


North West Community Council
September 27, 2012

TO: Chair and Members of North West Community Council

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

DATE: September 26, 2012

SUBJECT: **Case 17847: Development Agreement Amendments for Bedford West Sub Areas 3 and 4, Bedford**

ORIGIN

North West Planning Advisory Committee Meeting – September 26, 2012.

RECOMMENDATION

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 as provided in Attachment A of the staff report dated September 17, 2012, and schedule a public hearing;
2. Approve the proposed development agreement as set out in Attachment A of the staff report dated September 17, 2012 to permit amendments to the existing development agreement for Sub Area 3 and 4 of Bedford West, Bedford; and
3. Require the development agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND/DISCUSSION

At its meeting on September 26, 2012 the Committee reviewed and discussed the proposal to amend the existing development agreement as set out in Attachment A of the staff report dated September 17, 2012.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

As per staff's report dated September 17, 2012.

ALTERNATIVES

1. Community Council may choose to approve the proposed amendments as set out in Attachment A of the staff report dated September 17, 2012. This is the recommendation of staff for reasons set out in that report.
2. Community Council may choose to approve the proposed amendments subject to modifications. This may necessitate further negotiations with the Developer and a second public hearing.
3. Community Council may choose to refuse the proposed amendments as set out in Attachment A of the staff report dated September 17, 2012, and in doing so, must identify conflicts(s) with BWSPS policy.

ATTACHMENTS

Staff report dated September 17, 2012

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

**North West Planning Advisory Committee
September 26, 2012**

TO: Chair and Members of North West Planning Advisory Committee



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

DATE: September 17, 2012

SUBJECT: **Case 17847: Development Agreement Amendments for Bedford West
Sub Areas 3 and 4, Bedford**

ORIGIN

Application by West Bedford Holdings Limited.

RECOMMENDATION

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 as provided in Attachment A, and schedule a public hearing;
2. Approve the proposed development agreement as set out in Attachment A of this report to permit amendments to the existing development agreement for Sub Area 3 and 4 of Bedford West, Bedford; and
3. Require the development agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

EXECUTIVE SUMMARY

In 2006, Regional Council selected the Bedford West area to be one of the main urban growth areas in the Municipality for the next 25 years. The Bedford West area is west of Highway 102, northeast of Kearney Lake Road and south and southeast of the new Highway 102 interchange at Larry Uteck Boulevard. In 2008, North West Community Council approved a development agreement for the lands of West Bedford Holdings for Sub Areas 3 and 4 of the Bedford West area.

West Bedford Holdings Limited has now submitted an application to amend the provisions of the existing agreement for Sub Areas 3 and 4. The proposed amendments are to:

- reconfigure the road layout of a local street (Road 3-J) and reconfigure the adjacent land uses to enable small-lot single unit dwellings instead of the single unit, semi-detached or townhouse dwellings that are presently permitted; and
- expand the area covered by the existing development agreement to include lands in the Bedford West Business Campus and enable the development of six multiple unit dwellings in this area.

The proposed amendments are not contemplated by the existing agreement. The road and land use patterns were predetermined and the Business Campus lands were not covered by the agreement. Consequentially, the agreement must be amended in order to consider changes noted above. It is the opinion of staff that the proposed amendments to the existing development agreement (Attachment A) meet the requirements of policies in the Bedford West Secondary Planning Strategy (Attachment B) and recommend approval of the proposed amendments as identified in the Recommendation section of the report.

BACKGROUND

Bedford West Secondary Planning Strategy

In early 2006, Regional Council approved the Bedford West Secondary Planning Strategy (BWSPS). The BWSPS provides guidance for the development of a 1,052 hectare (2,600 acres) planned community on the west side of the Bicentennial Highway in the vicinity of the Hammonds Plains Road and Kearney Lake Road. The BWSPS requires the lands identified as Residential Neighbourhoods, Community Commercial Centre, Institutional/Residential or Park and Open Space to be developed by development agreement. Lands identified as Mixed Use Business Campus are primarily developed through an as-of-right process through the application of the Bedford West Business Campus (BWBC) Zone under the Bedford Land Use By-law.

The subject lands are located within Sub Areas 3 and 4 of Bedford West and are described as two sites:

- Site 1 - Innovation Drive and Gary Martin Drive: A 7.3 hectare (18.1 acre) area in Bedford West Sub Area 3 located on the north and south sides of Innovation Drive near Gary Martin Drive. These lands are designated Bedford West Secondary Planning Strategy (BWSPS) (Map 1) and zoned Bedford West Business Campus (BWBC) Zone

(Map 2). The BWBC Zone is intended to allow for a range of business uses with the goal of producing an employment node for the region.

- Site 2 - Road 3-J: A 4 hectare (10 acre) parcel located at Road 3-J in Sub Area 4. These lands are designated Bedford West Secondary Planning Strategy (BWSPS) (Map 1) and zoned Bedford West Comprehensive Development District (BWCCD) Zone (Map 2). These lands are subject to an existing development agreement which permits a mix of residential and neighbourhood commercial uses.

The Proposal

West Bedford Holdings Limited (the applicant) is the primary landowner of the subject areas and is seeking the following amendments to the Bedford West Sub Areas 3 and 4 development agreement:

Site 1 - Innovation Drive and Gary Martin Drive: The applicant is proposing the construction of six multi-unit dwellings for a total of 363 units and the ability to enable 604 square metres (6,500 square feet) of commercial space in the proposed multiple unit dwelling at the corner of Gary Martin Drive and Innovation Drive (Map 4). Further, the proposal expands the lands to which the development agreement applies by including the Innovation Drive and Gary Martin Drive site (Map 4).

Site 2 - Road 3-J: The applicant is proposing to reconfigure the road layout and adjust the land use pattern. Specifically, Road 3-J is currently intended to connect to the major loop connector road but the applicant wishes to connect the road to Gary Martin Drive instead. This would require a relocation of the approved multiple unit dwelling site from Gary Martin Drive to the Loop Road. The applicant is also seeking to change the approved land use on Road 3-J from single unit, semi-detached or townhouse dwellings to small lot single unit dwellings. Map 3 of this report provides a comparison of the existing road network and alignment as well as the land use configuration to the proposed.

Surrounding Land Uses

Site 1 Innovation Drive and Gary Martin Drive: Innovation Drive abuts the north east side of the existing Bedford West Sub Areas 3 and 4 development agreement (existing agreement). The existing agreement enables the development of a variety of housing types. The site abuts HRM parkland which provides a buffer between the Bedford West Business Campus Zone and existing single unit dwellings of Sub Area 3 to the south west. The site abuts land being developed as the Bedford High/CP Allen High School and is in close proximity to the Research in Motion (RIM) office building. Lands to the north (Symonds Road) are developed with industrial uses and undeveloped Business Campus lands along Gary Martin Drive. Lands to the northwest are developed as the BMO Centre Ice Rink Complex and the Northwood Care Nursing Home.

Site 2 Road 3-J: Lands immediately adjacent Road 3-J are currently undeveloped, however, the adjacent streets, Road 3-I and 3-H and a portion of Road 3-J, are currently under construction. Adjacent lands are permitted to be developed as low density residential uses, neighbourhood commercial uses, parkland and multiple unit dwellings.

DISCUSSION

Development in the Bedford West area is subject to a series of policies contained within the Bedford West Secondary Planning Strategy (BWSPS). An evaluation of the proposed amendments against the applicable policy criteria is presented in Attachment B. Staff identified the following areas for specific discussion for each site:

Site 1 - Innovation Drive and Gary Martin Drive (Six Multiple Unit Dwellings):

Building Height– The proposed multiple unit dwellings are five storeys in height plus underground parking which is comparable with the permitted height in the applied BWBC Zone of 15.8 metres (52 feet).

Land Use Compatibility– The proposed multiple unit dwellings are:

- similar in bulk and scale to commercial office buildings permitted under the applied BWBC Zone;
- a compatible land use with the adjacent high school and community facility under construction and BMO Centre Ice Rink Complex;
- provide a good transition between the institutional land uses and the existing low density single unit dwellings in Sub Area 3;
- setback with appropriate distances from undeveloped commercial lands; and
- likely to improve the safety of the adjacent parkland by providing nearby “eyes on the park”.

It is the opinion of staff that the proposed multiple unit dwellings are compatible and in keeping with the surrounding land use pattern.

Parkland - A review of parkland contributions in this area indicates that the parkland provided under the existing development agreement for Sub Areas 3 and 4 exceeds the 10% land dedication requirement as prescribed in BWSPS policy. Specifically, the parkland dedication provided in Sub Areas 3 and 4 is 40.3 acres (16.3 ha) which equals approximately 16% of the total land area in these sub areas.

The transfer of any additional parkland or the development of park infrastructure would be over and above the amount HRM could require according to the *HRM Charter* and BWSPS policy. Nonetheless, the development of an additional 363 residential units in this area causes concern for the adequacy of parkland infrastructure in the area to support and service the additional residential population. To address this matter, the developer is proposing to:

- add 1778 square meters (19,139 square feet) of new parkland at the corner of Gary Martin Drive and Innovation Drive as well as site improvements and the addition of 40m of new walking trail;
- provide two new play structures at the existing neighbourhood park at Hollyhock Way (\$20,000 value) and one at the community park on Gary Martin Drive (\$30,000 value); and

- provide a new 60m x 30m “manicured play area” at the community park on Gary Martin Drive; and
- transfer to HRM an existing walking trail the applicant previously constructed on parkland between Hollyhock Way and Innovation Drive.

All parkland improvements proposed are incorporated in the development agreement. In addition to those items, the developer has requested that HRM acknowledge an existing walking trail that they previously constructed on parkland between Hollyhock Way and Innovation Drive as an “equivalent value”¹ park dedication to HRM. Staff is in agreement with this aspect of the proposal and will, administratively, account for the equivalent value contribution.

Amenity Space – Staff have negotiated the inclusion of private amenity space for the multiple unit dwellings on the north side of Innovation Drive (Map 4) as there is no nearby parkland to service these future residents. Each multiple unit dwelling must include 371.6 square metres (4000 square feet) of outdoor active amenity space. This space must be developed with two active facilities including the following: tennis courts, basketball court, outdoor workout equipment, playground area and equipment, pool, badminton/volleyball courts, grassed play area, lawn bowling or putting green.

Side/Rear Yards– The developer has proposed a reduced side and rear yard for the multiple unit dwellings of 6 metres (19.8 feet) rather than the typical side yard of one-half the height of the building. Staff determined the reduction is acceptable to enable greater flexibility in siting the buildings. The adjacent parkland and the closest single unit dwelling being approximately 75 meters (246 feet) away, staff are satisfied the setbacks exceed typical separation distances.

Conversion of Business Uses to Multiple Unit Dwellings – The Bedford West Secondary Planning Strategy (BWSPS) recognizes this general area is being strategically located for businesses that produce goods and services and employment opportunities for the region. The Mixed Use Business Campus Zone is meant to support these business uses, recreational uses, hotels, institutional facilities, park and ride facilities, and limited retail uses. However, Policy BW-37 also identifies there may be uncertainty around whether or not the Business Campus will be a successful concept and enables Council to consider residential land uses by development agreement.

The applicant has indicated that market conditions are such that the demand for Business Campus uses is not strong. Further, the adjacent land uses include the new Bedford High School and BMO Centre Ice Rink Complex. These land uses support residential development more so than commercial development, thus higher density residential development on lands located near these uses may be more appropriate than other Business Campus uses.

Further, the development of multiple unit dwellings does not preclude the establishment of other Business Campus land uses as there are remaining lands which would continue to enable the uses

¹ "Equivalent value" as defined by the Regional Subdivision By-law means, for the purposes of park dedication, cash, site preparation, site development or any combination of land, cash, site preparation and site development.

permitted in the BWBC Zone. The proposal also includes 604 square metres (6,500 square feet) of commercial space in the proposed multiple unit dwelling on the corner of Gary Martin Drive and Innovation Drive (Map 4).

Summary- Staff reviewed the relationship between the existing uses, permitted future uses and the proposed multiple unit dwellings and are of the opinion the proposed amendments meet the intent of the BWSPS by enabling residential uses within the Business Campus. Further, it is staff's opinion the parameters of policies BW-37 and BW-32 are specifically met through the proposed terms of the proposed amendments.

Site 2 Road 3-J

Infrastructure – The proposed realignment does not have any significant impact on traffic, sewer, or water flows or storm drainage. These matters may be addressed through standard, technical processes.

Land Use Changes – The existing agreement requires Road 3-J to form a T-intersection with Loop Road 4 with single unit, semi-detached and townhouse dwelling units on both sides of the road adjacent HRM Parkland (Park 4) (Map 3). The proposal is to realign Road 3-J to form a T-intersection with 3-4 Collector Road (Gary Martin Drive) with small lot single dwelling units on both sides of the road (Map 3). The realignment of Road 3-J places a multiple unit dwelling adjacent proposed parkland (Park #4) containing a watercourse rather than adjacent 3-4 Collector Road (Gary Martin Drive).

The placement of a multiple unit dwelling in this alternate location may be more suitable to the parkland and its watercourse, as construction of a multiple unit dwelling may disturb less land overall. Typically, the development of a multiple unit dwelling enables less site disturbance than single, semi-detached or townhouse dwellings and thus allows for greater opportunities for tree retention on a site. The development of small lot single dwelling units on Road 3-J is a change to address a market need and has no impact on net population density and will meet other requirements already approved and contained in the existing agreement.

Upon review of the request to reconfigure Road 3-J and its associated land uses, staff determined the request is consistent with the policies of the Bedford West Secondary Planning Strategy and recommend that Council approve the proposed amendments to the existing agreement.

Bedford Watershed Advisory Board

The Bedford Watershed Advisory Board reviewed this proposal on June 13, 2012 and determined the proposal was consistent with the Master Storm Water Management Plan approved in July 2008. A copy of the Board's recommendation has been forwarded to North West Community Council via a separate report.

Conclusion

Staff reviewed the request to reconfigure Road 3-J and associated land uses and the proposal to add multiple unit residential dwellings in the Bedford West Business Campus. Staff have

determined that the requests are consistent with the policies of the Bedford West Secondary Planning Strategy and thus recommend that Council approve the proposed amendments to the existing development agreement as presented in Attachment A.

BUDGET IMPLICATIONS

There are no budget implications. The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be carried out within the approved 2012/13 budget in C310 Planning & Applications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

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

The level of community engagement was consultation, achieved through a Public Information Meeting held on June 14, 2012 (see Attachment C for minutes). Notices of the Public Information Meeting were posted on the HRM website, in the newspaper, and mailed to property owners within the notification area as shown on Map 2.

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

The proposed development agreement will potentially impact local residents and property owners on Gary Martin Drive, Symonds Road, Innovation drive, Capstone Crescent, Hollyhock Way and adjacent residential and commercial uses.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all relevant, environmental policies contained in the Bedford MPS and LUB. Please refer to the Discussion section and Attachment B of this report for further information.

ALTERNATIVES

1. Council may choose to approve the proposed amendments as set out in Attachment A of this report. This is the recommendation of staff for reasons set out in this report.
2. Council may choose to approve the proposed amendments subject to modifications. This may necessitate further negotiations with the Developer and a second public hearing.
3. Council may choose to refuse the proposed amendments as set out in Attachment A, and in doing so, must identify conflicts(s) with BWSPS policy.

