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Halifax, Nova Scotia
B3J 3A5

MEMORANDUM

To: Chair and Members of St. Margarets Bay Coastal Planning Advisory Committee

From: Miles Agar, Planner
Graeme Buffett, Development Intern

Date: January 7, 2013

Subject: **Case 18944: Application by Village Station Townhomes Limited to consider a non-substantive amendment to the existing development agreement at 26 French Village Station Road, Upper Tantallon, to consider changes to the exterior architectural appearance of the dwellings**

Background:

On April 24, 2012, Western Region Community Council approved a development agreement (Case #16095) to create a multi-unit development at 26 French Village Station Road - see Attachment A. The approved development agreement outlines how the development will be constructed from lot layout to building design. The applicant, Village Station Townhouse Limited, now wishes to amend the development agreement to provide greater flexibility on the exterior design of the townhouse buildings. The subject property is located within the community of Upper Tantallon, which falls within the Committee's designated area.

Proposal:

The development consists of 10 residential townhouse units within 2 buildings as outlined in Attachment B. To provide greater flexibility on the exterior design of the townhouse buildings, the applicant is requesting that a second design option for the townhouses be enabled under the development agreement (see attachments C and D). The proposed changes include roof pitch, window placement, entryways, cladding, and the general appearance of the units. The applicant contends the changes are minor in nature and consistent with the existing development agreement.

Proposed Amendments:

Section 6.1 of the development agreement indicates what amendments to the development Community Council will consider as a non-substantive amendment (Attachment F). Non-substantive amendments may be approved by resolution of Community Council and **do not** require public consultation or public hearing. Section 6.1 (b) of the development agreement considers "*changes to the exterior architectural appearance of the dwellings, including materials, architectural treatments and fenestration pattern*" as a

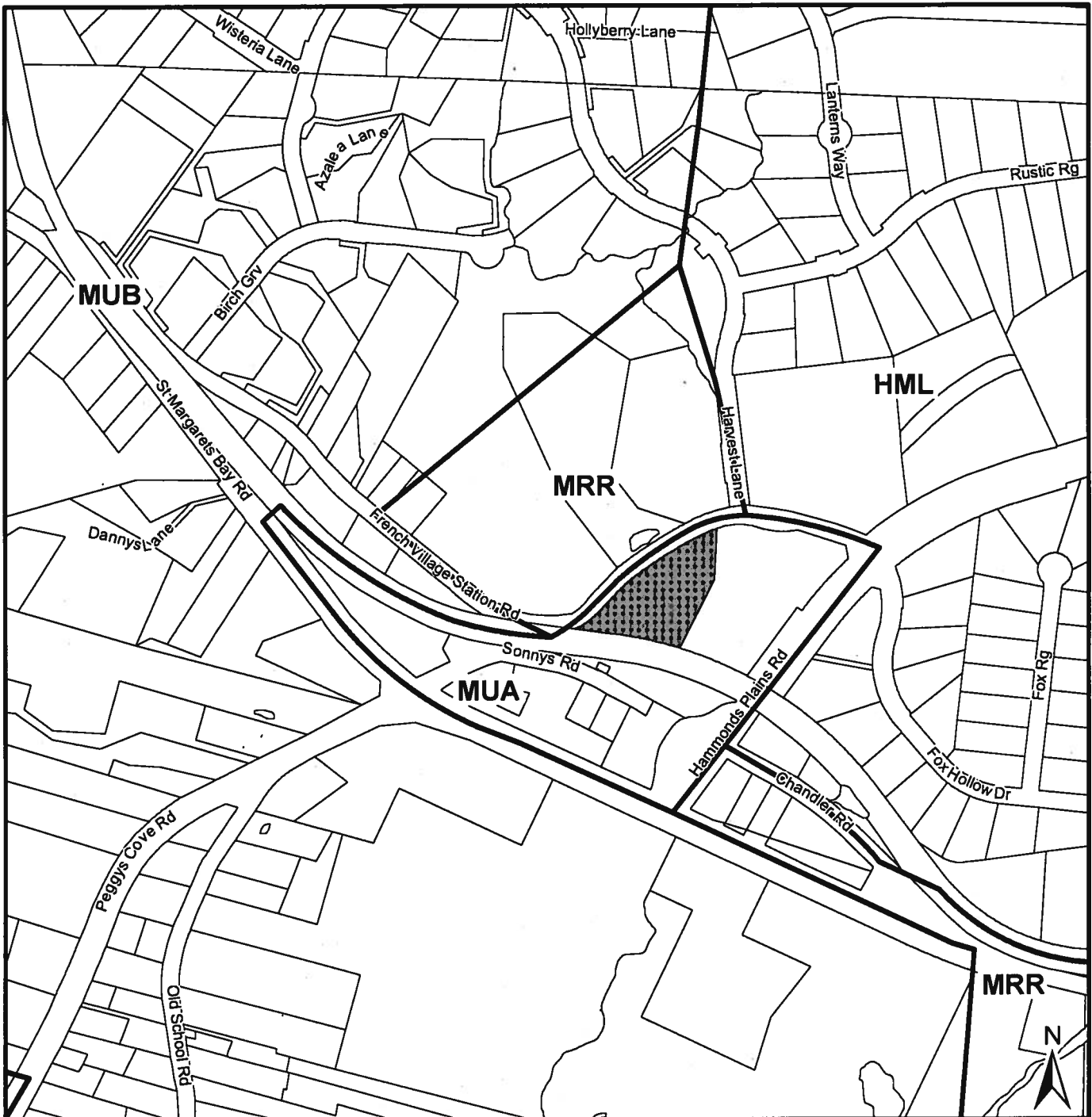
non-substantive amendment. Therefore, Community Council can considered the proposed amendments to the development agreement by a resolution of Council.

