

Harbour East Community Council
March 2, 2006

TO: Harbour East Community Council

SUBMITTED BY: Gail Harnish / for
Ray DeRoche, Chair
Harbour East Planning Advisory Committee

RE: Case 00811: Development Agreement - Scotia Court, Dartmouth

DATE: February 9, 2006

ORIGIN

Harbour East Planning Advisory Committee meeting - February 8, 2006

RECOMMENDATION

The Harbour East Planning Advisory Committee recommend that Harbour East Community Council:

1. Give Notice of Motion to consider the development agreement attached to the staff report dated January 4, 2006, and schedule a public hearing;
2. Contingent upon subdivision of the new parcel as generally shown in Map 1 and Schedule B of the development agreement, approve the development agreement attached to the staff report dated January 4, 2006 as Attachment C, to allow for one multiple unit residential building of 60 units; and
3. Require that the development agreement be signed 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 whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.

ATTACHMENTS

Staff report dated January 4, 2006

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

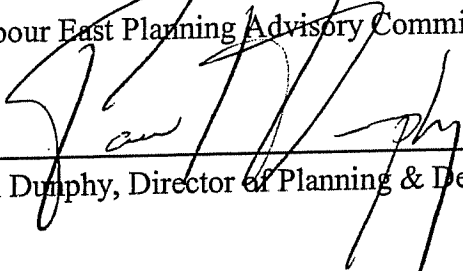
Report prepared by: Gail Harnish, Admin/PAC Coordinator, 490-4937
Report reviewed by: Ray DeRoche, Chair, Harbour East PAC



PO Box 1749
Halifax, Nova Scotia
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Harbour East Planning Advisory Committee
January 11, 2006

TO: Harbour East Planning Advisory Committee

SUBMITTED BY: 
Paul Dumphy, Director of Planning & Development Services

DATE: January 4, 2006

SUBJECT: Case # 00811: Development Agreement - Scotia Court, Dartmouth

ORIGIN

Application by Killam Properties Ltd. to enter into a development agreement to permit one additional multiple unit residential building (60 units) on PID 00082610, Dartmouth.

RECOMMENDATIONS

It is recommended that Harbour East Community Council:

1. **Give Notice of Motion to consider the attached development agreement and schedule a public hearing;**
2. **Contingent upon subdivision of the new parcel as generally shown in Map 1 and Schedule B of the development agreement, approve the development agreement, attached to this report as Attachment C, to allow for one multiple unit residential building of 60 units; and**
3. **Require that the development agreement be signed 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 whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

BACKGROUND

Killam Properties Ltd. proposes to construct a four storey, 60 unit apartment building on a vacant portion of their land fronting Scotia Court. Their 10.2 acre parcel already contains four, 3-storey brick buildings with 216 two-bedroom units (Victoria Gardens Apartments). They propose to create a new lot (+/- 1.2 acres) off Scotia Court (Map 1) for a new building with 21-one, and 39 two-bedroom units, including 12 units built specifically to accommodate persons in wheelchairs. The remaining units will be designed to be 'visitible' and welcoming for persons with disabilities.

Killam originally put forward this project in response to a request for proposals issued jointly by Nova Scotia Community Services and CMHC, under the Affordable New Rental Housing Program. This program is meant to address an identified need for new rental housing for low to moderate income households, especially non-elderly singles and persons with physical disabilities. The program may provide up to \$25,000 per unit towards construction, provided rents remain at or below average market value for a minimum 15 years. The developer has been notified that their proposal satisfies most of the program criteria and may be eligible for funding subject to gaining municipal support. While the site is zoned appropriately for the use, policy IP-5 of the Dartmouth Municipal Planning Strategy (MPS) requires development agreements for all new apartment buildings.