ATTACHMENTS

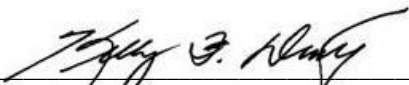
Map 1	Generalized Future Land Use
Map 2	Zoning
Map 3	Comparison of Existing and Proposed Road 3-J
Map 4	Concept Plan – Innovation Drive
Attachment A	Amending Agreement
Attachment B	Policy Review (Relevant Policy)
Attachment C	Public Information Meeting Minutes – June 14, 2012

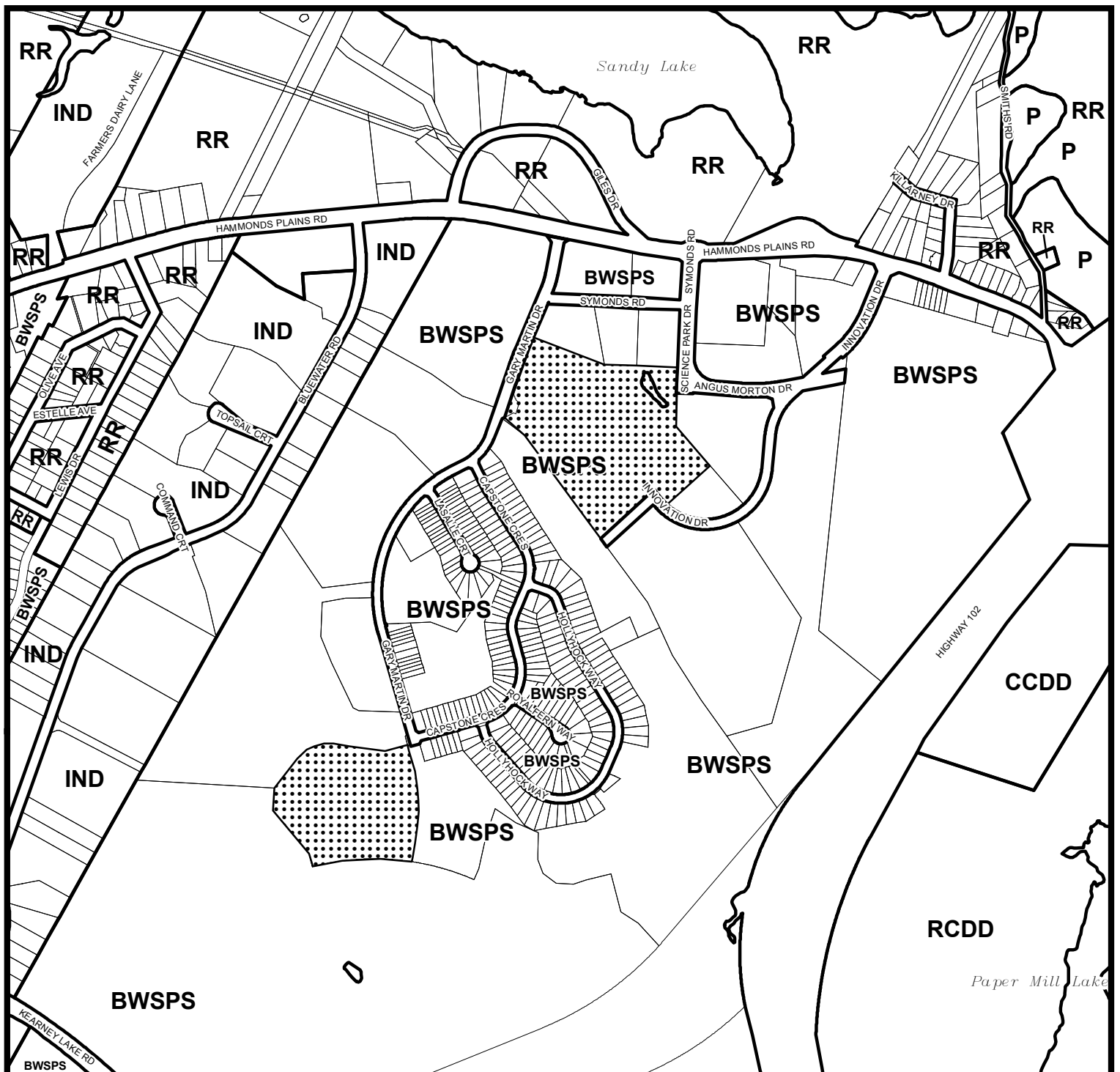
Available Upon Request:

Development Agreement for Bedford West Sub Area 3 and 4

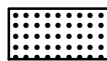
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Andrew Bone, Senior Planner, 869-4226

Report Approved by: 
Kelly Denty, Manager of Development Approvals, 490-4800



Map 1 Generalized Future Land Use

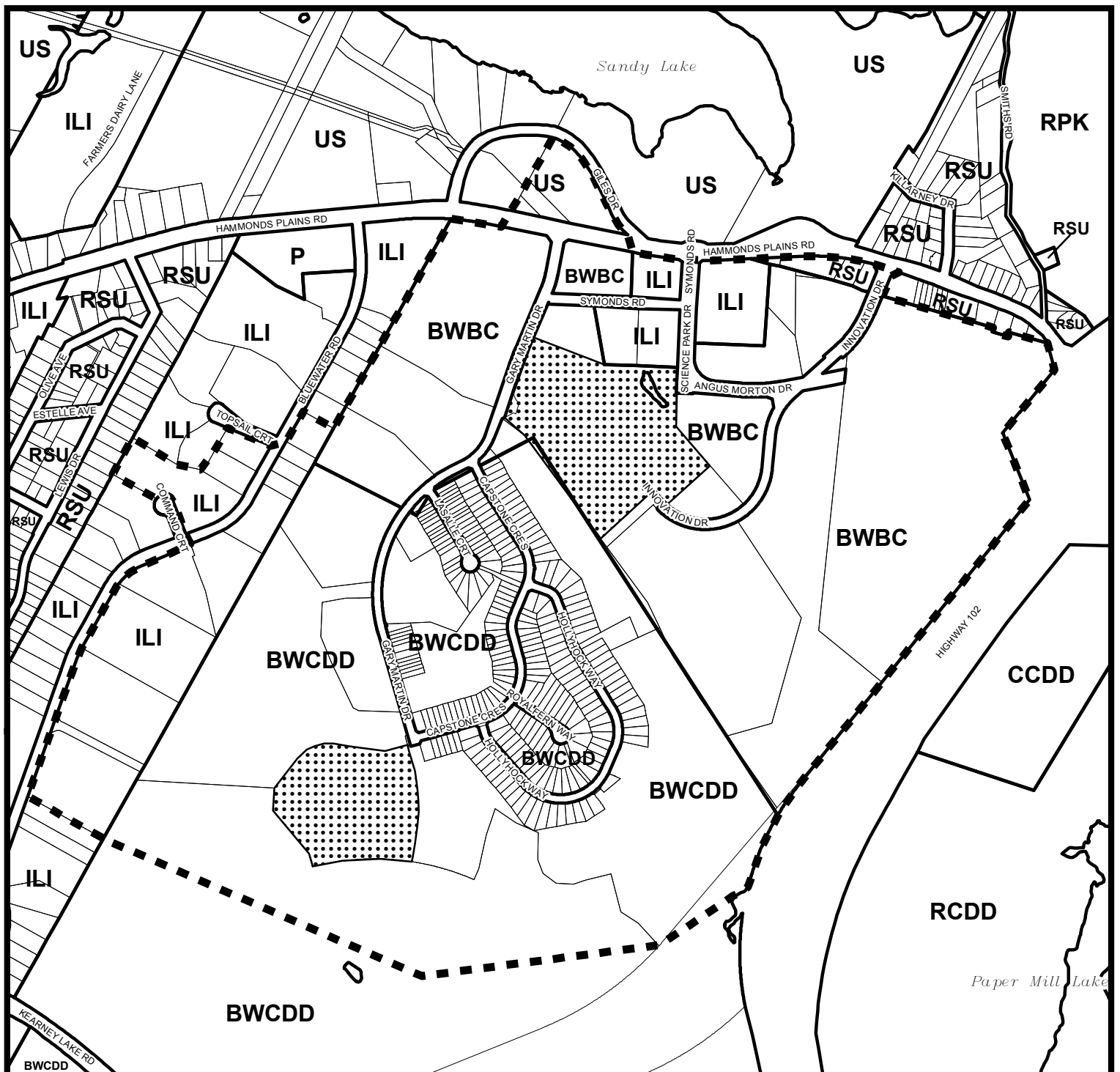


Subject Areas

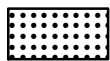
HALIFAX
REGIONAL MUNICIPALITY

- RR Residential Reserve Designation
- RCDD Residential Comprehensive Development District
- CCDD Commercial Comprehensive Development District
- P Park and Recreation Designation
- IND Industrial Designation
- BWSPS Bedford West Secondary Planning Strategy





Map 2 Zoning



Subject Areas



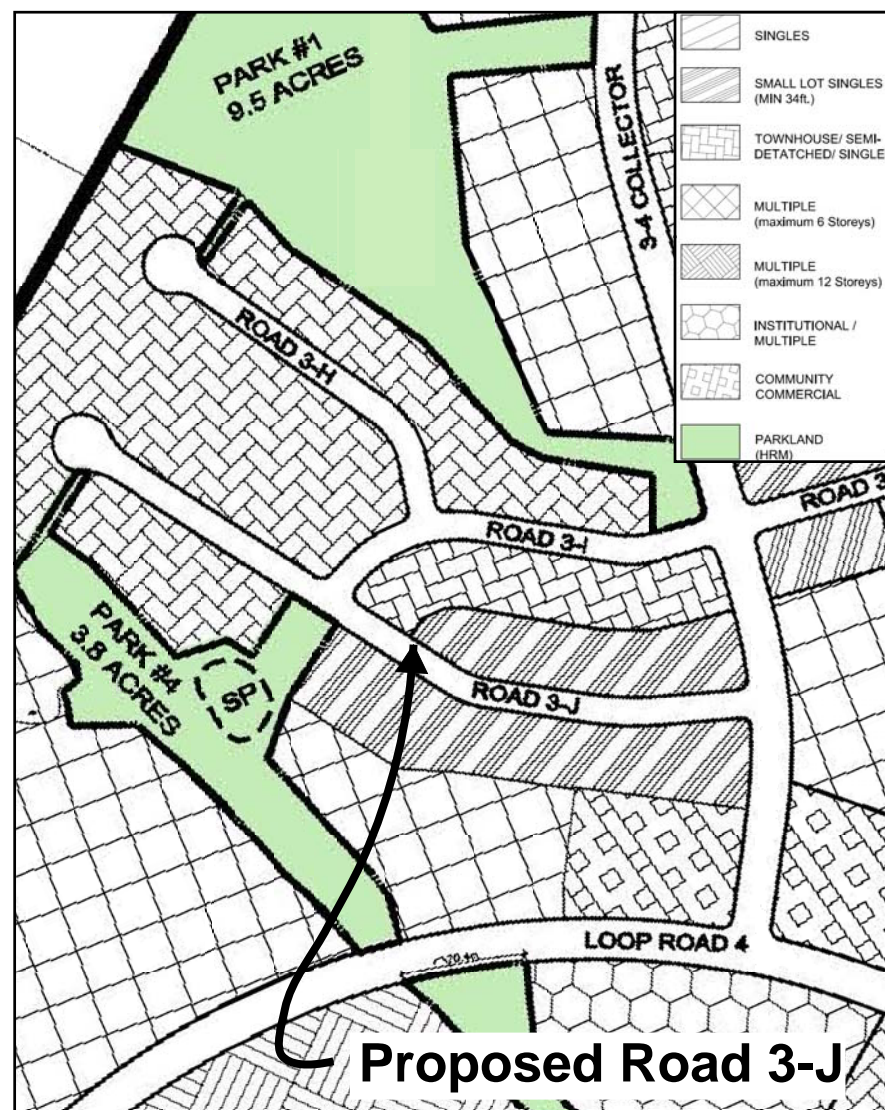
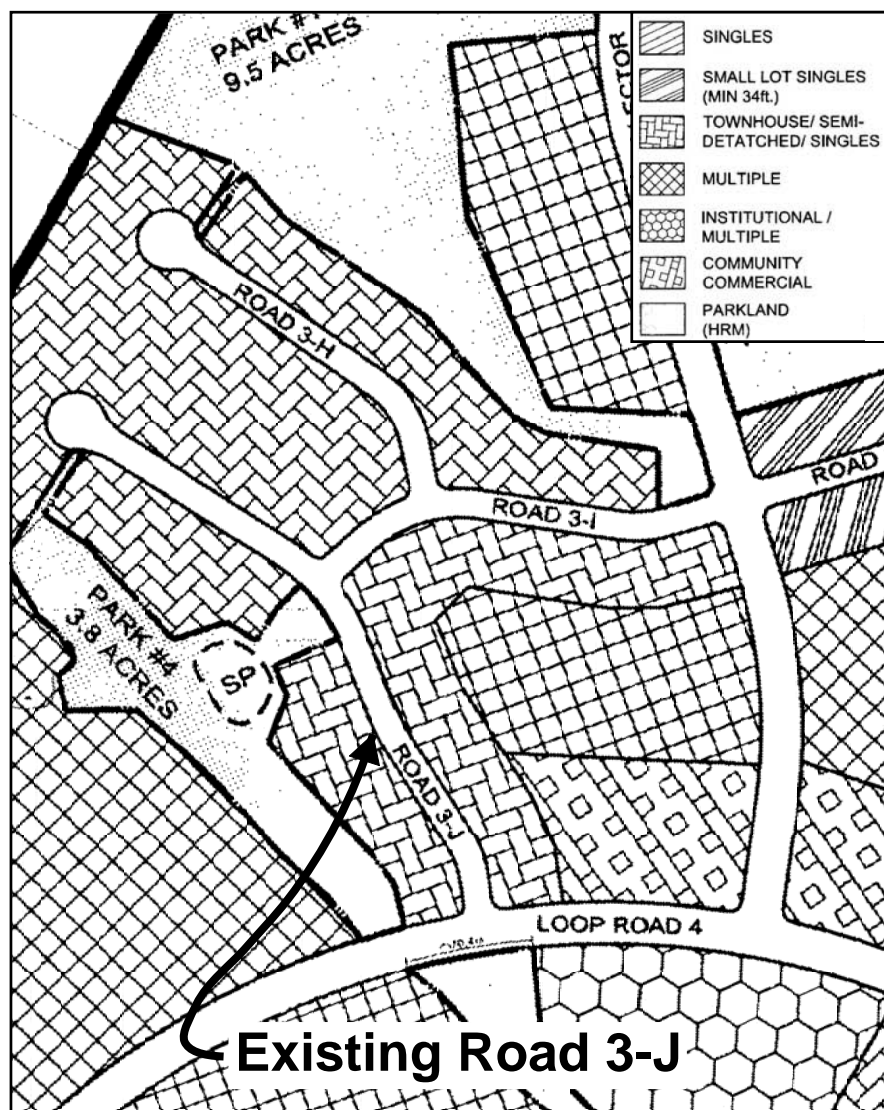
Notification Area

RSU Single Dwelling Unit Zone
US Urban Settlement Zone
ILI Light Industrial Zone
RPK Regional Park Zone
P Park Zone

CCDD Commercial Comprehensive Development District
RCDD Residential Comprehensive Development District
BWBC Bedford West Business Campus Zone
BWCDD Bedford West Comprehensive Development District

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REGIONAL MUNICIPALITY

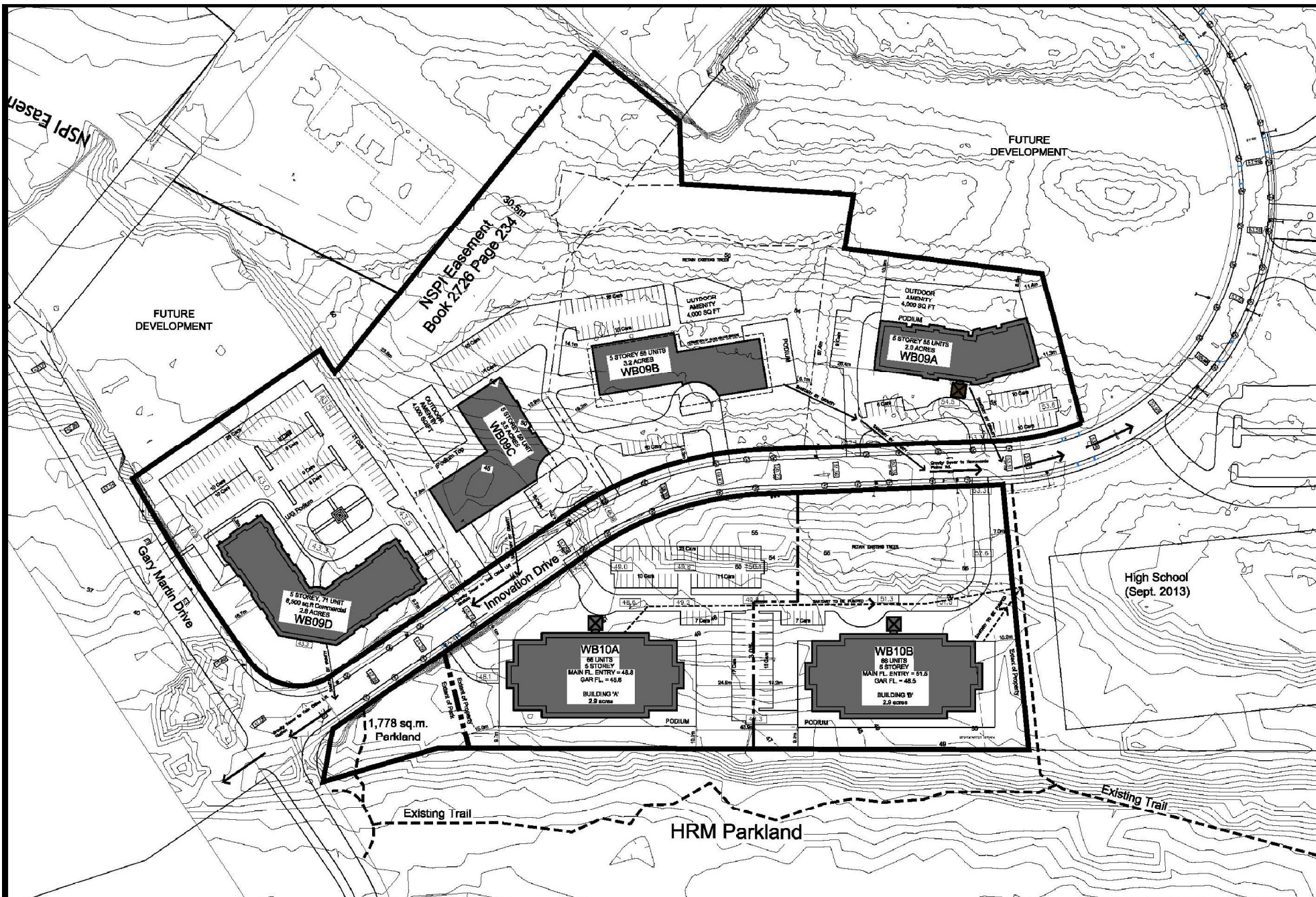




Map 3
Comparison of existing and proposed Road 3-J



HALIFAX
REGIONAL MUNICIPALITY



Map 4
Concept Plan - Innovation Drive

Attachment A -Amending Agreement

THIS AGREEMENT made this day of **[Insert Month]**, 20___,

BETWEEN:

(Insert Registered Owner Name)

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

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY

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

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at Gary Martin Drive and which said lands are more particularly described in Schedule A-1 hereto (hereinafter called the "Existing Lands");

WHEREAS the Developer is the registered owner of certain lands located at Gary Martin Drive and Innovation Drive which said lands are more particularly described in Schedule A-2 hereto (hereinafter called the "New Lands");

WHEREAS the Developer is the registered owner of the Existing Lands and the New Lands and which said lands are more particularly described in Schedule A-1 and Schedule A-2 hereto (hereinafter called the "Lands");

AND WHEREAS the North West Community Council approved an application by West Bedford Holdings Limited to enter into a development agreement to allow for development of a residential development on Sub Areas 3 and 4 of the Bedford West Secondary Planning Strategy on the Existing Lands (as described in the Existing Agreement)at Hammonds Plains Road, Halifax, which the said Agreement being recorded at the Land Registry Office at Dartmouth as Document 92104364 (hereinafter called the Existing Agreement)(referenced as Municipal Case Number 01048);

AND WHEREAS the Developer has requested an amendment to the provisions of the Existing Agreement to reconfigure land uses and road layout in the vicinity of Road 3-J on the Lands.

AND WHEREAS the Developer has requested an amendment to permit the inclusion of the New Lands within the Existing Agreement and to permit the construction of six multiple unit dwellings on Innovation Drive on the Lands (hereinafter with the previous request called the

First Amending Agreement); and

AND WHEREAS the North West Community Council of Halifax Regional Municipality, at its meeting on the ____th day of _____, 2012, approved this request, referenced as Municipal Case Number 17847)

THEREFORE in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree to the following amendments to the Existing Agreement:

1. Deleting Schedules B, C, D, E, F, G and H and replacing them with Schedules B, C, D, E, F, G and H, attached as Attachments 1 through 7.
2. Adding a second page to Schedule A, attached as Attachment 8.
3. Adding the following words to Clause 3.1:

“Schedule A-2 Legal Description of Lands”
4. Adding Schedule A-2 Legal Description, attached as Attachment 9.
5. Adding the following words to Clause 3.1:

“Schedule M Conceptual Site Plan – Innovation Drive
Schedule N Requirements for Development of Innovation Drive Multiple Unit
Dwellings”
6. The Existing Agreement shall be amended by adding Schedules M and, N, attached as Attachments 10 through 11.
7. Adding the following text at the end of Clause 3.2.2:

“Development of lands identified on Schedule A-2 shall be exempt from the Phasing Plan and may proceed at any point in time subject to the requirements of this agreement.”
8. Adding the following text to Clause 3.2.4(a) after the words “dwelling units”:

“within the lands shown on Schedule A (page 1) and described on Schedule A-1.”
9. Adding the following text to Clause 3.2.4(b) after the words “(1,750)”:

“within the lands shown on Schedule A(page 1) and described on Schedule A-1. ”
10. Adding the following text at the end of Clause 3.2.4(b)”:

“(c) three hundred and sixty-three (363) multiple unit dwelling units plus six-thousand

five hundred (6500) square feet of commercial space within the lands shown on Schedule A(page 2) and described on Schedule A-2.”

11. Deleting the word “apartments” from Clause 3.4(d) and replacing it with the words “multi-unit dwellings.”

12. Adding the following text after the words “multiple” development” in Clause 3.5.6:
“on Schedule B”

13. Adding Clause 3.5.7A as follows:

“3.5.7A Multiple unit dwellings shown on Schedules M shall conform with the requirements identified on Schedule N.”

14. Deleting the word “apartments” from Clause 3.5.12 and replacing it with the words “multi-unit dwellings.”

15. Adding the following text at the end of Clause 3.6.3:

“3.6.4 Parkland dedication for multiple unit dwellings (shown on Schedules M) shall conform with Schedule N.”

16. Adding the following text at the end of Clause 3.8.2:

“3.8.3 Landscape Plans for multiple unit dwellings (shown on Schedules M) shall conform with Schedule N”

WITNESS that this Agreement, made in triplicate, was properly executed by the respective Parties on this _____ day of _____, 2012.

SIGNED, SEALED AND DELIVERED
in the presence of:

=====

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

(Insert Registered Owner Name)

Per:_____

Per:_____

=====

=

HALIFAX REGIONAL
MUNICIPALITY

Per:_____

presence of:

Mayor

Per: _____

Municipal Clerk

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this ____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that _____, _____ of the parties thereto, signed, sealed and delivered the same in h presence.

A Commissioner of the Supreme Court
of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this ____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ the subscribing witness to the foregoing indenture who being by me sworn, made oath, and said that _____, Mayor and _____, Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in h presence.

A Commissioner of the Supreme Court
of Nova Scotia





THE PARKS
OF WEST BEDFORD

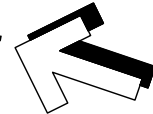
EMBRACING NATURE... ENJOYING LIFE.

Sub Areas 3&4

May 2012

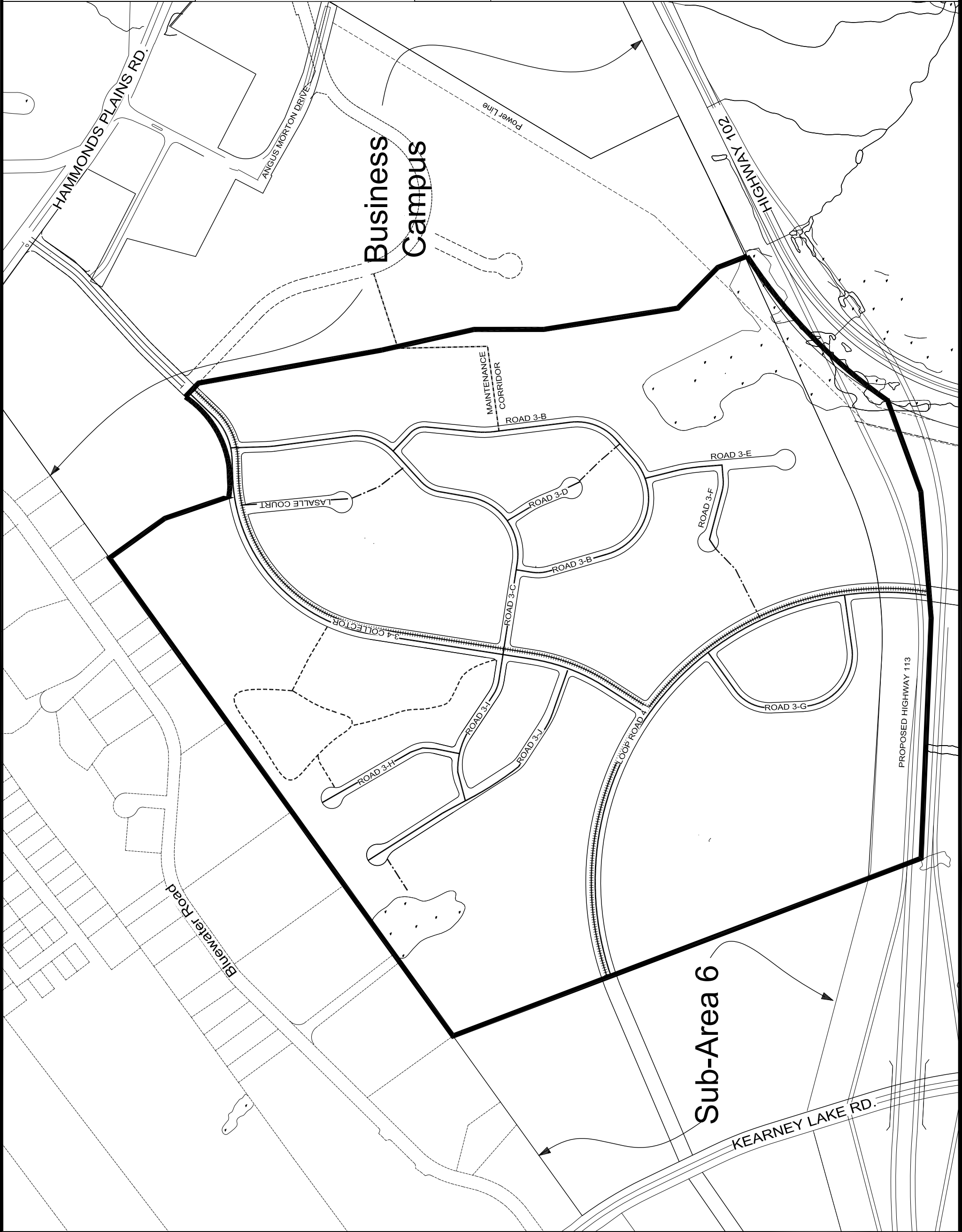
Streets, Sidewalks and
Trails Plan

N



N.T.S. - units in metres

- SINGLE SIDEWALK
- MULTI-USE TRAIL
- WALKWAY
- SECONDARY TRAIL

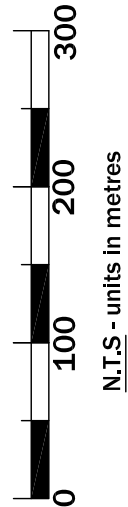
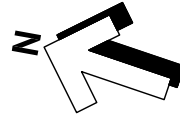




THE PARKS
OF WEST BEDFORD

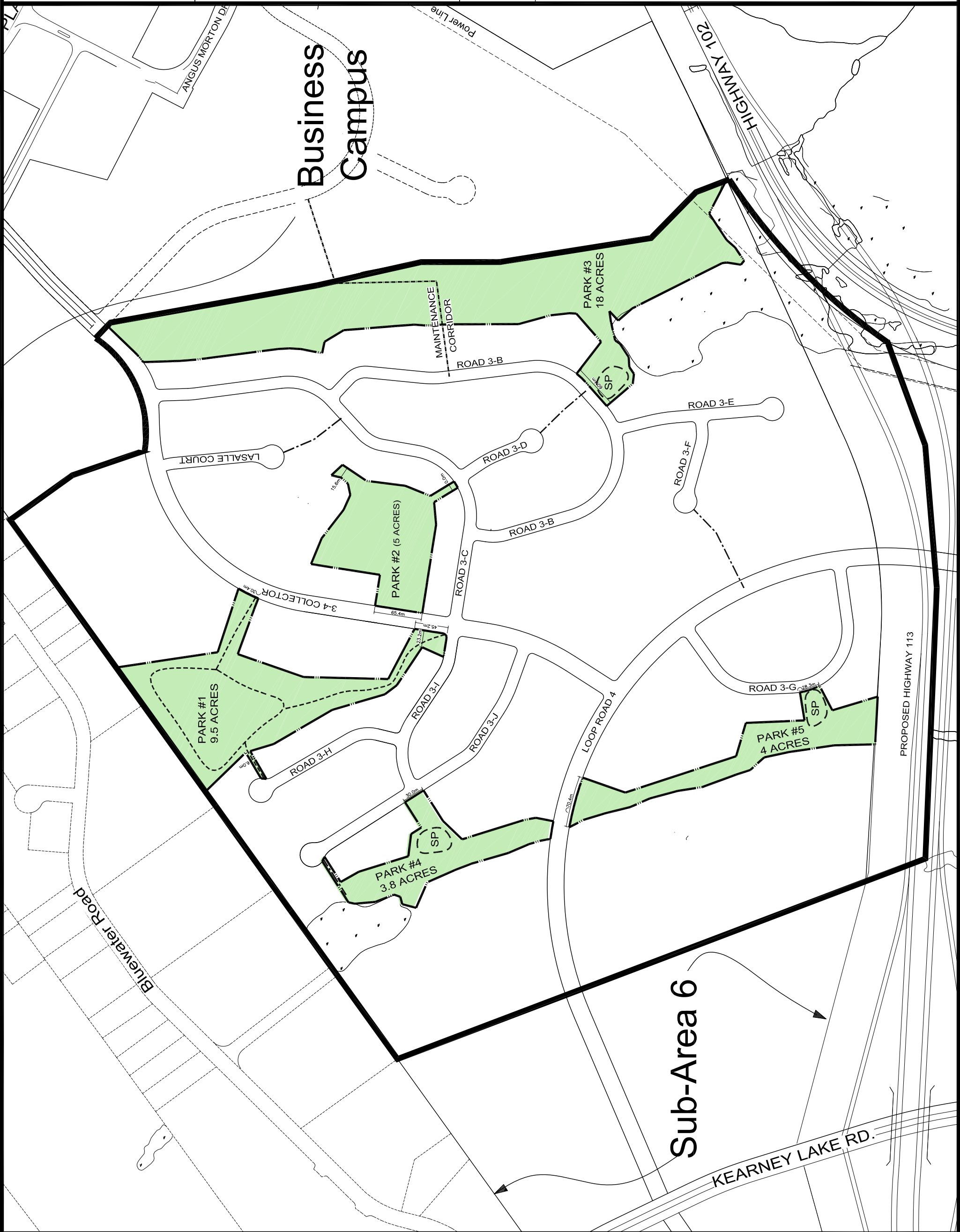
EMBRACING NATURE... ENJOYING LIFE.

Sub Areas 3&4
May 2012
Parkland Plan



- Site Preparation Area: SP (dashed circle)
- HRM Parkland: Solid green rectangle
- Secondary Trail: Dashed line
- Walkway: Dash-dot line

SCHEDULE D





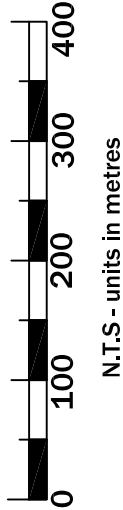
THE PARKS
OF WEST BEDFORD

EMBRACING NATURE... ENJOYING LIFE.