Input Sought from the Committee:

The purpose of this application is to amend the existing development agreement on the property to include a second set of elevations that enable greater flexibility on the design of the townhouse buildings. The role of the Committee is to provide feedback to Community Council on the proposed amendments relative to the intent of the development agreement and plan policy. The Committee's feedback will be included in the staff report to North West Community Council.


Attachments:

- Attachment A – Generalized Future Land Use Map
- Attachment B – Approved Front, Left, Rear, Right Elevations
- Attachment C – Proposed Front, Left and Right , Rear Elevations
- Attachment D – Proposed Renderings
- Attachment E – Site Plan
- Attachment F – Relevant MPS and Development Agreement Policies



Map 1 - Generalized Future Land Use

26 French Village Station Road
Upper Tantallon


 Area of existing
development agreement

Planning District 1 & 3
(St Margaret's Bay) Plan Area

Designation

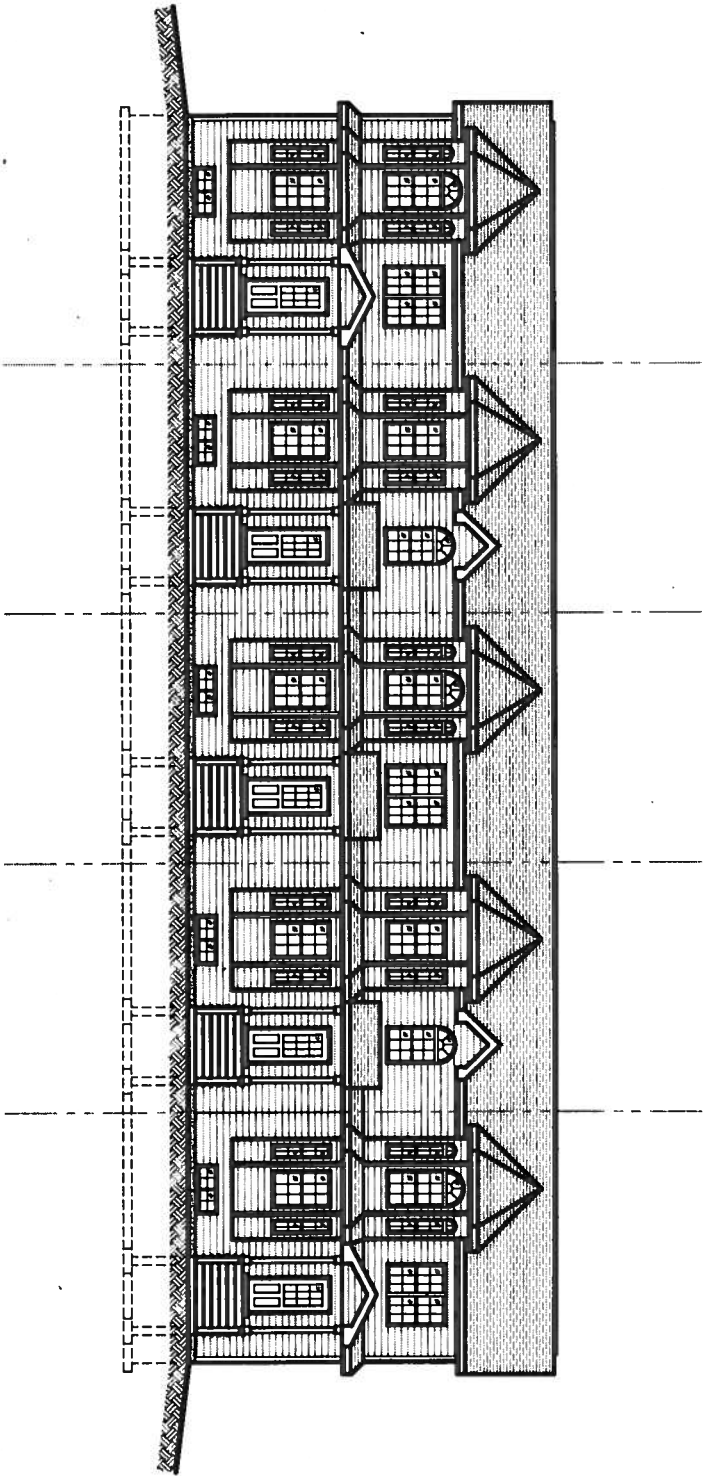
HML	Hubley Mill Lake
MRR	Mixed Rural Residential
MUA	Mixed Use A
MUB	Mixed Use B

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

0 100 200 m


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.