Existing Nearby Developments:

In addition to the Victoria Gardens Apartments contained within the same block, there are single unit dwellings on the east side of Victoria Road; townhouses and one apartment on the south side of Scotia Court; a mix of single and two unit dwellings on the north side of Boland Road, and Wyse Road contains a mix of commercial uses through this area.

Public Information Meeting

A public information meeting was held on October 12, 2005. Approximately 40 members of the public were in attendance. The area of residents notified directly by mail of the meeting is shown on Map 1 and meeting minutes are provided in Attachment A.

DISCUSSION

An evaluation of the proposed development agreement, based on applicable policies of the Municipal Planning Strategy, is presented in this section. Policy IP-I (c) outlines criteria that Council shall have regard for when considering development agreements and policy IP-5 contains criteria specific to apartment building development. Both are attached under Attachment B.

Policy IP-5

(a) Exterior design, height, bulk and scale; compatibility with existing neighbourhood;
The exterior design is modest, in keeping with criteria for the request for proposals mentioned above, however the building has a varied roof line, accentuated trim and corner boards, metal balconies (instead of pressure treated wood); main entry canopy; and brick cladding of all exposed foundation

to add architectural interest. The height and scale do not impact on adjacent communities and the L-shaped building minimizes impact on townhouses across Scotia Court. The materials and building form do not conflict with the existing Victoria Gardens.

(b) height, size, bulk, density, lot coverage, lot size, frontage; traffic, access, and parking;
The site is zoned R-4 (High Density Residential) and meets or exceeds all requirements for this zone. The proposed density and lot coverage are significantly lower than permitted under the zone: R-4 standards suggest that an additional 17 two bedroom units could be considered and that lot coverage may reach 50%, while only 32% is proposed by this agreement. The site has good access to Scotia Court and will also have access to Boland Road by way of an easement over the parent parcel. Adequate parking is provided.

(c) adequacy or proximity of schools, recreation areas and other community facilities;
This site has excellent proximity to all levels of public schools, the Dartmouth Sportsplex; daycares, CAP sites; the Dartmouth Common; Alderney Library & Theatre complex. It is also in close proximity to a range of community shopping facilities.

HRM Parkland Planning has identified that the need for a Neighbourhood Park will arise as a result of the proposed development. If other sites on the parent parcel are developed in the future, a Neighbourhood/ Community Park hybrid will be required. While a 10% parkland dedication will be required through the subdivision process, the developer may choose instead to enter into a Parkland Dedication Agreement with the Municipality. This agreement should recognize the Municipality's preferred location for such a park (central on the parent parcel, roughly halfway between Victoria and Wyse Roads, with adequate frontage on Nova/ Scotia Courts, and comprising a minimum of 10% of the lands that may be eventually be subdivided in the future). The development agreement requires verification that the parkland dedication has been made, or that a Parkland Dedication Agreement has been entered into.

(d) adequacy of transportation networks in, adjacent to, and leading to the development;
The site has good access to the MacDonald bridge and to major collector roads. A traffic impact statement by Atlantic Road and Traffic Management indicates that the proposal is not expected to have any significant impact on performance of adjacent streets. There are bus routes that travel on Boland Road, Victoria and Wyse bound for many destinations in HRM. There is a transit hub at the Sportsplex (five minutes walk) with some routes serviced by low-floor accessible buses. The Dartmouth-Halifax ferry is 10-15 minute walk away.

(e, f) adequacy of useable amenity space; attractive landscaping; addresses variety of household types; aesthetically pleasing; mature tree/ natural site features preserved where possible;
The site presently contains large areas of grass with too few trees and shrubs resulting in a seemingly arid and monotonous landscape. This development agreement provides an opportunity to begin revegetation of the property to soften the existing and proposed buildings while providing some

useable outdoor amenity space. The L-shaped building creates a courtyard where a central gathering space is proposed with pathways, seating, and a variety of shade trees, shrubs, and ornamental grasses. To address the needs of residents in wheelchairs, raised planters and wheelchair accessible picnic tables are proposed. The Scotia Court frontage is significantly enhanced by the requirement to protect an existing rose hedge, remove an unsightly chain link fence, and plant 12 new street trees. An attractive entry plaza and drop-off loop is also provided.