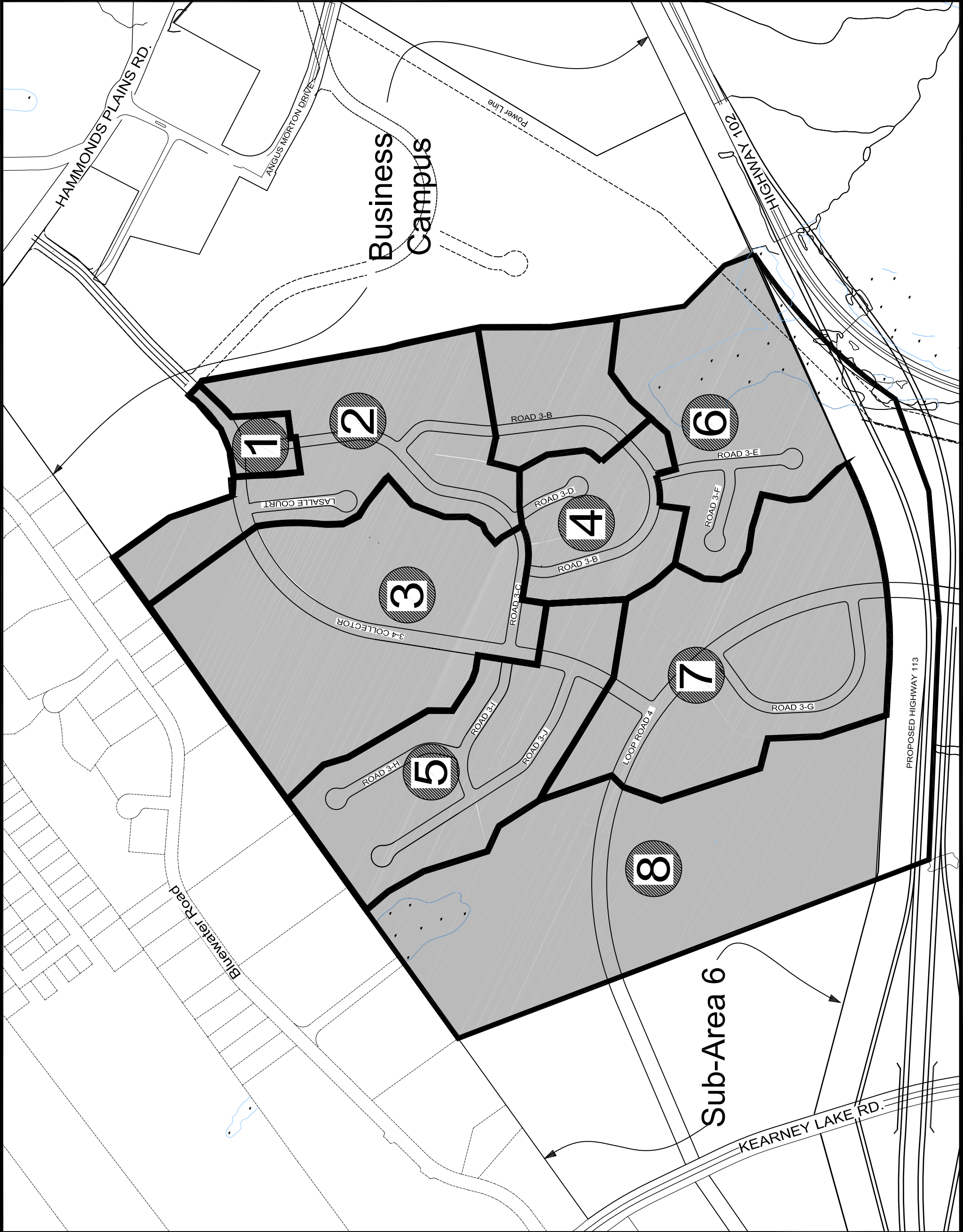
Sub Areas 3&4

May 2012

Phasing Plan



SCHEDULE E





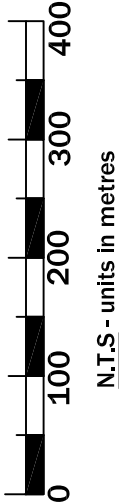
THE PARKS
OF WEST BEDFORD

EMBRACING NATURE... ENJOYING LIFE.

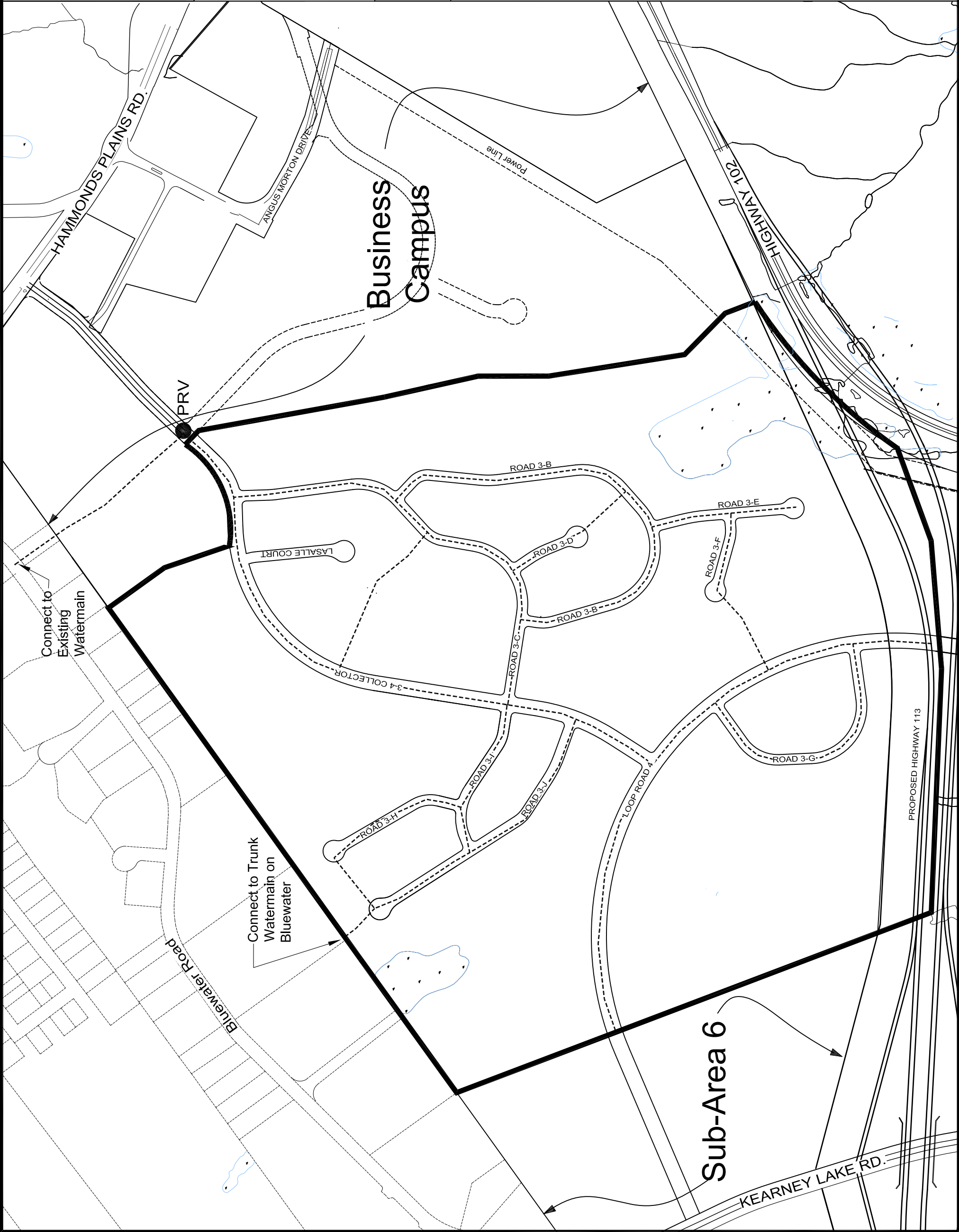
Sub Areas 3&4

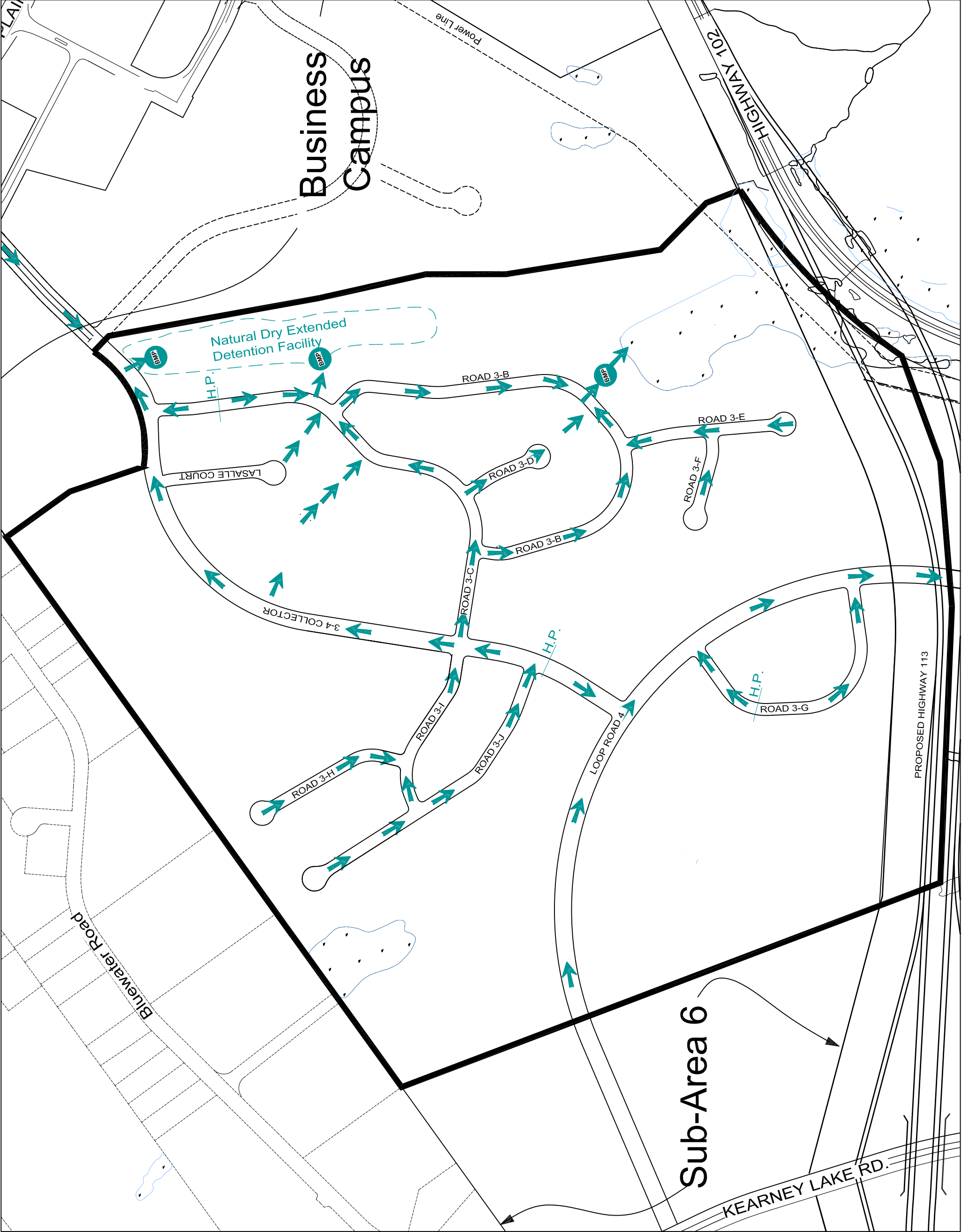
May 2012

Water Service Plan



----- WATERLINE





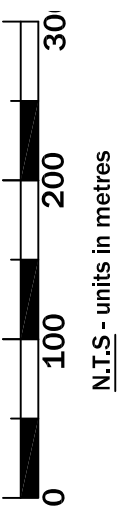
THE PARKS
OF WEST BEDFORD

EMBRACING NATURE... ENJOYING LIFE.

Sub Areas 3&4

May 2012

Stormwater Plan



Stormwater
Flow



Best Management
Practice, per
Stormwater
Management Plan



Note:

Stormwater from
Sub-area 4 will be
conveyed to the
stormwater detention
BMP in Sub-area 2.

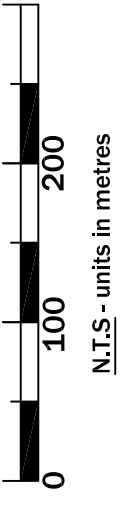
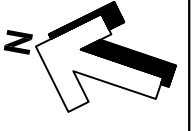
SCHEDULE G



THE PARKS
OF WEST BEDFORD

EMBRACING NATURE... ENJOYING LIFE.

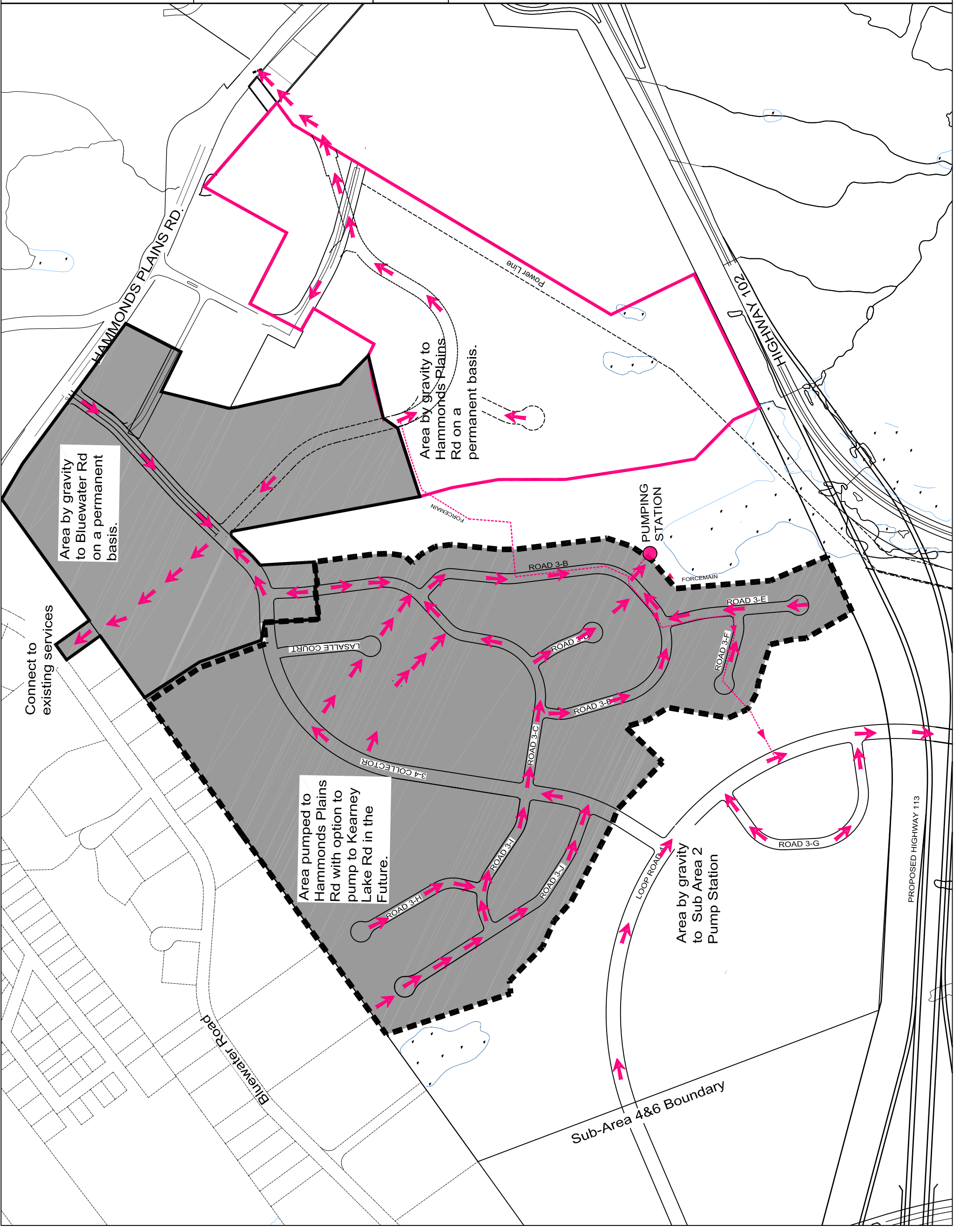
Sub Areas 3&4
May 2012
Sanitary Sewer Plan

