



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

**REVISED**  
Jan 14/13 (page 10 only)

**West Community Council**  
**January 7, 2013**

**TO:** Chair and Members of the West Community Council

**SUBMITTED BY:** Original Signed  
\_\_\_\_\_  
Brad Anguish, Director, Community and Recreation Services

**DATE:** December 18, 2012

**SUBJECT:** **Case 17002: LUB Amendment and Stage I Development Agreement  
for Rockingham South, Halifax Mainland**

---

**ORIGIN**

Application by W.M. Fares Ltd.

**LEGISLATIVE AUTHORITY**

- *HRM Charter*; Part VIII, Planning & Development; *Halifax Municipal Planning Strategy*, and *Halifax Mainland Land Use By-law*

**RECOMMENDATION**

It is recommended that West Community Council:

1. Give First Reading to consider approval of the proposed amendment to the Halifax Mainland Land Use By-law, as contained in Attachment A, to rezone 69 Tremont Drive and the adjacent property located at the end of Tremont Drive (PID 00292722) from the R-1 and I-2 Zones to the Schedule K Zone, and schedule a public hearing;
2. Move Notice of Motion to consider the proposed Stage I development agreement as contained in Attachment B to allow for a mixed-use development and schedule a public hearing. The public hearing for the Stage I development agreement shall be held concurrently with that indicated in Recommendation 1; and
3. Approve the proposed rezoning as contained in Attachment A.

**RECOMMENDATIONS CONTINUED ON PAGE 2**

Contingent upon the proposed rezoning being approved by Council and becoming effective pursuant to the requirements of the *Halifax Regional Municipality Charter*, it is further recommended that West Community Council:

4. Approve the proposed Stage I development agreement as contained in Attachment B; and
5. Require that the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

### **EXECUTIVE SUMMARY**

W.M. Fares Ltd. has submitted an application for the former Transmitter Lands situated off Tremont Drive in Halifax to be rezoned to Schedule K to enable consideration of a mixed-use residential and commercial development by way of a Stage I development agreement. The mixed use proposal includes single unit dwellings, two unit dwellings, townhouse dwellings, multiple unit residential buildings, commercial uses and community facility uses. The proposed development also proposes connections to local streets in the area and a 2.34 acre addition to Tremont Plateau Park situated adjacent to the proposed development.

The subject lands include two properties that are located in the area known as Mainland North, in the Halifax Planning area. The combined lot area of the two subject properties exceeds 55 acres. The application proposes a residential density of 36.38 persons per acre (ppa), which is almost double the density that has been traditionally allocated to this area. A servicing study was completed for Mainland North in 1982, which assigned densities to areas of land based on the existing road network and piped services. Over the past 30 years, development in Mainland North has generally been consistent with the densities that were assigned in the servicing study.

In February 2012, Regional Council initiated a study to review servicing and densities in Mainland North and the Bedford Highway Corridor. There has been an increased demand for higher densities in these areas and an overall desire to promote higher densities in the Regional Centre and immediate surrounding areas. As the 1982 servicing study is dated and HRM staff has already initiated the process to review services in this area, there is merit to consider a higher density development on the subject properties than would have been traditionally considered.

The proposed development application has 3 components; to rezone the properties to Schedule K, to enter into a Stage I development agreement for the whole development concept; and to enter into detailed Stage II development agreements for specific phases. At the present time, the proposed application is only to consider the first two components: rezoning the subject properties to Schedule K and the approval of a Stage I development agreement. The application can be considered through Implementation Policy 3.3 of the Municipal Planning Strategy for Halifax and Section 68 of the Land Use By-law for Halifax Mainland.

This report highlights features of the development and policy considerations from the Municipal Planning Strategy for Halifax, including types of land use, density, the proposed phasing, requirements for Stage II development agreements and the potential to create improvements to the neighbouring Tremont Plateau Park. In staff's opinion, the proposed development is consistent with the applicable policies of the Municipal Planning Strategy. Therefore, staff recommends that Council approve the proposed rezoning and the proposed Stage I development agreement as attached to this report.

## **BACKGROUND**

W.M. Fares Ltd. has submitted an application, on behalf of the property owner Sobeys Land Holdings, to develop 69 Tremont Drive and the adjacent property located at the end of Tremont Drive (PID 00292722) for a mixed use development to accommodate residential, commercial, community facility and parkland uses. The proposal requests that Council give consideration to rezone the subject properties to the Schedule K Zone and to enter into a Stage I development agreement which establishes the general layout and concept for the proposed development.

The subject properties, known as the former radio Transmitter Lands, form a large vacant parcel of land that fronts Dunbrack Street and is adjacent to Tremont Plateau Park. Until 2009, they were owned for many years by Maritime Broadcasting Ltd. (MBL) and housed radio antennae and equipment for the CHNS radio station. The site became surplus to MBL's needs a few years ago and the equipment was removed and the site was cleared. MBL then sold the land to Sobeys Land Holdings Ltd. The lands are zoned I-2 (Transmitter Zone) in recognition of this former use.

### **Location – Surrounding Uses**

The subject properties are located in the Rockingham neighbourhood in the area known as Mainland North in the former City of Halifax. The subject properties are located along Dunbrack Street and can be accessed from Knightsridge Drive, Wentworth Drive and Tremont Drive (see Map 1).

There are a variety of land uses in the surrounding community. Lower density residential uses directly border the subject properties along Chelmsford Place and Torrington Drive. Higher density residential development, mainly comprised of 3 to 4 storey multiple unit residential buildings are located along Knightsridge Drive and on the opposite side of Dunbrack Street.

Various commercial nodes are located near the subject property including at the intersection of Kearney Lake Road and Parkland Drive, Dunbrack Street and Lacewood Drive, Langbrae Drive and Dunbrack Street, and Farnham Gate Road and Dunbrack Street. At the intersection of Farnham Gate Road and Dunbrack Street, which is directly across the street from the proposed development, commercial uses include a gas station, personal service shops and restaurants.

Community uses such as Tremont Plateau Park, Rockingham School and the Knightsridge Drive Fire Station are also located in close proximity to the subject properties. Regional amenities such as the Canada Games Centre and Keshen Goodman Library are also located near the subject properties.

### **MPS Designations / Zoning**

The subject properties are designated Residential Environments in the Municipal Planning Strategy (MPS) for Halifax. The larger of the two properties, 69 Tremont Drive is zoned I-2 (Radio Transmitter Zone) and the smaller of the two properties, PID 00292722 is zoned R-1 (Single Family Dwelling) in the Land Use By-law (LUB) for Halifax Mainland (See Maps 1 and 2).

Implementation Policy 3.3 of the MPS discusses the application of the Schedule K Zone, which allows the consideration of mixed use development on vacant lands located in Mainland North through comprehensive development in the form of a Stage I and Stage II development agreements. Attachment C contains a copy of the applicable policy from the MPS and Attachment D contains the provisions for Schedule K provisions from the LUB.

It should be noted that 69 Tremont Drive was previously zoned Schedule K. Schedule K was applied to the property when the MPS was adopted in 1978. Shortly thereafter in 1979, the property was zoned to I-2 to reflect the radio transmitter use on the lands.

### **Proposal**

The applicant is requesting that Council rezone 69 Tremont Drive, from the I-2 Zone, and PID 00292722, from the R-1 Zone, to the Schedule K Zone in order to enable Council to consider a Stage I development agreement to develop the lands for a mixed use development capable of accommodating up to 2,245 people. The proposed development includes a mixture of residential uses including single unit dwellings, two unit dwellings, townhouse dwellings and multiple unit dwellings; a variety of commercial uses such as restaurants, retail or office uses; community facility uses, such as churches or daycare facilities; and parkland to improve the existing Tremont Plateau Park.

Features of the proposed development include the following:

- Approximately 48 single unit dwellings;
- Approximately 98 townhouse dwelling units (townhouse units may be developed as two unit dwellings);
- 9 multiple residential unit buildings containing a total of 828 units;
- 2 commercial buildings along Dunbrack Street;
- Establishment of local street connectivity at the Farnham Gate and Dunbrack intersection, as well as connections at Knightsridge Drive and Wentworth Drive;
- Improved access and parking options to the existing Tremont Plateau Park;
- Potential for minor commercial uses and community facility uses throughout the development; and
- Provisions for the detailed review of multiple unit dwelling and townhouse developments when considering Stage II development agreements.

The proposed development includes a residential density of 36.38 persons per acre (ppa), which is approximately double that which has been historically considered in the area. As such, road, sanitary, and water infrastructure will need to be upgraded before some components of the proposed development can move forward.

### **Planning Approval Process**

The approval process for this proposal involves three components that require consideration and approval by Council before development can occur and they are as follows:

1. Rezoning the Lands to the Schedule K Zone;
2. Entering into a Stage I development agreement, which sets out the concept for the proposed development; and
3. Entering into Stage II development agreements, which sets out the details for the proposed development on a phase by phase basis.

This application only deals with the first two components. A single public hearing can be held by Council to consider both the rezoning and the stage I development agreement. However, Council may only render a decision on the development agreement following the approval of the rezoning. An appeal mechanism to the Nova Scotia Utility and Review Board exists for both decisions of Council.

The Schedule K Zone allows for the consideration of mixed use development through Stage I and Stage II development agreements. The Schedule K Zone is to be applied to vacant parcels of land in Mainland North that could benefit from comprehensive land use planning. Before a mixed use development can be considered on a property through a Stage I and Stage II development agreement, the Schedule K Zone would first need to be applied to the subject properties.

The Stage I development agreement sets the concept for the overall development such as the road/street layout, the types of uses to be permitted, general building locations, the land use density and the phasing for the development of the properties. The Stage I development agreement also sets out the criteria for consideration under the Stage II development agreements, such architectural requirements and building heights. The Stage I development agreement and any subsequent amendments require a public hearing before Council can consider approval.

A Stage II development agreement establishes the detailed site plan and elevations for particular phases of the development. Through the guidance of the Stage I development agreement, the Stage II development agreements provide the detailed drawings on the elevations for proposed buildings and includes specific landscaping and setback requirements. Where a Stage I development agreement requires a public hearing, a Stage II development agreement does not require a public hearing but can be approved through a resolution of Council.

### **Mainland Halifax North – Bedford Corridor Transportation and Wastewater Servicing Strategy (Corridor Servicing Study) / Mainland North Servicing Strategy**

In 1982, the former City of Halifax undertook a servicing strategy for its Mainland North area, known as the Mainland North Servicing Strategy (MNSS). The servicing study outlined the density to be considered for new development in the areas of Mainland North based on sewer and water capacity and the road network. The strategy was to act as an aid in implementing new development and growth to the year 2000, by assigning densities to areas of land in Mainland North. These densities were to act as a guide when establishing development rights. The subject property was assigned a density of 20.2 persons per acre (ppa).

Over the past several years, there has been an increased demand for higher densities in the area and a desire to promote more density closer to the Regional Centre. On February 28, 2012, Regional Council initiated a high-level review of servicing in this area. The study will review sewer and road capacities and as well as identify improvements required to existing infrastructure to support higher density developments. It is anticipated that this study will be completed in the spring of 2013.

### **Tremont Plateau Park**

Tremont Plateau Park is an HRM District Park intended to serve approximately 10,000 people. The park is 20.37 acres and provides a variety of sports amenities including a soccer field, a baseball field and a basketball court. Access to the park is currently from Knightsridge Drive and Tremont Drive. Neither access provides sufficient frontage or parking areas to properly serve the park. The proposed development provides the opportunity to upgrade service to the park by providing an improved access and an opportunity to provide sufficient vehicular parking.

### **DISCUSSION**

Policy 3.3 of the MPS allows Council to apply the Schedule K Zone which enables the consideration of Stage I and Stage II development agreements for the proposed new development. These policies contain criteria for Council to consider when evaluating a development proposal of this nature. Attachment C provides an evaluation of the proposed rezoning and Stage I development agreement in relation to these applicable policies. The following issues are being highlighted for more detailed discussion.

#### **Rezoning to Schedule K**

As the subject properties are located within the Residential Environments designation, a variety of residential zones can be considered on the property. The intent of Schedule K is to allow for the comprehensive development of large vacant properties in Mainland North. Through this approach, development provisions can be adopted to ensure the new development complements the existing development in the area and provides a framework for a well planned development.

As 69 Tremont Drive will no longer be used for transmission tower purposes and the properties, which have a combined lot area over 55 acres, are located within an established residential neighbourhood, the Schedule K Zone is the most appropriate zone to apply to this property. It provides the ability to ensure there are proper land use controls applied to the properties to provide a smooth transition between the existing neighbourhood and the new development.

Although PID00292722 is already zoned R-1, by including this parcel as part of the comprehensive planning process, this provides a further opportunity to provide a better transition and buffer between the existing low density neighbourhood and the proposed development. The proposed rezoning also provides connectivity between the existing neighbourhood and the proposed development through the establishment of a pedestrian corridor.

## Stage I Development Agreement

### Permitted Uses

The proposed agreement permits a variety of residential, commercial, community facility, and parkland uses throughout the development as described below.

#### *Residential Uses*

Under the proposed Stage I development agreement, single unit dwellings, two unit dwellings and townhouse dwellings are required to comply with the same setback and height requirements as already required in the LUB. The lot requirements for single unit dwellings are varied to allow for smaller lots and in the case of properties which will have frontage along Tremont Drive, to allow for flag lots.

Although the location of the townhouse blocks are to be reviewed under the requirements of the Land Use By-law, the proposed Stage I development agreement sets out design requirements such as providing variety amongst units and the types of building materials to be permitted.

To enable a transition between the proposed higher density types of development and existing lower density neighbourhoods, multiple unit dwelling developments are to be located along Dunbrack Street and the proposed extension of Knightsridge Drive and Wentworth Drive.

The proposed Stage I development agreement includes criteria to be reviewed when considering the development of multiple unit dwellings. The criteria includes a mix of building materials and architectural treatments to break up the massing and the height of the building. Multiple unit dwellings that are located along Knightsridge Drive and Wentworth Drive are required to have townhouse style units at the base of each building, in order to provide a higher level of building articulation along the street level and to create a more pedestrian friendly environment. Ground floor units in the multiple unit dwellings may be used for local business uses to provide services for those who live in the area.

#### *Commercial Uses*

Under the proposed Stage I Agreement, minor commercial uses that serve the proposed development and existing residential neighbourhood are to be located at the intersection of Dunbrack Street and the proposed Road A as shown on Schedule C of the proposed Stage I Agreement. Minor commercial uses would be developed pursuant to the C-2A Zone of the LUB which includes retail, office and restaurant uses (see Attachment E). The proposed Stage I development agreement includes similar design criteria for the commercial buildings as required for multiple unit dwellings and will require approval from Community Council through a Stage II development agreement.

The proposed Stage I development agreement also permits local business uses within multiple unit dwellings throughout the development and townhouse blocks along the proposed extension of Wentworth Drive. The proposed Stage I Agreement limits local business uses to 4,282 square metres to ensure the overall development remains primarily residential. The types of local business uses will be pursuant to the C-1 Zone (Local Business) of the LUB (see Attachment F)

and the location of such uses shall be determined through the Stage II development agreement process.

*Community Facility Uses*

The proposed Stage I development agreement permits community facility uses. Similarly to the local business use, community facility uses are limited to a total of 1,858.06 square metres for the whole development. The types of community facility uses shall be pursuant to the “community facility” definition of the LUB, which includes uses run by government agencies, non-profit organizations, religious institutions or philanthropic institutions. Specific uses and their location shall be determined through a Stage II development agreement.

*Parkland*

The proposed Stage I development agreement requires a 2.34 acre parcel of parkland to be added to the existing Tremont Plateau Park. The intent of this parcel is to provide improved access to the park and an opportunity for additional on-site and on-street parking. The parcel is to provide at least 116 metres of frontage along a street that can accommodate two commercial accesses. Road B, which is to provide access to the parcel as shown on Schedule C of the proposed Stage I development agreement, shall be designed to include sidewalks and on-street parking. It is anticipated that an additional 150 parking spaces will be required to serve Tremont Plateau Park which can be achieved through an on-site parking lot on the proposed park parcel and on-street parking.

As the proposed land to be dedicated as parkland will not be sufficient to meet the park dedication requirements of the Regional Subdivision By-law, the rest of the required dedication will be provided as cash-in-lieu of land. The cash-in-lieu will be deposited into a park improvement account to be used for parks throughout HRM. As Tremont Park is not associated with this development agreement, the development agreement cannot require that funds generated from the park dedication be solely provided to Tremont Plateau Park. However, Regional Council may direct the funds generated from this development to be dedicated directly to future improvements and maintenance for Tremont Plateau Park.

Density

In 1982, the MNSS established allowable densities for the Mainland North area for the former City of Halifax. Over the past 30 years, development within the study area has generally adhered to these densities. Using these guidelines, the density for the subject properties was determined to be 20.2 persons per acre (ppa). It should be noted that these densities do not form official MPS policy; in this context, the MPS states that residential development should be related to the adequacy of existing or presently budgeted services.

Over the past several years there has been an increased demand for a review of the MNSS as services have been improved and there is an increased desire for higher densities closer to the Regional Centre. As discussed in the Background Section of this report, Regional Council has initiated the Corridor Servicing Study to review of the services in the Mainland North and Bedford Corridor area to assess if higher densities can be considered.



The proposed development consists of total residential population of 2245, which is a density of approximately 36.38 ppa. Although the proposed density of the development is almost double the density allocated in the MNSS, staff believe there is merit to consider the proposed development.

