

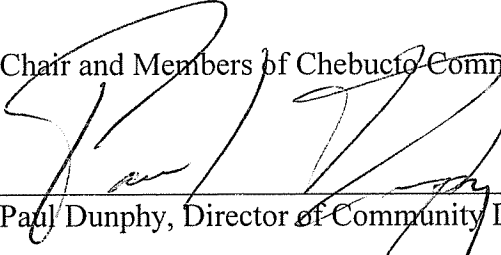


PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

12-1

**Chebucto Community Council**  
**May 7, 2007**

**To:** Chair and Members of Chebucto Community Council

**Submitted by:**   
Paul Dunphy, Director of Community Development

**Date:** April 16, 2006

**Subject:** **Case 00977: Amendment to Stage I and Stage II, Phase 1, Development Agreements - Main Avenue, Halifax**

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**ORIGIN**

Application by W.M. Fares Group, on behalf of Byblos Development Group, to amend the Stage I and Stage II, Phase 1, Development Agreements for Mount Royale Subdivision, Main Ave., Halifax.

**RECOMMENDATION**

It is recommended that Chebucto Community Council:

1. Give Notice of Motion to consider an application by W.M. Fares Group to amend the Stage I Development Agreement for Mount Royale, and schedule a Public Hearing;
2. Approve the amending Stage I Development Agreement, presented as Attachment A to this report, for Mount Royale situated on Main Avenue, Halifax, to allow the addition of an Institutional use and generally update the masterplan to reflect the most current information;
3. *Following the coming into effect of the amending Stage I amending agreement*, approve the amending Stage II Development Agreement for Mount Royale, Phase 1, presented as Attachment B to this report, to allow a 92 unit multiple residential building, and a church on Lot MU-10 and generally update the 133 unit multiple residential building on Lot MU-9 to reflect the most current information; and
4. Require the Amending Agreements for Stage I and Stage II, Phase 1, be signed and delivered within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

## **BACKGROUND**

The subject lands comprise a total of 67.55 acres which abut the north and south sides of Main Avenue to the west of North West Arm Drive. The lands are designated Residential Environments in the Halifax Municipal Planning Strategy and are zoned Schedule "K" in the Mainland Halifax Land Use By-law (see Map 1). Schedule "K" requires a two stage approval by Council. The first stage (Stage I) involves Council approval for a concept plan and development agreement and a Public Hearing is required. The second stage requires more detailed plans and development agreements for individual phases of the development. Stage II development agreements are to be consistent with the Stage I agreement. Council approval is required for the Stage II agreement but no Public Hearing.

The Stage I Development Agreement was approved by Chebucto Community Council on April 4, 2005 and amended on February 6, 2006. The Stage II, Phase 1, Development Agreement was approved by Chebucto Community Council on June 12, 2006. Subsequent to these approvals, the Developer has made a request to develop an Institutional use, a church, within Phase 1. This is also an opportunity to update the plans appended to the agreements to reflect the most current information.

## **DISCUSSION:**

The intent of the proposed amendments is to improve the overall development while at the same time incorporating changes that have occurred in relation to the proposed development. The amendments to the Stage I agreement are:

- Inclusion of revised Schedules including the Site Development Plan, Site Servicing Plan and the Project Data Chart;
- Change references to Schedules to correspond with the new Schedules;
- The addition of an institutional use in the form of a Church on Lot MU-10;
- A correction to the total lot area for the development from 67.11 acres to 67.55 acres;
- The provision of an equivalent density for the proposed Church; and
- The requirement for the incorporation of an equivalent density for any commercial uses in excess of 36,000 sq. ft. (3,345 m<sup>2</sup>) gross floor area.

The changes to the Stage II, Phase 1 agreement are:

- Inclusion of revised Schedules including Updated Legal Descriptions for Phase 1, a Site Plan for lot MU-10 and the Church, Site Services Plan for Building 9, Elevations for Building 9, a Site Plan for Building 10, Elevations for Building 10, List of Materials, a Site Plan for the Church, Elevations for the Church, Planting Plans for Buildings 9, 10 and for the Church and a Density Calculation Sheet;
- Change references to Schedules to correspond with new Schedules;
- A revised description of the multiple residential building on Lot MU-10;
- The inclusion of the Institutional use to allow the Church with an associated description;

- An increase in the number of bicycle parking spaces provided for the multiple residential building on Lot MU-10 from 18 spaces to 46 spaces;
- The inclusion of requirements for the proposed materials of the church;
- The recognition that a minimum of a 0.6 meter (2 feet) setback from the property boundaries to the parking areas has been provided for the multiple residential building on Lot MU-9 but not for the Church and the multiple residential building on Lot MU-10;
- A requirement for an access easement over Lots MU-8 and MU-9 for access to the multiple residential building on Lot MU-9;
- An allowance for signage for the church; and
- Referring security provisions to the Subdivision By-law, as amended.

Staff is satisfied that the proposal and terms of the proposed amending agreements for this development are consistent with the policy framework and ensure sound land use planning. The changes reflected in the amending agreement for the Stage I development agreement (Attachment A) have been prepared to encourage innovation and promote a high quality development. The changes reflected in the amending agreement for the Stage II, Phase 1 development agreement (Attachment B) have been prepared to reflect adjustments related to site conditions and to allow a new use that will be beneficial to the community.

### **Public Consultation**

A Public Meeting was held on February 22, 2007, and the minutes are attached (Attachment C). The area of notification to be used should a Public Hearing be held is shown on Map 1.

### **BUDGET IMPLICATIONS**

None

### **FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

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

### **ALTERNATIVES**

1. Chebucto Community Council can approve the amendments to the Stage I and Stage II, Phase 1, Development Agreements as set out in Attachments A and B. This is the recommended approach.
2. Chebucto Community Council could direct that revisions be made to the draft amending agreements. Depending on the extent of changes requested, an additional staff report(s) may be required.