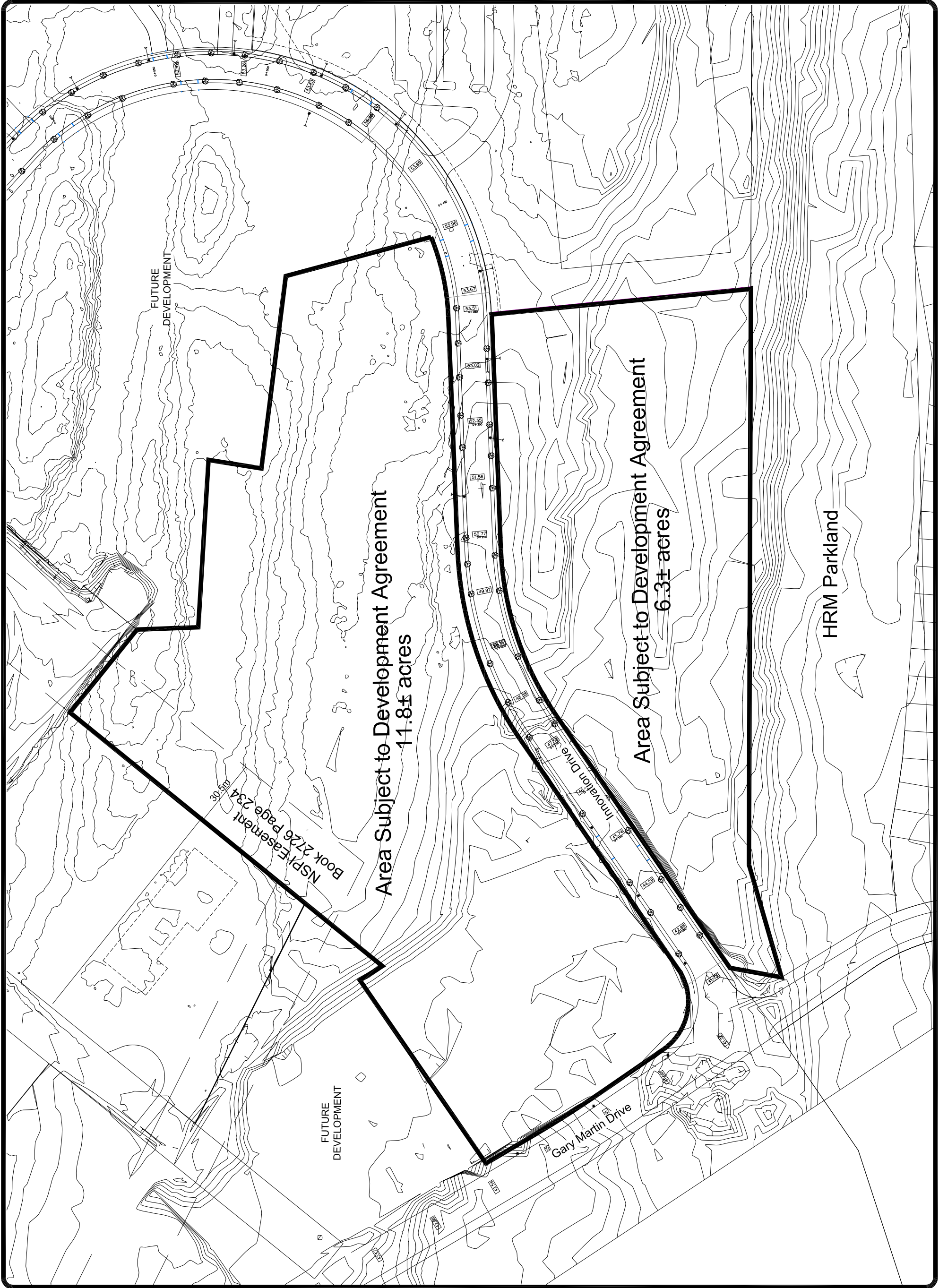


Sanitary Flow



SCHEDULE H





Revision # Date

DRAWN BY:

FILE
MULTIPLE -3 BUILDING
LAYOUT-A concept plan.dwg

SCALE



CREATION DATE

Jul 26, 2012

PROJECT

West Bedford

DRAWING

Lands Subject to
Development
Agreement

Attachment 9

Schedule A-2 - Legal Land Description for Innovation Drive

PORTION OF BLOCK WB-3R2 (PID 41288036)

PORTION OF BLOCK WB-9R6 (PID 41343872)

All that certain block of land situated on the eastern side of Gary Martin Drive in Bedford, County of Halifax, Province of Nova Scotia being a portion of Block WB-3R2 as Block WB3R2 is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 71-330-0 dated June 2, 2010, HCLRO Plan No. 96344289 and a portion of Block WB-9R6 as Block WB-9R6 is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 14-1409-0, dated April 24, 2011, HCLRO Plan No. 98522411 and being more particularly described as follows:

Beginning on the eastern boundary of Gary Martin Drive, Parcel GMD-1 at the northern corner of Parcel P-1 (Park), as Parcel P-1 (Park) is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 71-330-0, dated June 2, 2010, HCLRO Plan No. 96344289;

Thence North 63 degrees 47 minutes 12 seconds East, 23.346 meters along the southeastern boundary of Gary Martin Drive, Parcel GMD-1 and Innovation Drive, Parcel ID4 as Parcel ID-4 is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 70-572-0, dated March 16, 2009, HCLRO Plan No. 93147644;

Thence South 71 degrees 12 minutes 48 seconds East, 4.389 meters along the southern boundary of Innovation Drive, Parcel ID-4 to the southeastern corner of Innovation Drive, Parcel ID-4;

Thence South 71 degrees 12 minutes 48 seconds East, 131.273 meters to a point of curvature;

Thence southeasterly, along a curve to the right, which has a radius of 141.000 meters, for a distance of 79.406 meters to a point of curvature;

Thence South 38 degrees 56 minutes 47 seconds East, 103.528 meters to a point of curvature;

Thence southeasterly, along a curve to the left, which has a radius of 124.000 meters, for a distance of 0.280 meters to the northern corner of Block WBSS, as Block WBSS is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 14-1482-0, dated November 23, 2010, HCLRO Plan No. 97357751;

Thence South 47 degrees 41 minutes 17 seconds West, 115.577 meters along the northwestern boundary of Block WBSS to the northeastern boundary of Parcel P-1 (Park);

Thence North 36 degrees 29 minutes 37 seconds West, 255.476 meters along the northeastern boundary of Parcel P-1 (Park);

Thence North 52 degrees 52 minutes 57 seconds West, 52.014 meters along the northeastern boundary of Parcel P-1 (Park) to the place of beginning;

CONTAINING 2.553 Hectares (more or less), 6.3. Acres (more or less)

ALL bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64 degrees 30 minutes West.

THE above described parcel of land being a portion of lands acquired by West Bedford Holdings Limited by indentures recorded at the Halifax County Land Registry Office as



Document Nos. 86032233 (Deed) and 88239620 (Name Change);

Carl K.
Hartlen July
27, 2012

PORTION OF BLOCK WB-3R2 (PID 41288036)

PORTION OF BLOCK WB-9R2 (PID 41288424)

All that certain block of land situated on the eastern side of Gary Martin Drive in Bedford, County of Halifax, Province of Nova Scotia being a portion of Block WB-3R2 as Block WB3R2 is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 71-330-0 dated June 2, 2010, HCLRO Plan No. 96344289 and a portion of Block WB-9R2 as Block WB-9R2 is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 14-1403-0 dated April 22, 2011, HCLRO Plan No. 98522387 and being more particularly described as follows:

Beginning on the eastern boundary of Gary Martin Drive, Parcel GMD-1 at the northern corner of Innovation Drive, Parcel ID-4 as Parcel ID-4 is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 70-572-0, dated March 16, 2009, HCLRO Plan No. 93147644;

Thence North 18 degrees 47 minutes 12 seconds East, 34.654 meters along the eastern boundary of Gary Martin Drive, Parcel GMD-1 to a point of curvature;

Thence northerly, along a curve to the right, which has a radius of 488.500 meters, for a distance of 34.571 meters along the curved eastern boundary of Gary Martin Drive, Parcel GMD-1 to a point of curvature;

Thence North 22 degrees 50 minutes 30 seconds East, 24.310 meters along the eastern boundary of Gary Martin Drive, Parcel GMD-1 to a point thereon;

Thence South 71 degrees 12 minutes 48 seconds East, 98.689 meters;

Thence South 21 degrees 17 minutes 33 seconds West, 11.802 meters;

Thence South 87 degrees 38 minutes 48 seconds East, 44.250 meters to the southwestern corner of Lot 5, as Lot 5 is shown on Servant Dunbrack, McKenzie & MacDonald Ltd. Plan No. 63-3, dated October 31, 1973, HCLRO Plan No. 13208;

Thence South 87 degrees 40 minutes 40 seconds East, 134.327 meters along the southern boundary of Lot 5 and Lot 4 to the western boundary of Science Park Drive, Parcel SP, as Parcel SP is shown on Wallace & MacDonald Ltd. Plan: Ref No. 93292 5N10:40NE, Dwg No. 9329620;

Thence South 02 degrees 20 minutes 00 seconds West, 47.426 meters along the western boundary of Science Park Drive, Parcel SP to the southwestern corner of Science Park Drive, Parcel SP;

Thence South 51 degrees 09 minutes 34 seconds West, 27.215 meters;

Thence South 33 degrees 11 minutes 07 seconds East, 74.386 meters;

Thence South 62 degrees 27 minutes 48 seconds West, 23.788 meters;

Thence South 29 degrees 28 minutes 24 seconds East, 86.020 meters;

Thence South 38 degrees 14 minutes 12 seconds West, 66.730 meters;

Thence northwesterly, along a curve to the right, which has a radius of 104.800 meters, for a distance of 36.435 meters to a point of curvature;

Thence North 38 degrees 56 minutes 47 seconds West, 103.528 meters to a point of curvature;

Thence northwesterly, along a curve to the left, which has a radius of 160.200 meters, for a distance of 90.218 meters to a point of curvature;

(1)

Thence North 71 degrees 12 minutes 48 seconds West, 123.073 meters to a point of curvature;

Thence westerly, along a curve to the right, which has a radius of 25.700 meters, for a distance of 8.346 meters to the eastern corner of Innovation Drive, Parcel ID-4;

Thence northwesterly, along a curve to the right, which has a radius of 25.700 meters, for a distance of 32.023 meters along the curved northeastern boundary of Innovation Drive, Parcel ID-4 to the place of beginning;

CONTAINING 4.769 Hectares (more or less), 11.8 Acres (more or less)

ALL bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64 degrees 30 minutes West.

THE above described parcel of land being a portion of lands acquired by West Bedford Holdings Limited by indentures recorded at the Halifax County Land Registry Office as



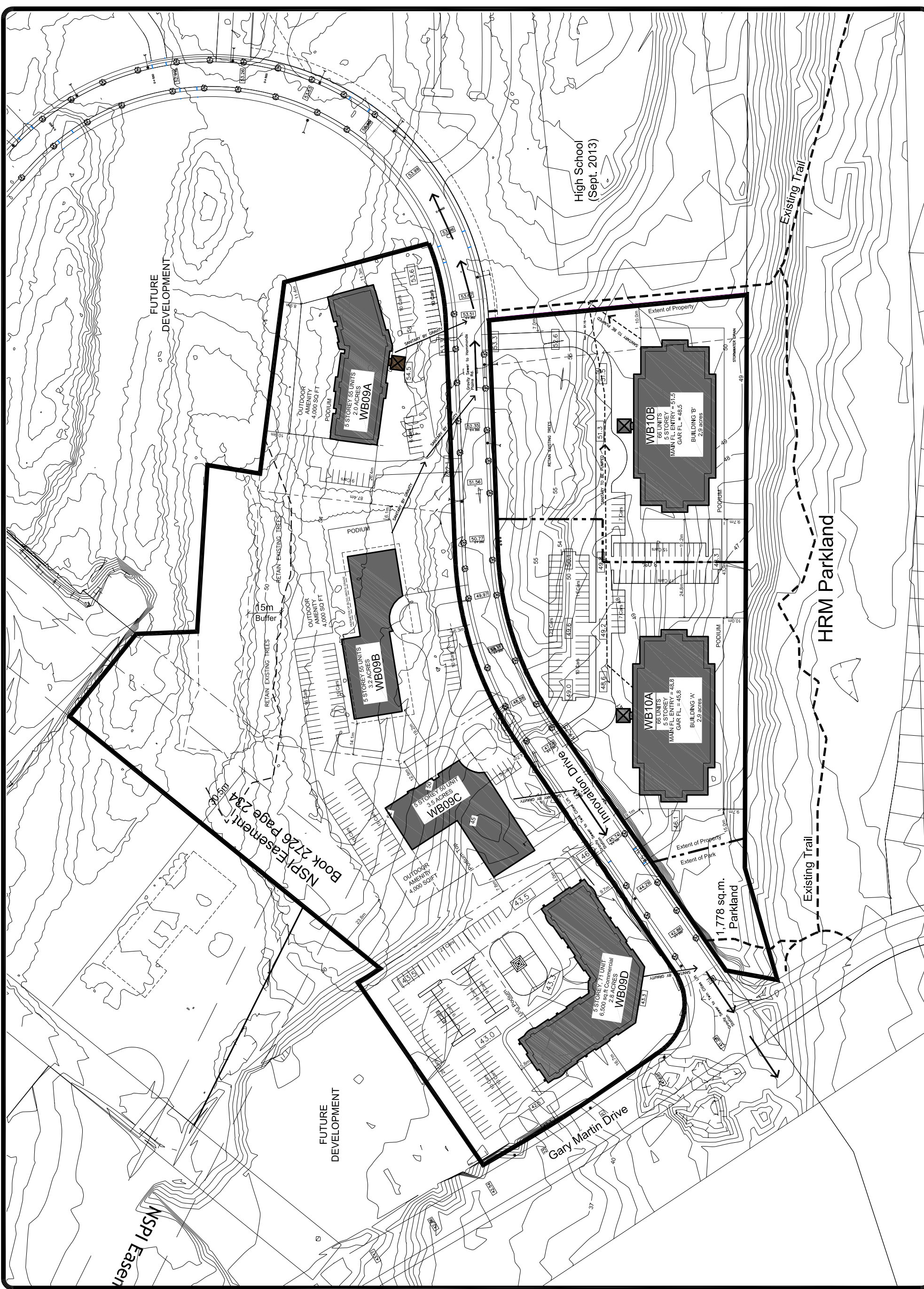
Document Nos. 86032233 (Deed) and 88239620 (Name Change);

Carl K.
Hartlen July
27, 2012

DRAWN BY:	FILE MULTIPLE -3 BUILDING LAYOUT-A concept plan.dwg
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PROJECT
West Bedford

DRAWING
Conceptual
Site Plan



Attachment 11

Schedule N Requirements for Innovation Drive Multi Unit Dwellings

1.1 DETAILED PROVISIONS FOR LAND USE

1.1.1 No subdivision approval or municipal development permit shall be granted for any multiple unit 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 or part thereof
- (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) Minimum rear or side yard: 6.00 metres (19.8 feet)
- (e) Maximum lot coverage: 35%
- (e) Maximum Height: Buildings shall not exceed a maximum height of 5 storeys excluding all parking structures.
- (f) underground parking shall be provided to satisfy a minimum of fifty percent (50)% of the parking requirements of the Land Use By-law.
- (g) Underground parking structures, except vehicle and pedestrian entrances shall not exceed one-half of a storey above grade facing a public street.
- (h) no more than three hundred and sixty-three (363) multiple unit dwelling units plus six-thousand five hundred (6500) square feet of commercial space shall be permitted on the lands as identified on Schedule M.

2.1 SITE LIGHTING

2.1.1 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.

2.1.2 Security lighting for multiple unit residential dwellings and neighbourhood commercial uses shall be directed to all walkways and parking areas. Freestanding security lighting shall not exceed a height of 18 feet (5.4m). All exterior lighting shall be directed downwards with luminaries shielded to prevent unnecessary glare.

2.1.3 The Developer shall prepare an exterior lighting plan for any Multi Unit Building or Multi Unit Building /Neighbourhood 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) The lighting plan shall include certification from a qualified person that the lighting plan meets the requirements of this agreement; and
- (c) 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;

2.2 PARKING, CIRCULATION AND ACCESS

- 2.2.1 Parking areas shall maintain a minimum 15 feet (4.57 m) setbacks from property lines.
- 2.2.2 All parking areas shall provide at least the minimum number of parking spaces required by the Bedford Land Use By-law based on use.
- 2.2.3 All parking areas shall be hard surfaced with asphalt, concrete or equivalent.
- 2.2.4 The limits of all parking areas shall be defined by fencing or landscaping or curb.
- 2.2.5 It is the responsibility of the Developer to convey all required rights-of-way over properties, as required, to provide access to all properties.
- 2.2.6 Clearly signed visitor parking areas shall be provided for all multiple unit dwellings or clustered housing units.

2.3 LANDSCAPING

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

Landscape Plan

- 2.3.2 Prior to the issuance of a Construction Permit, the Developer agrees to provide a Landscape Plan which complies with the provisions of this section. The Landscape Plan shall prepared by a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) and shall illustrate:
 - (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 taken 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 / sidewalk system abutting the property; and
 - (d) the use of vegetation to partially screen parking areas from public view.