As part of staff's review of this application, a Traffic Impact Statement was provided and the adequacy of water distribution and sanitary sewer services was reviewed. Both reviews indicate that municipal infrastructure is adequate to service the proposed development. As discussed earlier in this report, the Traffic Impact Statement indicated the development will not have a significant impact on traffic in the area. The review of sanitary services indicated that some upgrades will be required to existing pipes, but that these upgrades could be addressed as the development moves forward through the various approval processes.

A principle theme of the Regional Plan is to promote more development within and around the Regional Centre. As exemplified by the initiation of the Corridor Servicing Study by Regional Council, the allocated densities in the MNSS need to be reviewed. By allowing more density in this area, it not only provides a more efficient use of the existing water and sanitary services in the area, but it also provides the opportunity to facilitate improvements on other services such as transit. The subject properties are also in close proximity to important municipal amenities such as the Canada Games Centre, the Mainland Commons, Tremont Plateau Park and the Keshen Goodman Library. In staff's opinion, there are benefits in allowing more density in this area where so many services are already established and to provide the opportunity for their further improvement.


All Stage II development agreements are required to address the primary and secondary services associated with each phase including any upgrades to the transportation and wastewater systems as determined by the Municipality. Results from the Corridor Servicing Study may also be incorporated to the Stage II development agreements.

#### Road Network / Traffic Impact

The road network for the proposed development includes four minor collector types of roads that converge at a round-about located on the southern portion of the subject properties. The proposed roads provide access to the site from Dunbrack Street and provide a connection between Knightsridge Drive and Wentworth Drive. This connection will provide the opportunity for improved traffic flow and provides an alternate route for fire emergency vehicles located near the corner of Knightsridge Drive and Dunbrack Street. The proposed development also includes a walkway to Tremont Drive, which will also serve to provide emergency vehicle access.

As the proposed development could result in an additional 2,245 persons residing in this neighbourhood, concerns over the additional resultant traffic have been raised by residents of the neighbourhood. A Traffic Impact Study was completed as part of this application. The study indicated that the proposed development will not have a significant effect on traffic in the area. Some of the key conclusions of the study included the following:

# REVISED

- 
- A signalized intersection at the Dunbrack Street, Ross Street and Wentworth Drive intersection is not required. Signalized intersections are already located at the Dunbrack Street and Farnham Gate Drive intersection and the Knightsridge Drive and Langbrae Drive intersection. There is currently a signalized crosswalk at the Dunbrack Street, Ross Street and Wentworth Drive intersection; and
  - The Traffic Impact Study reviewed HRM guidelines for Traffic Volumes in 2011 and projected volumes in 2021. Intersections at Knightsridge and Flamingo Drive are expected to be within guidelines for 2021 with the proposed development. The Flamingo Drive eastbound approach to Meadowlark is expected to exceed guidelines for 2021, however this is projected with or without the development.

It is important to note that the traffic impact study focused on the effect of this development on the immediate surrounding area. The proposed development may also impact some of the already problematic traffic areas in the larger surrounding area, however, these areas will continue to be problematic whether or not the subject properties are developed as proposed. The Corridor Servicing Study will further examine the types of improvements or upgrades needed to provide better transportation services as a whole. The proposed Stage I development agreement provides the ability for the Stage II development agreements to address issues regarding primary and secondary services including upgrades to the transportation and wastewater systems as determined by the Municipality.

### Phasing

It is anticipated that the entire development will take 10 to 15 years to complete. The proposed Stage I development agreement includes provisions to ensure that the proposed development is developed in phases in order to provide the opportunity for improvements to services such as the broader road network to be completed simultaneously with the development. The proposed Stage I development agreement breaks up the development into 4 phases.

Phases 1, 2 and 3 permit residential development for a total of 1,240 persons, which would create of a density of approximately 20.2 ppa as allocated in MNSS. Phase 4 permits residential development for the remainder 1,005 persons, creating an overall density of 36.38 ppa.

The proposed Stage I development agreement requires that at least 75% of the proposed dwellings in Phases 1, 2 and 3 receive occupancy permits prior to the consideration of a Stage II development agreement for Phase 4. This will not only provide a better opportunity to assess the capacity of existing services before a Stage II Agreement is considered for Phase 4, but should also provide ample time to address any larger servicing issues arising as a result of the Corridor Servicing Study.

### Wetlands

There are various wetlands located throughout the subject properties. The developer has received approval from Nova Scotia Environment (NSE) to alter the majority of the wetlands leaving two larger wetlands as shown on Schedules B and C of the proposed Stage I development agreement. Further approval is required from NSE when applying for final road design as part of the development of Phase 1.

The proposed Stage I development agreement provides two options regarding the ownership of the two large wetlands to be retained on the site. One option is to incorporate the wetlands into

the subdivision design of individual lots, so that portions of the wetlands are associated with developable lots. This is a common practice in cases when a wetland is located on a property to be subdivided. The other option is to create lots specifically for the wetlands. In this case, the developer would need to ensure that these parcels would be conveyed to a conservation organization once created. Ownership of the wetlands is to be determined when negotiating the Stage II development agreements for Phases 1 and 4.

#### **Halifax Watershed Advisory Board**

The Halifax Watershed Advisory Board (HWAB) reviewed this application on June 20, 2012 and passed a motion with the following recommendations:

1. The location and extent of all water courses on site be confirmed and the 20 meter buffer be applied to them;
2. The 20 meter buffer be applied to the wetlands;
3. Stormwater flow be managed to ensure that wetlands are not adversely affected;
4. Measures are taken to ensure that blasting does not adversely affect wetlands;
5. The site be inspected for acidic slate and any excavated slate be maintained on site where possible;
6. The site be inspected for contaminated soils;
7. An extensive tree planting program be undertaken;
8. A walking path connection be made from the planned path around wetland "D" to Tremont Park; and
9. Oil/grit separators be installed in association with parking lots and dispersion trenches.

Of these recommendations, numbers 1, 2, 3, 5 and 7 have been addressed in the proposed agreement. The proposed Stage I development agreement requires all development to comply with the 20 metre watercourse buffer provision that is currently required under the LUB. This buffer requires that all development be located at least 20 metres from a watercourse or a wetland that is contingent with a watercourse. Beyond the LUB watercourse buffer requirements, the proposed agreement requires a 10 metre setback from all wetlands that are not contingent to a watercourse.

As part of the requirements for an application for a Stage II development agreement, the developer must submit a stormwater management plan. A preliminary stormwater management plan was submitted as part this application which intends to match pre and post levels to the two wetlands to be retained on the site. The proposed Stage I development agreement also requires that a landscaping plan be submitted as part of each Stage II development agreement application in which a tree planting program can be further investigated.

Preliminary Plans for the proposed development had shown walking trails around the two large wetlands on the site. These trails have been removed as the ownership of the wetlands will be determined through Stage II development agreements.

Other matters raised by the Board are beyond the legislative mandate of what may be regulated by a development agreement or beyond the context of the applicable MPS policies. However,

the developer has been made aware of the recommendations and they may be incorporated as part of the proposal on a voluntary basis.

As part of the review process for Stage II development agreements, any proposal that may impact a watercourse or wetland will be sent to the Halifax Watershed Advisory Board for their review and recommendations.

### **Conclusion**

The subject properties are no longer used for radio transmitter towers. Thus, the application of Schedule K to the subject properties is the most appropriate zone as it allows for redevelopment of these vacant lands. The Schedule K Zone can ensure there is proper transition and compatibility with the existing neighbourhood through Stage I and Stage II development agreements.

The proposed Stage I development agreement for the subject properties permits a mix of residential, commercial, community facility, and parkland uses. The proposed Stage I development agreement also provides the opportunity to improve Tremont Plateau Park. The proposed Stage I development agreement permits a density for this site that is almost double what has historically been considered for this area, however, the increased density provides the opportunity to better utilize and improve services that already exist in the area and staff is already in the process of reviewing densities in the Mainland North Area and Bedford Highway Corridor Area.

The proposed development is consistent with the applicable policies of the MPS (Attachment C). Therefore, staff recommends that West Community Council approve the proposed rezoning and Stage I development agreement as presented in Attachments A and B of this report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications. The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be carried out within the approved budget with existing resources.

### **COMMUNITY ENGAGEMENT**

The 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 March 21, 2012. As a result of the public information meeting, changes were made to some aspects of the proposal. These changes included moving the location of proposed a multiple unit building to provide further separation from the adjacent, lower density residential neighbourhood and reducing the amount of proposed minor commercial uses.

For the Public Information Meeting, notices were posted on the HRM website, in newspapers (regional and local), and mailed to property owners with the notification area shown on Map 3.

Attachment G contains a copy of the minutes from the meeting. A public hearing must be held by West Community Council before they can consider approval of the rezoning or the Stage I development agreement. Should West Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, individual property owners within the notification area will be advised of the public hearing by regular mail. The HRM website will also be updated to indicate notice of the public hearing.

The proposed rezoning and Stage I development agreement will potentially impact the following stakeholders: local residents and property owners, community or neighbourhood organizations, and business and professional associations.

### **ENVIRONMENTAL IMPLICATIONS**

The proposal meets all applicable environmental policies contained in the Halifax MPS.

### **ALTERNATIVES**

1. West Community Council may choose to approve the proposed rezoning and Stage I development agreement as provided in Attachments A and B of this report. This is staff's recommendation.
2. West Community Council may choose to approve the proposed rezoning and Stage I development agreement with modifications to the development agreement which are acceptable to the Developer. Such modifications may require further negotiations with the Developer, a supplementary staff report or an additional public hearing.
3. West Community Council may choose to approve the proposed rezoning and refuse the Stage I development agreement. Pursuant to the *Halifax Regional Municipality Charter*, Council must provide reasons for this refusal based on the policies of the MPS.
4. West Community Council may refuse the proposed rezoning and Stage I development agreement. Pursuant to the *Halifax Regional Municipality Charter*, Council must provide reasons for this refusal based on the policies of the MPS.

### **ATTACHMENTS**

Map 1	Generalized Future Land Use
Map 2	Zoning
Map 3	Area of Notification
Attachment A	Proposed Amendment to the Halifax Mainland LUB
Attachment B	Proposed Stage I Development Agreement
Attachment C	Policy Review – Excerpt from the MPS for Halifax
Attachment D	Excerpt from the Halifax Mainland LUB – Schedule K
Attachment E	Excerpt from the Halifax Mainland LUB – C-2A Zone
Attachment F	Excerpt from the Halifax Mainland LUB – C-1 Zone
Attachment G	Minutes from the Public Information Meeting

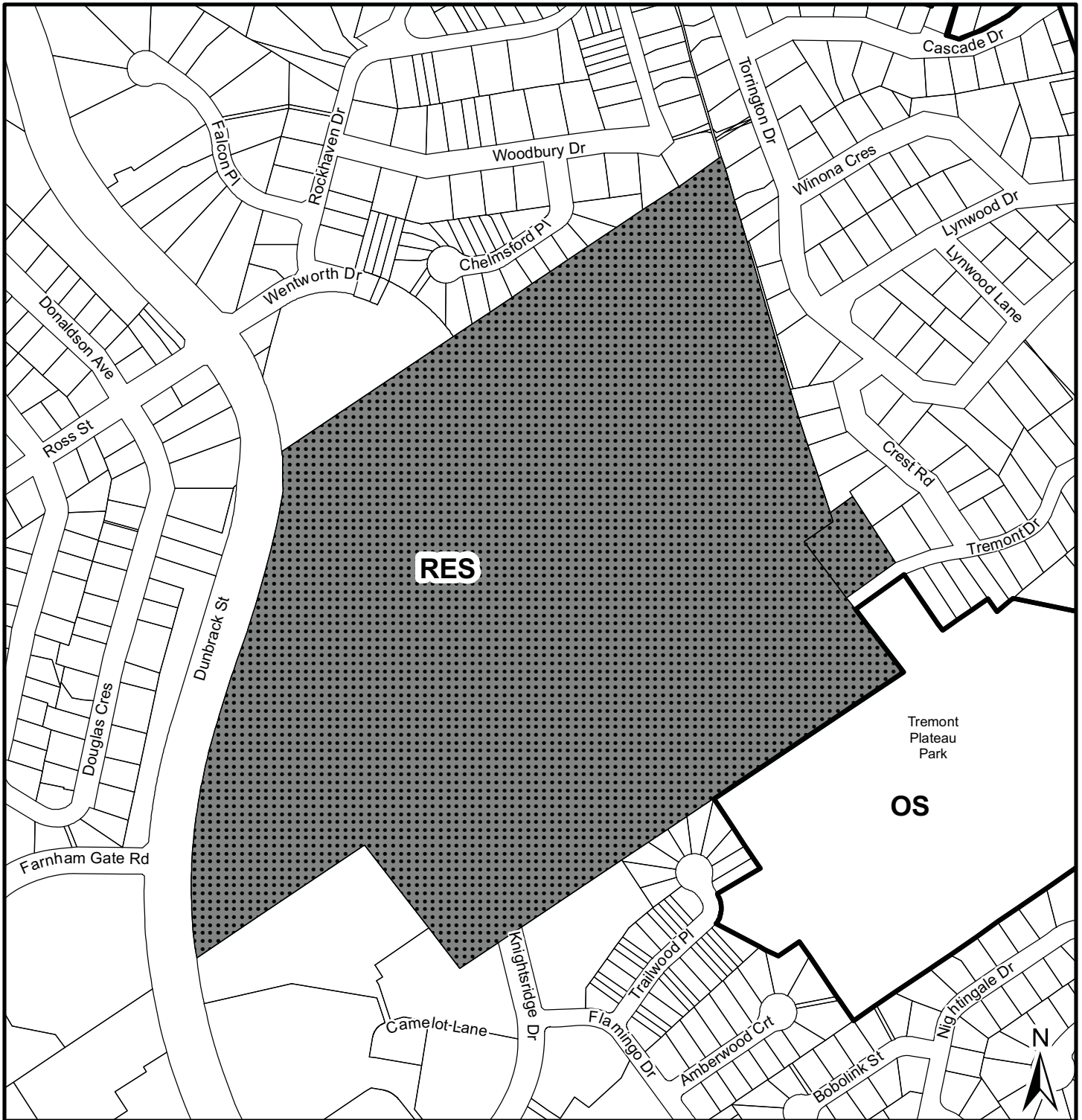
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jillian MacLellan, Planner 1, Planning Services, 490-4423

Original Signed


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

---



**Map 1 - Generalized Future Land Use**

Rockingham South  
Halifax

 Area proposed to be rezoned from I-2 (Radio Transmitter) and R-1 (Single Family Dwelling) to Schedule K

Halifax Plan Area

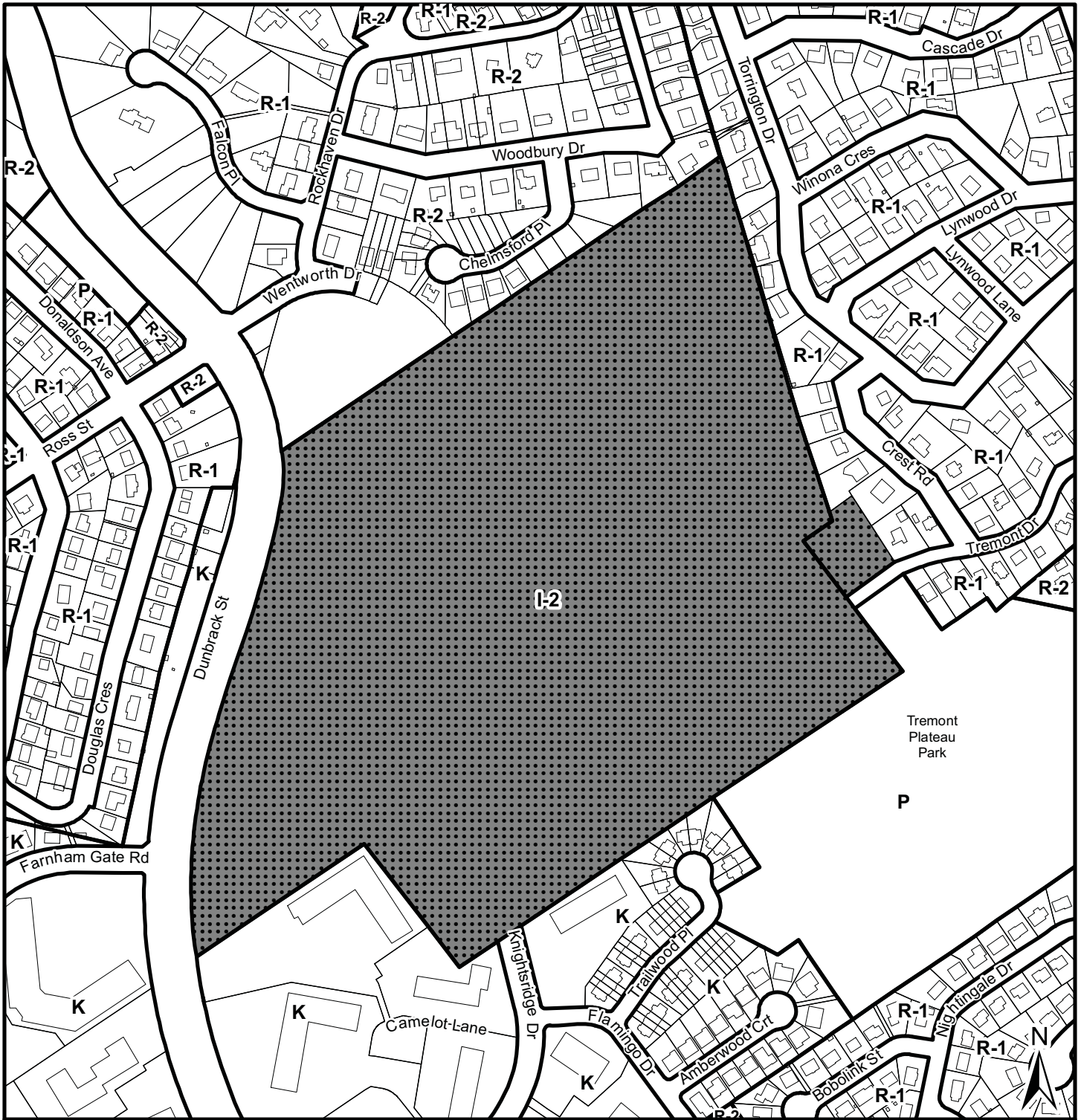
**Designation**

RES Residential Environments  
OS Open Space




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

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



## Map 2 - Zoning

Rockingham South  
Halifax

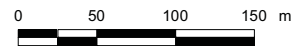
 Area proposed to be rezoned from I-2 (Radio Transmitter) and R-1 (Single Family Dwelling) to Schedule K