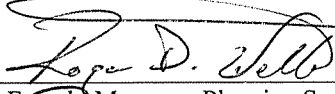
3. Chebucto Community Council may refuse the amendments to the Stage I and Stage II, Phase 1, Development Agreements. This is not recommended as they comply with the policies of the Halifax Municipal Planning Strategy. If Community Council chooses to reject the application, reasons must be given.

**ATTACHMENTS**

Map 1	Location and Zoning
Attachment A	Second Amending Agreement for Stage I
Attachment B	First Amending Agreement for Stage II, Phase 1
Attachment C	Public Information Meeting Minutes of February 22, 2007

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: Randa Wheaton, Senior Planner, Community Development, 490-4499

Report Approved by:   
for Austin French, Manager, Planning Services, 490-6717



Map 1 - Location and Zoning

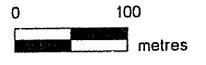
Mount Royale Subdivision

-  Area of Stage I development agreement
-  Area of Stage II, Phase 1
-  Area of notification

Halifax Mainland By-Law Area

Zone

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-4 Multiple Dwelling
- RDD Residential Development District
- K Schedule K
- C-1 Local Business
- I-2 Radio Transmitter
- I-3 General Industrial



This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Mainland Land Use By-Law area.

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

Second Amending Agreement for Stage I

Attachment A

THIS AMENDING AGREEMENT made this      day of                      , 2007,

BETWEEN:

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

OF THE FIRST PART

- and -

**HALIFAX REGIONAL MUNICIPALITY,**  
a municipal body corporate, Province of Nova Scotia  
(hereinafter called the "Municipality")

OF THE SECOND PART

**WHEREAS** the Developer is the registered owner of certain undeveloped lands off Main Avenue, Halifax, (PID # 00271924 and 40541682) formerly known as the Butler Brothers Limited lands and which said lands are more particularly described in Schedule "A" hereto (hereinafter called the "Lands");

**AND WHEREAS**, the Chebucto Community Council of Halifax Regional Municipality granted approval of an application (Case 00567) by the Developer to enter into a Stage I Development Agreement to allow a mixed use development on the Lands, which said agreement was recorded on September 29, 2005, at the Registry of Deeds at Halifax as Document Number 83128802 (hereinafter is called "the Existing Stage I Agreement");

**AND WHEREAS**, the Chebucto Community Council of Halifax Regional Municipality granted approval of an application (Case 00873) by the Developer to enter into an amendment to the Stage I Development Agreement to allow non-substantive changes to the road network and the open space configuration on the Lands, which said agreement was recorded on September 15, 2006, at the Registry of Deeds at Halifax as Document Number 86132652 (hereinafter is called "the First Amending Stage I Agreement");

**AND WHEREAS** the Developer has requested a second amendment to the provisions of the Stage I Agreement to allow the addition of an Institutional use, remove the limitation on the amount of commercial area allowed and update the masterplan to reflect the most current information;

**AND WHEREAS** the Chebucto Community Council for the Halifax Regional Municipality approved this request at a meeting held on the      day of      , 2007, subject to the registered owner of the Lands entering into this agreement referenced as Municipal Case Number 00977;

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

The existing Stage I agreement, as amended, shall be further amended as follows:

1. Section 2.1.1 shall be deleted and replaced as follows:  
    “The Developer shall not develop or use the Lands, primarily known as Mount Royale and formerly known as the Butler Brothers property (PID’s 00271924 and 40541682), for any purpose other than a residential development with minor commercial uses, institutional and public open space which, in the opinion of the Development Officer is generally in conformance with Schedules B2, C2 and D2 (Plans No. 00977-0026, 00977-0027 and 00977-0036 filed in the Halifax Regional Municipality Planning and Development Services Department as Case 00977).”
2. Section 2.1.2 shall be deleted and replaced as follows:  
    “Schedule A              Legal Descriptions of all of the Lands of Butler Brothers Limited, Main Avenue, Halifax including those lands to be transferred from the Halifax Regional Water Commission to Butler Brothers Limited.  
    Schedule B2             Site Development Plan numbered 00977-0026  
    Schedule C2             Site Servicing Plan numbered 00977-0027  
    Schedule D2             Project Data Chart numbered 00977-0036”
3. Section 2.2.2 (d) shall be deleted and replaced as follows:  
    “A mixed use building, Building 8, which includes residential uses and 36,000 sq. ft. (3,345 m<sup>2</sup>) gross floor area of commercial uses in accordance with the Minor Commercial Zone (C-2A) of the Halifax Mainland Land Use By-law;”.
4. Section 2.2.2 (f) shall be renumbered to become 2.2.2 (g).
5. Add a new Section 2.2.2.(f) which shall read as follows:  
    “An Institutional use in the form of a church to be located on Lot MU-10.”.
6. Section 2.2.7 shall be amended to delete “. . . total acreage of 67.11 acres, . . . “ and replace with “. . . total acreage of 67.55 acres, . . . “.