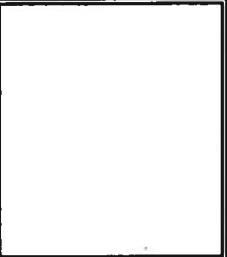


GENERAL NOTES:

- This building is to be constructed in accordance with current local and national building codes and bylaws.
- Building Contractor is responsible for determining all structural components.
- Detail work has been taken in the production of these plans however errors or omissions may occur. SCOTT SIMS and I am not responsible for any such errors, omissions, etc.
- Special Drawing and approvals to all municipal bylaws remain the responsibility of the owner and/or builder.
- Consulting this site could mean that changes to plans are required. These changes could be in the form of structural, mechanical, electrical, plumbing, etc. or other items that are not shown on these plans.
- Building required under roof load bearing walls there are permits to permit.

ITEM REVISIONS DATE

ITEM	REVISIONS	DATE



243 Quarry Drive Tel: (902) 865-8476
Barnetown, N.S. BAC 315

TITLE: FRONT ELEVATION

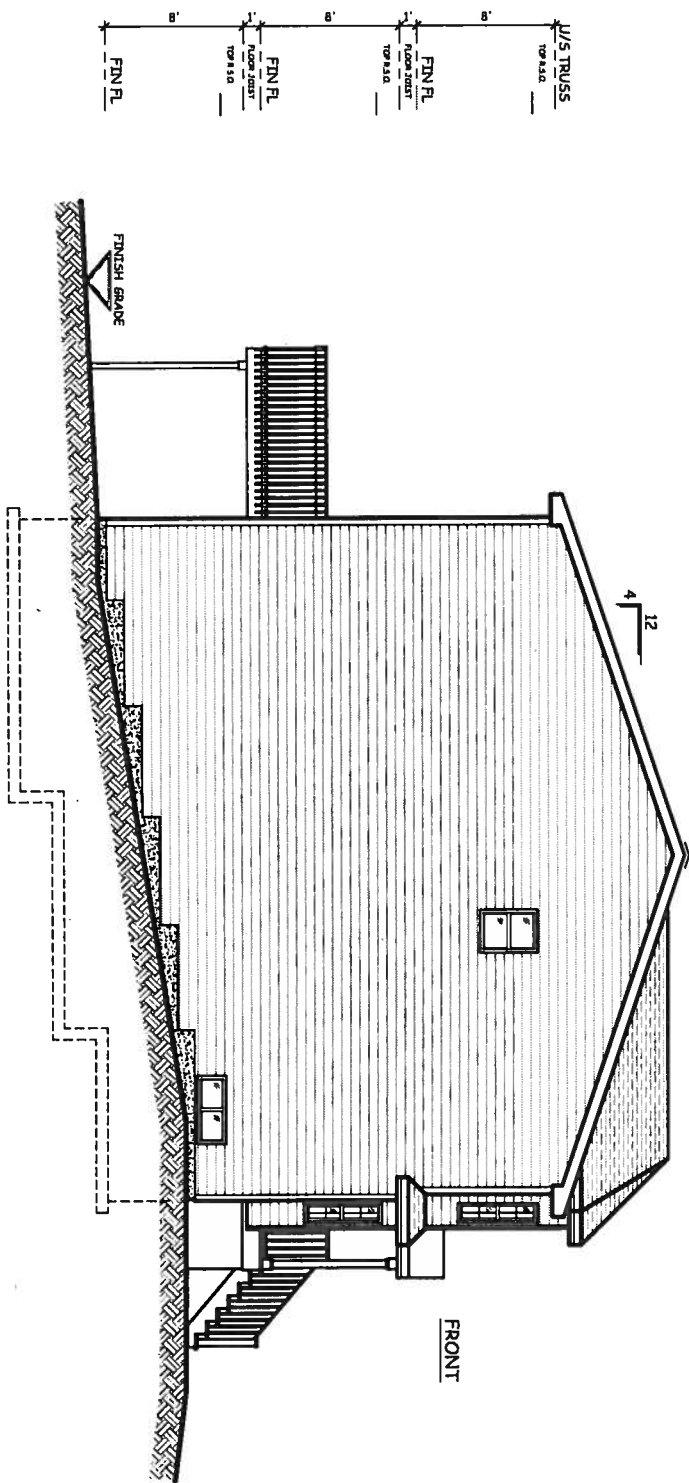
DWN. BY: SCS

PROPERTY: Lot #

DATE: N.T.S. plans
SCALE: N.T.S. elevations

SHEET: 1 of 7

Lot #



GENERAL NOTES:

- The building is to be constructed in accordance with current local and national building codes and bylaws.
- Building Contractor is responsible for determining all structural component sizes.
- Owner owns the building in the production of these plans and is responsible for any and all errors, omissions, etc.
- Special drawings and approval to be submitted by the contractor for the responsibility of the owner and/or architect.
- Construction after construction may cause variations in grade, drainage, water table and placement of exterior finish and protection of exterior finish.
- Siding required under new load bearing walls then are provided in place.