Halifax Mainland  
Land Use By-Law Area

### Zone

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- P Park and Institutional
- I-2 General Industrial
- K Schedule K

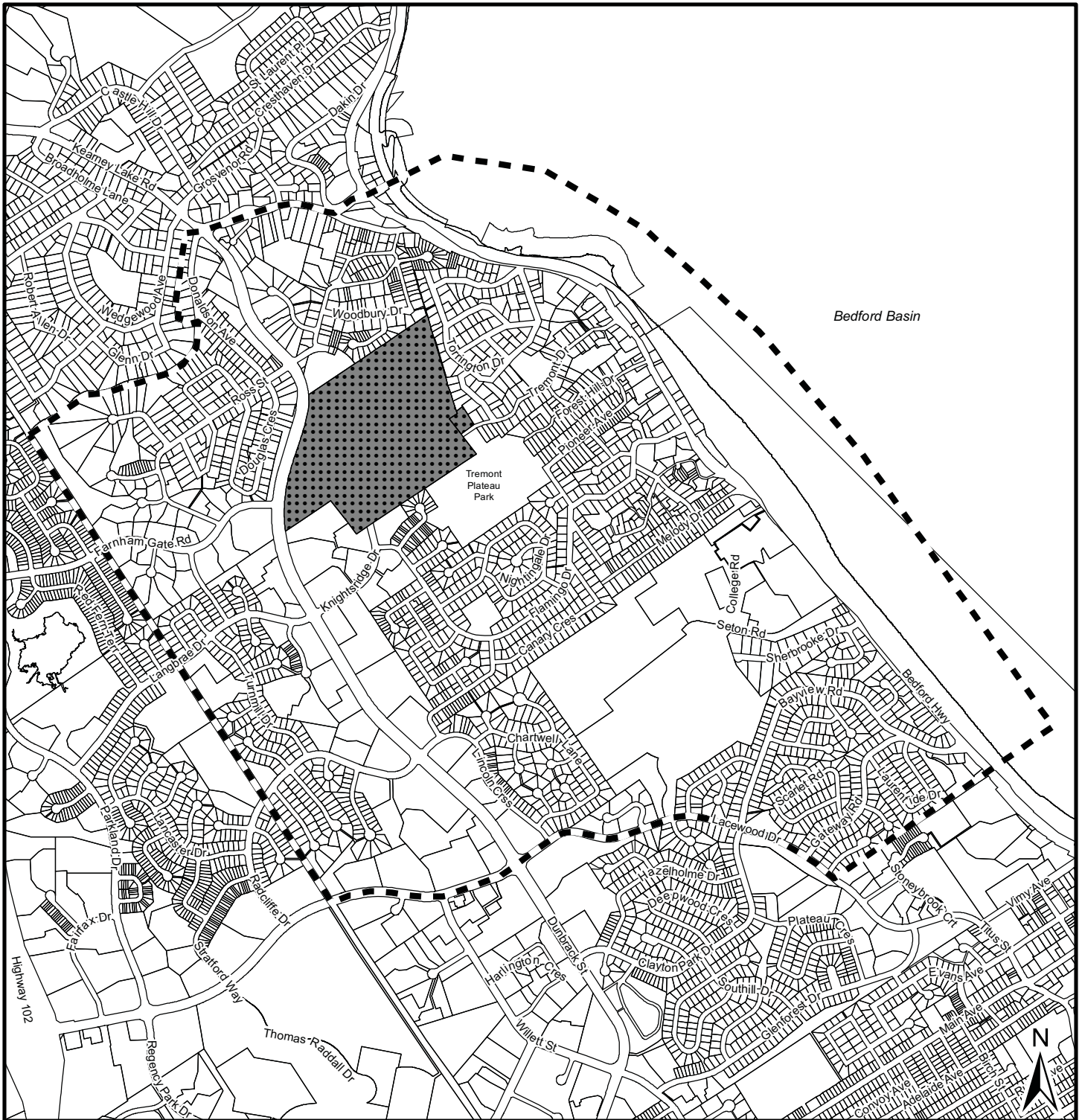
**HALIFAX**  
REGIONAL MUNICIPALITY  
DEVELOPMENT APPROVALS



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


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






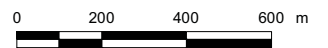
### Map 3 - Area of Notification

Rockingham South  
Halifax

 Area proposed to be rezoned from I-2 (Radio Transmitter) and R-1 (Single Family Dwelling) to Schedule K

 Area of notification

Halifax Plan Area



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

**Case 17002**  
**Attachment A**  
**Proposed Amendment to the Halifax Mainland Land Use By-law**

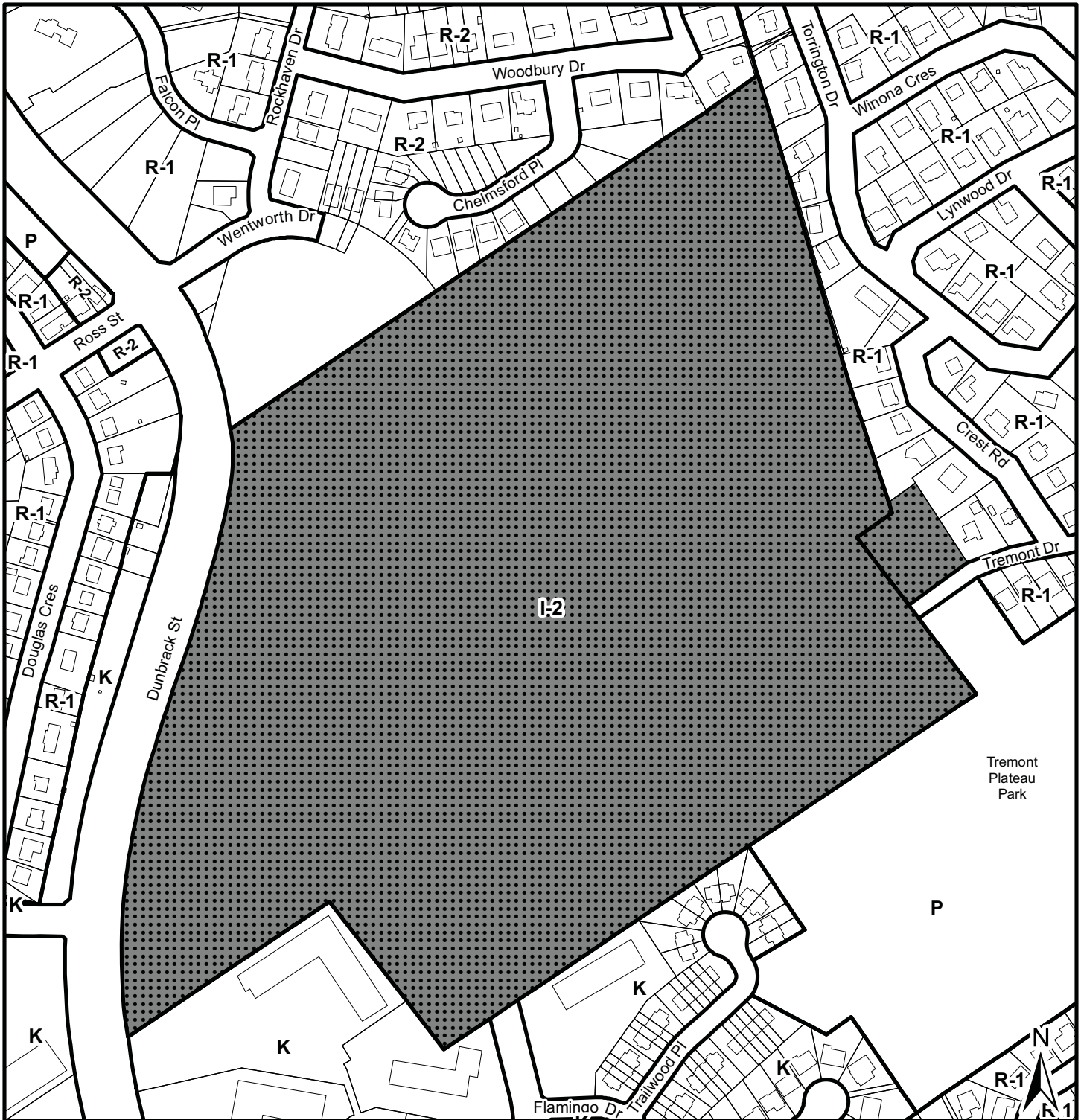
BE IT ENACTED by West Community Council of the Halifax Regional Municipality that the Halifax Mainland Land Use By-law is hereby amended as follows:

1. Map ZM-1 (Halifax Zoning Map) is further amended by rezoning 69 Tremont Drive from I-2 (Radio Transmitter) Zone to Schedule K as shown on Schedule A; and
2. Map ZM-1 (Halifax Zoning Map) is further amended by rezoning PID 00292722 from R-1 (Single Family Dwelling) Zone to Schedule K as shown on Schedule A.

I HEREBY CERTIFY that the amendments to the Halifax Mainland Land Use By-law, as set out above, were duly passed by a majority vote of the West Community Council at a meeting held on the        day of       , 2013.


GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this        day of       , 2013.

\_\_\_\_\_  
Municipal Clerk



**Schedule A**

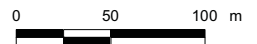
Rockingham South  
Halifax

 Area to be rezoned from I-2 (Radio Transmitter) and R-1 (Single Family Dwelling) to Schedule K

Halifax Mainland  
Land Use By-Law Area

**Zone**

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- P Park and Institutional
- I-2 General Industrial
- K Schedule K



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

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

**Attachment B:  
Proposed Stage I Development Agreement**

THIS STAGE I DEVELOPMENT AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_,

BETWEEN:

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

OF THE FIRST PART

- and -

**HALIFAX REGIONAL MUNICIPALITY**  
a municipal body corporate, 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 69 Tremont Drive and PID [**Insert - PID**]and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a Development Agreement to allow for the planning and design of a mixed use development on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter*, Implementation Policy 3.3 of the Halifax Municipal Planning Strategy, and Section 68 of the Halifax Mainland Land Use By-law;

AND WHEREAS West Community Council for the Municipality approved this request at a meeting held on [**Insert - Date**], referenced as Municipal Case Number 17002;

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

**PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION**

**1.1 Applicability of Agreement**

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

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

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

## **1.3 Applicability of Other By-laws, Statutes and Regulations**

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

1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

## **1.4 Conflict**

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

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

## **1.5 Costs, Expenses, Liabilities and Obligations**

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

## **1.6 Provisions Severable**

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

## **PART 2: DEFINITIONS**

### **2.1 Words Not Defined under this Agreement**

All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law, if not defined in these documents their customary meaning shall apply.

## **PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS**

### **3.1 Schedules**

3.1.1 The Developer shall not develop or use the Lands for any purpose other than a mixed use development including residential, commercial, community facility, and open space and conservation uses, which in the opinion of the Development Officer is in conformance with the following Schedules attached to this Agreement:

Schedule A    Legal Description of the Lands  
Schedule B    Stage I Subdivision Plan  
Schedule C    Concept Plan

3.1.2 The Parties agree that Schedule C of this Agreement contains the proposed concept plan for the development of the Lands, and further agree that the aforementioned concept plan shall form the basis for negotiation and approval of any Stage II Development Agreement.

3.1.3 Development permits shall only be granted for the Lands after approval of Stage II Development Agreements for the associated phase by Halifax and West Community Council and registration of the Stage II Development Agreements.

### **3.2 General Description of Land Use**

3.2.1 The uses of the Lands permitted by this Agreement are:

- (a) Single unit dwellings;
- (b) Two unit dwellings;
- (c) Townhouse dwellings;
- (d) Multiple unit dwellings;
- (e) Local business uses as permitted under the C-1 (Local Business) Zone of the Land Use By-law for Halifax Mainland;
- (f) Minor commercial uses as permitted under the C-2A (Minor Commercial) Zone of the Land Use By-law for Mainland Halifax;
- (g) Community facility uses;
- (h) Open space uses; and
- (i) Accessory uses to the foregoing.

3.2.2 The development shall be comprised of a mix of residential dwelling types as shown on Schedule C of this Agreement. No more than 828 multiple unit residential dwelling units shall be permitted within the development.

### **3.3 Requirements Prior to Approval**

- 3.3.1 Development on the Lands shall be subject to a Stage II Development Agreement.
- 3.3.2 Prior to the consideration of any Stage II Development Agreement the Developer shall:
- (a) Provide to the Development Officer, a copy of a wetland alteration permit(s) from Nova Scotia Environment regarding the construction of Road A as shown on Schedule C;
  - (b) Obtain subdivision approval from the Municipality to subdivide the Lands pursuant to Sections 3.6.1 and 3.6.2 and Schedule B of this Agreement and the Regional Subdivision By-law as amended from time to time; and
  - (c) Submit a Concept Plan for the whole development meeting the requirements of the Regional Subdivision By-law, as amended from time to time.
- 3.3.3 Site preparation, including grubbing, for each phase or portion thereof shall not occur until a Stage II Development Agreement has been approved and registered for that phase.
- 3.3.4 Notwithstanding Section 3.3.3 of this Agreement site work, including clearing or grubbing that is associated with development of municipal streets may occur within Phases 2, 3 and 4, prior to the approval and registration of the Stage II Development Agreements for those phases, as long as the Stage II Development Agreement for Phase 1 has been approved and registered.

### **3.4 Phasing**

- 3.4.1 The development shall be developed in 4 phases as shown on Schedule C of this Agreement. Townhouse blocks may be substituted with two unit dwellings as long as the substitution does not increase the total number of driveways, pursuant to clauses 3.7.9 (f) to 3.7.9 (h).
- 3.4.2 The first phase of the development shall include a Stage II Development Agreement for the Lands within Phase 1, as shown on Schedule C, which shall address:
- (a) Final Subdivision Design of Block 1 on Schedule B;
  - (b) Final Design and Construction of all public streets for the development;
  - (c) Detailed provisions for land use, pursuant to the allocated residential density in Section 3.8 of this Agreement;
  - (d) Detailed design of multiple unit buildings on parcels MU-3 and MU-4;
  - (e) All primary and secondary services associated with the Development of Phase 1, including any upgrades to the transportation and wastewater systems as determined by the Municipality;
  - (f) The conveyance of parkland adjacent to the existing Tremont Plateau Park to the Municipality in accordance with Section 3.11 of this Agreement;

- (g) The conveyance or the subdivision of wetland W-2, subject to Section 3.12 of this Agreement;
- (h) The development of all the Gateway Signs associated with the development;
- (i) The completion of Wentworth Street., including any required servicing extension or upgrade to provide connection from Dunbrack Street to the northern portion of the development;
- (j) The location of lots and units to be used for local business uses pursuant to Sections 3.9.1 and 3.9.2 of this Agreement;
- (k) The location of lots and units to be used for community facility uses pursuant 3.10 of this Agreement; and
- (l) The construction of a walkway and service corridor connecting Tremont Drive to the Development.

3.4.3 The second phase of the development shall include a Stage II Development Agreement for the Lands within Phase 2, as shown on Schedule C, which shall address:

- (a) The Final Subdivision of Block 2 on Schedule B;
- (b) Detailed provisions for land use, pursuant to the allocated residential density in Section 3.8 of this Agreement;
- (c) Detailed design of the multiple unit building on parcels MU-6 and MU-5;
- (d) The location of units to be used for local business uses pursuant to Sections 3.9.1 and 3.9.2 of this Agreement;
- (e) The location of lots and units to be used for community facility uses pursuant 3.10 of this Agreement; and
- (f) All primary and secondary services associated with the Development of Phase 2, including any upgrades to the transportation and wastewater systems as determined by the Municipality.