(g) adequacy of buffering from abutting land uses;

Abutting land uses are all similar to the proposed (medium density residential) and more trees between the buildings will help provide privacy for residents.

(h) drainage, soil stability and slope treatment;

The site slopes gently from east to west and drains towards the harbour. Development of this site does not negatively impact on any existing natural area or watercourse.

Policy IP-1 (c)

The proposal is not premature or inappropriate by reason of any of the criteria listed in this policy, and makes particularly efficient use of existing infrastructure, while avoiding the creation of a scattered development pattern. Existing sanitary sewer, stormwater and water services in the area can accommodate the additional units.

Conclusion:

This development is in conformance with land use policy for the area. Issues which arise from site specific and general MPS policies have been addressed. Furthermore, in response to residents' concerns about a perceived lack of comprehensive planning, this proposal carries out the intent of the community plan which saw the application of the R-4 (High Density Residential) zone to this property in the Dartmouth Land Use Bylaw. For these reasons, staff recommend approval of the proposal, as presented in the development agreement.

BUDGET IMPLICATIONS:

There are no known budget implications to HRM as a result of the proposed rezoning.

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.

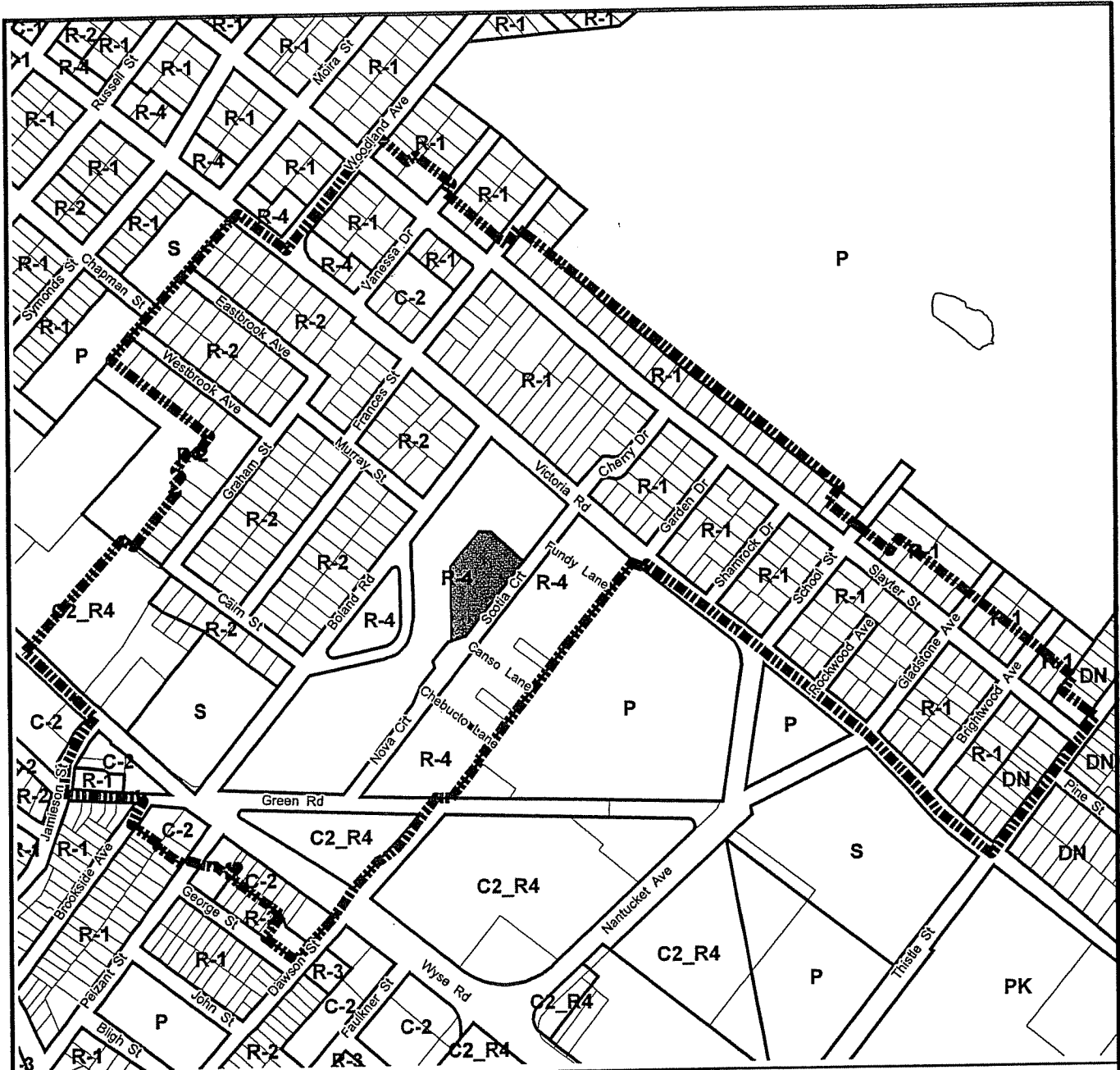
ALTERNATIVES

1. Council could choose to approve the agreement. This is the staff recommendation.
2. Council could choose not to approve the development agreement. This is not recommended. Should Council reject the application, reasons must be given for the rejection, pursuant to the Municipal Government Act.

ATTACHMENTS

- Map 1: Location and Zoning Map
Attachment A: Minutes of Public Information Meeting October 12, 2005
Attachment B: MPS Policies
Attachment C: Draft Development Agreement