7. Add to the end of Section 2.2.8 the following:  
“The equivalent density for the Church use shall be accepted to be a total of 6.67 theoretical persons.”
8. Section 2.2.9 shall be renumbered to become 2.2.10 and Section 2.2.10 shall be renumbered to become 2.2.11.
9. Add a new Section 2.2.9 as follows:  
“Notwithstanding Clause 2.2.2 (d), should the commercial uses exceed 36,000 sq. ft. (3,345 m<sup>2</sup>) gross floor area then an equivalent density should be identified for all of the commercial uses. The highest equivalent density should be applied to all of the commercial area in excess of 36,000 sq. ft. (3,345 m<sup>2</sup>) gross floor area and be included in the density calculations for the building and the whole project.”
10. Section 2.3.2 shall be amended to delete the following:  
“ . . . Schedule “B”, the Site Development Plan numbered 00567-0037 and shall consist of:  
Phase 1: Buildings 8, 9 and 10; the Community Entrance Park (P3); . . .”  
and replace with:  
“ . . . Schedule B2, the Site Development Plan numbered 00977-0026 and shall consist of:  
Phase 1: Buildings 8, 9 and 10; a Church; the Community Entrance Park (P3); . . .”
11. Delete references to Schedule “B”, Schedule “B1”, Schedule “C”, Schedule “C1”, Schedule “D” and/or Schedule “D1” in Sections 2.1.3, 2.1.4, 2.2.1, 2.2.2(c), 2.2.6, 2.5.2, 2.5.8, 2.6.2.1 and 2.6.2.4 and replace with Schedule B2, Schedule C2 and/or Schedule D2 as appropriate.
12. Schedules “B”, “C” and “D” are to be replaced by Schedules B1, C1 and D1 (attached).

All other terms and conditions of the Existing Stage I Agreement and the First Amending Stage I Agreement shall remain in full force and effect.

Time shall be of the essence of this Second Amending Stage I Agreement.

This Second Amending Stage I Agreement shall be binding upon the parties hereto and their heirs, successors and assigns.



SIGNED, SEALED AND DELIVERED )  
in the presence of: )

\_\_\_\_\_ )

\_\_\_\_\_ )

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

\_\_\_\_\_ )