3.4.4 The third phase of the development shall include a Stage II Development Agreement for the Lands within Phase 3, as shown on Schedule C, which shall address:

- (a) The Final Subdivision of Blocks 4 and 5 as shown on Schedule B;
- (b) Detailed design of the commercial buildings on parcels COM-1 and COM-2, including the types of minor commercial uses to be permitted in each building;
- (c) Detailed provisions for land use, pursuant to the allocated residential density in Section 3.8 of this Agreement;
- (d) Detailed design of the multiple unit building on parcel MU-7;
- (e) The location of units to be used for local business uses pursuant to Sections 3.9.1 and 3.9.2 of this Agreement;
- (f) The location of lots and units to be used for community facility uses pursuant 3.10 of this Agreement;
- (g) The conveyance or the subdivision of wetland W-1 subject to Section 3.12 of this Agreement; and
- (h) All primary and secondary services associated with the Development of Phase 3 including any upgrades to the transportation and wastewater systems as determined by the Municipality.



- 3.4.5 The fourth phase of the development shall include a Stage II Development Agreement for the Lands within Phase 4, as shown on Schedule C, which shall address:
- (a) The Final Subdivision of Block 3 as shown on Schedule B;
  - (b) Detailed provisions for land use, pursuant to the allocated residential density in Section 3.8 of this Agreement;
  - (c) Detailed design of the multiple unit building MU-1, MU-2, MU-8 and MU-9;
  - (d) The location of units to be used for local business uses pursuant to Sections 3.9.1 and 3.9.2 of this Agreement;
  - (e) The location of lots and units to be used for community facility uses pursuant 3.10 of this Agreement; and
  - (f) All primary and secondary services associated with the Development of Phase 4, including any upgrades to the transportation and wastewater systems as determined by the Municipality;
  - (g) The conveyance or the subdivision of wetland W-1 subject to Section 3.12 of this Agreement; and
  - (h) All applicable recommendations of the Mainland Halifax North – Bedford Corridor Transportation and Wastewater Servicing Strategy (Corridor Servicing Study).
- 3.4.6 Further to Sections 3.4.4 and 3.4.5 of this Agreement, no Stage II Development Agreement shall be considered by the Municipality for Phase 4 until 75% of the occupancy permits for the total number of residential units within Phase 1, Phase 2, and Phase 3, in association with the applicable Stage II Agreement, have been issued.
- 3.4.7 Prior to construction of any phase or portion thereof, a Municipal Service Agreement must be signed in accordance with the Regional Subdivision By-Law and the applicable Stage I and Stage II Development Agreements and any subsequent amendments.

### **3.5 Stage II Development Agreements**

- 3.5.1 In addition to the information required by Section 68 of the Halifax Mainland Land Use By-law, the following information shall be submitted with any application for a Stage II Development Agreement:
- (a) Density tracking calculation table; and
  - (b) Proposed Subdivision Plans which comply with requirements of Section 87 of the Regional Subdivision By-law and also show the following information:
    - (i) Municipal services including but not limited to schematic plans for sanitary sewer, storm sewer and water supply;
    - (ii) Required easements (including location, size and purpose);
    - (iii) Utilities (including but not limited to power, gas, propane, lighting); and
    - (iv) Street designs.
- 3.5.2 Further to Section 3.5.1 of this Agreement, the following information shall be submitted with any application for a Stage II Development Agreement for those portions of the development that include multiple unit buildings and townhouse developments:

- (a) Vehicular access and egress points, parking area layout, number of parking spaces and driveway locations;
- (b) Site plans showing building footprints, lot coverage, setbacks, and land use buffers with their dimensions and specifications, including decks, stairs and accessory structures;
- (c) Proposed building plans and elevations, showing exterior appearance of the building including signage, architectural detailing and all construction materials;
- (d) Provision and identification of useable amenity areas, as well as features, facilities and site furnishings;
- (e) Landscaping plans including, construction details, planting details and specifications, as well as plant lists including common and botanical names and quantities;
- (f) Location and treatment of loading or service areas, mechanical units, fuel storage tanks, air conditioning units, refuse and recyclable storage facilities and utility supply facilities;
- (g) Location of bicycle access routes and bicycle parking;
- (h) Site disturbance plan and preliminary grading plan; and
- (i) Environmental protection information, including preliminary site drainage plan, preliminary erosion and sediment control plans and preliminary stormwater management plans.

3.5.3 As part of the review process for Stage II development agreements, any proposal that may impact a watercourse or wetland will be sent to the Watershed Advisory Board for the planning district and Nova Scotia Environment for their review and recommendations.

3.5.4 Further to subsection 3.5.2 (e) all landscaping plans shall include a tree planting program that reflects the objectives of the HRM Urban Forest Master Plan and shall be submitted to the Urban Forester of the Municipality for review and recommendation.

### **3.6 Subdivision of the Lands**

3.6.1 The Development Officer shall grant subdivision approval for five (5) Blocks as shown on Schedule B and provided that all applicable sections of the Regional Subdivision By-law have been met.

3.6.2 Notwithstanding Section 3.6.1, frontage along a public street shall not be required for the subdivision approval of the five (5) Blocks as shown on Schedule B.

3.6.3 Further subdivision approval for each Block shall be subject to the terms of this Agreement, the approval of a Stage II Development Agreement for the associated phase and the requirements of the Regional Subdivision By-law.

3.6.4 Parkland dedication for new lots will only be sought during the subdivision to be considered in the Stage II Development Agreement referenced in Section 3.6.3 of this Agreement.

### **3.7 Land Use Controls**

- 3.7.1 The Development of Single Unit Dwellings, Two Unit Dwellings and Townhouse Dwellings as determined through a Stage II Development Agreement shall conform with the provisions of the R-1 Zone, R-2 Zone and R-2T Zone of the Land Use By-law for Halifax Mainland for single unit dwellings, two unit dwellings and townhouse dwellings respectively.
- 3.7.2 Notwithstanding Section 3.7.1 of this Agreement, lot frontage for single unit dwellings may be reduced to 12.19 meters (40 feet).
- 3.7.3 Further to Section 3.7.2 of this Agreement, the lot frontage requirements for a maximum of two (2) lots with frontage along Tremont Drive, may be further reduced to 6.1 metres (20.01 feet).
- 3.7.4 Notwithstanding Section 3.7.1 of this Agreement, projections, such as, but not limited to stairs, balconies, and bay windows shall be permitted into the required front yard setback no more than 1.52 metres (5 feet).
- 3.7.5 Notwithstanding Section 3.7.1 of this Agreement the maximum height for single unit dwellings, two unit dwellings and townhouse dwellings shall be measured from the average grade surrounding the building to the building eaves.
- 3.7.6 Notwithstanding Section 3.7.1 of this Agreement the side yard setback for single unit dwellings, two unit dwellings and townhouse dwellings may be reduced to four feet on one side of each dwelling provided that a minimum distance of 3.66 metres (12 feet) is maintained between main buildings.
- 3.7.7 Further to Section 14QA of the Land Use By-law for Halifax Mainland, which requires a 20 metre (65.62 feet) setback from any watercourse, no building or structure shall be located within 10 metres (32.81 feet) of a wetland, as determined by Nova Scotia Environment.
- 3.7.8 No more than two (2) driveways shall be permitted along the portion of Wentworth Street to be constructed as part of this Agreement as shown on Schedule C of this Agreement. Both driveways shall be constructed to provide commercial access.
- 3.7.9 Further to Section 3.7.1 of this Agreement, the development of townhouse dwellings as determined through a Stage II Development Agreement shall generally conform with the following:
- (a) Blocks of townhouses shall be designed to ensure variation along the street. The same front facade and elevation, roofline, materials or colours should not be repeated within adjacent blocks of townhouses;
  - (b) Each block of townhouses shall create the impression of distinct individual units through the use of building wall offsets, varied rooflines, and the use of different colours, materials or windows;

- (c) Blank end walls shall be avoided by means such as, but not limited to, the locating of windows, or architectural detailing;
- (d) Where a publicly-viewed facade includes a peaked roof, detail shall be provided between the top of the windows and the peak of the roof. Such detail could include, but is not limited to shingles, louvers, a window or exposed rafters;
- (e) Private exterior space, such as porches, balconies, patios or roof terraces, shall be provided for each individual unit;
- (f) Driveways shall be paired where possible. Landscaping shall be provided to break up individual driveways where pairing cannot be achieved;
- (g) Townhouses located on Road B will be limited to one driveway per townhouse block. Driveways shall be shared between two or more Blocks where possible;
- (h) Notwithstanding subsection (g), townhouses located on the southern side of the northern portion of Road B, as shown on the site plan, may have one driveway per townhouse unit, however driveways must be paired; and
- (i) The front yard setback may be reduced to 3.05 metres (10 feet), where parking areas are located in the rear yard.

3.7.10 The Development of Multiple Unit Dwellings as determined through a Stage II Development Agreement shall conform to the following:

*Height, Facades and Articulation*

- (a) The maximum height of the building shall not exceed 7 storeys above average grade, not including mechanical equipment, penthouses or enclosed amenity space. The total height of the building shall not exceed 29 meters (95.14 feet).
- (b) For buildings along Wentworth Street and Knightsbridge Drive the main facade and entrance shall be oriented to the street or to the driveway, if the driveway functions as a street.
- (c) For buildings along Wentworth Street and Knightsbridge Drive townhouse style units shall be incorporated into the base of the building, so that each unit at the ground level will have its own individual pedestrian access directly from the street.
- (d) Street facing facades shall have the highest design quality; however, all publicly viewed facades shall have a consistent and high quality design expression.
- (e) Buildings over 4 storeys shall be designed to have a lower, a middle and an upper portion through the use of setbacks, extrusions, textures, materials, detailing and other means;
- (f) Building shall avoid long, uninterrupted blank walls. Building walls over 20 meters (65.62 feet) in width shall be articulated with projections, recesses, changes in material and colour or a combination thereof.

*Entrances, Doors and Windows*

- (g) All main entrances to the building shall be emphasized by detailing, changes in materials, and other architectural devices. Such details may include a change in height, roofline or massing, projection of the entrance, or the use of architectural devices such as lintels, columns, porticos, overhangs, corner boards, or fascia boards.
- (h) All main entrances to the building shall be covered with a canopy, awning, recess or similar device to provide pedestrian weather protection.

- (i) Service and delivery entrances shall be integrated into the design of the building and shall not be a predominate feature.
- (j) Windows and doors shall complement the architectural design of the building.

#### *Roofs*

- (k) All rooftop mechanical equipment shall be screened from view by integrating it into the architectural design of the building.
- (l) Flat roofs or roofs with less than 5-in-12 pitch shall be given special consideration with regard to the integration of the roof with the building architecture.
- (m) Where exposed roof surface areas are large, design elements shall be incorporated to break down perceived proportion, scale and massing of the roof to create human-scaled surfaces. Such design elements could include dormers, gables, cross gables, varying planes or other elements.

3.7.11 The Development of the Commercial Buildings located along Dunbrack Street as determined through a Stage II Development Agreement shall conform to the following:

#### *Height, Facades and Articulation*

- (a) The maximum height of the building shall not exceed 4 storeys above average grade.
- (b) The main facade shall be oriented to the principle street.
- (c) Street facing facades shall have the highest design quality; however, all facades shall have a consistent and high quality design expression.
- (d) Building shall avoid long, uninterrupted blank walls. Building walls over 20 meters (65.62 feet) in width shall be articulated with projections, recesses, changes in material and colour or a combination thereof.
- (e) All vents, down spouts, flashing, electrical conduits, metres, service connections, and other functional elements shall be treated as integral parts of the design. Where appropriate these elements should be painted to match the colour of the adjacent surface, except where used expressly as an accent.
- (f) Unpainted or unstained wood (including pressure treated wood) shall not be used as a building material for permanent decks, balconies, railings and other similar architectural embellishments.

#### *Entrances, Doors and Windows*

- (g) All main entrances to the building shall be emphasized by detailing, changes in materials, and other architectural devices. Such details may include a change in height, roofline or massing, projection of the entrance, or the use of architectural devices such as lintels, columns, porticos, overhangs, cornerboards, or fascia boards.
- (i) All main entrances to the building shall be covered with a canopy, awning, recess or similar device to provide pedestrian weather protection.
- (j) Service or delivery entrances shall be integrated into the design of the building and shall not be a predominate feature.
- (k) Windows and doors shall complement the architectural design of the building.

## *Roofs*

- (l) All rooftop mechanical equipment shall be screened from view by integrating it into the architectural design of the building.
- (m) Flat roofs or roofs with less than 5-in-12 pitch shall be given special consideration with regard to the integration of the roof with the building architecture.
- (n) Where exposed roof surface areas are large, design elements shall be incorporated to break down perceived proportion, scale and massing of the roof to create human-scaled surfaces. Such design elements could include dormers, gables, cross gables, varying planes or other elements.

3.7.12 Building materials throughout the development should be chosen for their functional and aesthetic quality, and exterior finishes should exhibit quality of workmanship, sustainability and ease of maintenance. When considering a Stage II Development Agreement, Council shall have regard for the following:

- (a) Permitted building cladding shall include, but shall not be limited to, natural stone, brick, manufactured stone (masonry application), split-faced concrete block masonry, cement based stucco system, prefinished metal, aluminum shingles, wood shingles, wood siding, glass and the limited use of cement-board siding. Vinyl siding shall only be permitted for single unit dwellings and two unit dwellings;
- (b) The scale of the material should be consistent with the scale of the building;
- (c) A minimum of two major exterior cladding materials, excluding fenestration, are required for any publicly-viewed facade. The proportions of each material shall be sensitively designed. The use of two discernible colours or two discernible textures of the same material are acceptable as meeting this requirement;
- (d) Materials used for the main facade shall be carried around the building where other facades are publicly viewed; and
- (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, veneered, or mitigated with suitable landscaping.

3.7.13 Accessory buildings for multiple unit buildings, commercial buildings or community facilities shall be designed similar to the principal buildings on the same site.

3.7.14 Where surface parking is provided for more than 4 vehicles;

- (a) Parking lots shall, where possible, be located out of the public view from Dunbrack Street, Wentworth Street and Knightsridge Drive;
- (b) Parking shall be broken up into moderately sized lots, with a maximum of 40 parking spaces per lot.
- (c) Parking lots shall be designed to include internal landscaping or hardscaping on islands at the ends of each parking aisle, clearly marked pedestrian access and paths, pedestrian-oriented lighting, and be concealed with low maintenance landscaped buffers or other mitigating design measures.
- (d) Parking shall be designed according to the principles of CPTED (Community Protection Through Environmental Design); and
- (e) Parking spaces shall be at least 2.74 metres (9 feet) x 6.01 metres (20 feet) in size.

- 3.7.15 Where service, storage, utility or loading areas are required for multiple unit dwellings, commercial or institutional uses, they shall be screened from the public view and nearby residential uses. If these areas must be in the public view, they shall include high quality materials and features that can include continuous paving treatments, landscaping and well-designed doors and entries.
- 3.7.16 Community signs containing the community name shall be located as shown on Schedule C and shall be designed at a scale that is complementary to the surrounding uses as determined through the Stage II Development Agreement for the applicable phase and in conformance with the following:
- (a) No community sign shall be taller than 3.05 meters (10 feet) in height, nor 3.72 square meters (40 square feet) in sign area;
  - (b) Community signs shall be constructed of materials such as wood, stone or metal; and
  - (c) Illumination of the signs shall not be back lit.

### **3.8 Density**

- 3.8.1 Residential density on the Lands shall not exceed 2,245 persons as calculated by Section 3.8.4 of this Agreement.
- 3.8.2 Further to Section 3.8.1 of this Agreement, the residential density for each phase shall not exceed the following:
- (a) Phase 1: 732 persons
  - (b) Phase 2: 369 persons
  - (c) Phase 3: 139 persons
  - (d) Phase 4: 1005 persons
- 3.8.3 Further to Section 3.8.2, residential density may be transferred between phases up to 50 persons, provided that the overall total residential density does not exceed 2,245 persons.
- 3.8.4 Density is to be calculated by the theoretical population generated on the basis of:
- (a) Single unit dwelling: 3.35 persons;
  - (b) Two unit dwelling: 2.25 persons;
  - (c) Townhouse dwelling unit: 2.25 persons; and
  - (d) Multiple unit dwelling: 2.25 persons.
- 3.8.5 Where the total persons calculated is not a whole number, the total shall be the next largest whole number.
- 3.8.6 Density tracking calculations shall be provided by the Developer to the Municipality with each application for a Stage II Development Agreement and to the Development Officer with each application for a permit.

### **3.9 Commercial Uses**

- 3.9.1 Local business uses permitted under the C-1 (Local Business) Zone of the Land Use By-law for Halifax Mainland shall be permitted in the ground level units of the proposed multiple unit dwellings throughout the development and within townhouse units located along Wentworth Street.
- 3.9.2 The total gross floor area of local business uses shall not exceed 4,282 square metres (46,091.06 square feet) throughout the development.
- 3.9.3 Minor commercial uses permitted under the C-2A (Minor Commercial) Zone of the Land Use By-law for Halifax Mainland shall only be permitted in the commercially designated area along Dunbrack Street as shown on Schedule C.
- 3.9.4 In addition to Section 3.9.2 of this Agreement, the total gross floor area of the minor commercial uses permitted in Section 3.9.3 of this Agreement shall not exceed 2,350 square metres (29,295.19 square feet).

### **3.10 Community Facility Uses**

- 3.10.1 Community facility uses shall be permitted in the ground level units of the proposed multiple unit dwellings throughout the development and within townhouse units located along Wentworth Street.
- 3.10.2 The total gross floor area of community facility uses shall not exceed 1,858.06 square metres (20,000 square feet) throughout the development.