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.
Report Prepared by: Hanita Koblents, Planner, 490-4181



Map 1
Zoning and Location Map

Portion of PID 00082610

Dartmouth Zones

- C-2 General Business Zone
- P Park Zone
- R-1 Single Family Residential Zone
- R-2 Two Family Residential Zone
- R-3 Multiple Family Residential Zone (Medium Density)
- R-4 Multiple Family Residential Zone (High Density)
- S Institutional Zone



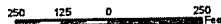
Subject Area



Notification Area



HALIFAX
 REGIONAL MUNICIPALITY
 PLANNING AND
 DEVELOPMENT SERVICES



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

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

ATTACHMENT A

Minutes of Public Information Meeting

**PUBLIC INFORMATION MEETING
CASE 00811 - VICTORIA GARDENS SITE
DARTMOUTH PLAN AREA**

**October 12, 2005
Dartmouth High School, Dartmouth
7:00 p.m.**

STAFF IN ATTENDANCE: Hanita Koblents, Planner
John MacPherson, Planner
Barbara Nehiley, Special Projects Advisor
Samantha Charron, Administrative Support

APPLICANT: Phil Fraser, Killam
Robert Richardson, Killam
Michael McClean, Killam
Ron Smith, Architect

OTHER: Jim Smith, Councillor
Gloria McCluskey, Councillor

MEMBERS OF THE PUBLIC: Approximately 40 people

Meeting commenced at approximately 7:05 p.m.

INTRODUCTIONS/OPENING COMMENTS

Hanita Koblents welcomed residents to the meeting and thanked them for attending. She introduced local Councillor Jim Smith, representatives of Killam Properties Ltd, their architect, and other planning staff in attendance. She introduced herself as the planner assigned to this application.

Councillor Smith also welcomed residents to the meeting and indicated he was in attendance to listen to comments and concerns residents have regarding this application. He explained there would be a future public hearing in which residents would have the opportunity to speak to this application formally, before Council. He also took a moment to recognize local MLA, Jerry Pye and Trevor Zinck, representing District 9 Resident's Association.