Reinstatement

2.3.3 All disturbed areas shall be reinstated to original condition or better with landscaping.

Compliance with Landscaping Plan

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

2.3.5 Notwithstanding Section 2.3.4, the Occupancy Permit may be issued provided that the weather and time of year does not allow the completion of the outstanding landscape works and that the Developer supplies a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The cost estimate is to be prepared by a member in good standing of the Canadian Society of Landscape Architects or a qualified person. The security shall be in favour of the Municipality and shall be in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of the work as described herein and illustrated on the Schedules, and as approved by the Development Officer. Should the Developer not complete the landscaping within twelve months of issuance of the Occupancy Permit, the Municipality may use the deposit to complete the landscaping as set out in this section of the Agreement. The Developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the Developer upon completion of the work and its certification.

Outstanding Site Work

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

2.4 SCREENING

2.4.1 Multiple Unit Residential with refuse containers located outside the building shall be fully screened from adjacent properties and from streets by means of opaque fencing or masonry walls with suitable landscaping.

2.4.2 Multiple Unit Residential Buildings with propane tanks and electrical transformers shall locate the tanks and transformers in such a way to ensure minimal visual impact from any street and adjacent residential properties. These facilities shall be secured in accordance with the applicable approval agencies and screened by means of opaque fencing or masonry walls with suitable landscaping.

- 2.4.3 Mechanical equipment shall be permitted on the roof provided the equipment is screened or incorporated in to the architectural treatments and roof structure. Mechanical equipment shall not be visible from any street.
- 2.4.4 Any ground or wall mounted mechanical equipment shall be screened from view from any street or residential properties with a combination of fencing, landscaping or building elements.
- 2.4.5 Screening between existing commercial and industrial properties shall be provided on the north side of Innovation Drive through the following:
- (a) through the provision of a non-disturbance area between the multiple unit dwellings and Symonds Drive as identified on Schedule M.
 - (b) through the planting of a partial screen of trees between Parcel WB09A (as shown on Schedule M) and the adjacent lands identified as “Future Development”. The specification and placement of the trees shall be determined by the Landscape Architect at the time of the submission of the Landscape Plan.

2.5 HOURS OF OPERATION

- 2.5.1 Deliveries to all commercial and multi-unit buildings, and the collection of refuse and recyclables, shall occur only between the hours of 7:00am and 10:00pm.
- 2.5.2 Hours of operation for any community commercial land uses shall be between the hours of 7:00am and 10:00pm.

2.6 BICYCLE FACILITIES

- 2.6.1 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.

2.7 SIGNS

- 2.7.1 The sign requirements shall be in accordance with the Bedford Land Use By-law, as amended from time to time.
- 2.7.2 Neighbourhood Commercial uses shall meet the requirements for signs in the General Business (CGB) Zone.

2.8 SOLID WASTE FACILITIES

- 2.8.1 The building shall include designated space for five stream (refuse, recycling, paper, cardboard 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 and Building Inspector in consultation with Solid Waste Resources.

- 2.8.2 Refuse containers and waste compactors shall be confined to the loading areas of each building, and shall be screened from public view where necessary by means of opaque fencing or masonry walls with suitable landscaping.
- 2.8.3 All refuse and recycling materials shall be contained within a building, or within suitable containers which are fully screened from view from any street or sidewalk. Further, consideration shall be given to locating of all refuse and recycling material to ensure minimal affect on abutting property owners by means of opaque fencing or masonry walls with suitable landscaping.

2.9 PARKLAND

- 2.9.1 Parkland dedication shall meet the requirements of the HRM Subdivision By-law.
- 2.9.2 Parkland and open space dedication via land acquisition shall substantially conform with the locations, dimensions, site improvements and site preparation areas illustrated on Schedules M with the final adjustments to configuration and grades of the site preparation areas to be agreed upon by Parkland Planning and the Developer prior to subdivision approval being granted. The Development Officer may permit variations to lot configuration provided appropriate access and road frontage is maintained, the total area of land is not reduced and the proposed parkland meets the requirements of Parkland Planning. The parkland dedication shall include identified parkland, site development, and trails. All site development shall meet the requirements of the Municipality.
- 2.9.3 Further to Schedule M, the developer shall provide the following:
 - (a) Park with an area of 1778 sq m. with site development in the form of the construction of approximately 40 metres of Secondary Trail to HRM Parkland Planning specifications and approval. For further clarity, the trail shall be a 1.5 metre width and be constructed of crusher dust. The Community Park must be able to accommodate the trail outside of the 1 in 10 year floodplain and allow for a 5 metre buffer to adjacent properties.
 - (b) Development a 60m by 30m manicured play area on the Community Park identified on Schedule I-2. The location of which shall be at the discretion of the Development Officer, in consultation with Parkland Planning.
 - (c) Development of a play structure to a minimum value of \$30,000 on the Community Park identified on Schedule I-2. The location of which shall be at the discretion of the Development Officer, in consultation with Parkland Planning.
 - (d) Development of a play structure to a minimum value of \$20,000 on the Neighbourhood Park identified on Schedule I as SP-Park 3. The location of which shall be at the discretion of the Development Officer, in consultation with Parkland Planning.

2.9.4 Parkland shall be completed and/or deeded to the Municipality prior to the subdivision of the first building.

2.9.5 Notwithstanding 2.9.4, incomplete parkland or parkland development may be secured by a parkland dedication agreement as per the provisions of the Regional Subdivision Plan.

2.10 PRIVATE MENITY SPACE FOR MULTIPLE UNIT DWELLINGS

2.10.1 Multi-unit dwelling buildings on the north side of Innovation Drive shall provide a minimum of 4000 square feet of private outdoor amenity space. The 4000 square feet of amenity space shall accommodate at least two of the following active amenities:

- a) tennis court
- b) basketball court
- c) outdoor workout equipment
- d) playground area and equipment
- e) pool
- f) badminton/volleyball courts
- g) grassed play area
- h) lawn bowling
- i) putting green

2.10.2 The Development Officer may permit the inclusion of one outdoor amenity not identified in clause 2.10.1 where the amenity is active and nature and meets the intent of the agreement to provide a range of active outdoor amenity space for a variety of ages.

2.10.3 Private amenity space may be permitted on parking garage podiums or on roofs if practical.

2.11 Design Criteria for Multiple Unit Dwellings

2.11.1 Multi-unit building dwellings 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.
- 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 a painted metal or vinyl.
- g) Mechanical equipment shall be screened from view by a combination of architectural treatments, fencing and landscaping.
- h) A public walkway shall be provided from the public sidewalk to the main entrance(s) of any multi-unit residential building. The walkway shall be hard surfaced and a minimum of 1.5 m wide. Where more than one multiple unit dwelling is located on a site, the walkway shall connect the buildings.

2.12 Neighbourhood Commercial Land Uses within Multiple Unit Dwelling

2.12.1 No development permit shall be issued for Community Commercial uses within a multiple unit dwelling on Lot WB09D (as identified on Schedule M) except for one or more of the following uses:

- a) Banks and Financial Institutions
- b) Daycare Facilities, Nursery Schools, Early Learning Centres
- c) Drycleaning Depots
- d) Garden Markets
- e) General Retail exclusive of mobile home dealerships
- f) Medical Clinics
- g) Neighbourhood Convenience Stores
- h) Office Uses
- i) Full Service, Take Out Restaurants
- j) Service, Personal Service Shops, Health and Wellness Centres exclusive of massage parlours
- k) Institutional uses
- l) Uses accessory to the foregoing uses

2.12.2 No more than 6,500 square feet of gross floor area for Commercial space shall be permitted.

Attachment B

Policy Review (Relevant Policy)

<p>Policy BW-1: No development agreement shall be approved unless a master storm water management plan has been prepared, reviewed by the Bedford Waters Advisory Board and accepted by the Municipality. The management plan shall:</p> <ul style="list-style-type: none"> a) identify significant constraints and sensitivities with regard to flood potential, and environmental features and provide appropriate protection measures; b) provide estimates of pre-development and post development flow rates (where post development flow rate means the expected flow rates upon full build out of an area as permitted by the development agreement) at critical locations within watercourses such as at culverts and other road crossings and at downstream developments; c) outline the type and location of storm water management facilities and the approach to protecting receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows; and d) conform with the recommendations of the Bedford West Planning Area Subwatershed Management Plan (Jacques Whitford: May 2004) unless otherwise acceptable to the Municipality and the Province. 	<p>A master stormwater management plan was previously approved. The applicant has updated the plan to reflect the proposed changes. The plan meets the terms of Policy BW-1 and has been reviewed and accepted by Bedford Waters Advisory Board.</p>
<p>Policy BW-2: No subdivision approvals shall be granted unless the detailed design specifications conform with the master stormwater management plan approved under policy BW-1.</p>	<p>The existing development agreement deals with this matter.</p>
<p>Policy BW-3: A water quality monitoring program shall be undertaken for the Paper Mill Lake watershed, illustrated on Schedule BW-2 to track the eutrophication process. The program is to be designed in accordance with national guidelines established by the Canadian Council for Ministers of the Environment (the CCME guidelines) and undertaken by a qualified persons retained by the Municipality and financed in whole or in part by developers within the watershed area. Specifics of the program are to be negotiated under the terms of a development agreement in consultation with the Bedford Watershed Advisory Board. The monitoring program shall:</p> <ul style="list-style-type: none"> a) specify the duration of monitoring for the pre-construction, construction and post-construction phases of development. Pre-construction phase means a period of time before construction activity starts. Post-construction phase means a period of time that commences at full build out of the area permitted by a development agreement. Construction phase means the full time period between the pre-construction and post-construction phase); b) specify the physical and chemical water quality indicators to be measured, the location and frequency of testing and the format of submissions to the Municipality in each phase referenced under clause (a); c) establish physical and chemical water quality indicator threshold levels for the recreational uses of the lakes which would be used as a basis for reevaluating watershed management controls and future development potential within the area. The threshold indicators are to be established prior 	<p>The existing development agreement deals with this matter.</p>

<p>to any development approvals being granted;</p> <p>d) conform with all water quality policies, specifications, protocols and review and approval procedures approved by Regional Council.</p>	
<p>Policy BW-6: No stormwater shall be discharged directly into any natural watercourse without the use of mitigative measures as stipulated in under the stormwater management plan and in accordance with municipal and provincial guidelines.</p>	<p>The existing development agreement deals with this matter.</p>
<p>Policy BW-7: No development, grade alteration, excavation, fill, pavement or removal of natural vegetation shall be permitted within one hundred (100) feet of the high water mark, or within the limits of any 1 in 20 year flood plain of Kearney Lake, Kearney Lake Run or Black Duck Brook or within sixty-six (66) feet of the high water mark of any other watercourse, 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 water management plan approved pursuant to the provisions of policy BW-9 or as provided to allow for trail systems, transportation crossings or utilities.</p>	<p>The existing development agreement deals with this matter.</p>
<p>Policy BW-8: No development agreement shall be entered into over lands on which trees have been removed except:</p> <ul style="list-style-type: none"> a) as may be required for a bonafide land survey; b) to satisfy any provincial or federal requirements; or c) where, in the opinion of Council, the extent of such cutting would not preclude achieving the three objectives stated above. 	<p>This clause applies to lands which are not subject to existing agreements. One parcel of the subject lands is covered by an existing agreement and the other is an as-of-right area where tree removal is currently permitted. Thus this clause does not apply.</p>
<p>Policy BW-9: Within any watercourse protection setback established under policy BW-7, no vegetation or soil shall be removed or altered unless a management plan has been approved to provide for restoration of vegetation, shoreline access paths, habitat management, safety and welfare or shoreline recreation where such provisions may be made without adversely affecting the primary purpose of preserving water quality in the lake. Any study or management plan submitted pursuant to this clause shall be prepared by a person qualified to make the required determinations and an approval procedure shall be established under the terms of a development agreement.</p>	<p>The existing development agreement deals with this matter.</p>
<p>Policy BW-10: Wetlands, lakes, watercourses, endangered species habitat and any other features of environmental significance shall be delineated as non-disturbance areas under development agreements. Non-disturbance areas shall be located to allow for continuity of non-disturbance areas on abutting lots, municipal parkland and open space dedications, and natural areas adjacent to watercourses.</p>	<p>The existing development agreement deals with this matter. The wetland between Innovation Drive and Science Park Drive has been designated non-disturbance.</p>
<p>Policy BW-11: A tree replanting program shall be incorporated into development agreements. 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>The existing development agreement deals with this matter and the amendment for multiple unit dwellings on Innovation Drive requires a landscaping plan which provides for additional landscaping which will include trees.</p>
<p>Policy BW-12: Development of major land areas on slopes 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 proposed amendment does not include lands with such slopes.</p>
<p>Policy BW-14: The water distribution system shall conform with the recommendations of the Birch Cove North/Bedford West Water Master Infrastructure Plan (CBCL, 1999) and with the system schematics illustrated on Schedule BW-3 unless otherwise acceptable to the Halifax</p>	<p>The existing development agreement deals with this matter. Only minor modification to the water system occurs to allow for the Road 3-J reconfiguration none of which affect the Water Infrastructure Plan.</p>

<p>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>Policy BW-15: The sanitary sewer system shall be designed in conformity with the schematics illustrated on Schedule BW-4 and in accordance with the Municipality's Service Systems Specifications, as amended from time to time. Sewage flow calculations, shall be 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; 50 persons per acre for general commercial uses within the Community Commercial Centre shown on Schedule BW-7 or proposed within Sub-Area 9; and 40 persons per acre for mixed use business campus uses; and 30 persons per acre for local commercial, community facility and institutional uses².</p>	<p>The existing development agreement deals with this matter. Only minor modification to the sewer system to allow for the Road 3-J reconfiguration, none of which affect the schematics or specifications. All assumed occupancies and densities remain unchanged.</p>
<p>Policy BW-16: Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed to satisfy the following conditions:</p> <ul style="list-style-type: none"> a) a maximum density of 40 persons per acre shall be permitted for all lands to be developed as a mixed use business campus within Sub-Area 3; c) For all other Sub-Areas or part thereof, a maximum density of 20 person per acre shall be permitted; and d) the temporary pumping station and forcemain, illustrated as "PS (TEMP)" and "FORCEMAIN (TEMP)" on schedule BW-4, shall be permitted to service a maximum of 6,100 persons where upon the permanent pumping station and forcemain along the Kearney Lake Road must be designed and constructed to service all lands intended to flow to the Halifax Sewage Treatment Plant (as illustrated on schedule BW-4). This requirement may be waived if: <ul style="list-style-type: none"> i) the financing for the construction for the permanent pumping station and forcemain has been secured by the Municipality and a time frame for construction agreed upon; and ii) there is sufficient capacity remaining in the temporary pumping station and forcemain to allow for additional sewage discharge to the Mill Cove Sewage Treatment Plant. 	<p>Through the existing agreement and proposed amendments the densities identified are not exceeded.</p>
<p>Policy BW-17: A community street and trail system shall be developed in substantial conformity with the designations and alignments presented on Schedule BW-5 except that variations to the alignment may be considered to enhance safety, provide a better fit with the natural terrain, mitigate surface runoff or preserve significant environmental features. The following requirements shall be applied:</p> <ul style="list-style-type: none"> a) the connector road from Kearney Lake Road to the Larry Uteck Drive interchange shall be designed with a right-of-way width sufficient to allow for two lanes of through traffic with turning lanes at intersections. Direct driveway access shall be restricted to commercial developments in the vicinity of the interchange and all other access shall be restricted to street intersections. The need for sidewalks will be determined at the time a street plan is submitted in association with a development agreement for Sub-Area 9 as illustrated on Schedule BW-6; b) the Community Collector Road shall be designed as an urban minor collector with sufficient right-of-way width for two lanes of traffic, turning lanes, where required, and sidewalks on both sides. Direct 	<p>The proposed amendments are consistent with Schedule BW-5 and the policy and the existing agreement is consistent with this policy.</p>

² For the purposes of this Secondary Planning Strategy, all density calculations are based on gross area.