ITEM REVISIONS DATE

ITEM	REVISIONS	DATE

Case 16095
Schedule E

243 Cherry Drive
Barnstable, N.S.
BME 415

TITLE: LEFT
ELEVATION

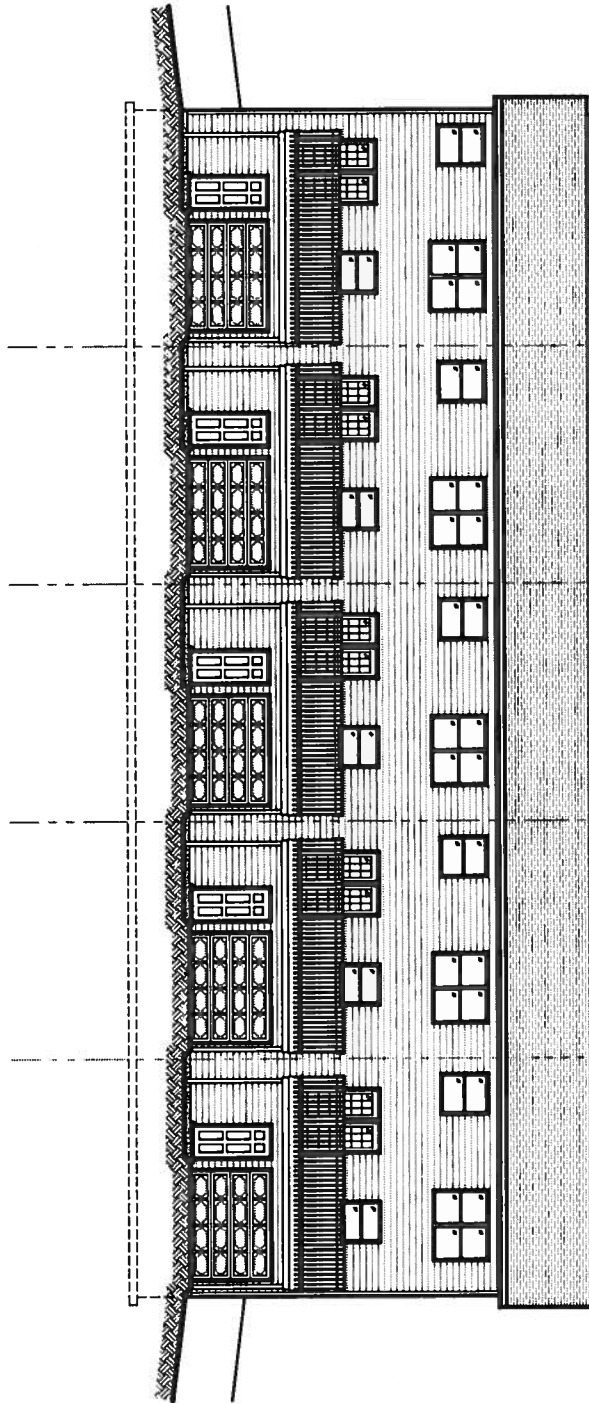
DWN BY: S
EG

PROPERTY:
Lot #

DATE: June 3, 2008
SCALE: N.T.S.
plans
elevations

SHEET: 2 of 7

Lot #



US TILES
12" x 18"
FNR
12" x 18"
FNR
12" x 18"
FNR
12" x 18"
FNR
12" x 18"

GENERAL NOTES:

This building is to be constructed in accordance with current local and national building codes and bylaws.
Builder/Contractor is responsible for determining all structural component sizes.
Owner must have been taken in the production of these plans and is responsible for any changes or additions to the plans and will be responsible for any such errors, omissions, etc.
Special drawings and approvals to suit unique systems must be submitted to the owner and approved.
Construction shall comply with any local, state, or federal regulations, codes, laws and ordinances, as well as applicable provisions and provisions of applicable codes.
Siting required under any local zoning with their own permits by permit.