Ms. Koblents explained the purpose of the public information meeting was for residents to review the application submitted by Killam Properties Ltd. to enter into a development agreement with HRM to construct a 60 unit building on Scotia Court, Dartmouth.

Ms. Koblents gave a brief explanation of the planning process to residents and continued with a brief overview of the application. She explained that staff evaluate all applications according to approved policy within the applicable Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) for the area. She indicated in this case, policies IPI(c) and IP5 of the MPS for Dartmouth apply, and that the site is zoned R4 (High Density Residential) in the Dartmouth Land Use Bylaw. She went on to discuss some of the criteria staff consider when evaluating such applications: conformance with the intent of the MPS; compatibility with adjacent uses; bulk and scale of the proposal, provisions for buffering, landscaping, screening and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries, and; adequacy of servicing and infrastructure.

Ms. Koblents then explained through the public information meeting staff can also get a better understanding of any issues and concerns that residents may have regarding the proposed development. Residents can also get a better understanding of the planning process and associated timelines, as well as allowing residents the chance to fully understand the proposed development. She then invited the applicant to provide an overview of the proposal.

Mr. Richardson representing Killam Properties Ltd. began with a brief description of the history of Victoria Gardens Apartments. He suggested this development would add some balance to the types of units available on the property. Killam has recently surveyed their tenants to find out what tenants value and to make sure residents needs are being met which is a high priority to Killam.

Mr. Richardson then described the proposed development explaining it will be a four storey 60 unit development with rents ranging from \$695.00/month for a one bedroom to \$795.00/month for a two bedroom. These rental prices hinge on a government grant they have applied for. He explained the new units will have five appliances and there will be wheel chair accessible units at ground level, security cameras on site, underground parking, an elevator and environmental sensitivities have been taken into consideration.

With the use of an overhead Mr. Richardson outlined the site plan for the development. He explained Killam has enough property to develop more units in the future according to the R-4 zoning, but choose at this time to construct only the 60 unit building. He stated that R-4 regulations would allow for high density residential to cover up to 50% of their lands but they are only looking for 18% lot coverage of the total. He stated if Killam wishes to develop additional lands in the future, the same public participation process would be followed.

Mr. Richardson then discussed the green area proposed. He stated the traffic study conducted shows the additional vehicles from this development will not have a significant impact on the traffic in the area. He suggested many of their residents will likely utilize public transportation and stated the amenities and recreational facilities in close proximity make this site very convenient.

Mr. Richardson indicated in closing Killam is very happy to propose this application to the community and they feel this development will give a good balance and enhance the community

QUESTIONS AND COMMENTS

Councillor McCluskey asked Hanita to clarify the appeal process for residents.

Ms. Koblents stated that a decision of Council may be appealed to the Utility and Review Board 14 days after notice of the decision.

Doug Rigby asked if the proposed development would help the community meet the school board criteria to provide additional school busing for local children.

Ms. Koblents suggested this is not something that would be examined by the planning department but stated the application was circulated to the school board for comment.

Doug Rigby asked if Ms. Koblents could explain how this proposal met the criteria she described?

Ms. Koblents explained that while the review is not yet complete, and that the application has been circulated to various internal and external agencies for comment, she could offer some preliminary observations. In terms of the exterior design of the project, staff had concerns with the length of the building and the impact of this on the adjacent residences, and have made some suggestions to create a more positive relationship with the existing buildings and landscaping. In considering compatibility of with adjacent land uses, this project is located on the site near other similar building forms (other medium and high density residential) and further away from lower density single and two unit dwellings, which is appropriate. In terms of lot coverage and density, the project meets R-4 zone standards and also is able to accommodate sufficient parking. There is good access to the local recreational centre, community and family facilities are located nearby; the development is near a transit terminal and only a ten minute walk from the ferry and there many types of shops near by. In terms of a traffic, a study was requested to evaluate the impact on existing roadways. There is adequate servicing and schools have space in the community. She stated staff would like to see additional trees planted on the site to create more of a buffer area, and will be suggesting that a landscape architect be retained to design the exterior space. She then explained there are additional criteria evaluated by staff but these are probably the most important.