BYBLOS DEVELOPMENT GROUP

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

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

HALIFAX REGIONAL MUNICIPALITY

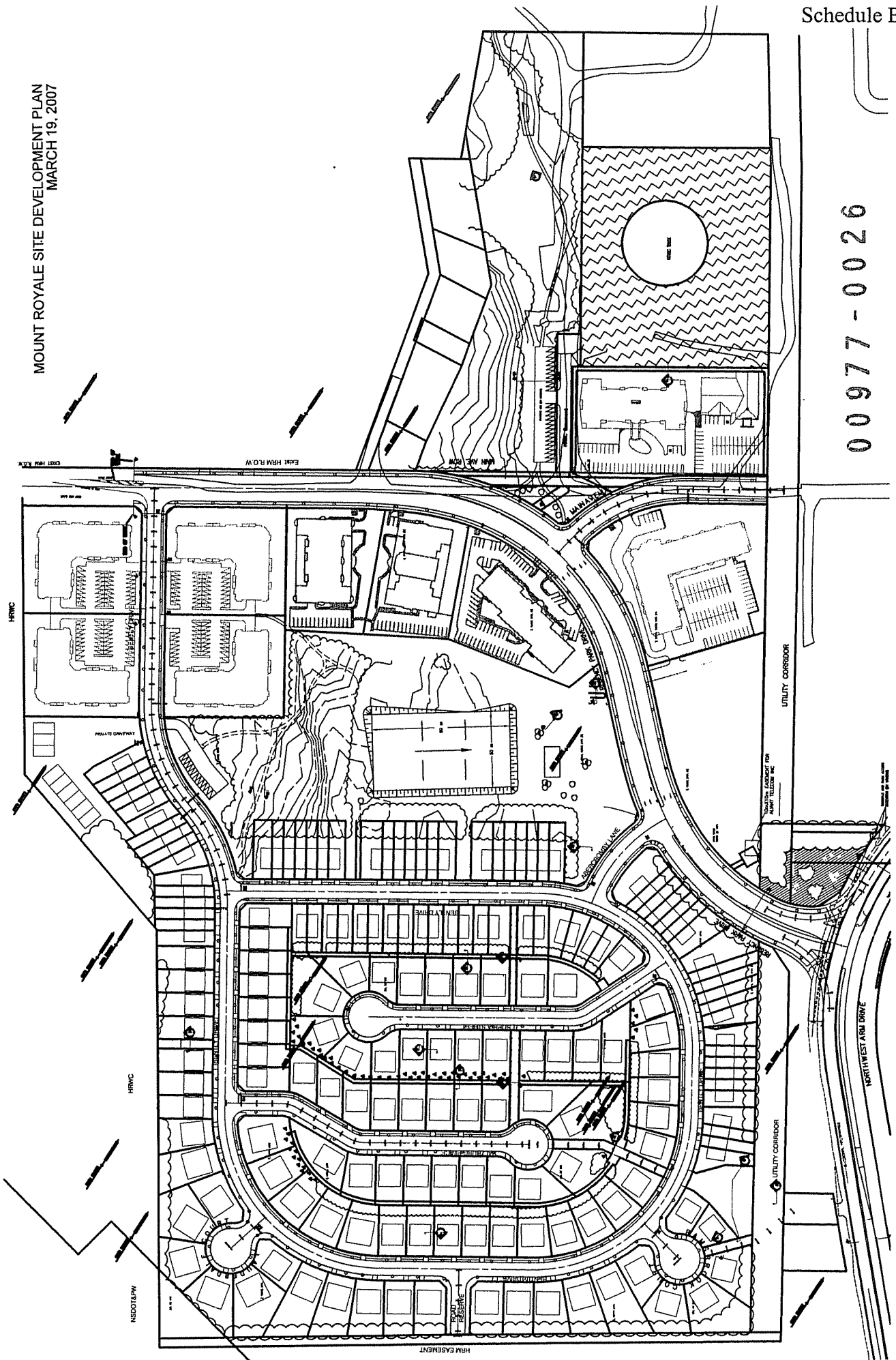
) Per: \_\_\_\_\_

MAYOR

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

MUNICIPAL CLERK

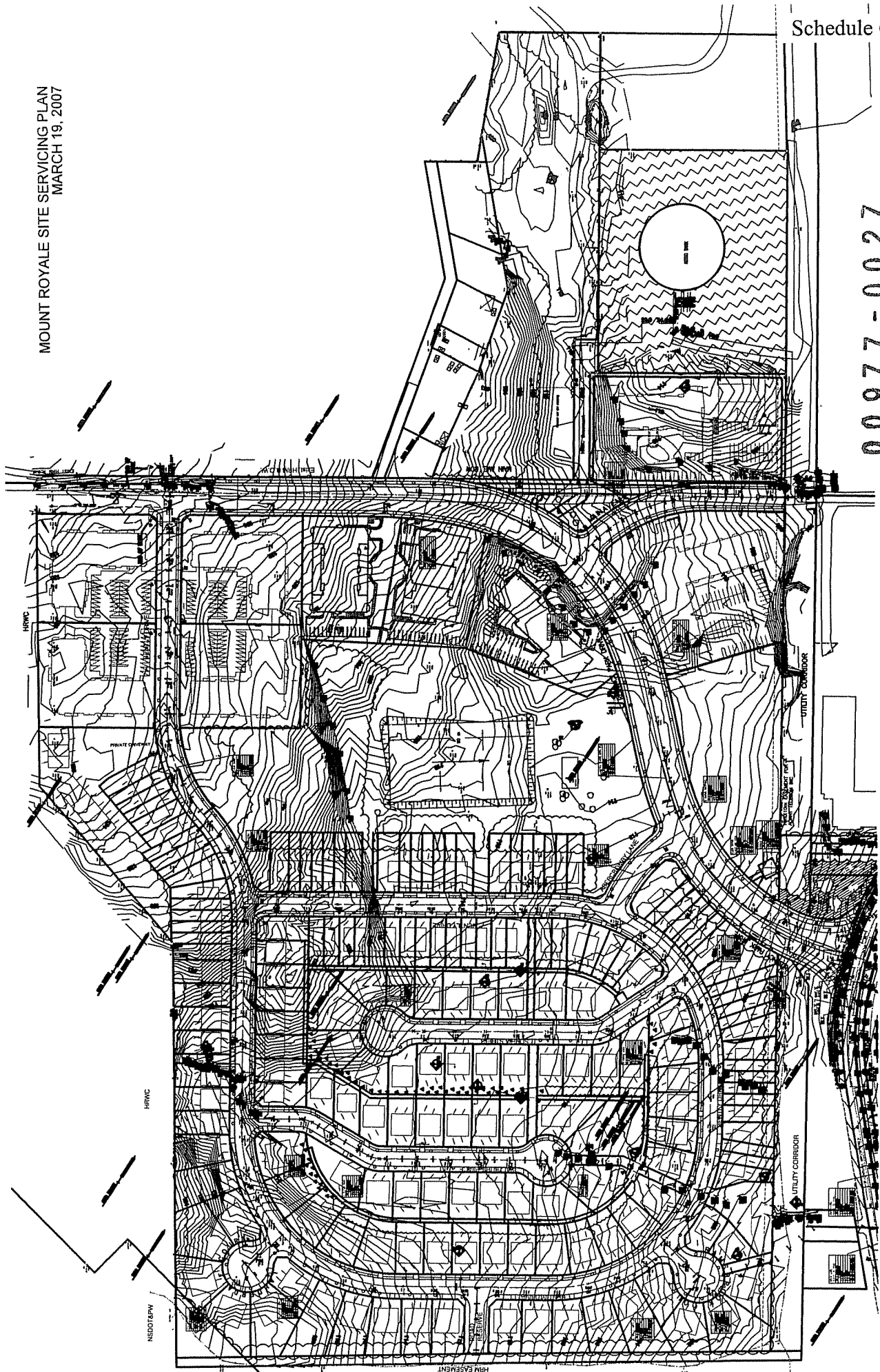
MOUNT ROYALE SITE DEVELOPMENT PLAN  
MARCH 19, 2007



00977 - 0026

MOUNT ROYALE SITE SERVICING PLAN  
MARCH 19, 2007

Schedule C2



00977-0027

**MOUNT ROYALE SUBDIVISION  
PROJECT DATA CHART**

3/23/2007

Lot #	Use	Lot Area (SQ.FT.)	Proposed # of Units	Project Density
1	Multi Unit Residential	60,997.00	90	202.50
2	Multi Unit Residential	61,377.00	90	202.50
3	Multi Unit Residential	54,041.00	90	202.50
4	Multi Unit Residential	56,650.00	90	202.50
5	Multi Unit Residential	48,588.00	82	183.25
6	Multi Unit Residential	46,845.00	100	172.50
7	Multi Unit Residential	67,694.00	91	203.00
8	Commercial / Residential	81,238.00	64	144.00
9	Multi Unit Residential	104,126.00	133	293.50
10	Multi Unit Residential	59,943.00	92	197.25
10	Church	34,970.00		6.67
	Single Family Dwellings		100	335.00
	Semi Detached Dwellings		20	67.00
	Town Houses		69	227.80
	<b>TOTAL</b>		<b>1111</b>	<b>2,639.97</b>
Total Land Area		67.55 acres		
Project Density : # of People / Total Area				
	: 2639.97 / 67.55			
	: <b>39 people per acre</b>			

00977 - 0036

**First Amending Agreement for Stage II, Phase 1**

**Attachment B**

THIS AMENDING AGREEMENT made this      day of                      , 2007,

BETWEEN:

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

OF THE FIRST PART

- and -

**HALIFAX REGIONAL MUNICIPALITY,**  
a municipal body corporate, Province of Nova Scotia  
(hereinafter called the "Municipality")

OF THE SECOND PART

**WHEREAS** the Developer is the registered owner of certain undeveloped lands off Main Avenue, Halifax, (PID # 00271924 and 40541682) formerly known as the Butler Brothers Limited lands and which said lands are more particularly described in Schedule "A" hereto (hereinafter called the "Lands");