### **3.11 Park Dedication**

- 3.11.1 The Developer shall provide park dedication in the form of land and equivalent value pursuant to the requirements of the Regional Subdivision By-law.
- 3.11.2 As part of the park dedication to be required in Phase 1, the Developer shall convey 2.34 acres of land adjacent to Tremont Plateau Park as shown on Schedule C, to serve as the main entrance for Tremont Plateau Park. Detailed design of the parkland shall be determined through the Stage II Development Agreement for Phase 1 and shall be subject to the following:
  - (a) The proposed parkland shall meet the definition of “usable land” as found in the HRM Regional Subdivision By-Law;
  - (b) The area of land fronting Road B shall be capable of accommodating two (2) commercial driveway accesses;
  - (c) Road B, which provides access to the parkland, shall be developed to include on-street parking for at least one side the street and sidewalks on both sides of the street;
  - (d) The land shall be free of encumbrances pursuant to the requirements of the HRM Regional Subdivision By-law;



- (e) The proposed parkland shall be designed according to the principles of CPTED (Community Protection Through Environmental Design);
- (f) At least 116 metres (350.58 feet) of frontage shall be provided along Road B; and
- (g) A parking lot to serve Tremont Plateau Park shall be incorporated into the design of the parkland.

### **3.12 Wetlands**

Prior to the approval of the Stage II Agreement for Phase 1 and Phase 3, the wetland parcel associated with each phase must either be:

- (a) Incorporated into the design of individual lot(s); or,
- (b) Donated to a conservation agency, which will be responsible for the maintenance and upkeep of the parcel.

## **PART 4: STREETS AND MUNICIPAL SERVICES**

### **4.1 General Provisions**

All construction shall satisfy HRM Municipal Design Guidelines, unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineer prior to undertaking the work.

### **4.2 Off-Site Disturbance**

Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

### **4.3 Streets**

- 4.3.1 The street network shall be developed as generally shown on Schedule C. All street construction shall satisfy Municipal Design Guidelines unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineer prior to undertaking the work. The Development Officer, in consultation with the Development Engineer, may give consideration to minor changes to the street network as identified in Schedule C, provided the modifications serve to maintain or enhance the intent of this Agreement.

### **4.4 Municipal Services**

- 4.4.1 The water distribution system shall conform to all design and construction requirements of Halifax Water.

4.4.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including sanitary sewer system, water supply system, stormwater sewer and drainage systems, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies, except as provided herein.

4.4.3 All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer.

#### **4.5 Solid Waste Facilities**

4.5.1 All solid waste facilities shall be in accordance with By-law S-600 (Solid Waste Resource Collection and Disposal By-Law) as amended from time to time.

4.5.2 All Stage II Development Agreement applications for Multiple Unit dwellings shall be sent to HRM Solid Waste Resources for review.

### **PART 5: ENVIRONMENTAL PROTECTION MEASURES**

#### **5.1 Stormwater Management Plans and Erosion and Sedimentation Control Plans**

5.1.1 Prior to the commencement of any site work on the Lands for construction of streets and services, including grade alteration or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall:

- (a) Submit to the Development Officer a detailed Site Disturbance Plan, prepared, stamped and certified by a Professional Engineer indicating the sequence and phasing of construction and the areas to be disturbed or undisturbed;
- (b) Submit to the Development Officer a detailed Erosion and Sedimentation Control Plan prepared, stamped and certified by a Professional Engineer in accordance with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by Nova Scotia Environment. Notwithstanding other Sections of this Agreement, no work is permitted on the Lands until the requirements of this clause have been met and implemented. The Erosion and Sedimentation Control Plan shall indicate the sequence of construction, all proposed detailed erosion and sedimentation control measures and interim stormwater management measures to be put in place prior to and during construction. The Erosion and Sedimentation Control Plan shall be provided to the Halifax Watershed Advisory Board for information purposes; and,
- (c) Submit to the Development Officer a detailed Subdivision Grading Plan prepared, stamped and certified by a Professional Engineer, which shall include an appropriate stormwater management system. The Subdivision Grading Plan shall identify structural and vegetative stormwater management measures, which may include infiltration, retention, and detention controls, wetlands, vegetative swales,

filter strips, and buffers that will minimize adverse impacts on receiving watercourses during and after construction. The Subdivision Grading Plan shall be provided to the Halifax Watershed Advisory Board for information purposes.

## **5.2 Stormwater Management System**

The Developer agrees to construct at his own expense the Stormwater Management System pursuant to Subsection 5.1.1(c) of this Agreement. The Developer shall provide certification from a Professional Engineer that the system, or any phase thereof, has been constructed in accordance with the approved design.

## **5.3 Failure to Conform to Plans**

If the Developer fails at any time during any site work or construction to fully conform to the approved plans as required under this Agreement, the Municipality shall require that all site and construction works cease, except for works which may be approved by the Development Engineer to ensure compliance with the environmental protection measures.

## **PART 6: AMENDMENTS**

### **6.1 Substantive Amendments**

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

### **6.2 Non-Substantive Amendments**

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

- (a) Approvals of any Stage II Development Agreement associated with this development;
- (b) Amendments to any Stage II Development Agreement associated with this development;
- (c) Conveyance of additional Parkland to the Municipality to that required in Section 3.11 of this Agreement, through consultation with the municipal Parkland Planner;
- (d) An increase in the gross floor area of no more than 20 % on the amount of Local Business Uses or Minor Commercial Uses as identified in Section 3.9 of this Agreement;
- (e) An increase in the gross floor area of no more than 20 % on the amount of Community Facility Uses as identified in Section 3.10 of this Agreement;
- (f) The granting of an extension to the date of commencement of construction as identified in Section 7.3 of this Agreement; and
- (g) The length of time for the completion of the development as identified in Section 7.4 of this Agreement.

## **PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE**

### **7.1 Registration**

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

### **7.2 Subsequent Owners**

7.2.1 This Agreement shall be binding upon the parties thereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which is the subject of this Agreement until this Agreement is discharged by Council.

7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

### **7.3 Commencement of Development**

7.3.1 In the event that the Developer has not entered into a Stage II Development Agreement or construction on the Lands has not commenced within three (3) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Agreement shall have no further force or effect.

7.3.2 For the purposes of this section, commencement of construction shall mean the pouring of the footings for the foundation of a building or the takeover of a street, whichever happens first.

7.3.3 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Section 6.2 of this Agreement, if the Municipality receives a written request from the Developer at least sixty (60) calendar days prior to the expiry of the commencement of development time period.

### **7.4 Completion of Development**

7.4.1 If the Developer fails to complete the development after fifteen (15) years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement; or
- (c) discharge this Agreement.

7.4.2 Upon the completion of the whole development or complete phases of the development, Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;

- (b) negotiate a new Agreement;
- (c) discharge this Agreement; or
- (d) for those portions of the development which are completed, discharge this Agreement and apply appropriate zoning pursuant to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Mainland, as may be amended from time to time.

## **PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT**

### **8.1 Enforcement**

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

### **8.2 Failure to Comply**

- 8.2.1 If the Developer fails to observe or perform any covenant or condition of this Agreement after the Municipality has given the Developer fourteen days written notice of the failure or default, except that such notice is waived in matters concerning environmental protection and mitigation, then in each such case:
- (a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy;
  - (b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the Assessment Act;
  - (c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and/or
  - (d) In addition to the above remedies, the Municipality reserves the right to pursue any other remediation under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.

**IN WITNESS WHEREOF** the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

**SIGNED, SEALED AND DELIVERED** in (Owner)  
the presence of:

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

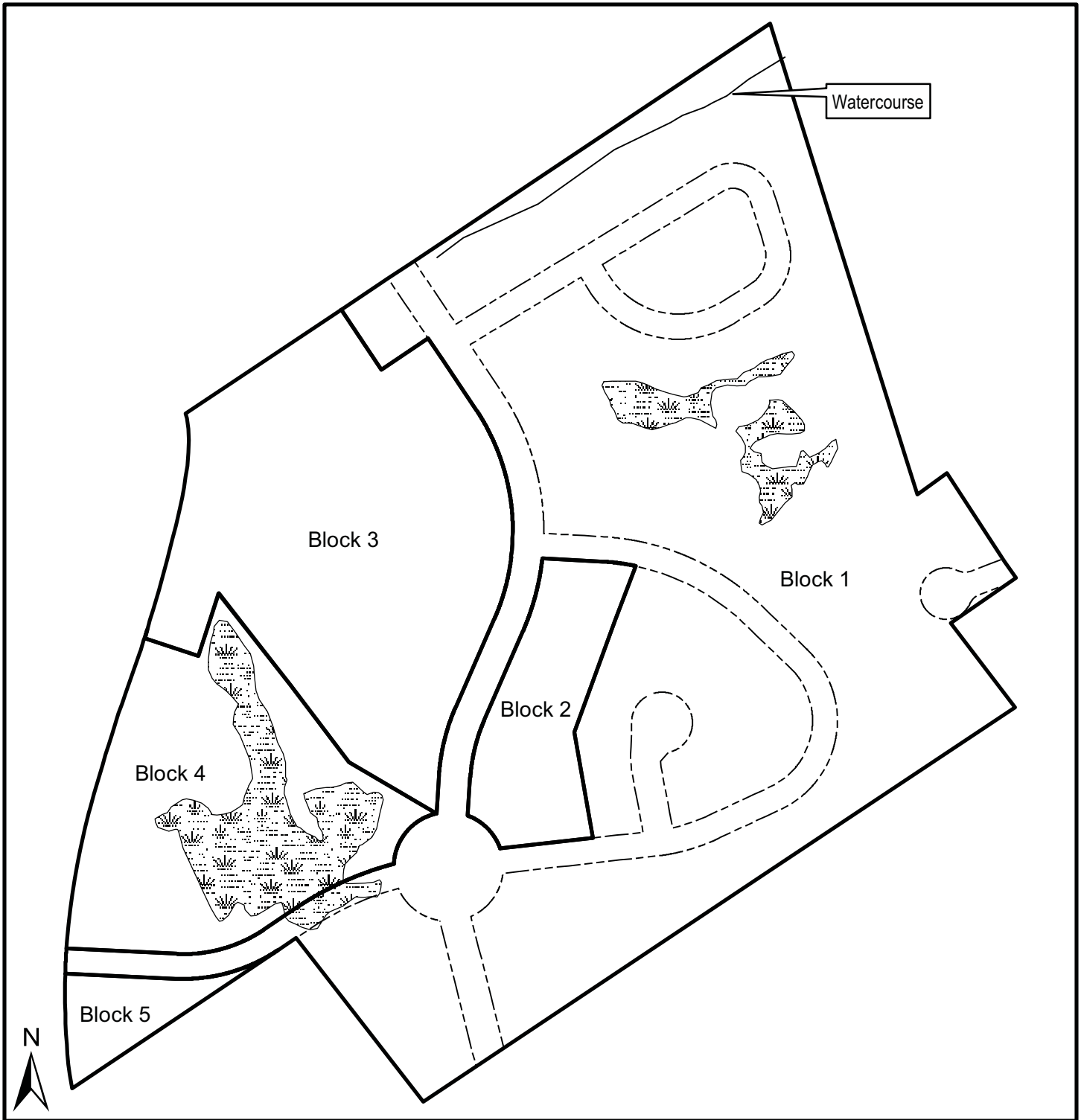
**SIGNED, DELIVERED AND ATTACHED** HALIFAX REGIONAL MUNICIPALITY  
to by the proper signing officers if Halifax  
Regional Municipality, duly authorized in that  
behalf, in the presence of

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_



Watercourse

Block 3

Block 1

Block 2

Block 4

Block 5

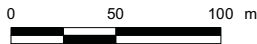


**Schedule B - Stage 1 Subdivision Plan**

Rockingham South  
Halifax

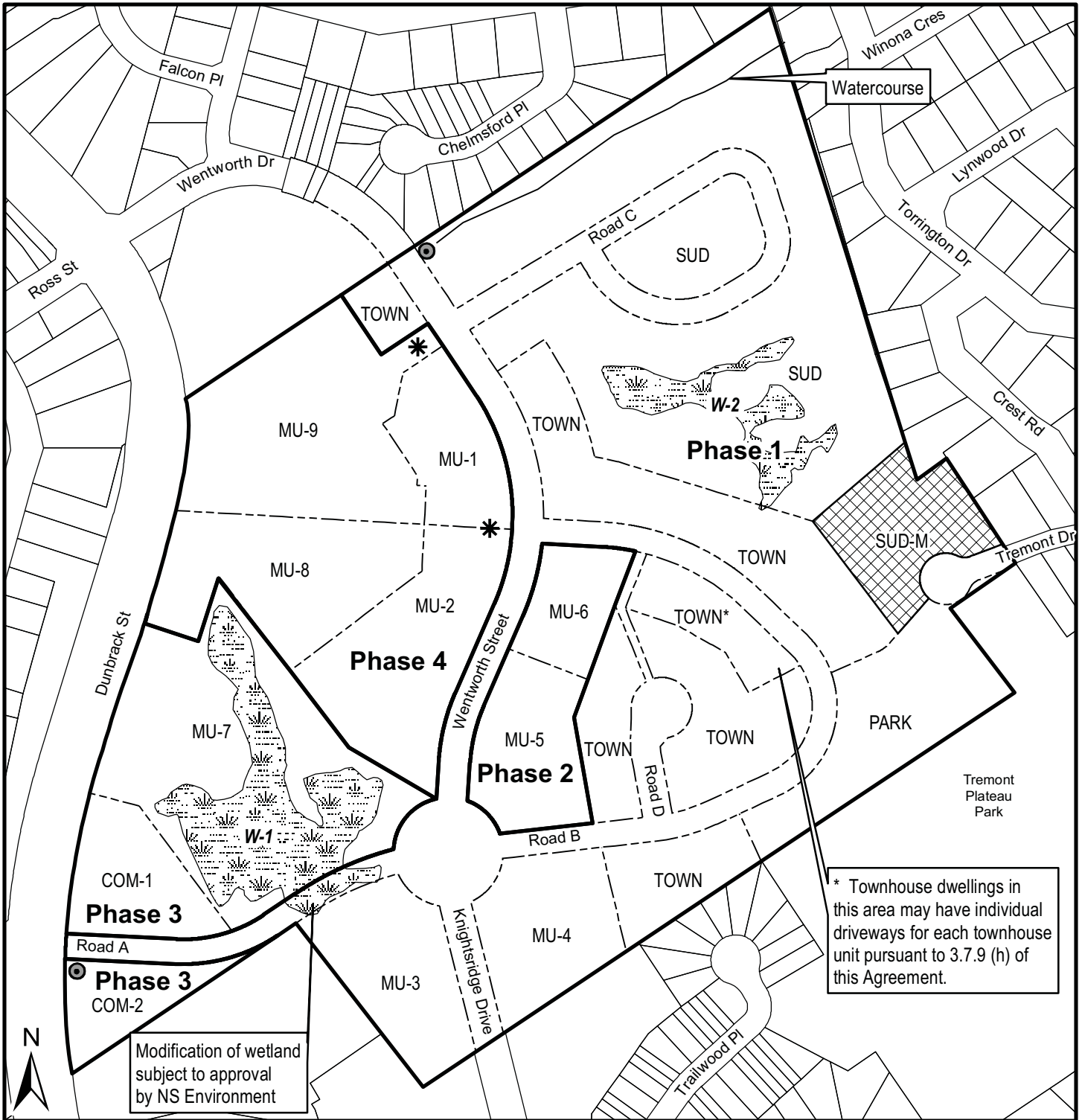


 Wetland



Halifax Mainland  
Land Use By-Law Area

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



### Schedule C - Proposed Land Use

Rockingham South  
Halifax



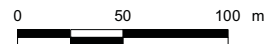
Wetland

#### Land Use

Approximate location of driveway

SUD Single Unit Dwelling  
SUD-M Modified Single Unit Dwelling  
TOWN Townhouses  
MU Multi-unit Residential  
COM Commercial  
PARK Parkland

Community sign



Halifax Mainland Land Use By-Law Area

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



**Case 17002**  
**Attachment C – Policy Review**  
**Excerpt from the MPS for Halifax**

<b>Policy Criteria</b>	<b>Staff Comment</b>
<b>IMPLEMENTATION POLICIES</b>	
<p><b>3.3</b> For the residentially designated undeveloped areas of Mainland North, the City shall, pursuant to Section 38(2)(p) of the Planning Act, establish such development regulations as are necessary to implement the policies of this Plan.</p>	<p>The subject property is designated residential environments, is vacant and is located in Mainland North.</p>
<p><b>3.3.1</b> Further to Policy 3.3 above, these areas shall be identified on the zoning map and within such areas no development permit shall be issued unless the proposed development has been approved by a resolution of Council, and further, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.</p>	<p>The proposed application includes applying the Schedule K Zone to the subject properties which would identify this area on the Zoning Map and signify that a Stage I and Stage II Development Agreement is required and needs the approval of Council before any development permits can be issued.</p>
<p><b>3.3.2</b> Further to Policy 3.3.1 above, the purpose for which land within these areas is to be developed shall be primarily residential, and an emphasis shall be placed on a mix of housing types, shall include provision for local commercial uses that are intended to serve the residents of the immediate area, and shall include provision for automobile, transit and pedestrian circulation and an emphasis on conservation of natural environment features including lakes and waterways, mature trees and natural topographic features. In addition to the above, City Council may consider provision for minor commercial uses in accordance with Policy 3.1.2 in Section II, provided that such uses are consistent with the policies of this Plan, are compatible in design form and function</p>	<p>The proposed Stage I Development Agreement allows for a primarily residential development which includes the following features:</p> <ul style="list-style-type: none"> <li>- a variety of housing types including single unit dwellings, two unit dwellings, town house dwellings and multiple unit dwellings;</li> <li>- lower density development is to be located adjacent to the existing residential development;</li> <li>- minor commercial uses are located adjacent to Dunbrack Street;</li> <li>- local business uses and community facility uses are located throughout the development;</li> <li>- a 2.34 acre parcel of land is to be added to Tremont Plateau Park, an existing HRM District Park;</li> <li>- setback requirement for development from wetlands that are not contingent to</li> </ul>

