event that water quantity or quality objectives are not achieved. 	<p>Section 4.5 of Attachment A ensures compliance with these policy provisions. An overall Stormwater Management Plan has previously been completed and accepted by the Municipality which meets these requirements. Further, a detailed Stormwater Management Plan (Nov 2008) was prepared by Jacques Whitford in support of the proposal and in accordance with this provision. The detailed Stormwater Management Plan was reviewed and accepted by both the Municipality and the Bedford Waters Advisory Board and the Board.</p>
<p>EP-2: No development agreement shall be entered into unless the detailed design specifications conform with the master stormwater management plan approved under policy EP-1.</p>	<p>Attachment A implements the detailed Stormwater Management Plan and conforms with the Master Stormwater Management under Policy EP-1.</p>

Policy Criteria	Staff Comments
<p>EP-3: No stormwater shall be discharged directly into any natural watercourse without the use of mitigative measures as stipulated in under the master stormwater management plan and in accordance with municipal and provincial guidelines.</p>	<p>The Master and Detailed Stormwater Management Plan as well as Section 4.5 of Attachment A address this concern.</p>
<p>EP-4: No development, grade alteration, excavation, fill, pavement or removal of natural vegetation shall be permitted within fifty (50) feet of the high water mark, or within the limits of any 1 in 20 year flood plain of any watercourse, except as provided for by development agreement in accordance with an approved storm water management plan or as provided to allow for trail systems or transportation crossings.</p>	<p>The proposal and Attachment A exceed the minimum setback requirement of this policy and implements the watercourse setback requirement of 20m (66ft) required by the Regional Plan.</p>
<p>EP-5: No development agreement shall be entered into over lands on which trees have been removed except as may otherwise be required for a bonafide land survey or as may be agreed upon with the Municipality to protect property or ensure safety.</p>	<p>The lands which are part of this proposal are in a natural state and meet the requirements of this policy.</p>
<p>EP-6: Features of environmental significance shall be delineated as non-disturbance areas under development agreements. Non-disturbance areas shall be located to allow for continuity non-disturbance areas on abutting lots, municipal parkland and open space dedications, and natural areas adjacent to watercourses.</p>	<p>Section 3.9 of Attachment A ensures compliance with this policy.</p>
<p>EP-7: A tree replanting program shall be incorporated into development agreements to allow for regrowth of trees over all lands on which the natural vegetation has been removed as a consequence of development. The program shall specify the locations, number, type and diameter of trees to be planted. The type of trees shall be indigenous to Nova Scotia.</p>	<p>Section 3.5 of Attachment A requires a tree replanting program. Further, the Municipal Service Specifications require a tree replanting program as part of the installation of municipal service systems.</p>
<p>EP-8: Development of land on major slope areas in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value.</p>	<p>The site is comprised of a series of rock ridges and includes many areas with slopes exceeding 25%. Complete disturbance of much of the site is anticipated and because blasting of the site is a necessity, extreme slopes will be rendered safe. Slopes within watercourse riparian buffers and slopes within parkland will be protected in accordance with Attachment A.</p>
<p>EP-9: The Municipality may allow for modifications to the service system specifications adopted under subdivision regulations where such modifications would enhance the ability to preserve the natural environment without compromising the intended objectives of the service systems.</p>	<p>The proposal does not request any modifications.</p>

Policy Criteria	Staff Comments
<p>EP-10: All development agreements shall conform with all applicable regional policies adopted by the Municipality in support of the regional solid waste management program, Halifax Harbour cleanup and the water resources management study.</p>	<p>Section 4.6 of Attachment A ensures compliance with this policy.</p>
<p>MS-1: For sewage flow calculations, the population of the master plan area shall not exceed a gross density of twenty (20) persons per acre. To provide for an equitable distribution of development among property owners, three sub areas are established as illustrated in Schedule "III". Within each area, a maximum twenty persons per acre shall be permitted.</p>	<p>Section 4.5 of Attachment A ensures compliance with this policy.</p>
<p>MS-2: Populations shall be calculated based on an assumed occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling. Commercial densities shall be calculated to a maximum of 50 persons per acre for general commercial uses and to a maximum of 30 persons per acre for community commercial, community facility and institutional uses. Final determination of the commercial densities shall be established by development agreement in accordance with intended land uses. In the event that the design population proposed for a residential neighbourhood or commercial designation is less than the maximum permitted, the Municipality may allow the difference to be allocated to another residential neighbourhood or commercial designation within the applicable sub area, provided that all other policy criteria can be satisfied.</p>	<p>Section 4.5 of Attachment A ensures compliance with this policy.</p>
<p>MS-3: The "Bedford" sewershed shown on Schedule "IV" shall be limited to a maximum of 2,900 people in recognition of the limited capacity of the Mill Cove Sewage Treatment Plant and the need to reserve capacity for other areas currently outside the serviceable boundary. Additional density may be considered in the future should the Municipality determine that sufficient capacity exists at the Mill Cove treatment plant and that other areas currently outside the serviceable boundary have been evaluated for future development potential.</p>	<p>This proposal is not allocated to the "Bedford" sewershed with the exception of a small portion of Neighbourhood D. This allocation conforms to the intent of this policy.</p>