**AND WHEREAS**, the Chebucto Community Council of Halifax Regional Municipality granted approval of an application (Case 00791) by the Developer to enter into a Stage II Development Agreement for Phase 1 of the Mount Royale subdivision to allow two multiple unit residential buildings, public open space and public streets on the Lands, which said agreement was recorded on October 12, 2006, at the Registry of Deeds at Halifax as Document Number 86350528 (hereinafter is called "the Existing Stage II, Phase 1 Agreement");

**AND WHEREAS** the Developer has requested an amendment to the provisions of the Stage II, Phase 1, Agreement to allow the addition of a church and revisions to the plans for the multiple unit residential building on Lot MU-10;

**AND WHEREAS** the Chebucto Community Council for the Halifax Regional Municipality approved this request at a meeting held on the      day of                      , 2007, subject to the registered owner of the Lands entering into this agreement referenced as Municipal Case Number 00977;

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

The existing Stage II, Phase 1, agreement shall be amended as follows:

1. Section 2.1.1 shall be deleted and replaced as follows:

“The Developer shall develop the Lands known as Mount Royale (PID’s 00271924 and 40541682), in a manner, which, in the opinion of the Development Officer, is generally in conformance with Schedules B1, C1, D1, E1, F1, G1, H1, I1, J, K1, L, M, N and O attached to this agreement and the existing Stage II, Phase 1, agreement (Plans No. 00977-0018 to 00977-0022 inclusive, 00977-0025, 00977-0028, 00977-0030, 00977-0031, 00977-0032, 00977-0033, 00791-0085, 00977-0037 and 00977-0038) filed in the Halifax Regional Municipality Planning and Development Services Department as Cases 00791 and 00977).”

2. Section 2.1.2 shall be amended to delete the following:

“Schedule A	Legal Descriptions for Phase 1, Mount Royale Residential Development, Main Avenue, Halifax
Schedule B	Site Services Plan Phase 1 numbered 00791-0064
Schedule C	Site Plan Building 9 numbered 00791-0083
Schedule D	Building 9 - Front and Side Elevations numbered 00791-0055
Schedule E	Building 9 - Rear and Side Elevations numbered 00791-0056
Schedule F	Site Plan Building 10 numbered 00791-0073
Schedule G	Building 10 - Elevations numbered 00791-0082
Schedule H	Density Calculation Sheet numbered 00791-0067
Schedule I	List of Materials numbered 00791-0046”;

and

“Schedule K Planting Plan numbered 00791-0084”

and replaced with the following:

“Schedule A1	Updated Legal Descriptions for Phase 1, Mount Royale Residential Development, Main Avenue, Halifax
Schedule B1	MU-10 and Church Site Plan numbered 00977-0020
Schedule C1	Site Services Plan Building 9 numbered 00977-0030
Schedule D1	Building 9 - Front Elevations numbered 00977-0031
Schedule E1	Building 9 - Rear Elevations numbered 00977-0032
Schedule F1	Site Plan Building 10 numbered 00977-0021
Schedule G1	Building 10 Front and Rear Elevations numbered 00977-0018
Schedule H1	Building 10 Right and Left Elevations numbered 00977-0019
Schedule I1	List of Materials numbered 00977-0038”;

and

“Schedule K1 Site Plan Church numbered 00977-0022

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Schedule L	Church Building Elevations numbered 00977-0025
Schedule M	Planting Plan for Building 9 numbered 00977-0033
Schedule N	Planting Plan for Church and Building 10 numbered 00977-0028
Schedule O	Density Calculation Sheet numbered 00977-0037"

3. Section 2.2.1 (a) shall be deleted and replaced with the following:  
“Building 10 - a seven storey 92 unit multiple residential apartment building with a single level of enclosed parking which generally complies with the R-4 Zone requirements for Mainland Halifax with the exception of density, angle controls, landscape open space and open space;”
4. Renumber Section 2.2.1 (d) to become 2.2.1 (h) and renumber Section 2.2.1 (h) to become 2.2.1 (i).
5. Add a new Section 2.2.1.(d) which shall read as follows:  
“Institutional - a Church with seating in the nave for a maximum of 200 persons, a fellowship hall with tables and chairs to seat a maximum of 150 persons and an associated kitchen, classrooms, offices and uses accessory thereto;”
6. Section 2.3.1 shall be amended to delete “. . . Schedules B to K inclusive, attached hereto, . . .” and replace with “. . . Schedules B1, C1, D1, E1, F1, G1, H1, I1, J, K1, L, M, N and O attached to this agreement and the existing Stage II, Phase 1, agreement, . . .”.
7. Section 2.3.2 shall be amended to delete “. . . Schedules D, E, G and I . . .” and replace with “. . . Schedules D1, E1, G1, H1, I1 and L . . .”.
8. Section 2.3.3 shall be amended to delete “. . . Schedules B, C, F and K . . .” and replace with “. . . Schedules B1, C1, F1, K1, M and N . . .”.
9. Section 2.3.11 shall be deleted and replaced with “For Building 10 a minimum of 10 interior bicycle parking spaces shall be provided within the underground parking level and 36 exterior bicycle parking spaces shall be provided. For Building 9 a minimum of 120 interior bicycle parking spaces shall be provided within the two levels of underground parking.”
10. Add a new Section 2.3.12 which shall read as follows:  
“The Church shall be clapboard with a 12.7 cm (5 inch) exposure and asphalt roofing, or approved equivalents. The front entry shall be treated with Stonetile veneer or equivalent.”
11. Section 2.4.1 shall be amended to delete “. . . Schedules B, C, F and K . . .” and replace with “. . . Schedules B1, C1, F1, K1, M and N . . .”.