<p>with comprehensively planned development and with development adjacent to a comprehensively planned development, and that such uses are located in such manner as to be in accord with Policy 2.4.1 of Section II, as the principles of said policy may apply to areas of vacant land.</p>	<p>watercourse are required in addition to the watercourse buffer requirements of the Land Use By-law for Mainland Halifax;</p> <ul style="list-style-type: none"> <li>- the opportunity to create parcels for two wetlands that will remain on the subject properties, as long as they are conveyed to a conservation organization;</li> <li>- local street connections to join Wentworth Street and Knightsridge Drive;</li> <li>- pedestrian/emergency vehicle connectivity between Tremont Drive to the development; and</li> <li>- phasing through 4 separate Stage II Development Agreements.</li> </ul>
<p><b>3.3.3</b> The City shall prepare and adopt plans for major public facilities including the location of collector roadways, schools and major community open space in the residentially designated undeveloped areas of the City.</p>	<p>N/A</p>
<p><b>3.3.4</b> In entering into agreements pursuant to Policy 3.3.1 above, Council shall be guided by the policies contained in Section II of this Plan, and shall not enter into agreements which are inconsistent with the policies of this Plan.</p>	<p>Please see the review of Section II below.</p>
<p><b>3.3.5</b> Prior to entering into any agreements pursuant to Policy 3.3.1, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard</p>	<p>As required by all planning applications a public hearing to discuss the Stage I Development Agreement will be required before Council can consider approving a development agreement.</p>
<p><b>SECTION II</b></p> <p><b>2. RESIDENTIAL ENVIRONMENTS</b></p> <p>Objective: The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.</p>	
<p><b>2.1</b> Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to</p>	<p>A Traffic Impact Study and analysis of sewer and sanitary services was completed as part of the application for this development. The report determined that there is a sufficient road network</p>

<p>the adequacy of existing or presently budgeted services.</p>	<p>capacity to accommodate the proposed development. Upgrades to sewer and sanitary services will be required to service this development. These upgrades will be the responsibility of the Developer and will be negotiated through the Stage II Development Agreements.</p>
<p><b>2.1.1</b> On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.</p>	<p>N/A</p>
<p><b>2.1.2</b> On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.</p>	<p>Please see Staff analysis of Implementation Policy 3.3 above.</p>
<p><b>2.2</b> The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>Lower residential density types of units are to be located adjacent to existing and established lower density neighbourhoods. Higher density multiple unit developments are to be located along the proposed extension of Wentworth Street/ Knightsridge Drive and Dunbrack Street.</p>
<p><b>2.3</b> The City shall investigate alternative means for encouraging well-planned, integrated development.</p>	<p>N/A</p>
<p><b>2.3.1</b> The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such</p>	<p>The proposed development is for an infill development and is not considered a form of ribbon development.</p>

<p>development which may become obsolete.</p>	
<p><b>2.3.2</b> Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.</p>	<p>The proposed development proposes a new street off of Dunbrack Street, however, no driveways shall be permitted off of Dunbrack Street. The proposed development also includes a new Major Collector Street, where driveway access is limited to a maximum of two commercial accesses points.</p>
<p><b>2.4</b> Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</p>	<p>Building type locations have considered existing residential development. Multiple unit buildings have been placed away from existing lower density developments.</p>
<p><b>2.4.1</b> Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The subject properties are currently vacant. During the public consultation component of this application it was discussed that a street connection should not be provided through Tremont Drive to ensure the character of this portion of the development is retained. The proposed Stage I Development Agreement does not provide for an extension of Tremont Drive.</p>
<p><b>2.4.2</b> In residential neighbourhoods alternative specialized housing such as special care homes; commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be</p>	<p>The proposed agreement permits commercial uses, community facility uses, home based business uses, and includes the provision for additional parkland to the existing Tremont Plateau Park. Regulations for such uses are similar to those provided in the Mainland Halifax Land Use By-law.</p>

<p>permitted. Regulations may be established in the land use by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.</p>	<p>To ensure the development remains primarily residential, limits have been placed on the total gross floor area for commercial and community facility uses. The general location of such uses is to be determined through a Stage II Development Agreement.</p>
<p><b>2.4.2.1</b> Pursuant to 2.4.2 the land use by-law may regulate the number, size, height, illumination and location of signs.</p>	<p>The proposed Stage 1 Development Agreement includes specific provisions for community ground signs. Signage for commercial uses shall be determined through a Stage II Development Agreement. All other forms of signage, such as signage for home based businesses shall comply with the requirements of the land use by-law.</p>
<p><b>2.4.3</b> Further to city-wide residential and heritage policies which recognize the diversity of residential neighbourhoods and encourage the retention of existing structures which reflect the City's heritage, the City recognizes that areas designated and zoned residential-commercial provide opportunities for conversions to residential tourist accommodations uses. To encourage the reuse of buildings in these areas for these purposes, the land use by-law shall establish provisions which permit these uses in existing buildings subject to special controls.</p>	<p>N/A</p>
<p><b>2.6</b> The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>The main property is a vacant former industrial land site. By rezoning the property to Schedule K it can be developed in the form of Stage I and Stage II Development Agreements as set out through Implementation Policies 3.1 and 3.2. Please see a detailed analysis of policies 3.1 and 3.2 above.</p>
<p><b>2.8</b> The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods.</p>	<p>The proposed development includes a variety of housing styles that provide alternatives for different income levels.</p>

<p>In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).</p>	
<p><b>2.10</b> For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.</p>	<p>The majority of landscaping requirements and parking requirements for low and medium density development will be pursuant to the requirements of the Land Use By-law for Mainland Halifax.</p>
<p><b>2.11</b> For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.</p>	<p>These parking and storage of vehicles such as trailers, boats and mobile campers, shall be subject to the requirements of the Land Use By-law for Mainland Halifax.</p>
<p><b>SECTION II</b></p> <p><b>3. COMMERCIAL FACILITIES</b></p> <p>Objective: The provision of commercial facilities appropriately located in relation to the City, or to the region as a whole, and to communities and neighbourhoods within the City.</p>	
<p><b>3.1.2</b> Minor commercial centres should service several neighbourhoods. They should locate along principal streets with adequate provision for pedestrian, transit, service and private automobile access. Parking provision should be allowed on surface lots servicing single businesses, as long as conditions preclude nuisance impact on adjacent residential areas. Access to any parking area from the principal street should be controlled. The City should define the geographic limits of minor commercial centres, and shall encourage contiguity of commercial or associated uses within those limits. Minor commercial centres should offer a wider range of services than neighbourhood shopping facilities</p>	<p>The proposed development agreement permits Minor Commercial Uses, pursuant to the C-2A (Minor Commercial) Zone of the Land Use By-law for Halifax Mainland, along a portion of Dunbrack Street highlighted on Schedule C of the proposed development agreement.</p> <p>The detailed design of the Minor Commercial parcels shall be addressed through Stage II Development Agreements.</p>

including local office, restaurants, cinemas, health centres and multi-service centres. Notwithstanding any other policy in the Municipal Planning Strategy or Secondary Planning Strategies, billboards advertising off-site goods and services shall be prohibited in Minor Commercial areas. This policy shall serve as a guideline in rezoning decisions in accordance with Implementation Policies 3.1 and 3.2 as appropriate.

**Case 17002**  
**Attachment D:**  
**Excerpt from the Halifax Mainland LUB – Schedule K**

**SCHEDULE "K"**

- 68(1) Any area of land shown as Schedule "K" shall be a Comprehensive Development District.
- 68(2) No development permit shall be issued for a development in a Schedule "K" unless the proposed development has been approved by a resolution of Council.
- 68(3) (a) The purpose for which land within a Schedule "K" area is to be developed shall be primarily residential, and an emphasis shall be placed on a mix of housing types; shall include provision for local commercial uses that are intended to serve the residents of the immediate area, and community facilities for the use of residents in the immediate area; and shall include provision for automobile, transit, and pedestrian circulation; and an emphasis on conservation of natural environment features including lakes and waterways, mature trees, and natural topographic features. In addition to the above, Council may consider provision for commercial uses in accordance with the policies of the Municipal Planning Strategy.
- 68(3) (b) Notwithstanding clause (a), pursuant to Section II, Policy 3.3 of the Municipal Development Plan, the lands designated commercial on the east of Bicentennial Drive at the Bayers Lake Interchange shall be developed primarily as a mixed commercial/residential area.
- 68(4) For greater certainty, but without limiting the general powers of Subsection 68(3) above, the following uses may be permitted;
- (a) detached one family dwellings;
  - (b) semi-detached dwellings;
  - (c) duplex dwellings;
  - (d) apartment houses;
  - (e) attached houses;
  - (f) public park or playground;
  - (g) commercial uses;
  - (h) local commercial uses intended for the use of residents of the immediate area;
  - (i) a community centre;
  - (j) golf course;
  - (k) notwithstanding Section (h) above, regional scale retail uses, including large-format outlets, shall only be permitted on those lands situated at the south-east quadrant of the Lacewood Drive/Bicentennial Drive interchange.
  - (l) uses accessory to any of the foregoing uses



- 68(5) An application for a development permit in any Schedule "K" area shall be submitted in two stages, the first stage of which shall be a tentative plan that shall include the following information for the entire area of land owned by the applicant which is designated as Schedule "K":
- (a) A plan to a scale of 1" = 100', or 1" = 40', showing the following information:
    - (i) The location of the various uses and their areas;
    - (ii) Delineation of the various residential areas indicating for each such area its size and location, number of dwelling units (including number of bedrooms for each unit), types of dwelling units (i.e., townhouse, apartments, single family dwellings), parking layout and population density;
    - (iii) The location, size, shape, and surface treatment of public and private open spaces;
    - (iv) The proposed interior roadway system and connection to existing roadways including location of bus bays;
    - (v) Topography of the area showing contour intervals of not more than five feet of elevation, as well as an indication of soil coverage of the site;
    - (vi) All existing and proposed rights-of-way and easements, either public or private, within the area;
    - (vii) Description, size and location of the proposed community cultural facilities, community centres, etc.;
    - (viii) Description, size and location of proposed local commercial uses intended for the use of residents of the immediate area;
    - (ix) The uses and ownership of land abutting the area in question;
    - (x) A key plan with a scale between 1" = 200' and 1" = 1,320' showing the location of the site in relation to the surrounding communities;
    - (xi) General indication of how the phasing and scheduling is to proceed, if phasing is intended for the project.
  - (b) A plan to a scale of 1" = 100' and 1" = 40' showing an outline of the existing and proposed:
    - (i) roadways, walkways, rights-of-way and easements;
    - (ii) sanitary sewer system;
    - (iii) storm sewer system;
    - (iv) water system;
    - (v) surface drainage and means of disposal of the water;
    - (vi) street and walkway lighting;
    - (vii) telecommunication system;
    - (viii) electrical distribution system.
  - (c) A plan showing the overall drainage areas contributing to the flows of the area in question.
- 68(6) After holding a public hearing and considering the plan proposal submitted under Subsection 68(5), Council shall determine whether the applicant may proceed to final approval and on what conditions, if any, Council may refuse the proposal where, in the opinion of Council, the proposal is inconsistent with the purposes of Schedule "K" or Section 5 of this by-law.

68(7) In the event that Council does not refuse the application, the applicant shall provide:

- (a) such information as required by Sections 63 and 64 of the by-law for that portion of the proposal for which the applicant is applying for a development permit;
- (b) such additional information (final servicing plans, survey plan, etc.) as may be required by the Development Officer;
- (c) the terms of the proposed agreement pursuant to Subsection (8).

68(8) Approval by Council under Section 68(6) shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as Council may direct.

68(9) Council shall consider the application for final approval and shall either approve the development or notify the applicant of the objectionable features of the final plan.

69(1) (Deleted)

69(2) (Deleted)

**Case 17002**  
**Attachment E:**  
**Excerpt from the Halifax Mainland LUB – C-2A Zone**

**C-2A ZONE - MINOR COMMERCIAL ZONE**

- 38A(1) The following uses shall be permitted in any C-2A Zone:
- (a) R-1, R-2, R-2P, R-2T, R-2AM, R-3 and C-1 uses;
  - (b) stores for the purpose of retail trade and rental excepting:
    - (i) motor vehicle dealers;
    - (ii) motor vehicle repair shops which such shops are not primarily engaged in providing service station facilities; and
    - (iii) adult entertainment uses
  - (c) radio, television, and electrical appliance repair shops;
  - (d) watch and jewellery repair shops;
  - (e) a store for the purpose of personal service including shoe repair shops, barber and beauty shops, dry cleaners, self- service laundries, funeral services, and excepting massage parlours, adult entertainment uses and amusement centres;
  - (f) (Deleted)
  - (g) a motion picture theatre;
  - (h) a service station;
  - (i) offices;
  - (j) a bank and other financial institutions;
  - (k) a restaurant;
  - (l) community facilities;
  - (la) billboards not to exceed twenty-eight square meters (28m<sup>2</sup>) in area and not to extend more than eight meters (8m) above the mean grade on which it is situated;
  - (lb) commercial recreation use
  - (lc) recycling depots, bingo hall, pool hall and motor vehicle repair shops in the
    - (i) auto body shops; and
    - (ii) those engaged in the repair of trucks or other vehicles in excess of a gross weight of 6,000 pounds.
  - (ld) Motor Vehicle Sales in the Bedford Highway area
  - (ld) day care facility (RC-Mar 3/09;E-Mar 21/09)
  - (m) any use accessory to any of the foregoing uses.
- 38A(2) No person shall in any C-2A Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).
- 38A(3) No person shall in any C-2A Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

## R-1, R-2, R-2P, R-2T, R-2AM AND R-3 USES IN C-2A ZONE

- 38B(2) Buildings erected, altered or used for R-1, R-2, R-2P, R-2T, R-2AM and R-3 uses in a C-2A Zone shall comply with the requirements of their respective zones.

## HEIGHT

- 38C The height of any building in a C-2A Zone shall not exceed 35 feet. In the “Bedford Highway Area” notwithstanding Section 38B (2) no uses shall exceed 35 feet in height.

## SIGNS

- 38D(1) (a) Any persons carrying on a business may place upon and parallel to the front of the building a non-illuminated signboard not exceeding 3 feet in height and limited to the space immediately above the ground floor store windows extending the length of such front and appertaining solely to the ownership of the business conducted therein. For each foot that the building face upon which the said signboard is place is setback from the street line, 05 feet may be added to the height of such signboard to a maximum of 8 feet. In no case shall a sign be permitted by this section, to exceed 300 square feet.
- (b) Any person carrying on a business may place upon the building, a non-illuminated signboard not exceeding 3 feet in height and 300 square feet in area or 2 non-illuminated signboards, each of which does not exceed 3 feet in height and a total of 300 square feet inj area and appertaining solely to the ownership of the business conducted therein.
- 38D(2) Illuminated signs may be erected provided they do not constitute a nuisance or hazard to the public.
- 38D(3) A single signboard (illuminated or otherwise) may be placed upon and perpendicular to the front of a building for the purpose of identifying the proprietor or nature of the business permitted therein. Such signboards shall be located immediately above the ground floor windows and shall not exceed 12 square feet (1.12 square meters) in area on a single surface. A maximum of two such signboards shall be permitted for any building regardless of the number of uses contained therein.

## SETBACKS FROM RESIDENTIAL ZONES

- 38E(1) Any building used for C-1 or C-2A purposes in a C-2A zone shall be set back a minimum of 20 feet from a rear lot line and 12 feet from a side lot line where such lot line abuts a residential zone.

## LANDSCAPING ALONG STREET LINE

- 38E(2) Any C-1 or C-2A use in a C-2A Zone shall provide a minimum 4 foot strip of landscaped open space, raised or otherwise protected, along that part of the street line not required for the curb cut or pedestrian entrance.
- 38F(1) In the "Bedford Highway Area" one vehicle access point shall be permitted to the Highway for each lot with 100 feet of frontage or less and two vehicle access points shall be permitted for lots with frontage greater than 100 feet.
- 38F(2) For the purposes of Subsection (1), the vehicle access point shall not exceed 35 feet in width and shall be defined by curbing, planting, or a similar device that will not obstruct the view of traffic.

## FAIRVIEW AREA

### ACCESS

- 38G(1) Stores shall front on Dutch Village Road, Titus Street or Alma Crescent only. There shall be no commercial display of goods for sale on the side or rear of any buildings.
- 38G(2) Vehicular access to commercial uses and parking areas shall be from Dutch Village Road, Titus Street or Alma Crescent. Access from side streets is also permitted provided that the minimum distance from an abutting residential zone to the point of access shall be 5 feet.
- 38G(3) Driveways and parking areas for C-1 or C-2A uses in a C-2A Zone shall be set back a minimum distance of 5 feet from a rear lot line adjacent to a residential zone and a side lot line adjacent to a residential zone and be screened by a fence having a minimum height of 5 feet. The 5 foot setback area is to be landscaped and where a transparent fence is to be used, the landscaped setback area must provide solid visual screening on a year-round basis to a minimum height of 5 feet at maturity.