Policy Criteria	Staff Comments
<p>MS-4: The community water distribution system shall conform with the recommendations of the Birch Cove North/ Bedford West Water Infrastructure plan unless otherwise acceptable to the Halifax Regional Water Commission and no development shall be approved by the Municipality unless notified by the Commission that the proposed distribution system conforms with all design and operating specifications established.</p>	<p>Section 4.4 of Attachment A ensures compliance with this policy.</p>
<p>MS-6: A maximum of 1,330 residential units may be permitted within the master plan area prior to the construction of the proposed interchange. The allocation to each sub area shown on Schedule III shall be as follows: Sub Area "A": 615 units Sub Area "B": 235 units Sub Area "C": 480 units</p>	<p>Section 3.4 of Attachment A restricts development of residential units until the interchange has been constructed and connected to Larry Uteck Boulevard.</p>
<p>MS-7: No development agreement shall be approved which would permit building permits to be granted for more than 2,000 housing units within the master plan area and the abutting Royale Hemlocks Subdivision unless:</p> <ul style="list-style-type: none"> a) the interchange has been constructed and connected to Larry Uteck Boulevard or the financing for the interchange and roads has been secured, a time frame for implementation agreed upon; and • consideration is given to the transportation improvements recommended by the Prince's Lodge/ Bedford South Transportation Study or any other transportation study available to the Municipality. A development agreement application shall not be approved where a traffic study concludes that the level of service for any road within the secondary planning strategy or connecting to the abutting road network does not conform with the performance criteria established under the Municipality's Guidelines for Preparation of Traffic Impact Studies and the applicant shall be required to provide the analysis, prepared by a qualified consultant, needed to make such a determination. Without limiting the generality of the foregoing statement, particular consideration will be given to traffic impacts on the Bedford Highway, Nine Mile Drive and Oceanview Drive. 	<p>Section 3.4 of Attachment A restricts development of residential units until the interchange has been constructed and connected to Larry Uteck Boulevard. Section 6.2 enables the consideration of additional units as a non-substantive amendment subject to an evaluation of this policy criteria.</p>

Policy Criteria	Staff Comments
<p>MS-8: Variations to municipal service system standards may be considered where such variations conform with the principles set forth in the Transportation Association of Canada's "A New Vision for Urban Transportation" or any other guidelines or policies acceptable to the Municipality. Consideration shall be given to the objectives and policies established under this Municipal Planning Strategy, public safety, environmental and lifestyle factors, and capital and operating costs as well as other benefits to the Municipality, such as construction of trail systems on public lands.</p>	<p>No variances to Municipal Service System Standards have been requested as part of this proposal.</p>
<p>MS-9: In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no development agreement shall be entered until infrastructure charges are in effect. (RC-July 9/02; E-Aug 31/02)</p>	<p>The Capital Cost Contribution for the Bedford South/Wentworth Estates Master Plan (known as the Bedford South Charge Area) is in effect.</p>

Attachment C
Minutes Public Information Meeting - October 9, 2008

HALIFAX REGIONAL MUNICIPALITY
PUBLIC MEETING
CASE NO. 01159/01194 - Bedford South, Neighbourhood D, E and F

7:00 p.m.