<p>driveway access shall be restricted to commercial developments, apartment buildings, institutions and clustered housing developments comprised of at least eight housing units with one driveway access to the Community Collector Road. One or more rotaries may be permitted;</p> <p>c) a regional trail system shall be designed to connect with the destination nodes illustrated on BW-5.</p> <p>d) community trail systems shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Trails shall be designed and constructed in accordance with the Guidelines of the Nova Scotia Trails Federation unless otherwise acceptable to the Municipality. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel in the community; and</p> <p>e) phasing of transportation system upgrades shall be undertaken in accordance with the recommendations of the Transportation Plan (MRC Delphi, February 2004) unless otherwise agreed to by the Municipality and the Province.</p>	
<p>Policy BW-18: The Municipality shall prohibit motorized conveyances on all trails, except maintenance, emergency or patrol vehicles, and except electric wheelchairs or similar devices required for mobility by persons with disabilities.</p>	<p>This matter is an operational matter which is dealt with outside a development agreement.</p>
<p>Policy BW-20: A development Sub-Area plan is established for this secondary plan area as illustrated on Schedule BW-6 in which the following conditions shall apply:</p> <p>a) Any approvals within Sub-Areas 1 to 12 will also be contingent upon availability of capacity within municipal service systems;</p> <p>b) any development agreement entered into within Sub-Areas 2 to 8 and 12 shall include provisions for all new development intended within the Sub-Area;</p> <p>c) any development agreement for Sub-Area 4 will require that either (i) the community collector road be completed from the Kearney Lake Road to the Hammonds Plains Road through Sub-Areas 2 and 3 or (ii) the community collector road is constructed through Sub-Area 6 to the Kearney Lake Road;</p> <p>d) approval for Sub-Area 6 may not precede Sub-Area 4 but approvals for both Sub-Areas may be considered concurrently and approval for Sub-Areas 3 and 4 may be considered concurrently;</p> <p>e) no municipal approval for Sub-Area 5 will be given until development agreements have been entered into for Sub-Areas 2, 3 and 4 or Sub-Areas 2, 4 and 6 but nothing will preclude allowing development to commence before completion of Sub-Areas 2, 3, 4 or 6;</p> <p>f) no municipal approvals will be granted for Sub-Areas 7, 8 and 9 until the Highway 102/Larry Uteck Drive interchange and Kearney Lake Road connector are constructed or financing has been secured and a time frame for completion agreed upon;</p>	<p>The existing development agreement deals with this matter.</p>
<p>Policy BW-21: In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no subdivision approvals shall be granted until infrastructure charges are in effect.</p>	<p>Infrastructure charges are in affect for the areas covered by the proposed amendments and no changes are proposed which will have an impact on this matter.</p>

<p>Policy BW-23: The Community Concept Plan, presented as Schedule BW-7, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the community concept plan area and any development of the land shall be subject to approval of a development agreement. In the event that the lands allocated for the proposed Highway 113 right-of-way are not required by the Province for a highway, then the lands may be used for development permitted within the abutting land use designation.</p>	<p>The existing agreement and proposed amendments are consistent with the Community Concept Plan.</p>
<p>Policy BW-24: To facilitate a variety of housing types and achieve both the overall density and open space allocations envisioned by the Regional Plan, consideration may be given to varying development standards established under the Bedford Municipal Planning Strategy and Land Use By-law. More specifically standards pertaining to lot area, lot frontage, lot coverage, setbacks and building height may be varied to reflect the uniqueness of each Sub-Area, the market being targeted and the theme of that Sub-Area.</p> <p>If required, terms may be incorporated in a development agreement to ensure functional and aesthetic objectives are achieved. (RC-July 8/08;E-Aug 9/08)</p>	<p>The existing agreement and proposed amendments are consistent with this requirement. Variations to side yards are proposed for the multiple unit dwellings on Innovation Drive. All other proposed development is consistent with the development standards established within the Bedford South area.</p>
<p>Policy BW-25: The areas designated as Open Space on Schedule BW-7 shall be reserved for recreational uses, conservation uses including stormwater management and environmental protection. Provided that the area of the designation is not materially reduced, the boundaries of the Open Space Designation may be varied where such changes provide:</p> <ul style="list-style-type: none"> a) enhanced protection of environmentally sensitive site features; b) more opportunity for preservation of significant aesthetic features; c) more suitable lands for recreational uses; or d) a more functional trail system for pedestrians and cyclists. <p>The intended purpose of all open spaces shall be identified and agreed to in a development agreement application. Lands within the Open Space Designation may be allocated to satisfy the Municipality's Subdivision By-law requirements for parkland dedication.</p>	<p>The existing agreement and proposed amendments are consistent with this requirement.</p>
<p>Policy BW-29: The development of all recreational facilities shall conform with the HRM Guidelines for Parkland Planning adopted by Council.</p>	<p>The existing agreement and proposed amendments are consistent with this requirement.</p>
<p>Policy BW-30: Prior to any subdivision approval being granted, the developer shall prepare a recreation facilities plan for the development of recreational facilities for lands to be conveyed to the Municipality for parkland and open space dedication. The plan shall consider facility requirements in relation to present and future community needs, safety and convenience, environmental protection or enhancement, financial resources and phasing.</p>	<p>These matters were dealt with as part of the approval process for the existing agreement.</p>
<p>Policy BW-32: The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation shown on Schedule BW-7:</p> <ul style="list-style-type: none"> a) the density of housing units shall not exceed six units per acre per Sub-Area except that if the maximum density permitted in one development Sub-Area is not achieved, the Municipality may consider transferring the difference between the maximum permitted and actual number of housing units to another development Sub- 	<p>The terms for densities are established under the existing agreement and no change is proposed for Sub Area 4. The proposed density for housing units in Sub Area 3 is approximately 4.5 persons per acre. The density is much lower than the maximum permitted density of six</p>

<p>Area provided all policy criterion can be satisfied and the housing density does not exceed seven units per acre in any development Sub-Area;</p> <ul style="list-style-type: none"> 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 comfortable 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) a variety of housing types is provided within each Sub-Area and distributed so as to avoid a congested appearance of streetscapes. Consideration shall be given, but not limited, to the design guidelines of policies R-12A, R-12B and R-12C of the Municipal Planning Strategy, although the limitations placed on building height and units per building under policy R-12A shall not be applied; f) 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; g) building locations, height, scale, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian safety and compatibility with the natural environment; h) single unit dwelling lots have a minimum street frontage of 40 feet, a minimum area of 4,000 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings; i) 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; j) Vegetation is maintained or landscaping measures, a fence or other physical barrier provided so as to provide a buffer between new developments and commercial or industrial developments which is effective in ensuring public safety and mitigating visual or noise impacts; k) all open space dedications proposed conform with the objectives and policies adopted for open space under this secondary planning strategy and any administrative guidelines adopted by the Municipality; and l) 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>persons per acre because some density is commercial units rather than residential.</p> <p>The proposal includes approximately 6500 square feet of commercial uses at the corner of Gary Martin Drive (Collector Street) and Innovation Drive.</p> <p>The existing agreement satisfactorily deals with sidewalks. The proposed amendment requires pedestrian walkways for multi-unit residential to connect to the sidewalk.</p> <p>These matters were dealt with as part of the approval process for the existing agreement.</p> <p>A variety of housing type is provided for under the existing agreement, further similar terms for development are provided for under the amendments.</p> <p>The proposed amendments meet this policy, specifically the proposed multiple unit dwellings are integrated in an area adjacent the existing community and provide for increased surveillance of the adjacent public park.</p> <p>The existing agreement effectively deals with these matters for Road 3-J. The Innovation Drive multiple unit buildings are consistent with the streetscape permitted by the existing zoning in terms of building locations, height, scale, site and architectural design, landscaping, and streetscape elements.</p> <p>The proposed small lot single unit dwellings on Road 3-J are consistent with Policy BW-32A.</p> <p>The landscaping provisions of the amendments provide for screening around parking for multiple unit dwellings. Further the agreement requires underground parking for all proposed units.</p> <p>The agreement requires the maintenance of an existing treed buffer/non-disturbance area adjacent existing commercial development at Symonds Road and requires the planting of additional trees between the proposed building and future development in the Business Campus.</p> <p>The existing agreement ensured that land dedication met these requirements. The proposed amendments add additional parkland which will exceed these requirements.</p> <p>The proposal meets these requirements.</p>
<p>Policy BW-32A: Notwithstanding clause (h) of policy BW-32, within Sub-areas 3 and 4 of Schedule BW-6, single unit dwelling lots may be</p>	<p>The proposed amendments add additional small lot single unit dwellings along Road 3-J. This development</p>

<p>permitted on lots with a minimum street frontage of 34 feet, a minimum area of 3,400 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings provided that each dwelling contains on-site parking for two vehicles with one being an enclosed parking space within the dwelling and consideration is given to policy BW-24. (RC-Jul 8/08;E-Aug 9/08)</p>	<p>will meet the standard required by this policy through provisions in the existing development agreement.</p>
<p>Policy BW-36: The Mixed Use Business Campus designation, illustrated on Schedule BW-7, shall support a wide range of businesses which produce goods and services, recreational uses, hotels, institutional facilities and park-and-ride facilities. Limited provisions shall be made for retail uses, personal and household services and restaurants and standards shall be established for landscaping, architectural design, signs, parking, loading areas and driveway access. A zone shall be established under the Land Use By-law to implement this intent but granting of a municipal development permit shall also be subject to site plan approval. The following matters shall be considered in any site plan approval application:</p> <ul style="list-style-type: none"> a) outdoor storage or outdoor display and sales shall be limited and any outdoor waste containers shall be screened; b) open spaces are integrated into the layout and where feasible, larger trees are retained; c) landscaping is introduced to all areas disturbed during construction; d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street; e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings; f) bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces; g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas; h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces. 	<p>These policies do not apply as the proposed multiple unit residential dwellings in the Mixed Use Business Campus are being developed through a development agreement process via Policy BW-37.</p>
<p>Policy BW-37: Residential developments may be considered by development agreement within the Mixed Use Business Campus Designation. Consideration will be given to policy BW-32.</p>	<p>The proposed Innovation Drive multiple unit dwellings are proposed under this policy. See BW-32 policy review above.</p>

Additional Policy Review Bedford MPS (referred from Policy BW-32)

<p><i>Policy R-12A:</i> It shall be the intention of Town Council to require architectural design standards for RCDD projects. These standards are intended to achieve architectural variation in neighbourhoods by limiting design repetition and encouraging varying facial designs. Small multiple unit buildings shall be designed so they appear more like large single unit buildings. Large multiple unit buildings shall have bends and jogs rather than flat facades and shall be limited to a maximum of 36 units per building and three storeys in height unless site conditions justify a taller building by minimizing site disturbance, maximizing tree retention and screening from the street. In the architectural design of all buildings in RCDD projects. Consideration shall be given to the following techniques: roof slopes with 6:12 pitch or greater; door and window trim and detailing; exterior materials of brick, masonry, clapboard or wood; exterior colours of earth and natural tones with complementary coloured trim; use of side doors on semi-detached and townhouse units; garage entrances on the side rather than the front of homes; garage entrances be set back from the front facade to minimize its impact on the streetscape; decorative front facade details such as brick, shutters, awnings; utility wires, installation of underground electrical secondary services and electrical meters attached to side or back of homes. Specific architectural guidelines shall be included in development agreements. For multiple unit buildings and commercial buildings consideration shall be given to the site's location and visibility within the Town, in establishing building size and design.</p>	<p>Architectural guidelines for the proposed multiple unit dwelling are provided in Schedule N of the amendments (Attachment A). Tree retention areas have been identified and provisions for landscaping provided. Multiple unit dwellings have been limited to five storeys and are separated from Hammonds Plains Road by existing lots, thus limiting their visibility.</p> <p>The proposed small lot single unit dwellings on Road 3-J are required to have an attached garage to ensure sufficient on-site parking as per the existing development agreement.</p>
<p><i>Policy R-12B:</i> It shall be the intention of Town Council to identify non-site disturbance areas and to require landscaping for RCDD projects. Non-site disturbance areas are intended to preserve natural open space and to provide neighbourhoods with a natural or "green" environment. Landscaping requirements are intended to provide buffers between buildings, buffers between buildings and streets, and provide a visual break in parking lots. Non-site disturbance areas shall be determined by designing buildings that fit the site and utilizing construction practices that minimize site disturbance and maximize tree retention. Horticultural practices shall be utilized to maintain the health of vegetation within non-site disturbance areas and landscaped areas, such as: covering of exposed roots with adequate soil and mulch; protecting specimen trees with barriers to prevent damage from machinery; slope stabilization; planting of trees that comply the CNTA Canadian Standards for Nursery Stock etc. Consideration of storm water drainage patterns shall be considered when identifying non-site disturbance areas and landscaped areas. The "no net loss" approach shall be used for non-site disturbance areas ie: any removal or damage to a non-site disturbance area during or after construction shall be replaced via landscaping somewhere on the site so there is no net loss to the vegetated portion of the site.</p>	<p>Non-disturbance areas are required as part of the existing and proposed agreements. Landscaping requirements are required for the Road 3-J amendments as per the existing development agreement. Landscaping for the Innovation Drive multiple unit dwellings is provided for in the proposed amendments.</p>
<p><i>Policy R-12C:</i> It shall be the intention of Town Council to require streetscape design standards for RCDD projects. These standards are intended to achieve an attractive streetscape upon completion of the project. In designing the streetscapes, parking for small lots shall be provided in the side yards except where a garage is provided in the front yard. In addition, for all streetscapes, consideration shall be given to: varied front yard setbacks; street patterns that utilize curves, bends and change in grades; street standards that reflect the function of the street; parking in side yards; landscaping to screen parking lots from the street for large buildings ie: multiple unit, commercial, townhouses; driveway locations for multiple unit projects considered in terms of the view from the street and to buffer these in order to minimize the impact of the parking lot and building on the streetscape; provision of street trees for both public and privately owned streets. Buffering and screening shall be provided in the form of</p>	<p>This policy is addressed in the existing and proposed agreements by locating multi-unit dwellings, institutional and community commercial developments on the community collector roads where a combination of larger lots, tree retention and landscaping measures are integrated with parkland dedication to provide for a spacious feel. Single unit dwellings are located on local streets which are designed to preclude short cutting and integration with the natural environment. All small lot singles incorporate attached garages.</p>

natural vegetation and landscaping. Street patterns utilizing local through streets is encouraged over the use of cul-de-sacs to facilitate improved traffic movement and to assist snow clearing operations. Through streets shall not be accepted in preference to cul-de-sacs in situations where it is incompatible with the physical topography and where site disturbance of environmentally sensitive areas will be increased. Sidewalks shall be required on both sides of arterial and collector streets. To minimize their impact on collector roads, small lots should be located on local streets and be dispersed throughout the development.



Attachment C
Public Information Meeting Minutes – June 14, 2012

HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case No. 17847

Thursday, June 14, 2012
7:00 p.m.
BMO Centre, Bedford

STAFF IN

ATTENDANCE: Andrew Bone, Planner, HRM Planning Applications
Hilary Campbell, Planning Technician, HRM Planning Applications
Cara McFarlane, Planning Controller, HRM Planning Applications

ALSO IN

ATTENDANCE: Councillor Tim Outhit, District 21
Mike Hanusiak, West Bedford Holdings Limited
Kevin Neatt, West Bedford Holdings Limited

PUBLIC IN

ATTENDANCE: Approximately 13

1. Call to order, purpose of meeting – Andrew Bone

HRM has received a multi-part application from West Bedford Holdings Limited for the Bedford West area. The first portion of application is for five multiple unit dwellings, a mixed use commercial building and multiple unit dwellings on Innovation Drive. The other part of the application is to reconfigure some undeveloped roads, Road 3-J and the collector road. The application would like to realign the road to a different location on Gary Martin Drive and relocate a multiple unit dwelling from Gary Martin Drive to the collector road.

The purpose of this meeting is to identify that HRM has received an application, give background on the proposal and receive feedback from the public. This is an information exchange and no decisions are made at the public information meeting (PIM).

The agenda was reviewed.

Mr. Bone introduced himself as the planner who will carry this application through the planning process; Councillor Outhit, District 21; Hilary Campbell and Cara McFarlane, HRM Planning Applications; and Kevin Neatt and Mike Hanusiak, West Bedford Holdings Limited.

A development agreement is a legal contract for land use and typically overrides the Land Use

By-law (LUB). The agreement allows the property owner to develop certain land uses on the property but it lays out the terms and conditions of that development. The Municipal Planning Strategy (MPS) or Secondary Planning Strategy (SPS) spells out when and where these can be negotiated. The criteria that are considered in a development agreement are outlined in the Municipal Charter, MPS and potentially the Regional Plan. Council's answer to a proposed development agreement must be yes or no but may also be a yes with changes. At the end of this process, a contract with the applicant is negotiated and reviewed by Council who will determine if it meets municipal policies. All decisions on development agreements or rezonings have to be consistent with municipal policy.

2. Overview of planning process – Andrew Bone

The PIM is one of the first steps. In this case, the application was before Bedford Waters Advisory Board (BWAB) for review the night before. BWAB will pass on comments to planning staff and Council for their review at a later point. A detailed internal/external staff review of the proposal will be conducted and after all those steps, a staff report and draft development agreement will be provided to Council. A public hearing will be scheduled for a later date where Council is free to render a decision on the matter. Following their decision, a fourteen day appeal period goes into effect where any member of the public or the applicant can apply to the Nova Scotia Utility and Review Board (NSUARB) and identify how Council's decision did not meet policy.