ITEM	REVISIONS	DATE

Case 16095
Schedule F

243 Oakley Drive
Barnstable, N.S.
B/E: S/S
Tel: (508) 865-8476

TITLE: REAR ELEVATION

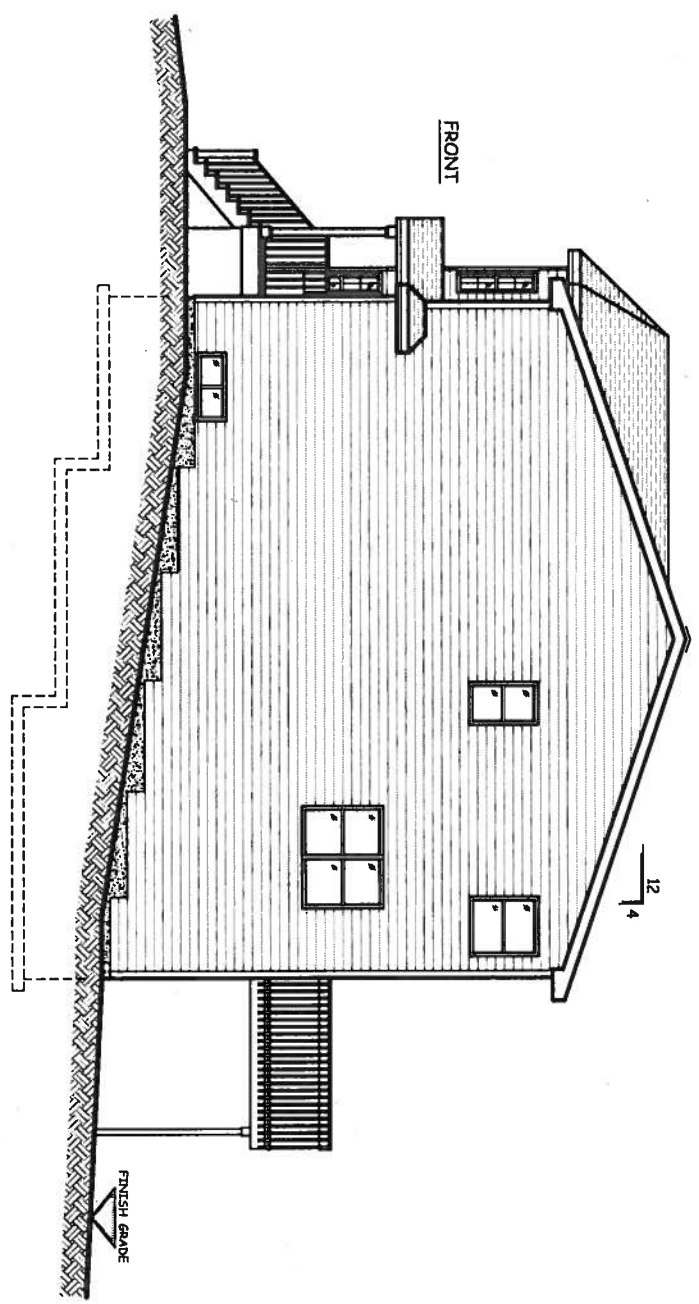
DWN. BY: S E G

PROPERTY: Lot #

DATE: June 3, 2008
SCALE: N.T.S.
plans elevations

SHEET: 4 of 7

Lot #



U/S TRUSS
TOP 11.50
FIN PL
FLOOR JOIST
TOP 11.50
FIN PL
FLOOR JOIST
TOP 11.50
FIN PL
TOP 11.50

GENERAL NOTES:

- This building is to be constructed in accordance with current local and national building codes and bylaws.
- Building Contractor is responsible for obtaining all structural component sizes.
- Owner owns the land shown in the production of these plans and is responsible for all utility lines, easements, and other matters not shown on these plans and will not be responsible for any such errors, omissions, etc.
- Special drawings and approvals to suit unique site conditions are the responsibility of the owner and/or architect.
- Construction site conditions may cause variations in grade, dimensions, window sizing and placement, or of structural members and placement of mechanical equipment.
- Finishing required under new load bearing walls there are provided in plans.