## PARKING MAINLAND SOUTH AREA

- 38H(1) Notwithstanding Section 9(d) the following parking requirements shall apply to Minor Commercial uses in the "Mainland South Area":
- (i) 3 spaces per 1,000 sq.ft. of office space;
  - (ii) 4 spaces per 1,000 sq.ft. of retail/service store space;
  - (iii) 8 spaces per 1,000 sq.ft. of restaurant space; and
  - (iv) parking shall not be permitted within 3 feet of the street line and parking areas for commercial uses must be paved.
- 38H(2) In the "Mainland South Area" no vehicular access shall be obtained through a side or rear yard adjacent to a residential zone.

## SETBACKS FROM RESIDENTIAL ZONE

38H(3) Buildings erected, altered, or used for commercial purposes in a C-2A Zone shall be set back a minimum of 20 ft. from a rear lot line and 12 ft. from a side lot line adjacent to a residential zone.

38H(4) Yard areas required pursuant to Section 38H(3) shall be landscaped.

(previous Section 38I(1) - Rescinded)

## MOTOR VEHICLE REPAIR

38I A lot containing a motor vehicle repair shop in the "Mainland South Area" shall:

- (a) have an opaque fence a minimum of five feet in height abutting any residential zones;
- (b) have lighting facilities, if provided, directed away from any abutting residential zones;
- (c) have enclosed any commercial refuse container in a structure which screens them from the street and abutting residential zones;
- (d) not have outdoor storage of inoperative motor vehicles, boxes, crates or any other materials; and
- (e) provide a minimum of a 6 foot strip of landscaped open space, raised or otherwise protected, along that part of the street line not required for the curb cut or pedestrian entrance.

38J MOTOR VEHICLE SALES  
No area of the lot greater than 10,000 square feet shall be used for the parking and display of motor vehicles including manoeuvring areas.

38J MOTOR VEHICLE REPAIR SHOPS  
Notwithstanding Section 38A(1)(b)(ii), motor vehicle repair shops, excluding those which service or repair motor vehicles in excess of 6000 pounds or auto body shops or auto paint shops, may be permitted provided that:

- (a) They are located on a site which has a valid occupancy permit for a service station or the most recent valid occupancy permit is for a service station.
- (b) An opaque fence having a minimum height of five feet is constructed abutting any residential zone.
- (c) Lighting facilities, if provided, are directed away from any abutting residential zone.
- (d) Any commercial refuse container is enclosed in a structure which screens it from the street and abutting residential zones.
- (e) There is no outdoor storage of inoperative motor vehicles, boxes, crates or any other materials.
- (f) There is landscaped open space; raised or otherwise protected, having a minimum width of six feet along that part of the street line not required for the curb cut or pedestrian entrance.

**Case 17002**  
**Attachment F**  
**Excerpt from the Halifax Mainland LUB – C-1 Zone**

**C-1 ZONE - LOCAL BUSINESS ZONE**

- 35(1) The following uses shall be permitted in any C-1 Zone:
- (a) All R-1, R-2, R-2T and R-4 Zone uses;
  - (b) A store for the purpose of retail trade, rental and services only, excluding:
    - (i) motor vehicle dealers;
    - (ii) motor vehicle repair shops which such shops are not primarily engaged in providing service station facilities;
    - (iii) adult entertainment uses; and
    - (iv) amusement centres
  - (c) A service station
  - (d) Bank, public hall, office, municipal building, hairdresser, beauty parlour, restaurant, receiving office of a dry cleaner or dyer;
  - (e) Any use accessory to any of the foregoing uses.
- 35(2) No person shall in any C-1 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).
- 35(3) No person shall in any C-1 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

**R-1, R-2, R-2T AND R-4 USES IN C-1 ZONE**

- 36 Buildings erected, altered, or used for R-1, R-2, R-2T and R-4 uses in a C-1 Zone shall comply with the requirements of their respective zones.

**REQUIREMENTS**

- 37 Buildings erected, altered, or used for C-1 uses in a C-1 Zone shall comply with the following requirements:
- (a) Lot coverage, maximum - 50 percent;
  - (b) Height, maximum - 35 feet;
  - (c)
    - (i) every building shall be at least 12 feet from any other building and at least 8 feet from the rear and both side lines of the lot on which it is situated and at least 20 feet from any street line in front of such building;
    - (ii) where a building is situated on a corner lot, it shall be at least 10 feet from the flanking street line abutting such lot.
  - (d) Notwithstanding the provisions of clause (c) where:

- (i) the sidewalls of a building are fireproof to comply with the provisions of the Building By-law of the city; and
- (ii) the abutting lot is not a lot in a residential zone which is used for residential purposes.

Such building shall be exempt from the side building line requirements and the distance requirements from any other building.

## SIGNS

- 38(1) Each C-1 use shall be permitted one identification sign which may be illuminated.
- 38(2) In addition to the sign permitted in (1), each property shall be permitted to erect one free-standing identification sign which may be illuminated, provided that it will not cause a hazard or nuisance to the public.



**Case 17002**  
**Attachment G**  
**Minutes from the Public Information Meeting**

**HALIFAX REGIONAL MUNICIPALITY**  
**PUBLIC INFORMATION MEETING**  
**CASE # 17002**

---

**7:00 p.m.**  
**Wednesday, March 21, 2012**  
**Saint Benedict Parish (Auditorium)**

**IN ATTENDANCE:** Jillian MacLellan, Planner, HRM Planning Services  
Paul Morgan, Planner, HRM Planning Services  
Hilary Campbell, Planning Technician, HRM Planning Services  
Sharlene Seaman, Planning Controller, HRM Planning Services  
Applicant, Caesar Salah  
Consultant, Jill Robertson (Aquistics)  
Consultant, Greg O'Brian (GENIVAR)  
Councillor Mary Wile  
Councillor Russell Walker  
Councillor Debbie Hum

**PUBLIC IN ATTENDANCE:** Approximately 144

---

The meeting commenced at approximately 7:00 p.m.

**1. Opening remarks/Introductions/Purpose of meeting – Jillian MacLellan**

Jillian MacLellan opened the meeting by introducing herself as a planner for the Western Region with Halifax Regional Municipality (HRM). She thanked everyone for coming and noted that the meeting was being held to assess Case # 17002, a proposed rezoning and stage I development agreement for Rockingham South. She introduced HRM staff, the applicant, and the Councillors present.

She gave the agenda for the meeting and reviewed the ground rules.

**2. Overview of planning process/Presentation of Proposal - Jillian MacLellan**

Ms. MacLellan stated that the purpose of the meeting was to identify the scope of the application and the planning process which the application will go through. She was also looking for feedback on the application. This would help staff in their recommendation for the application.

She noted that no decisions would be made at the meeting.

Ms. MacLellan advised that the applicant, W.M. Fares, is working on behalf of the property owners, Sobeyes Land Holdings. The proposal is to rezone three properties to the schedule K zone and enter into a stage I development agreement.

She reviewed the planning terms pertaining to the process. She explained that a rezoning means to change the land use zoning for the property from one zone in the Land Use By-law to another in the Land Use By-law. Secondly, a development agreement is an agreement between the property owner and the municipality, dealing with land use. Development agreements are site specific. In the Halifax mainland North area, development agreements for larger developments are completed through a stage I and stage II agreement. The stage one provides a certain concept for the entire development. It will set up the road layout, types of uses permitted, location of parkland, pedestrian trails and overall density. The stage II is much more detailed as it deals with a specific component or phase of the development. It sets out the height, set back requirements and architectural detailing for specific buildings and the landscaping of the lot.

Ms. MacLellan advised that the subject area, 69 Tremont Drive, consists of three properties. The surrounding uses are mainly residential. There are some commercial uses along Dunbrack Street and there is a commercial center further south on Dunbrack Street. Tremont Park is located adjacent to the south eastern corner of the subject area. The properties are zoned I-2 (Radio Transmitter), R-1 (Single Family Dwelling) and R-2 (Two Family Dwelling). The subject area is within the Halifax Planning Area and is designated residential Environments.

She stated that the proposed application discusses two components. The first involves the rezoning of the three properties. It is proposed that these properties be rezoned to the schedule K zone. Unlike most zones that lay out what is permitted in the zone, the schedule K zone requires a Stage I and Stage II development agreement. It permits mainly residential development with commercial and institutional uses. This would first need to be interpreted through a development agreement. Secondly, the application would need to complete the Stage I portion of the development agreement.

Ms. MacLellan stated that the applicant's proposal includes a residential and commercial development that will consist of 69 Single unit dwellings, 124 townhouse dwelling, 13 mixed use residential/commercial buildings (totaling 789 multiple unit dwellings) and 3 commercial buildings that will be located along Dunbrack Street.

She showed a site plan and advised that lower density residential will be located to the existing residential neighbourhood. Higher density residential and commercial will be in the interior of the development and closer to Dunbrack Street. Parkland will be located next to Tremont Park and further into the interior of the proposed area. Access to the site will be located off of Dunbrack Street, Wentworth Drive and Knightsbridge Drive. Seven of the properties will be accessed through Tremont Drive. The wetlands on the property are not to be developed.

Ms. MacLellan advised that when reviewing applications for rezoning or a development agreement staff and Council must review criteria as outlined in the policies for the Municipal Planning Strategy. Policy 2.1.2 of the residential environments section discusses the importance of sound neighbourhood design for the planned unit developments. This would be through a

development agreement as outlined in the schedule K zone. When entering into a Stage I and Stage II agreement through the schedule K, staff and council must consider the primary residential development, commercial and community facility uses, circulation of pedestrian and automotive traffic and conservation features.

She noted that there is currently a servicing study being completed for the Bedford-Halifax North Corridor. This was initiated by Regional Council on February 28, 2012. The study includes a high level review of potential servicing capacity issues along the Bedford-Halifax North Corridor.

Ms. MacLellan gave the process for the application. A public information meeting would be held to gather feedback, staff will complete a detailed review of the application and a meeting with the Halifax Watershed Advisory Board will be held. HRM staff will complete a development agreement that will be agreed upon by all parties involved. From there a staff report will be sent forth with a positive or negative recommendation from staff. Council will hold a Public Hearing before making any decisions. That will be another chance for the public to give input on the application. After a decision has been made at the public hearing there will be a two week appeal period.

Ms. MacLellan turned the floor over to Caesar Salah to give his presentation of their proposal.

### **3. Presentation of Proposal – Caesar Salah/ Jill Robertson**

Caesar Salah introduced himself and thanked everyone for coming to the meeting. He introduced his colleges and passed the floor to Jill Robertson from Aquistics.

Jill Robertson introduced herself and stated that she was going to talk about how she sees the project moving forward into the future and her company's vision of the project.

She provided a brief outline concerning the site, vision, open space, housing and transportation links. She also wanted to talk about the planned principles which guided the design for the site and the economic benefits.

Ms. Robertson advised that the site was just under 62 acres in size, is adjacent to Dunbrack Street and has potential connections to Knightsbridge Drive and Wentworth Drive. It is a large, undeveloped parcel of land that is next to an arterial road. This makes it a very unique site that has naturally existing transportation connectivity. The connection to Tremont Park particularly interested her.

She showed the site and advised that there are site opportunities in looking at it from a planning context. Being connected to a major connector (Dunbrack Road) makes it easier to move people to and from the site. There are a number of entry points into the site and also future connections off of Wentworth Drive, Farnham Gate Road and Knightsbridge Road. There is some existing commercial and retail provided across from the site. She feels that the existing servicing for the area helps capitalize on what's being proposed. There are two large areas of wetlands that will be preserved during the development process. She reiterated on the fact the Tremont drive being adjacent is very important as a site strategy. The wetlands in combination with Tremont Park

helps create a green spine that they can use for open space connections and active transportation connections. This will provide an alternative to vehicle based circulation throughout the site.

She noted that they are looking at how the site interacts with the neighbourhood. They are looking at preserving trees, whenever possible, to provide a buffer. They are also considering the neighbourhood concept. She noted the transitions that would be taking place with the existing neighbourhood are being considered within the proposal. She showed the surrounding area using an aerial view. The intent of the project is to develop a self-contained, vibrant village center. This is a place where people can live and work. It is not a typical suburban sprawl but is vibrant community. In terms of the specific projects aims, the first one is community compatibility. It is essential that the project fits in with the neighbourhood concept. They want to keep it vibrant and insure that vehicles and pedestrians are well connected. They are looking to create a neighbourhood center and not an endless sea of houses. They would like to create a place that has social activity where you feel the energy at street level. It is important that it builds upon the environmental qualities. The wetlands are important for many reasons. They also would like to provide openspace opportunities for the residents.

She advised that they had taken all of these points into consideration and come up with a plan that details the functional aspect of the development. She reiterated the access details and the wetland sites. From a land use perspective, there are single family dwellings that are located adjacent to the existing single family dwellings so there is a nice transition. It gets more vibrant towards the center of the development. This is where density increases. There is a main street with some mixed use and townhouse developments. These are flexible when it comes to a business being added to the townhouses. The multi-unit building would be located towards Knightsbridge where there are existing multi-unit buildings. There is also some commercial potential located off of Dunbrack Drive.

She showed a few different views of the project and noted that they were trying to create an interesting vibrant space that has a lot of green space. This is what forms the backbone of the development plan. She advised that the nice thing about the project and the open space was that they could build upon Tremont Park. Because of how Tremont Park is structured it is currently accessed off of Trailwood Drive and is hidden. She feels that this is a great opportunity to give it more street presence. Parking seems to be an issue and they look at this as a chance to build a parking lot and service the people who are using this park space.

She noted that within the Parkland dedications this could be a spot for washrooms and a community center. This will service people who are coming to the park. The existing tennis court will become part of the park space that will be interesting for people in the neighbourhood. There is also a space for a community garden. In looking into the development of the stormwater management strategy they are insuring that they will not impact the wetlands in a negative way. The wetlands are a great opportunity to develop a trail system that connects through to the park space in Tremont park. They are imagining that this would have trails, boardwalks, bird watching stations and interpretive signage. She showed how the trails might look.

Ms. Robertson stated that the first component of the housing strategy is detached homes. This is a model that many people are familiar with. It is important that the single family houses interact well with adjacent single family houses so there is a seamless transition from the existing neighbourhood to the new development. These homes will either front on or back onto the green

space. The single family houses have not been located on a collector street. They are on a secondary street which provides a nice street scape for children to play and not worry about traffic. There are lots of space for street trees and sidewalks. This encourages people to walk through the development.

She notes that they are following a lot of the principles by the LEED program. This is a program to help encourage green architecture and green developments. This will also reflect the character of the community. The houses will have a garage but will be set back. They will have smaller yards, which she feels helps the neighbourhood to interact. This will link the houses to the street scape. The townhouses will be located in a higher traffic area. There will be some that are free-standing and some that will be integrated with multi-unit housing. The intent of the townhouses is to carry through with modern, high quality architectural standards. There will no driveways or access at the back of the house. This will be pedestrian space. The multi-unit housing will be located in the urban core. Most will have townhouses integrated at the base to help break up the scale. The mixed use, with ground commercial or retail and office or residential on the upper floor will be concentrated towards Dunbrack Street. The intent of the mixed use is that it provides services for people in the local community and in the adjacent neighbourhood.

Ms. Robertson described a setback layout for the buildings, with a height of about 6-8 stories. This would include some higher multi-units above. It will have lots of street walking space. It has street trees/furnishings and bicycle parking. The nearby arterial road offers space for bike lanes and transit. The intent is that the bus will be able to travel through there. This will help commuters in and out of the development.

She noted that most of the parking for the multi-unit and the mixed-unit will be accommodated underground; this eliminates the worry of a large surface parking lot. She showed examples, explaining the some of the townhouses have a dedicated access along the road, with multi-unit housing up above. She gave more examples.

Ms. Robertson explained that there is 23,000 square feet of Local Commercial. This is intended to serve the local neighbourhood and also compliment some the existing commercial uses in the area. It is located off of Dunbrack and is pedestrian friendly.

She stated that they are trying to strive for a balance of a livable community, in terms of some of their urban design principles. From one generation to the next they would like to see people stay in the area. There are multi designs for that purpose. This includes location and connections within the space.

She noted that based on the principles within the project, the need for housing was important. By integrating the stormwater management into the design, through the provision of rain gardens and bios wales, having the architecture reflect the space and having it be a memorable development, is positive, in terms of sustainability.

She reviewed the development:

- 70 units of single family housing
- Accommodation of multi-unit and town housing
- Most of the parking will be accommodated below grade with some street side surface

- parking
- 23,000 square feet of commercial space

She noted that construction will be 8-10 months, with planning. Over that time it will generate 1200 person years of direct construction employment. The spinoff is that the workers will require coffee and lunch. This will generate 2600 person years of employment. That totals 125 million dollars in wages being added to the local economy. For HRM, they will be looking at over 8 million dollars in tax revenue because the tax base will be over 600 million dollars. That is an assessed property value. It is important to support the local neighbourhood with the average household spending in the area.

She stated that they intend to provide a mixed-use development that is based on a village core within the greater HRM. They would like to enhance the existing openspace and wetland to create a green framework that supports the development and makes it walkable and livable for the people in the community. The development presents a significant long term local economic benefit to the surrounding areas. There is a variety of housing, which makes a very diverse and interesting community. An emphasis has been placed on the ecological and esthetic standards for the development. The new development integrates well into the existing development.