12. Section 2.4.1 shall be further amended to delete the following:  
“The parking areas shall maintain a minimum setback from all property lines of 0.6 metres (2 feet) and as generally shown on the plan.”  
and replaced with the following:  
“The parking areas for Building 9 shall maintain a minimum setback from all property lines of 0.6 metres (2 feet) and as generally shown on the plan. The parking areas for Building 10 and the Church shall be as generally shown on the plan.”
13. Add a new Section 2.4.5 which shall read as follows:  
“An access easement shall be created and registered on title for both Lot MU-8 and Lot MU-9 to allow for access over lot MU-8 to and from Building 9.”
14. Section 2.5.1 shall be amended to delete “. . . Schedules J and K . . .” and replace with “. . . Schedules J, M and N . . .”.
15. Section 2.5.5 shall be amended to delete “. . . Schedules C and F . . .” and replace with “. . . Schedules C1, F1 and K1 . . .”.
16. Section 2.5.8 shall be amended to delete “. . . Schedules V and W . . .” and replace with “. . . Schedules J, M and N . . .”.
17. Renumber Section 2.8.5 to become 2.8.6.
18. Add a new Section 2.8.5 which shall read as follows:  
“The Church shall be allowed one bulletin board not to exceed 4 feet (1.2 m) by 8 feet (2.4 m) in size.”
19. Sections 2.10.6 and 2.10.7 both shall be amended to delete “. . . Schedule B . . .” and replace with “. . . Schedules B1 and C1 . . .”.
20. Section 2.10.17 shall be deleted and replaced with the following:  
“Any security provisions shall be in accordance with the security provisions of the Subdivision By-law, as amended, unless otherwise varied by this agreement.”
21. Section 3.2 (b) shall be amended to delete “. . . Schedules J and K . . .” and replace with “. . . Schedules J, M and N . . .”.
22. Schedules A to I inclusive and Schedule K are to be replaced by Schedules A1 to I1 inclusive, K1 and L to O inclusive (attached).



All other terms and conditions of the Existing Stage II, Phase 1, Agreement shall remain in full force and effect.

Time shall be of the essence of this Second Amending Stage I Agreement.

This First Stage II, Phase 1, Amending Agreement shall be binding upon the parties hereto and their heirs, successors and assigns.

SIGNED, SEALED AND DELIVERED  
in the presence of:

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

) **BYBLOS DEVELOPMENT GROUP**

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

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

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) **HALIFAX REGIONAL MUNICIPALITY**

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

MAYOR

)

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

MUNICIPAL CLERK



















**MOUNT ROYAL  
LIST OF MATERIALS FOR BUILDING 9**

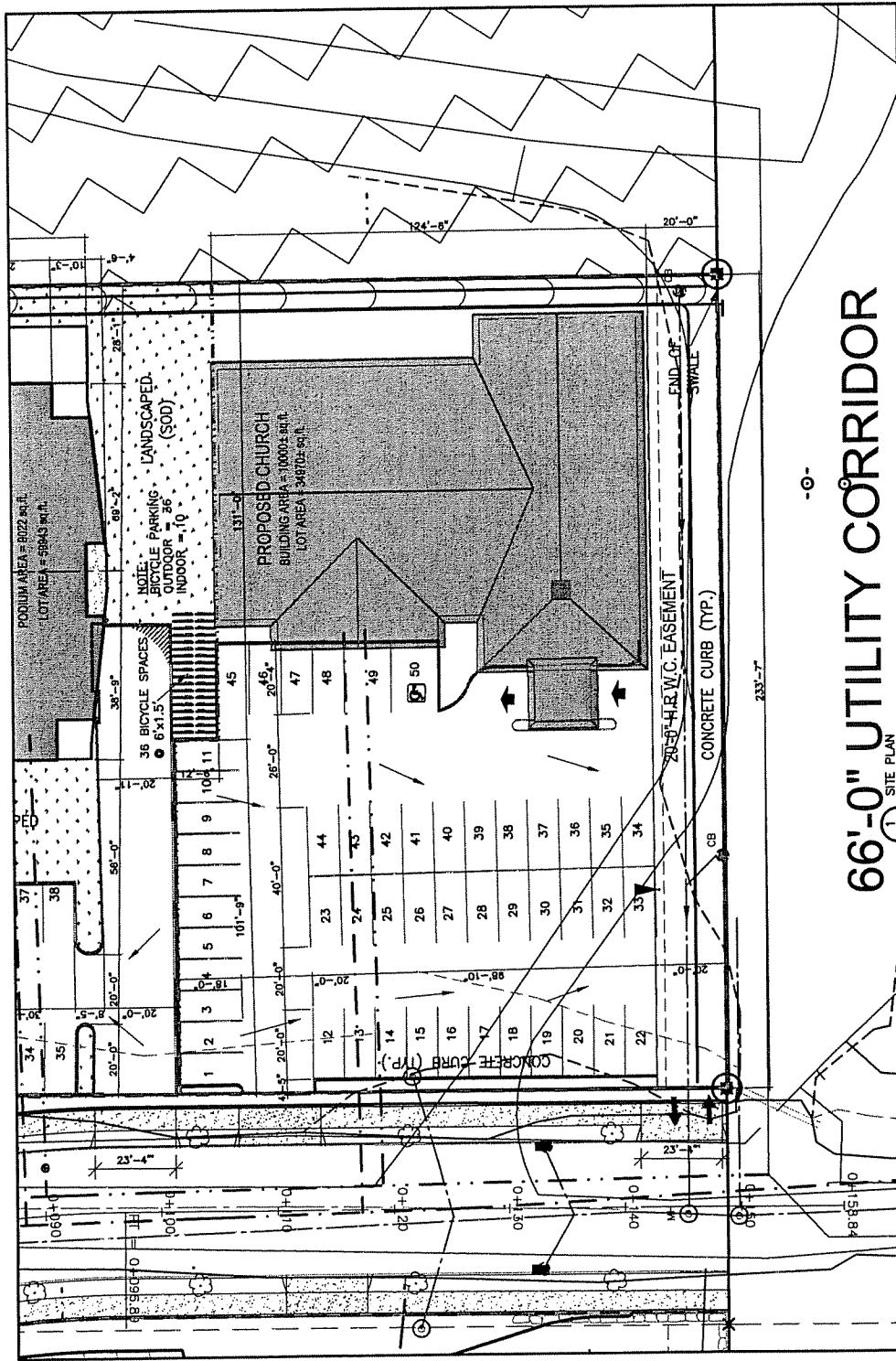
<b>WALLS</b>	<b>MATERIAL</b>		<b>Location</b>	<b>Reflecting Material</b>
	Brick Running bond		Elevations	Foil Faced Cavity Rock Cavity Wall Insulation or equivalent product as per section 2.8.3 of the stage I development agreement.
	Brick soldier course			
	Brick Herring bond			
	Hardy Plank Siding		Balcony Walls	
	Stone		Basement and towers	
	Sand stone		Horizontal Band and window lintels and sills	
<b>WINDOWS</b>	Vinyl			
<b>DOORS</b>	Vinyl			
<b>RAILINGS</b>	Aluminum			