Thursday, October 9, 2008

Basinview Drive Community Elementary School

STAFF IN

ATTENDANCE: Andrew Bone, Planner, HRM Planning Services
Alden Thurston, Planning Technician, HRM Planning Services
Cara McFarlane, Planning Controller, HRM Planning Services

ALSO IN

ATTENDANCE: Councillor Debbie Hum, District 16
Kevin Neatt, Clayton Developments Limited
Mike Hanusiak, Clayton Developments Limited
Walter Regan, North West Planning Advisory Committee
(NWPAC) and Sackville Rivers Association (SRA)

PUBLIC IN

ATTENDANCE: Approximately 40

The meeting commenced at approximately 7:05 p.m.

1. Opening Remarks/Introductions/Purpose of Meeting

Mr. Bone introduced himself as the Planner taking the application through the planning process; Councillor Debbie Hum, District 16; Councillor Tim Outhit, District 21; Mike Hanusiak and Kevin Neatt, Clayton Developments Limited; and Alden Thurston and Cara McFarlane, HRM Planning Services, Central Region.

The agenda and purpose of the meeting were reviewed.

2. Overview of Planning Process

The definition of a development agreement and the process were reviewed.

3. Presentation of Proposal - Andrew Bone

In 2002, the Bedford South Secondary Planning Strategy (SPS) was drafted to enable a new residential community on approximately 625 acres in Bedford. The site ranges from the Bedford

Highway up to Highway 102 and is located between Royale Hemlocks and Crestview Subdivision. A portion of the site is in the Halifax plan and a portion in the Bedford plan; therefore, the site shares policies between plans. Fully developed, the site would accommodate approximately 10,000 people as far as the population potential. All development in this area is permitted by development agreement only.

A map of the master plan area was shown. The site is intended to be a mixed use community. Royale Hemlocks is located to the south, Crestview Subdivision to the north, on the west is Highway 102, and the Bedford Highway to the east. The community is a mix of various residential forms, commercial, institutional and parkland. The Bedford South SPS identifies a number of policy considerations. These will be outlined fully in the staff report.

Neighbourhoods A and C are pretty much developed under an existing development agreement that was approved in 2002/03. The yellow areas have been approved under an existing development agreement but are under construction or construction is expected in the near future. About 40% to 50% of the site is either developed or in line for development.

The location of tonight's two applications were shown on the map. Following the completion of these two applications, would leave a remainder area (shown) which is owned by Emscot Holdings and at a future point, staff would expect an application from them to complete what is known as Bedford South/Wentworth Estates.

Clayton Developments Limited is the applicant in both applications. In the case of Case No. 01159, they own the land, and Case No. 01194, Clayton is representing Cresco Holdings Limited.

Related to this development, there is some infrastructure that is expected to happen at some point including a proposed interchange at Highway 102. The funding or timing for this interchange has not been determined. Policies in the municipal plan require that this application be tied to the construction of the interchange. The interchange has to happen before the development of these two applications can happen.

Presentation of Proposal - Mike Hanusiak, Senior Vice-President and General Manager of Clayton Developments Limited

Mr. Hanusiak made some introductions: Len Goucher, MLA; Don Lowther, Executive Assistant to Len Goucher and former Chair of the Bedford Waters Advisory Board; Walter Regan, NWPAC and SRA; Kevin Neatt, Peter Greenwood, Earl Richardson, Dick Miller, Clayton Developments Limited; and Hossein Mousavi, Cresco Holdings Limited.

The generalized future land use map (shown) was adopted by Regional Council at the advice of two community councils (North West and Chebucto). This plan and the municipal plan were the products of about three years of public consultation. Clayton Developments Limited entered into that process about halfway through. A blueprint of the entire area was shown on the screen. Eventually, it was meant to merge the existing developments (Oceanview Drive, Paper Mill Lake) with Royale Hemlocks Subdivision. This plan has all the guiding policies that Clayton Developments Limited is required to follow as we go from concept to very specific plans.

There are six somewhat separate but inter-related residential neighbourhoods in the plan. Each of these has certain parameters in terms of development. Some are high priority, low density with a predominance of single family dwellings and some are more mixed with higher density capabilities. There is an overwhelming density cap on this area (20 persons per acre). That is a density that is very close to the existing densities in Bedford. Bedford also has a density threshold of six units per acre. Developers in Bedford are required to follow the six units per acre threshold in addition to the 20 persons per acre. A lot of the policies being discussed tonight originate out of the former Town of Bedford Municipal Planning Strategy (MPS).