ITEM	REVISIONS	DATE

Case 18095

Schedule G

243 Clancy Drive
Bismarck, N.D.
BME 313

Tel: (702) 945-4476

TITLE: RIGHT ELEVATION

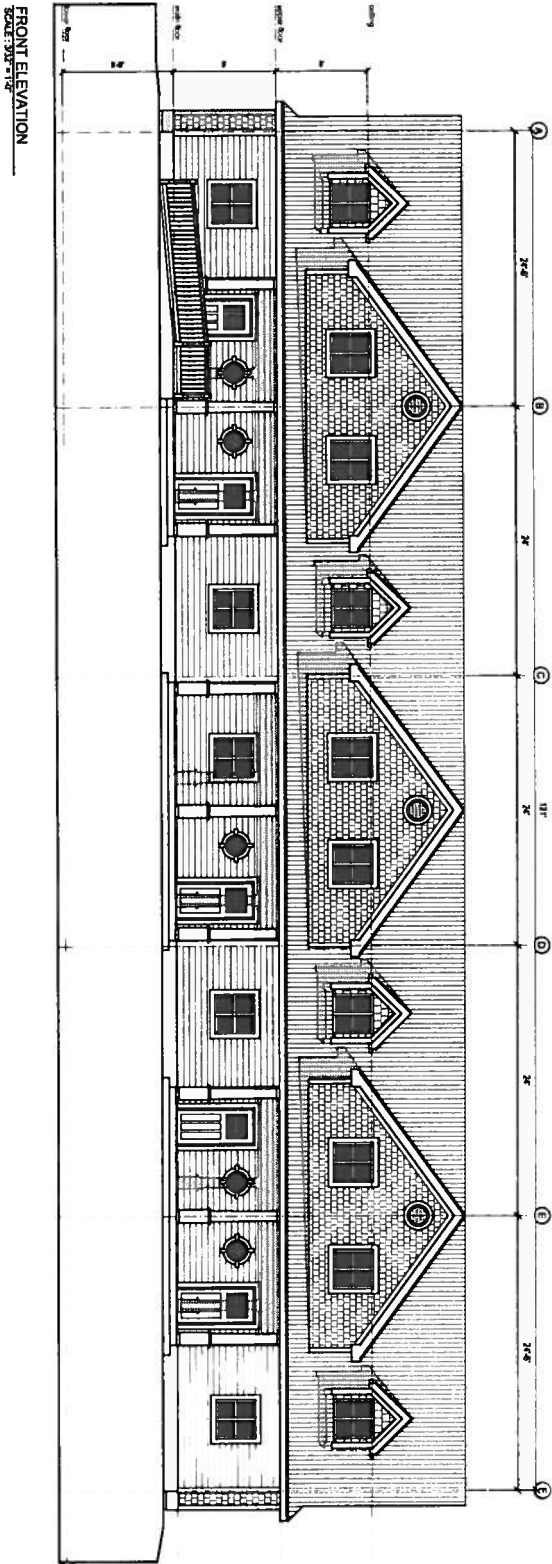
DWN. BY: SECS

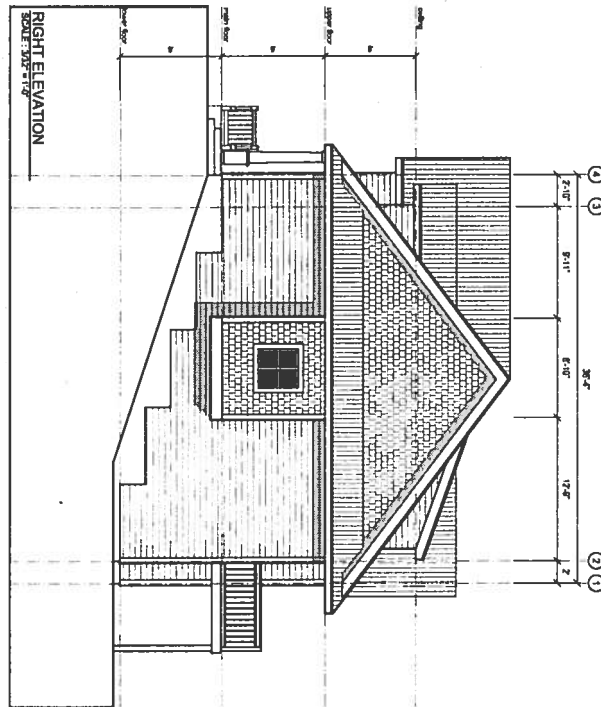
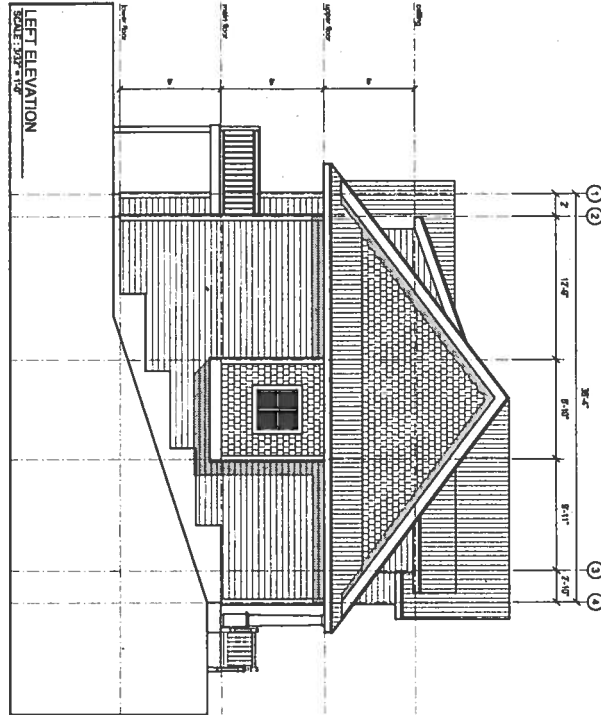
PROPERTY: Lot #

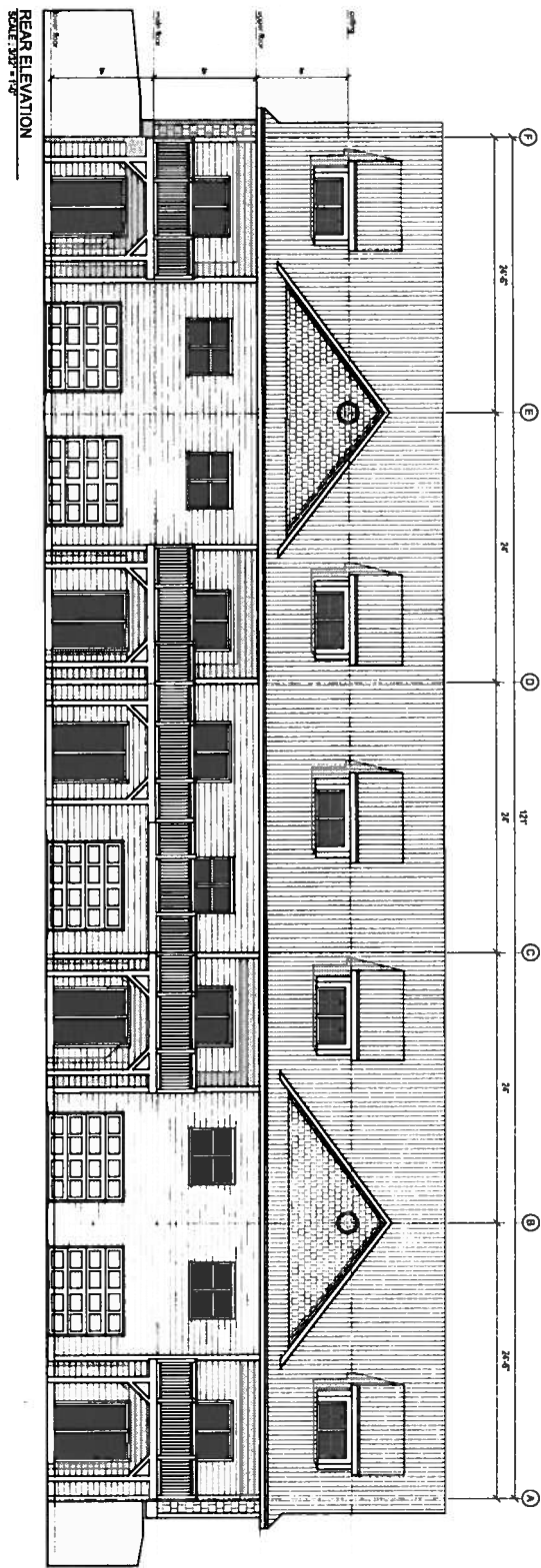
DATE: June 3, 2008
SCALE: N.T.S.
plans elevations