**MOUNT ROYAL  
LIST OF MATERIALS FOR BUILDING 10**

<b>WALLS</b>	<b>MATERIAL</b>	<b>COLOUR</b>	<b>Location</b>	<b>Reflecting Material</b>
	Brick or Precast Panels		Elevations	Foil Faced Cavity Rock Cavity Wall Insulation or equivalent product as per section 2.8.3 of the stage I development agreement.
	Block		Basement	
	Sand stone		Window lintels and sills	
<b>WINDOWS</b>	Vinyl			
<b>CURTAIN WALL GLASS</b>	Aluminum and glass			
<b>DOORS</b>	Vinyl			
<b>RAILINGS</b>	Aluminum			

00977 - 0038

PROPOSED TRINITY ANGLICAN CHURCH MOUNT ROYALE HUNTSVILLE, ALA.		DATE: 11/10/2005 DRAWN BY: BJB CHECKED BY: [Signature] PROJECT NO.: 2005640
REVISIONS NO. DATE DESCRIPTION		ENLARGED SITE PLAN



66'-0" UTILITY CORRIDOR

00917-0022

PROJECT CALCULATIONS (TRINITY ANGLICAN CHURCH):  
 LOT AREA: 34,970 sq.ft.±  
 BUILDING AREA: 10,000 sq.ft.±  
 LAND COVERAGE: 28%  
 LANDSCAPED AREA: 3,095 sq.ft.±  
 PARKING REQUIRED: 1 SPACE/20 SEATS = 10 SPACES  
 PARKING PROVIDED: 52 SPACES  
 SEATING CAPACITY: 200 PERSONS±







March 20, 2007

**DENSITY CALCULATION SHEET**  
**MOUNT ROYALE SUBDIVISON Lots MU-9 and MU-10 and Trinity Anglican Church**

- **AREA FOR DENSITY CALCULATION** includes: lot area, frontage with street and permanent open spaces based on 30ft-9.1 m.

**Lot # 9**

LOT AREA	AREA FOR DENSITY CALCULATION	UNIT TYPES	# UNITS		DENSITY	
9,089 SQ M	11,961 SQ M 2.96 ACRES	1 BEDROOM	23	2.0	46	
		2 BEDROOM	110	2.25	247.5	
		<b>TOTAL</b>	<b>133</b>		<b>293.5</b>	

**Lot # 10**

LOT AREA	AREA FOR DENSITY CALCULATION	USE	UNIT TYPES	# UNITS		DENSITY
8,506 SQ M	12,345 SQ M 3.05 ACRES	MULTI UNIT RESIDENTIAL	1 BEDROOM	39	2.0	78
			2 BEDROOM	39	2.25	87.75
			3 BEDROOM	14	2.25	31.5
		Church			6.67	
		<b>TOTAL</b>	<b>92</b>		<b>203.92</b>	

00977 - 0037

**Public Information Meeting  
Case 00977  
February 22, 2007**

In attendance: Councillor Wile  
Councillor Walker  
Randa Wheaton, Senior Planner, Planning Applications  
Gail Harnish, Planning Services  
Cesar Saleh, Fares Miller

**Ms. Randa Wheaton** called the public information meeting (PIM) to order at approximately 7:00 p.m. at the Keshen Goodman Library.

Ms. Wheaton advised the Mount Royale lands are within the Schedule K zone. It is special because it is a two stage development agreement process. A development agreement is essentially a legal contract between HRM and the property owner and lays out the terms and conditions that the developer must meet in order to proceed with their development.

Ms. Wheaton indicated the proposal before you is an amendment to both a Stage I and Stage II development agreement. There are two phases. The first is a Stage I development agreement. The Stage I is essentially a master plan which looks at the whole development and subdivision and details what uses go where and lays out a road network and determines where the parkland is going to be. Then we proceed to a Stage II development agreement. A Stage II development agreement is a more detailed agreement. It is for individual parcels of land or individual buildings, and shows things such as where the parking is, how big the building is, and the location of the building.

Ms. Wheaton advised that for the Mount Royale subdivision we have an approved Stage I development agreement, so we have a master plan. There was one minor amendment to it already. Community Council also approved Stage II development agreements for Phase 1 as well as Phases 2 and 3 together. An application for Phase 4 has not been submitted yet.

Ms. Wheaton indicated tonight we are looking at a change to both the Stage I agreement and Phase 1 of the Stage II development agreement. The Stage I change is the only one that requires public participation which is why you have been invited here tonight. We are seeking public input because the master plan is being modified. The changes to the Stage I agreement are that we are adding an additional use (an institutional use in the form of a church), and there are also going to be some minor housekeeping amendments. When we approved the Stage II agreement for Phases 2 and 3, there were some minor adjustments. For instance, the entrance to the park that leads to the Mainland Common. The entrance is shifted from Regency Park Drive to Main Avenue.