Neighbourhoods A and C are pretty much complete. They are predominately low density, larger lots with a small number of townhouses. The dotted line shown down to the Bedford Highway is Southgate Drive. Clayton Developments Limited is currently constructing the final component of Southgate Drive to link in with Larry Uteck Boulevard. The section that is being built up through Emscote Lands, Cresco lands and Clayton Developments Limited lands was shown on the screen. The intention is to complete that section sometime around Christmas. The next phase is to come up to the interchange. This plan is dependent on an interchange. The issue of specific timing and funding are matters that cannot be discussed in detail at this time. The Department of Transportation and Infrastructure Renewal has allotted the contract for the functional design of the interchange to CBCL Limited. They are working with various stakeholders including Clayton on the functional design and the performance of the interchange.

The key in this plan is the link roads shown. Larry Uteck Boulevard, Nine Mile Drive and Starboard Drive are the principle streets in the plan. A major commercial aspect runs equally to the highway and to the development and is proposed in conjunction with the interchange. None of this will happen until such time as the interchange begins its construction.

A large area of park and open space was shown. Throughout the Ravines there are areas of undisturbed parkland. The site for the new french school was shown.

Presentation of Proposal - Kevin Neatt, Associate Planner with Clayton Developments Limited

An aerial photo of Bedford South was shown. The major commercial nodes are intended to be the heart of the community (a village centre). Tonight's applications cover approximately 251 acres. The green area represents approximately 47 acres; therefore, giving about 18% of municipal parkland. This is not counting the buffer areas which the developer would like to keep at the rear of lots. There is a large park in the centre. The green area to the north represents approximately 20 acres and the area to the south approximately 8.5 acres. The applicant would like to make sure the parkland is usable to the public and is of good quality. As part of that, the applicant has committed to building some secondary trails (crusher dust trails) through the central park area as well as in the north and down further in the south. A piece of parkland to the south actually connects with a larger parkland area that has been dealt with in Neighbourhood B. The Province and HRM will come together to create a soccer field of some sort in the location shown. Throughout the plan there are several neighbourhood park areas identified. Clayton Developments Limited will add onto the pocket parkland area in the rear of Oceanview to make it a bit bigger.

Identified in yellow is the low density residential component. This is a combination of single family dwellings, townhouses, condominium townhouses and freehold townhouses allowing people some

options. The size of the lots will be decided by the market and will not have less than 40 feet of frontage. The purple area are high density, residential areas. These have been clustered together and located off of the main collector streets. It has not been decided if they will be rental apartments or condos. The brown area is a senior's village which represents approximately 35 acres. Shannex has come forward, put this option on the table and plans to proceed with it. The village centre will be the heart of the community with the intent of the public walking to the area. An option in the north quadrant of the village centre would be two multiple sites. The applicant would like to work some flexibility into the development agreement.

The plan would be a phased development contingent upon the interchange. Clayton Developments Limited would like to see it connected by 2009/10. The applicant is looking at a build out of the road construction in approximately 2013/14.

A connection to Nine Mile Drive is shown on the plan. It will take at least two to three years before construction is up against the existing development. The decision to connect to Nine Mile Drive is one that HRM will make in terms of overall traffic and timing. This plan does not show the area of Emscote (the link between the upper area of Starboard Drive and the lands of Cresco Holdings). In the interim, traffic from Starboard Drive and Royale Hemlocks will access up through Larry Uteck Boulevard.

There are traffic lights planned at the intersection of Southgate Drive and Larry Uteck Boulevard. This is within the master plan and is a fundamental requirement of the development agreement.

The design of the interchange includes roundabouts. The Province has jurisdiction over the design of the interchange and their priority is to move towards the European and American model for traffic management and where possible for interchanges they will introduce roundabouts. They believe the roundabouts are more efficient and more cost effective, have greater carrying capacities and less stoppage. An analysis on this plan has been done and it was indicated that a roundabout should be constructed at Larry Uteck Boulevard and Nine Mile Drive rather than the traditional intersection.

4. Questions/Comments

Louise Michalos, Oceanview Drive, asked if this community will then have its own transit service. Has Metro Transit been involved in the planning? Mr. Bone explained that Metro Transit is involved in every subdivision plan and is made aware of the road layout. The road layout in this area has been set for a long period time. Metro Transit will eventually service but not until proper linkages are established and subject to budget approvals. Any of the new communities (over the last ten years) are designed in such a way that transit service is permitted and to ensure that most people are within a reasonable walking distance to a transit route. This is a municipal decision that is outside of the parameters of the development agreement.