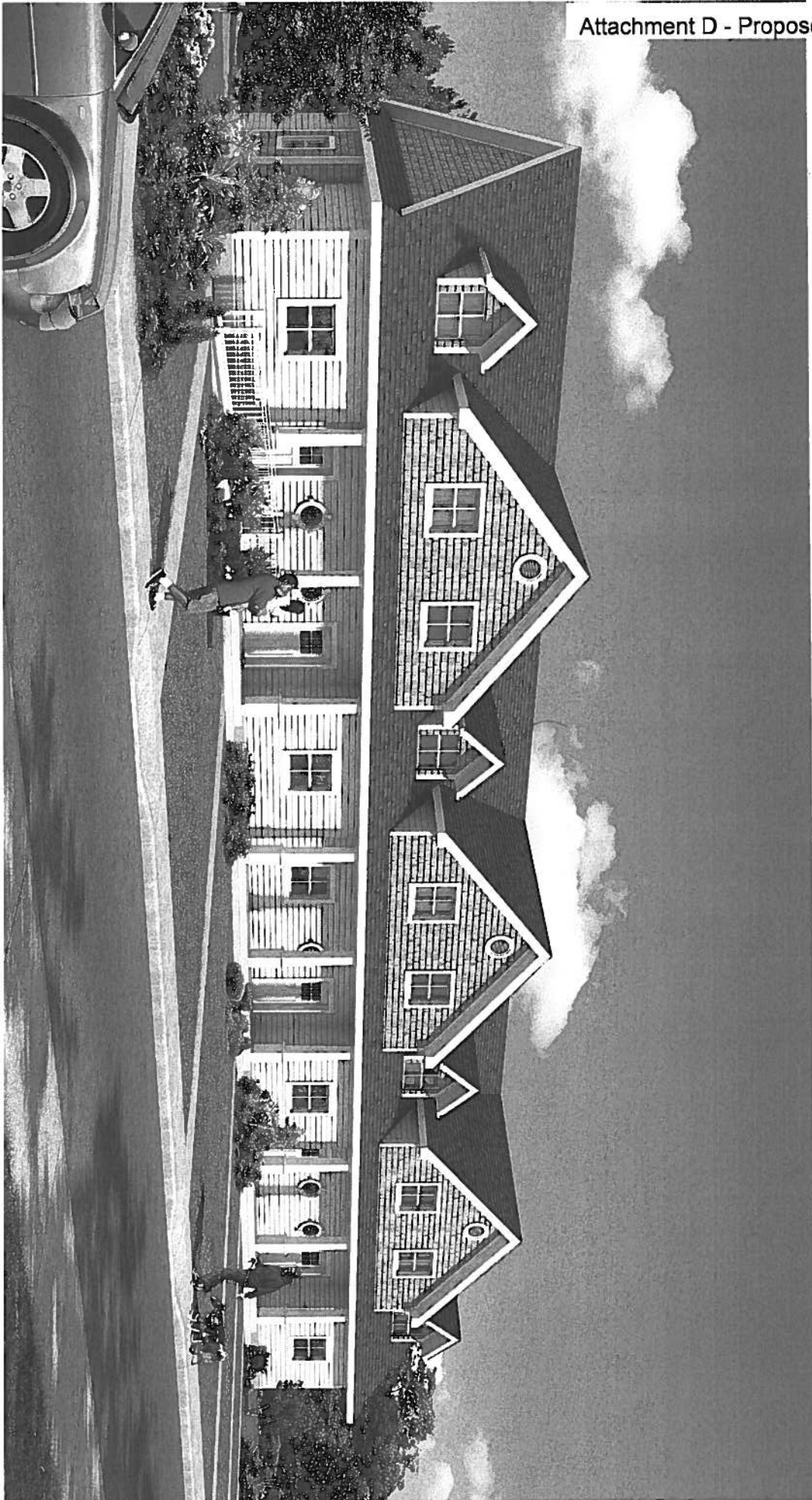
SHEET: 3 of 7

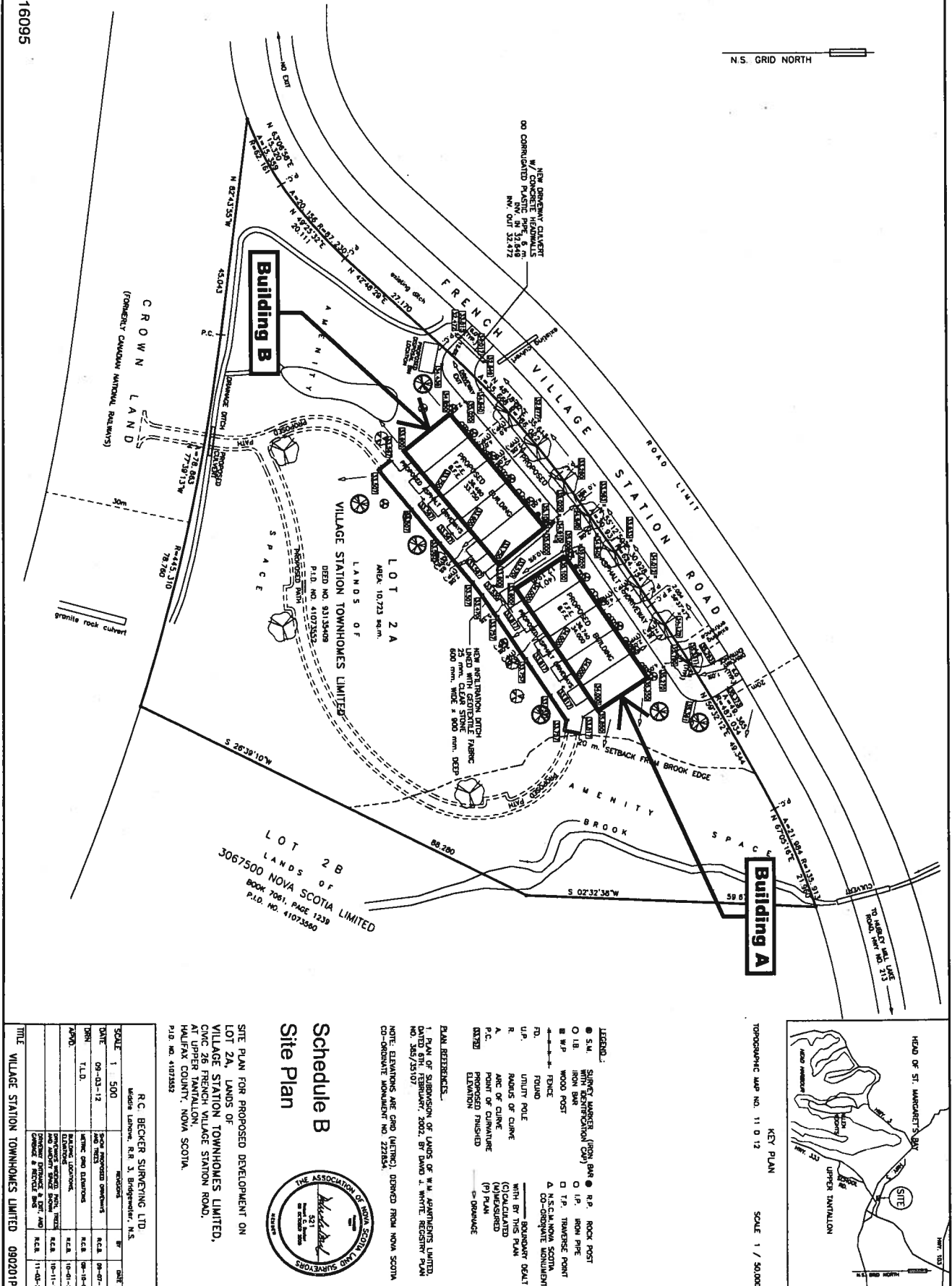
Lot #











Attachment F
Relevant MPS and Development Agreement Policies

MPS

MU-4 Notwithstanding Policy MU-2, within the Mixed Use "A" and "B" Designations Council shall only consider senior citizen homes over twenty (20) units and multiple unit dwellings within the Mixed Use Designations according to the development agreement provisions of the Planning Act. In considering such development agreements, Council shall have regard to the following:

- (a) that the architectural design and scale of any building(s) are compatible with nearby land uses;
- (b) that adequate separation distances are maintained from low density residential developments and that landscaping measures are carried out to reduce the visual effects of the proposal;
- (c) the general maintenance of the development;
- (d) that open space and parking areas are adequate to meet the needs of residents and that they are suitably landscaped;
- (e) the means by which solid and liquid waste will be treated;
- (f) the effect of the proposed use on traffic volume and the local road networks, as well as traffic circulation in general, sighting distances and entrance to and exit from the site; and
- (g) the provisions of Policy IM-9.

Development Agreement 16095 Policies

6.1 Non-Substantive Amendments

The following are considered by both parties to be Non-Substantive and may be amended by resolution of council:

- (a) Changes to the signage requirements detailed under Subsections 3.9.1(b), 3.9.1(c), and 3.9.1(e) of this agreement;
- (b) Changes to the exterior architectural appearance of the dwellings, including materials, architectural treatments and fenestration pattern;
- (c) The granting of an extension to the date of commencement of development as identified in Section 7.3 of this Agreement;
- (d) The length of time for the completion of the development as identified in Section 7.4 of this agreement;
- (e) Subject to a supplementary Level II Groundwater Assessment, less than five (5) dwelling units in the second phase of the development;
- (f) Changes to any of the Schedules which are necessary to accommodate the requirements of the Nova Scotia Building Code Regulations and, which in the opinion of the Development Officer, do not conform with the Schedules as per Section 3.1;
- (g) Changes to the amenity space design, including the location of the required crusher dust path detailed in Section 3.8 of this agreement; and

- (h) Changes to the building required by Section 3.10 of this Agreement which are necessary to accommodate the requirements of the Municipality's Solid Waste Resource Collection and Disposal By-law (S-600)**