Ms. MacLellan gave the ground rules and opened the floor for questions and comments.

## **5. Questions/Comments**

**Brian Wilson, Halifax**, expressed concern about the multi-unit building going up in his backyard. He noted that Trailwood Place was neglected on the map and in the presentation. He was told 6-7 stories for the multi-unit building by HRM. There are other people affected by the development. He noted that the property had over 62 acres and suggested that they place the multi-unit building elsewhere. He stated that he is not anti-development but at the previous meeting he was told that there would be townhouses in that location, which he would be okay with. A multi-use building is too much. He asked if the councilor was in favor of the proposal.

Ms. MacLellan stated that the application is still going through a process at this time so the councilors and staff has not had a chance to fully look at all of the details. The application is at the beginning stages.

Mr. Wilson asked what happen to the original townhouse ideas. He is concerned that the development will ruin the esthetic value of his property. He noted that he would appeal at the URB and having failed that he would continue on to the Supreme Court of NS, and having failed that he would continue to the Supreme Court of Canada. He advised of his ill trust towards the city.

**Tracy McHarg, Halifax**, has a cat colony in the area and wonders if the area will be affected.

Mr. Caesar Salah advised that his company has agreed to help relocate the colony, if necessary.

**Pierre Filiatreault, Halifax**, invites the idea of building a cat sanctuary within the development.

**Bruce Smith, Halifax**, is representing the Halifax North-West Trail Association. He noted that

the current direction within HRM is to develop separate lanes for active transportation or non-motorized transportation. He suggested that the developments bike paths be removed from the road, as it is extremely dangerous, and make dedicated, 4 metre wide active transportation lanes. He gave examples of how to and not to develop a bike lane.

**Rob MacLellan, Halifax,** asked why Tremont drive is not considered to be one of the main access points to the development.

Greg O'Brian advised that the alignment of Tremont was not seen as suitable for handling the volume of traffic. They are focused on Farmham Gate for the flow of traffic to enter and exit the development, as it is easier accessed. He gave all access points.

**John Christie, Halifax,** noted that there are some older homes in the area and Caesar has assured him that the homes will be maintained. He wonders where the water from the wetland would drain. He feels that there are already problems with overflow.

Caesar reaffirmed his commitment to Mr. Christy regarding the issue. As far as the stormwater management, the whole site would have to be re-engineered. Everything will need to be connected.

**Ross Harrington, Halifax,** expressed concern about the multi-unit building going up in people's backyards. He does not want Tremont to be connected to the development as it is not a safe road. He asked if there would be a pub within the development.

Mr. Salah advised that he was there to listen to suggestions and go back to the drawing board. He advised that his company worked really hard to make changes since the last meeting, over a year ago. They did listen to the feedback last time and they will do it again. He wants to work with the community. He reiterated that there will be no connections to Tremont Drive.

**Kent Noseworthy, Halifax,** he asked why there would be any access off Tremont.

Caesar Salah stated that they are Single Family Dwellings. They feel that it is an improvement to Tremont Drive.

Ms. Robertson stated that by putting those homes there, it finishes off Tremont. If not, the road connection would have never happened.

**Peter Bragg, Halifax,** rented in the area and will be now looking to buy a home. He doesn't want to move to Clayton Park because the housing limitation. He asked if there could be an increase in the number of townhomes or single family dwellings. He would like to stay in the area but the prices for homes are high.

Caesar Salah noted that there currently 70 single family dwellings and 124 townhouses within this development.

**Colin McNeil, Halifax,** believes that central developments are important to reduce urban sprawl. He noted that there is a watercourse on the property and wonders if it will be buried. He would like to wetlands to be respected and noted on the plans. He would like that to be looked into. He

noted that wild cats are the main killer of song birds in Canada. He feels these cats should not be protected.

**Regina Scott, Halifax**, has a strong knowledge of the area and identified other wet lands. She noted asked where the emergency access would enter the site.

Mr. Salah stated that they are not proposing any access from Tremont for vehicles, just pedestrian.

Ms. Scott asked if there would be heavy equipment brought up through Tremont drive when it is time for construction.

Mr. Salah advised that it would construction for a single family dwelling. It would be standard equipment. There are also other possibilities for access.

Ms. Scott asked if they would place trails through the area.

Mr. Salah stated that they are trying to incorporate both the wetland area and the Tremont District Park. There will be connecting trails.

Ms. Scott is concerned about the impact on the Park overall over time.

Mr. Salah stated that anything that is proposed for that Park area has to go through Parks Canada. They can only give suggestion. They wanted to give the Park an identity.

Ms. Scott is concerned about blasting and the effects on Crest Road. It will be intrusive.

Mr. Salah advised that this is why they have intentionally located compatible uses next to each other. They will minimize the impact by using specific placement.

**Robert MacDonald, Halifax**, is concerned about the 6-8 story development in his back yard. He is also concerned with the proximity as the diagram did not show areas being taken care of, in terms of buffer zones. He asked when they felt they would be breaking ground on the project.

Ms. MacLellan advised that the project is at the early stage of the application. The process has many steps but may take about 8-10 months, on average.

**Sharon Bernbaum, Halifax**, feels that 8-10 years of construction and re-engineering would be horrendous. While doing this, how can you support the wetlands?

Caesar Salah showed the wetland area and the buffer. He advised that this is an area that he cannot touch at any time. Re-engineering will not affect the wetlands.

Ms. Robertson advised that W.M. Fares is very sensitive about their construction practices.

Ms. Bernbaum asked if there would be talks with Metro Transit in the future regarding new routes and existing routes.



**Paul Morgan, Community & Regional Planning**, noted that Halifax Regional Council, On February 28, 2012, authorized a study to look into transportation needs in this area with emphasis on transit service. It wasn't just because of this development as there are other major developments proposed along the Mainland Halifax Bedford Corridor. There is a good opportunity to improve transit service and make the best use of it and get in front of it before it happens.

**Eleanor Power, Halifax**, was at the first meeting and she feels that there are more multi-unit buildings within this new development.

Caesar Salah advised that there are now shorter multi-unit buildings versus less taller multi-unit buildings.

Ms. Power suggested that some be tall and some be short to give it a better balance.

Mr. Salah advised that he will try to accommodate this when reviewing it. But there is a bigger picture and will continue to change as it gets closer to happening.

Ms. Power asked if there were going to be solar-powered homes within the development. If not, she would like to see that.

Don Mailing, Halifax, asked if there would be a pre-blast survey.

Ms. MacLellan advised that HRM does require that to be done. The distance depends on the intensity of the blasting.

Mr. Mailing feels that the whole area is covered by bedrock. He noted that fire service would be great for Tremont, if connection was possible.

**Rick Trites, Halifax**, asked if elevations could be provided, showing the existing properties and asked if they were encroaching on Tremont Park. That is what appears to him.

Mr. Salah advised that they were proposing that the location of the Park parking lot be adjusted and to add parking. These details have not been finalized yet. It will be a shared park.

**John McGill, Halifax**, attended the first meeting and was pleased to serve on an input committee that met with Caesar and other members of the community. Overall he was pleased with many aspects of the development. He is concerned about the entrances, exits and traffic. The community is boarding on a fairly dense area. From his perception, most of the vehicles will exit on the south-west corner of the development. He is pleased to see a lighted intersection at the Farmham Gate entrance. He feels self-centered as he lives off Flamingo drive and fears that it will encounter quite a bit more traffic.

He is concerned about the connections. He noted that Tremont Drive is declared sacred by others. He understands as the street is narrow. It is steep but it is an alternative exit from a heavily subscribed urban development. He feels that this is a community initiative and it needs to be decided together. He asked about the potential for the development of Tremont Park concerning the entrance from Tremont Drive.

Greg O'Brian advised that not all the traffic from the development will be heading downtown. The traffic will go to Bedford, Bayer's lake and the Burnside express way will be constructed within the next few years. These routes will provide access as well. Transit is well served in the area. Dunbrack will also be a main traffic focus.

Caesar Salah stated that he would have the traffic issue reviewed. He stated that the logic behind rush hour is that people will be inclined to take Dunbrack. He stated that the traffic report is available on-line, to get further details. He notes that there are other developments happening in the area which makes one of the obvious routes Dunbrack. Tremont is not an option as it is narrow and there is a lot of pedestrian activity around the school.

Ms. MacLellan advised that there is a lot of information concerning traffic on the HRM website.

Keith Conrad, Halifax, asked what the plan was concerning the beginning of construction and where they would be developing first.

Ms. MacLellan stated that this is stage I of the application. Before they could start developing, they would have to submit that in the stage II development agreement. This is much more detailed. Stage II would also need to be approved by Council, by resolution.

Mr. Conrad noted that the traffic created to and from Tremont Park, may be a concern. He wants to know how long it will take to get the current entrance to the Park blocked off. He also asked how long it would take until the Park is usable.

Ms. MacLellan stated that this will be addressed at one of the earlier stages.

**Kelsey Green, Halifax**, feels that the development looks okay when it comes to the overall development for the city but he feels it is not up to par with W.M. Fares. He feels that they can do better. He asked the developer why this development should go forward when three other developments are not.

Ms. MacLellan stated that the reason they are able to go forward is that HRM is able to accept their application. It depends on the existing policies and if they need to be amended. It is not up to the developer as to whether or not their proposal can go forward.

Mr. Green provided information on other locations that are being developed. A lot of the traffic will be heading downtown and to Burnside. He wondered what the developer would be contributing towards the street exchange for traffic flow.

Mr. Salah advised that the traffic report breaks down the information but he wasn't sure of totals. He noted that the on-line report is public.

Mr. Green asked if the company would be sending out a pre-blasting survey as he feels that it would be important. There will be lots of fill required to fill the basketball court area, to make a parking lot. He feels that the project is lacking information, no elevations, no contours and no grades. There is no visual understanding as to what this project will look like.

Mr. Salah stated that the information will be provided to HRM within different phases. This is just at the beginning stage to get some feedback from the community.

Jillian MacLellan advised that stage I talks mostly about the design.

Mr. Green advised that this makes it hard for people to get the full picture.

**Ford Doolittle, Halifax**, noted that a pedestrian walkway is important as they should not be in people's backyards. He stated that Tremont drive would be impossible, at an entrance, as it is so busy with pedestrians at school times.

**Bill Stone, Halifax**, attended the first meeting for the development and is concerned with the range of heights for the proposed buildings. When it gets closer, he would like to know the exact heights proposed. He asked Tremont Plateau had any other specific plans or was it just going to be a parking lot.

Jill Robertson advised that the intent is to enhance Tremont Park as it is currently under-used. There is also space allocated for a community center with potential community centers. These would have washrooms and a canteen service. On the opposite side of the road there would be a community garden space and trail connections.

Mr. Stone asked if it was the developer that would be building the community center or would this be the responsibility of someone else.

Mr. Salah stated that part of the subdivision includes a park allocation. W.M. Fares are working with HRM parks. The details are not finalized yet. HRM would like to see things such as availability, accessibility and frontage. HRM is not interested in the change of use. W.M. Fares is going to build the actual community center building.

Mr. Stone would like this clarified prior to approval.

Ms. MacLellan stated that in circumstances where parkland takes land and there will be an improvement to the land, HRM won't take ownership of the property until the improvement has been completed.

Mr. Stone asked who would be building the parking lot and the community center.

Ms. MacLellan noted that it would most likely be the applicant.

Mr. Stone noted that some of the buildings are tight to the property lines. He asked if that could be changed.

Caesar Salah stated that there was some flexibility with the road network and he would look into it. They were originally placed that way for esthetics.

Mr. Stone noted that the circle within the development reminds him of the Armdale rotary. He made some suggested changes. He asked about the timelines for the project. He asked which of the roads and buildings would go in first.

Jillian MacLellan stated that this would be determined through a development agreement.

Caesar Salah stated that typically, for a project such as this, there is a one year planning period and a one year of infrastructure (roads) that would go in first. The development would be phased in. This would allow the accessibility of Tremont Park, as far as the first phase.

Mr. Stone feels that Tremont should be closed to make sure that no one can think about extending Tremont in the future because it will become a short cut from Dunbrack to the Bedford Highway.

**Shirley Shamash, Halifax,** asked if the residential buildings would be sold as condos or rented units.

Mr. Salah stated that it was too early. It may be a mix of rentals and condos but it depends on the market at that time.

**Mary Hollstrum, Halifax,** foresees that there will be an increase of 500 – 1500 in the children in the area. She asked which school they would be attending.

Ms. MacLellan stated that the development was reviewed by the Halifax Regional School Board and they would be going to Rockingham Elementary school, Clayton Park Junior High, Halifax West High School or Park West High School.

Ms. Hollstrum advised that currently, Park West School is using a portable classroom system. She wonders how it will impact the existing neighbourhood.

Ms. MacLellan stated that these comments were provided last year and it may change depending on when it is complete.

Ms. Hollstrum stated that there are no sidewalks on Tremont Drive. She wonders how the people will funnel out of the development, which does have sidewalks, onto Tremont. In the winter the city plow cannot get up the hill because of the road conditions. It is not a road you would want to travel.

**Bob MacDonald, Halifax,** showed a map from May, 2011 of the area. The Farnham Gate Road extension, into the area, seems to go right through a wetland. It is not shown on the new map. He asked for clarification.

Mr. Salah advised that initially they did not contemplate access through Farnham Gate Road. After meeting with the community, they wanted that access. W.M. Fares went back to the bottom hand corner of the development to allow that access.

Mr. MacDonald is concerned about the value of the site and them buffering the wetlands. He asked how the wetlands are going to be protected. He asked if the Department of Environment would be taking part in this review.

Ms. MacLellan advised that they are one of the required agencies that HRM is working with.

Jill Robertson advised that the “no disturbance” area will not be touched in the development process. This will help to buffer the wetlands during construction.

Mr. MacDonald wonders if the wetland will actually be disturbed. He asked what the trails system would consist of.

Ms. Robertson stated that there would be soft surface trails to promote the water run back through the development. The intent is for people to enjoy the benefit of them without damaging them. None of the trails go directly through the wetland but redirected around the perimeter. This is also up for discussion.

Mr. MacDonald stated that asphalt would compromise the wetlands.

Ms. Robertson stated that they are talking about using such things as boardwalks as they are more environmentally sensitive.

Harold Lee, Halifax, expressed concerned with the traffic issue. He feels that traffic will travel from the west into the development.

Greg O’Brian stated that the traffic will be coming and going in all directions to and from the site.

Mr. Lee advised that the residents on Bayview Road were promised that there would be less traffic, about 15 years ago. He feels that the traffic will now be increased.

Paul Morgan stated that the study that Council authorized has a lot of emphasis on transit use and what improvements or changes will be needed within the current road network, both immediately offsite and what the implications will be on Bayers Road.

Mr. Lee wonders where the traffic study comes from because there is already a lot of traffic traveling in the area.

Mr. Morgan noted that the motherhouse lands development may have potential to help relieve traffic in the area.

Sharon Ernst, Halifax, advised that there is a stream right along the R-2 strip, in the development. She asked what will happen with the stream.

Mr. Salah stated that nothing will happen as they have to buffer from it.

Ms. Ernst stated that the traffic study is hard to find on-line and also hard to see. She stated that the stop sign on Wentworth Street is a busy intersection to turn Left. The cars enter doing eighty and it almost makes turning impossible. The study claims that there will be no impact on that area. She feels that this should be looked into further.

Ms. MacLellan advised that she would review the study to make sure it is clear. She also stated that she could provide a hard copy as well.

Susan Duyer, Halifax, stated that the property looks nice but is lacking trees. She asked if they would be planting trees.

Robertson advised that there are a lot of street trees and will be planted as a part of the development. They are also looking at opportunities to protect as many of the existing trees as possible. This will also be written in the development agreement.

Ms. Duyer asked what would happen to a sliver of property at the top of the development.

Mr. Salah advised that the parcel of land is owned by a different owner and is not a part of the development. He noted that this development has recently exchanged hands and will be developed as-of-right, residential. The other small sliver is a part of the development.

Ms. Duyer is concerned about the 6-8 story building elevations. She is concerned because it may appear 10-12 stories high on an elevated lot. This would be too tall and unfair for the neighbourhood.

Ms. MacLellan advised that HRM would determine the permitted heights in stage I.

**Kurt Bulger, Halifax**, likes this development and feels that it will put a traffic stress on the area. He feels that this should have looked into thirty years ago.

Mr. Morgan stated that the intention is to go well beyond the site. There are a number of reasons as to why they will be looking into the traffic routes, not just because of this development. He advised that he would have to check with the traffic engineering department concerning specific streets. A lot of the traffic focus will be on the main arterials.

Mr. Bulger thinks it is a great project but believes it will effect what is currently a problem with the traffic and should have been looked in too long ago.

**Jeff Rogers, Halifax**, stated that there are no major connectors in the area. He feels that the change to the Farmham Gate intersection will be diverted. He would like to see more condos and fewer apartments. He is opposed to any additional intersection lights at Wentworth. He feels that the project itself is a good idea.

**Councillor Debbie Hum** thanked everyone for coming. She made recognitions to some people at the meeting and advised people to direct any questions to herself or Jillian MacLellan. She ensured a detailed review of the project and answers for the question that could not be answered at present. She suggested that there should be another public information meeting and advised that there was a traffic and wastewater study underway. She provided her contact information.

## **6. Closing comments**

Ms. MacLellan thanked everyone for coming and provided his contact information.

## **7. Adjournment**

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