Donna Bowdrige, Millview Avenue, asked if the transit service will come down Larry Uteck Boulevard to the Bedford Highway or will they use Highway 102. Mr. Bone is not sure at this point but will ask that question. In all likelihood, the transit will be on the local streets to serve the community.

Reed Holmes, Oceanview Drive, asked for clarification on the interchange. Mr. Bone explained that the interchange is anticipated to happen and always has been. The exact timing and funding is unknown. Mr. Hanusiak indicated that there has been design work done. HRM has taken infrastructure money from Clayton Developments Limited when the lots were developed to help pay for the interchange. The interchange is as of right subject to funding. The process for tonight's development agreement application is being done now so that when the logistics are in place for the interchange, there is a place for it to go.

Mr. Holmes asked how long the whole project is expected to take. Mr. Bone said that from construction perspective, as far as impact on surrounding community, it would be expected that the main roads would be used. There are truck route laws that HRM have that help staff to enforce the issue. Mr. Neatt said approximately 2013/14 would be the end date for build out of the road network. There would still be some lingering residential home construction.

Mr. Holmes asked if there are any plans for another school. Mr. Bone said in the original plans for this community, certain sites were laid out for possible institutional uses or schools. It was laid out so that Halifax Regional School Board (HRSB) or the French School Board could acquire those lands. In this case, the French School Board (or the Province on their behalf) have acquired the lands. They are outside HRM's approval process and can proceed without a development agreement. That school is being constructed now. There may be other sites in the adjoining subdivisions.

Minister Len Goucher explained that the Province is proceeding with the capital construction for the new high school. He believes there are some other sites in the current area designated for P-9 schools.

Councillor Hum thanked Mr. Bone for extending the notice to the Royale Hemlock residents as they have questions about the impact of this development on their streets. Unfortunately, these residents have not had the opportunity from their developer to be involved and be shown plans for their area.

Councillor Hum acknowledged that some of the public concerns are transit, schools and traffic signalization. She feels it is very important that transit look at joining up neighbourhoods. Have a comprehensive transit plan because there is huge development throughout the entire area. The school situation must be considered and a boundary review by the Minister of Education be conducted. Mr. Bone added that the community of Bedford is aware of the school issues. There are active groups which have been with HRM, HRSB and the Province to make them aware of the long term growth patterns expected in Bedford/Royale Hemlocks area. Councillors Hum and Outhit would like to hold an open house with Clayton Developments Limited to set aside formalities and allow people to talk about some issues they may have with the development.

Mr. Bone mentioned that Councillor Hum, through e-mail to him, had brought up the issue about traffic lights at Larry Uteck Boulevard and Starboard Drive. Councillor Hum mentioned that there are a lot of residents on the Royale Hemlock side that are concerned about traffic and how that will impact them. Mr. Bone said he will provide a comment in the staff report. He will check into the Royale Hemlocks development agreement to see if this was a requirement or if that would eventually be an HRM set of lights.

A young resident from Oceanview Drive is concerned that the greenspace behind his house in the Oceanview Drive area will be lost; therefore, losing their area to play and build tree forts. Mr. Hanusiak explained that this plan has roughly doubled the required parkland. He asked that Clayton Developments Limited be shown the areas and, if necessary, they will assist in moving the tree fort. There are areas along Oceanview Drive that are going to be maintained for trees and park.

Trifon Micholas, Oceanview Drive, asked what will determine if the multi unit buildings will be condos or rentals and is there a height restriction on the buildings. Mr. Bone said HRM cannot regulate ownership. As far as height, there will be restrictions set under the development agreement. Mr. Neatt explained that the market will decide if the buildings are condos or rentals. The MPS does govern how high the residential buildings can be. In this area, next to the highway, you'll see six to twelve storeys (the location of various heights of buildings were shown on the plan).

Mr. Micholas asked if damage was to occur to existing homes due to blasting, who would be responsible. Mr. Bone mentioned that all blasting in HRM is regulated by the HRM Blasting By-law. It is required that pre-blast surveys are conducted, monitoring is done to ensure that the blasting meets the requirements, and that there is a staff member that is in charge of enforcing the requirements. Mr. Hanusiak explained that the developer and the contractor would be responsible for damage. The contractor takes out insurance and if damage occurs an investigation is initiated.