Ms. Wheaton noted the other big issue for the Stage I amendment is that there is currently an allowance in the master plan agreement for commercial in Building 8. It is not yet built and has not been included in any of the approvals so far, except for the Stage I master plan. That building is the only building in the whole development that has been allowed some commercial use. Those commercial uses were limited to a certain area. The developer asked that we remove the limits on the area for the commercial use.

Ms. Wheaton summarized the Stage I amendments were adding the institutional use, removing the cap on the area for the commercial use, and some minor modifications to the master plan to reflect approvals done for Phases 2 and 3.

Ms. Wheaton reviewed the development agreement process:

- tonight is the PIM which is very early in the process
- we will go back and do a detailed review of the proposed changes
- staff will prepare a report which includes draft development agreements
- the report is tabled with Chebucto Community Council
- Community Council will schedule a public hearing
- the public hearing is held, following which Community Council will make a decision on the amendment to the Stage I agreement. At the same time, they will be reviewing the amendment to the Stage II agreement. They are being brought to Community Council at the same time because they are tied to each other.
- following the appeal period for the Stage I agreement, then the approval for the Stage II agreement can proceed
- there is an appeal period for the Stage II amendment

**Mr. Cesar Saleh** pointed out the Mount Royale subdivision. It is comprised of 100 single family dwellings, twenty semi-detached dwellings, fifty townhouses, ten multi-use residential buildings, and three parks totaling eleven acres.

Mr. Saleh indicated the site they are presenting is Lot MU10. It is adjacent to this park (pointed out) next to the Water Commission lands. He pointed out the power easement at the bottom.

Mr. Saleh advised this received Stage I approval in 2005. Stage II approval for this phase (pointed out) which involves MU10 and MU9 received approval in 2006, and a few months ago they received Stage II approval for buildings 5, 6 and 7. Lot MU10 was approved for a 88 unit building in June of 2006. He pointed out four buildings which were approved for seven storeys. Lot MU8 is a combination of commercial and multi-unit residential. Lot MU10 is where the proposed change is.

Mr. Saleh indicated they are amending the site to reduce the footprint of the building and adding a church at the bottom of the site. He showed the footprint of the building as approved today as

well as the proposed concept to accommodate the church use. He said he referred to this as a friendly amendment. The multi-use residential was reduced and the footprint is 6000 sq.ft. A lot of the parking is included underground and that gives room for the church. The church is relatively small; it seats 200 people. He thought this church would add to the subdivision. It is one storey and has a residential welcoming look. The size is relatively small; the footprint is 10,000 sq.ft. He displayed a front elevation of the church. It is a combination of stone and wood siding. He then displayed sketches showing the rear and east side of the church as well as the floor plan.

Mr. Saleh displayed a sketch of the multiple residential building. It is the same height as the buildings next to it and the back of it is seven storeys plus the underground parking, so it is consistent with the height of the buildings permitted in that area. It is a high quality building and is of non-combustible concrete construction. There is an elevator, eighty-two underground parking spaces, and is a sprinklered building. He displayed a sketch showing the east elevation of the building, as well as a typical floor plan with a combination of one, two and three bedroom units.

Mr. Saleh stated they are excited about this change. It has no adverse effects compared to what it was before. It is a housekeeping issue because they did not allow for it in the original concept.

The meeting was opened to public participation.

An individual asked about the exterior of the buildings adjacent to the church property.

Mr. Saleh responded this is a non-combustible building. It has to have a certain quality because it is a certain height. It is a concrete building. There are no wood products or wood railings or handrailings. The outside has to be either precast concrete or brick.

An individual, referring to the sketch, questioned if that is what you would see up the hill.

Mr. Saleh responded that coming up Main Avenue, first is the church. He showed the elevations of the four sides of the next building.

It was questioned whether there is greenery separating the two buildings.

**Mr. Robert Frank** questioned how many buildings like that will be built in the area.

Mr. Saleh displayed the concept plan approved in 2005 and pointed out eight buildings.

Mr. Frank questioned whether there would be a sewage treatment plant or water treatment plant close to this site, giving the construction of that many buildings with that many residents living in the area.

Ms. Wheaton advised that in terms of sewer, the downstream capacity has been upgraded to accommodate what is coming out of this development. There is not going to be a separate sewage treatment plant for this development; it is being fed into existing stations.

An individual commented he knew the area well and the sewage is running down Main Street into the lower part of Fairview.

Mr. Saleh indicated only a small portion from their development would come down Main Street. There has been a study of the sewage and water capacity and it was determined to be sufficient. Whatever is not sufficient will be upgraded.

**Ms. Pearl Judge** questioned whether they would be apartments or condominiums.

Mr. Saleh responded it is hard to tell at this stage. They are multi-unit. The majority of them will be marketed as condominiums.

Ms. Wheaton indicated HRM does not deal with tenure of the buildings, just the type of use. We cannot dictate whether it is rental apartments or condominiums.

Mr. Saleh stated they are here tonight to discuss the addition of the church use.

**Mr. Larry Wartman**, CBC, indicated his question was with respect to the change in Building 10 and the height. There is some information he was told would be conveyed to them in terms of the height which he hoped they would receive.

**Ms. Judge** questioned whether there is a green space between the proposed multi-unit building and the church.

Mr. Saleh responded there is about 40' of a green buffer between the two buildings.

Ms. Wheaton indicated she appreciated the large turnout and from the lack of questions hoped it meant people are fairly satisfied with what is being proposed.

Ms. Judge questioned what the projected population was once the development was completed.

Ms. Wheaton responded it is 2631 for the subdivision.  
The meeting adjourned at approximately 7:30 p.m.