3. Presentation of Proposal – Andrew Bone

The site is located in Sub-Areas 3 and 4 of the West Bedford area between the Bi-Hi and Bluewater Road. Two separate sites are being discussed tonight. The first one is on Innovation Drive and is approximately 20 acres in size. The permitted uses are singles, semis and townhouses. The second parcel is a small area off of Gary Martin Drive and is adjacent to some lands that are currently being constructed where a multi-unit dwelling is permitted.

Presentation of Proposal Part I – Mike Hanusiak, Project Manager, West Bedford Holdings Limited

West Bedford Holdings Limited is a partnership between Clayton Developments Limited and Cresco. This project began in 2003 with conceptual planning and public dialogue by a number of other stakeholders including the Annapolis Group. In 2006, the generalized future land use, a broad conceptual plan, was prepared and approved by Regional Council. After 2006, the land was purchased by Clayton and Cresco to form West Bedford Holdings Limited who then set out to prepare site specific and neighbourhood specific development plans. These are documents that periodically change due to market demands and different circumstances; therefore, we try to build into our development plans, for short term and long term, some degree of flexibility that doesn't change the pattern, intent or spirit of the development but does provide some opportunity to develop differently when suggestions are given, when the market changes or infrastructure in certain circumstances.

The plan that was adopted in 2008 was shown. Stonington Park was stated in 2008 and 2009.

Much of what has been accomplished to date with the residential has been developed over the last three to four years. We are five years roughly into the time which we acquired the land. This plan may be familiar to some but if you were to go into municipal documents, the Bedford West Master Plan or Secondary Planning area, these are the lands approximately 2300 acres that is approved as a master plan that you will see development over the next 25 years. The proposed Highway 113 was shown in the plan. Those lands were acquired from the applicant by the Department of Transportation about four years ago. At this point, we have no idea when that road will be constructed. We have heard 10 to 15 years but it is shown on our plans because it is in fact quite an essential part of transportation infrastructure and how water and sewer pipes will be deployed throughout the area. Sub-Area 3 is what we refer to as Stonington Park for the residential area. It also includes the West Bedford Business Park, and the lands of RIM. Clayton Developments Limited and Cresco (owners of Sub-Areas 3, 4, 2, 5, 6, 7 and 8) own approximately 1600 acres of the 2300 acres. There are approved development agreements for Sub-Areas 2, 5, 4, and 3. Cresco are partners, independent of West Bedford, and own a section of land in Sub-Area 9. Over the course of the next few years, we will begin to seek development approvals for Sub-Areas 7 and 8. They are long term development plans but it is important to formulate infrastructure plans and traffic plans for the whole of the area and continue to look for development approvals from HRM.

The generalized future land use plan, or the general concept plan, was prepared for the 1600 acres that were owned by Annapolis Group and the applicant acquired the land just after it was approved by Regional Council. Within the plan are different bars and configurations that denote different land use possibilities for which there is written plan policy which allows Council to consider some other land uses, densities, etc. This plan shows Sub-Areas 3 and 4, Highway 113, Areas A and B. These lands are referred to as the West Bedford Business Park. We look at it as part of Stonington Park. The area has approximately 200 homes and is very active and successful in the market.

In 2006, when Council approved this plan, the principle entrance into Stonington Park was not Gary Martin Drive. Along came RIM and a new street called Innovation Drive. Innovation Drive in proximity to Symonds Road was far too close. Also, Symonds Road went through a fairly significant wetland. Over time, Department of Environment (DOE) regulations, regarding the crossing of wetlands, has changed. Where Gary Martin Drive intersects with Hammonds Plains Road was essentially a blind knoll. When looking at the whole of the master plan area and in conversations with Councillor Outhit, it was determined that over time the Hammonds Plains Road should go from two lanes to a more urbanized state at least as far as Bluewater Road. With that came the need and desire to take out the blind spot, lower and widen the road for capacity and then move Symonds Road. That is how and why Gary Martin Drive came to be.

Shortly after Gary Martin Drive was decided, a sale between the applicant and HRM was concluded to create the BMO Centre. It made sense that Innovation Drive should weave through and over to Gary Martin Drive. At this point, there is the BMO Centre and RIM. We were approached to participate in a site specific process for the new high school and community facility. A 20 acre parcel of land was sold to the Province which created the high school. When the Annapolis Group first set the vision for the West Bedford Business Campus, the massive recreation facility and high school were not included. Maintaining an office component in Area

A is fine but some of the interest shown in the area just didn't meet the standards set out the neighbourhood. We are working with HRM on some different possibilities to get the standards that will be reflective of the overall vision we are trying to attain. The permitted land uses (shown) in the area do not fit between the high school and the BMO Centre. Some of the uses may work along Gary Martin Drive but not in this particular area.

Within the MPS that governs this particular area, there is a provision that recognizes market uncertainty and residential development may be considered by development agreement.

Presentation of Proposal Part 1 – Kevin Neatt, Associate Planner, West Bedford Holdings Limited

The corridor between Gary Martin Drive and Innovation Drive is grubbed, trees removed, ready to go and we are in the process now of the engineering design. On Innovation Drive the high school is under construction along with the community facility. The red-dashed lines throughout the plan are community trails. The parkland extends down to Highway 102 and there are some trail corridors connecting pedestrians throughout the community. The green area is approximately 100 metres away.

The permitted height restriction is 52 feet. All of the proposed buildings are five storeys at 10 feet per storey; therefore 50 to 52 feet in height. One of the benefits of going to multiple residential is that you are able to work with the topography much better than plan retail. Retail likes flat sites so they can be seen in a distance. Multiple buildings we are able to step down foundations and work with the grade and keep more trees. That is what is seen in the plan. We were able to keep some trees in front, throughout the back and of course the parkland below.

Another advantage of the multiple is the parking. The multiples will have 50% of the required parking enclosed; therefore, less surface parking and more greenspace. For all of Stonington Park, including the different Sub-Areas, under the approved development agreement, is all encompassed under a stormwater management plan. When the engineers reviewed the stormwater management plan against this proposal, they discovered that this proposal worked better.

Genivar studied the plan and produced a traffic report. This proposal produces a little bit less traffic and has a different distribution of the traffic patterns than the commercial. The commercial is a little heavier use in terms of traffic.

Proposed is six buildings, roughly five storeys, varying in number of units per building depending on the shape and size. The building on the corner is proposed to be a mixed use building (commercial and residential)

Some details that will be incorporated into these multiple plans, not all but some of them, are from an existing building in Clayton Park (shown). Different uses of texture of products, some brick and stone, façade jigs in and out, curved windows, metal composite balconies, covered entryways, ornamental lighting, etc. Not everything is square and angular giving the buildings some architectural flare. A project sign is appropriate for the level and will create presence in the

community. There will be two contemporary style buildings (example shown from Bedford South) with a variation of the building footprint to prevent having one long mass. An example of the mixed use multiple building was shown: some brick and detailed ornamental railings. The corner commercial component is about 6,500 square feet.

HRM suggested that our parkland be re-evaluated because the proposal would introduce a great number of people into the community. In looking through the development agreement, the parkland was set out in such a way that there was an abundance of parkland. In other words, we had over the minimum requirement, and it was for all of this area, the Business Campus and Sub-Area 6. **Mr. Neatt** reviewed where the parkland is located. The ravine stretches all the way down to Highway 102. The trail exists from Hollyhock Way up to Gary Martin Drive and up to Innovation Drive. The centre park is off of Gary Martin Drive. Hillside Park is located on the west side of Gary Martin Drive and again the red-dashed lines represents trails. The other parkland throughout the development was shown. The quantity of parkland was sufficient but thought we should focus on the quality of the park and put in more connections to the trails. Further up Gary Martin Drive, the applicant would add a play structure and soccer pitch (around \$50,000) to the parkland, continue the trail on Capstone Crescent into the park and make sure there is access from all sides of the community so it is inclusive from everywhere. **Councillor Outhit** was concerned about the trails being open and safe. **Mr. Neatt** said this plan doesn't show the grade elevations but there is quite a view through all of this area and it is quite open. The trees are a bit in a hole so you still have some good visibility.

Mr. Hanusiak explained that Gary Martin Drive and Innovation Drive are the designated transit routes that have been worked on over the last number of years with Metro Transit. We do not see transit going up through Gary Martin Drive until such time that the larger loop road is finished. That is several years away, although with RIM, the high school, the BMO Centre and what is to come we will see more and more transit coming forward. The traffic from these particular units, under our modeling, do not increase traffic in the low density residential area of Stonington Park. The principle traffic routes will be Gary Martin Drive and Innovation Drive. Both of these are intended to be controlled with intersections.

Questions and Comments – Presentation Part I

Anne Snow, Castlestone Drive – Is the parkland there private and does it belong to those two semis? **Mr. Hanusiak** said it is undisturbed area and will not change. The pathways will be marked by four foot chain link fences for security.

Ms. Snow – Will the multiples be rentals or condominiums? **Peter Greenwood, West Bedford Holdings Limited** said it is very likely that some of them as condominiums but at this point we don't know. It may be a mix of both. **Mr. Bone** mentioned that HRM will not regulate ownership because it is contrary to the Charter of Rights. **Ms. Snow** believes the proposal is an excellent idea and is a much better use of that land it will be safer for the children. How many units will be in the multiples in this rezoned area? **Mr. Hanusiak** said about 360 but that can be changed only to go lower.

Jim Shaw, Roy Crescent – Does the number of people increase with this proposal? The website

show a conceptual master plan with two, four storey multi-unit dwellings and now we are looking at six, five storey buildings. Are you multi-unit dwellings being removed from other areas? **Mr. Bone** said that when HRM received the master plan it was based on a mix of uses and the calculations in the business campus area were based on office and commercial and all of the uses that you saw listed earlier. The sewer capacities ran the same. Forty acres per person was assigned but converted into office uses and the traffic was assigned for office uses. Office uses and residential uses have a difference of distribution throughout the day and they have a different amount of generation. It is up to HRM's traffic engineer to determine what is acceptable. The net impact should be very similar. **Mr. Shaw** understands from an infrastructure, traffic and sewer standpoint but he was thinking more of total number of residents in the area. There was recently a change in the school boundaries that would feed through Basinview School. This area plus some others were looked at but it was based on the population density that was previously planned out plus the high school which was planned out previously. **Mr. Bone** said that the school board would be part of the internal process and they would provide comment on that.

Mr. Hanusiak explained that HRM and the school board wanted to know in the long term plan where the reserved sites were for schools. Sub-Areas 3 and 4 have two school sites predetermined and set aside. Soon, the province will determine if they want this 4.5 acre site (shown) for the school. Shown was another site, 9 acres in size, which will house a school with a sports field. We would want an answer from the Province as to their intentions before looking at an alternative use for this site (shown). If they wanted it for a school site, they may want to move the facility site which would bring that development on years in advance from an infrastructure point of view.

Mr. Shaw – He is concerned about losing the feeling of being in parkland. **Mr. Bone** mentioned that the current Business Campus Zone permits buildings up to 52 feet and the proposal is approximately 50 feet; therefore, it is the same. It is office structure versus residential that is the real difference. **Mr. Shaw** reiterated that it is a change from the plan on the website. **Mr. Hanusiak** said the ravine that is in place now will not change in any way. The building that you see on the left, this is shown as an apartment building. The building envelope will not change just the use. If that building housed offices that ran shifts throughout the night, there would be lights on and noise while residents are sleeping.

Mr. Shaw – Believes there would be less traffic in the area when the kids were going into school because office uses would not be open for business yet versus high density populations. **Mr. Hanusiak** said the vast majority of students will be bussed to the school. They have dedicated bus lanes and storage lanes on the property itself. About 22 busses can be on the property at any given time. The province and the city talked about potential day parking for students at the BMO Centre rather than on the street. There may be some daytime parking restrictions on the street. It is the responsibility of the Province to accommodate traffic generated by the high school. We want to see a controlled environment.

Mr. Hanusiak - He will look into the issue with the wrong plan appearing on the website.

Mr. Shaw –Could you put things into scale? What is the height of the high school? **Mr. Bone** does not have the exact numbers. That is a provincial project and he has not been privy to the

exact plans. **Mr. Hanusiak** said that it runs about 42 feet. The difference is that it is sitting on an elevation of about 1% so it is about 10 feet higher at the back than at the front. At the back of the property it drops right off into the ravine.

Mark Sawlor, Hollyhock Way – Is curious as to the placement of the building relative to the first house on Capstone Crescent. **Mr. Hanusiak** said that the trail is right in the belly of the dip between the two buildings. **Mr. Sawlor** mentioned that in the multiple family residential units look to be the very back of those lots and closer to Innovation Drive. Is that something that is still up for debate? **Mr. Neatt** explained that the top of the ridge is basically at the property line so it is in a little ways. There is a flatter area there which makes a great setting for these buildings. There is a larger knob in the front that significantly rises up so the idea is to keep some of the trees. This seemed to be the most appropriate place. **Mr. Sawlor** believes that multi-unit residential is great for the area but he is disappointed that he'll be looking at an apartment building instead of the existing trees. Is there another playground in the area valued at \$50,000 that would give the public an idea of what the playground in this area might look like. Mr. Neatt suggested the piece of parkland at the top of Oceanview Drive or Southgate Drive and the Ravines.

Ms. Snow – Believes it will be a fantastic neighbourhood to have children in. She is concerned about stormwater collection because the multiple unit dwellings will have a lot of roof square footage. She is concerned that the ravines will become boggy and wet where as they are dry as a bone right now. **Mr. Neatt** explained that this is part of an overall stormwater management plan. At all times the water is being measured and making sure it is going in the proper place. Through this area, there is a managed engineered stormwater detention facility. There are storm pipes and a head wall a little further down to collect and manage the water flow. The trail is high and dry and will remain that way. The multiple sites are required to balance their stormwater on site. The parking lots have dips in them to collect water and filter out at an acceptable rate that the storm systems can handle. **Mr. Hanusiak** explained that if these were office buildings, the parking would be at the level; therefore the amount greenspace would be less. Because we are able to keep more lawns automatically gives us less to manage. **Ms. Snow** is concerned that there is really good engineering due diligence to keep the pathway dry. Currently, Gary Martin Drive itself acquires a little lake during storms. The engineers did not foresee that happening. **Mr. Shaw** said there are some washouts on Gary Martin Drive. **Mr. Hanusiak** explained that as infrastructure is built, it is turned over to the city. There is a period of maintenance (a couple of seasons) to figure out if there will be washouts.

Mr. Shaw - Who maintains the trails? Mr. Hanusiak said West Bedford Holding Limited in conjunction with HRM do. **Mr. Shaw** said Hollyhock Way is pretty much done now. When will the next section open? **Mr. Hanusiak** said possibly this year. Directive was given from HRM to complete the Hillside Park this year and into next spring.

Presentation of Proposal Part II – Kevin Neatt, West Bedford Holdings Limited

Instead of running Larkview Terrace down to the Loop Road connector, take it and turn it onto Gary Martin Drive and relocate the multiple (shown). This allows us to bring the road down through and request single family dwellings on that street and get to them a little quicker than if

it was located on the Loop Road 4 which will be coming in some time. The proposed change was shown. Larkview Terrace would come straight down and turn a corner onto Gary Martin Drive. The land use is shown in yellow with a single block indicating the small lot (34 foot) singles. The community commercial on the corner stays the same and the multiple building is relocated. The parkland remains the same, everything else remains the same. **Mr. Hanusiak** said that this was driven by demand and new homeowners and builders. If multiples were introduced on Innovation Drive, it would allow us to bring quite a few single family dwellings into the proposal. **Mr. Bone** said that one of the benefits identified at BWAB was that a multiple in that location may provide further protection or further undisturbed area adjacent to parkland.

Questions and Answers – Presentation Part II

Mr. Shaw – Will there be more traffic through Gary Martin Drive? **Mr. Hanusiak** explained that when a change is made, developers have to look at certain things; traffic, sewer, stormwater and water. A water monitoring plan has been done and approved by Halifax Regional Water Commission. Any change has to be approved by them. In terms of traffic, this particular change did not identify any additional traffic. It is possible, but not approved, to take the sewer out and run it up Kearney Lake Road to generate more sewage capacity. **Mr. Bone** said the current rights for the area enables singles, semis and townhouses which generally generate the same amount of proposed traffic. All of these changes are reviewed by internal/external agencies who will provide comments based on the changes.

5. Closing Comments

Mr. Bone thanked everyone for coming and expressing their comments.

6. Adjournment

The meeting adjourned at approximately 8:30 p.m.