Matt Bowes, Starboard Drive, mentioned that traffic on the Bedford Highway is an issue. He cannot imagine all these additional people getting on and off of the Peninsula everyday. Are there upgrades planned to get people in and out of the city? Mr. Bone said that the Bedford Highway is getting close to capacity. At this point, no new units would be permitted in Bedford South until the connections to Highway 102 are made. The Province is responsible for Highway 102 and are aware of the amount of growth that is happening in the area. HRM, through the Regional Plan, is planning to put the majority of their growth in the Bedford vicinity (Bedford South and Bedford West) over the next 25 years. All parties involved are aware of what improvements need to be made and what obligations have to be met. He understands that the Province is considering reviewing Highway 102. Mr. Hanusiak talked a bit about Bedford West and the hopes to see more people actually live and work in this area.

Councillor Tim Outhit added that there is there will be a park and ride facility, quite possibly with a link service, in Hammonds Plains and the possibility of a fast ferry service. The concerns about the Bedford Highway are legitimate but a number of options are being looked at to alleviate traffic. The link service in other areas has been an overwhelming success and transit is working to provide additional link opportunities around metro. As the Regional Plan growth patterns start to materialize, it will create other options and you will see changes to the transit system which will be beneficial to the entire community.

Matthew Christie, Bedford, mentioned that the link facilities are very successful so much so that the buses are going by Bedford full which is not helping the Bedford residents much. With the increased population and growth, in terms of sewer and water, what do you foresee, in terms of new infrastructure, in order to meet those needs? Mr. Bone said that the master plan contemplated sewer and water in this area. A portion of the sewer flow will go to the Mill Cove treatment plant. The upper reaches of this development agreement, north of Larry Uteck Boulevard close to Oceanview Drive,

will also flow towards Mill Cove treatment plant. The remainder of the lands, even though they are in Bedford, will flow to the Halifax plant.

Betty Davis, Oceanview Drive, understood that turning CPA High School into the junior high school is meant to alleviate the existing problem with overpopulation. It's not going to touch on the people that are moving into the area. Mr. Bone explained that there are other opportunities in adjacent subdivisions. Minister Goucher said Bedford Junior High School is an environmental issue. The new schools will be built to address increasing population.

Emanuela Holmes, Oceanview Drive, is concerned about how the wildlife will be affected. Mr. Hanusiak said the idea is to give large enough pieces of parkland so that the wildlife can remain in the area.

Mario Couture, Oceanview Drive, mentioned that access to sports facilities in Bedford is a problem. As the area grows, enrollment in activities will become more scarce. Mr. Bone mentioned that typically HRM is given 10% parkland for a subdivision or the equivalent thereof (cash or a combination of land and development). In this case, HRM is getting 18% land plus there will be private greenspace on some of the multi lots. There are proposed parks and a trail system (both shown). Also, associated with the french school, HRM and the Province are currently working on a fully constructed field. The field will be shared between the school and HRM. Parks and Recreation are made aware of the long term plan so they can budget accordingly. Mr. Hanusiak explained that when they first entered into this process about 8 years ago, one of the first things former Councillor Goucher identified to Clayton Developments Limited was that there is a shortage in parkland and open space. There are parks identified throughout the area. Minister Goucher mentioned that the sport field and ice surface for the Rocky Lake site is being done by a private company. Councillor Outhit said staff is also working on expanding the playground at Bedford South school. Clayton has stepped up to proceed with the expansion and improvement project of the playground at the top of Oceanview Drive.

Mr. Couture is also concerned about the impact of snow removal.

Giovanni Holmes, Oceanview Drive, feels the area will not be the same (the forest and how peaceful it is).

Mr. Bowes believes that infrastructure should be put in place before adding more people.

Heather Kerr, Royale Hemlocks Subdivision, asked what the people can expect in terms of joining the Bedford Highway and Highway 102. Will there be two access from Starboard Drive and Larry Uteck Boulevard? Mr. Bone said there is an ongoing study anticipating the traffic impact. There was a previous study that was done for the master plan. Ultimately, the people coming into this area will have business in this area. It is not intended to be a shortcut. There is a mix in this community as to where people will go.

Councillor Hum mentioned some improved to alleviate the Bedford Highway congestions: 1. the interchange; 2. project that is already approved through a five year transit strategy; 3. infrastructure

improvement. Mr. Bone added that growth in the area has been planned. The reason for this is so HRM can effectively service these areas.

Walter Regan, a member of NWPAC and SRA, asked if there is any money being put aside to build fishways over the dam. Mr. Bone said this projects does not impact any of the dams.

Mr. Regan asked if there will be a sidewalk on the interchange. Mr. Bone will find out.

Mr. Regan asked if there will be more infill of the Bedford Basin as a result of the blasting. Mr. Bone said the Bedford Basin infill is generally pyritic slate. He is not aware of any on the site. Mr. Regan asked if rock from the site will go into the Bedford Basin. Mr. Hanusiak mentioned that a fair amount of the material will go to interchange.

Mr. Regan asked if the large buildings will have green roofs. Mr. Bone said there is no municipal requirement but that can be suggested to the developer.

Mr. Regan asked if the parking lots for large buildings can be downsized. Mr. Bone said staff would work with the applicant to, in many cases, allow for sharing of parking thus reduce the parking standards. In some cases, the type of use established requires a certain amount of parking. Mr. Neatt mentioned that with respect to the multiple sites, at least 50% of the parking required will be located underneath the building allowing more greenspace. Additionally, in some of the larger parking areas, islands are kept throughout that are green and pervious in nature.

Mr. Regan asked if the trails will be built to HRM standards. Mr. Bone said the proposed secondary trails will be.

Mr. Regan asked if there would be maintenance money provided. Mr. Bone said typically that would not be included.

Mr. Regan asked if there is water testing being done in existing ponds. Mr. Bone is not aware of any. Mr. Hanusiak said the area that has been built to date drains exclusively to the Bedford Basin. As we come forward there is a master stormwater management plan for this area. The specific details of lake monitoring and testing will be incorporated into the development agreement.

Mr. Regan mentioned that the developer should be paying a larger lot service charge. The tax payers are picking up the infrastructure costs. Mr. Hanusiak said Clayton Developments is the only company in HRM paying capital cost charges.

Wendy McDonald, Clayton Park West, asked about bicycle lanes and active transportation. There needs to be sidewalks and adequate infrastructure for bike lanes, on and off road. Mr. Bone said there are plenty of proposed connections. There is a trail network between these communities that connects into Royale Hemlocks and eventually there will be connections probably over the interchange into the Bedford West area. The trail network is a priority in HRM. As for bike lanes, he will discuss this with our TDM coordinator and bicycle infrastructure people. Ms. McDonald would like assurance that CBCL will have a public information session. Mr. Hanusiak said there will be a public session.

The company knows there has to be connectivity between Bedford South and Bedford West. He understands there will be sidewalks between the two communities.

Mary Ann McGrath, Halifax, said across Highway 102 and on the other side of Kearney Lake Road, there will be a 3500 acre park. That effectively gives a greenbelt that separates the Basin development from developments on the other side of the larger Peninsula area. It will provide space for wildlife and livability.

One resident asked who owns the commercial development. Will it be a big box area? Mr. Hanusiak said the site belongs to Clayton Developments Limited. The property is under active discussion but he can't say specifics. The footprint is a typical Sobeys building but is only used as an example (from the Park West Shopping Centre plan). The zoning provides for big box stores but they are not anticipating an outburst of big box. This is only 25 acres of land. This will pick up and service highway traffic but it is also built for the communities from Paper Mill Lake to Starboard Drive. Mr. Bone said given its location, the type of uses that would want to establish here would be lower. The growth of these areas are limited by sewer capacity; therefore, there is some limit on the amount of growth that can happen on each of these sites. In most cases, it is left to the market to take a chunk at a time.

5. Closing Comments

Mr. Bone thanked everyone for coming to express their opinions and concerns.

6. Adjournment

The meeting adjourned at approximately 9:00 p.m.

Attachment D
Draft Recommendation of the Bedford Watershed Advisory Board

MOVED By Mr. Lem Murphy, seconded by Mr. Quentin Hill that Bedford Watershed Advisory Board approves the Master Storm Water Management Plan for sections D, E, and F and the Commercial Area of Bedford South as per Case #'s 01159 and 01194.