Doug Rigby thanked Ms. Koblents for her explanation.

An unknown resident asked what the building elevation and height would be and if the proposed development would block the view of the existing residents on Nova Court.

Mr. Richardson stated the proposed development wouldn't block the view significantly and indicated the new development would be four stories in height. The existing buildings on site are three stories. He stated Killam Developments Ltd feels the neighbourhood would benefit from the new development.

Barbara Jordan asked if the play area located on the existing Victoria Gardens property will be removed and if the development will block the view of the existing residents on Boland Road.

Ms. Koblents stated that the existing play area is not part of this development and that at the time of subdivision the developer is bound dedicate 10% of land (or cash in lieu) for parkland.

Jane McKay asked if this meant four storeys above grade.

Robert Richardson replied that was correct the development would be four storeys above grade.

Jane McKay asked if there was any kind of planning going on in the area to limit properties from being developed individually instead of the whole picture being looked at. She suggested with the Brightwood and Keating land being sold off if this isn't considered there will be a terrible mess. She is also concerned about the local schools, and space for additional children.

Ms. Koblents explained there is a community plan in place and that the municipality is going through a regional plan exercise now which will address some larger planning issues. She also stated the application was circulated to the school board who confirmed there was room for additional students.

A resident asked if anyone has submitted an application to develop the Keating properties.

Ms. Koblents indicated a few of her colleagues were in attendance this evening and they could possibly answer that question.

John MacPherson introduced himself as a planner with the municipality. He indicated the Keating lands do have an application submitted for development. He also indicated there is an application in to redevelop the former Notting Park School site. He suggested if anyone in attendance would like to speak to him regarding these applications they could do so. He then briefly explained the planning process those applications would follow.

Kathleen Fogarty asked how the regional plan can have any authority over the current applications, she questions whether these applications will be evaluated as part of the big picture or if they will be approved before the plan takes effect.

Ms. Koblents suggested Ms. Fogarty was likely correct, that the Regional plan would not influence these applications. Planning is a dynamic process and there are guidelines in the Land Use By-Law and Municipal Planning Strategy to regulate new development, however staff cannot anticipate when every private property owner will come forward with an application and what they intend with their property.

Ms. Fogarty asked how the community could be part of this big picture planning. She would like to see it all laid out in one presentation so residents can see what the surrounding community will look like in twenty years time.

John MacPherson stated again that there is a community plan in place.

Ms. Koblents added that following the regional planning exercise; more detailed community planning will be undertaken to update existing community plans. She indicated there are regional planning workshops going on now that residents can attend.

Jerry Pye, local MLA stated 61% of housing stock in North Dartmouth is made up of multiple unit dwellings. He stated it is time for residents to place their fingers on the pulse of the problem and try to manage their communities, it time for community members to stand up to this development proposal, if not it will open the door for additional development applications. He then suggested the public participation process is not acceptable and residents do not have a fair opportunity to speak to applications. He then asked Mr. Richardson to explain what type of government grant Killam will be seeking for this development.

Mr. Richardson indicated it is an affordable housing grant.

Mr. Pye asked how many tax payers dollars will be asked for each unit.

Mr. Richardson indicated they did not ask for tax payers dollars. He stated the program was made available to developers to apply for from the federal government and Killam feels if their proposal is accepted they will be able to construct nice affordable units for residents.

Mr. Pye asked how much per unit was requested.

Mr. Richardson indicated Killam Developments Ltd. made application for \$25 000.00 per unit.

Mr. Pye asked when the property was purchased by Killam.

Robert Richardson indicated approximately two years ago.

Mr. Pye stated residents are happy with the existing buildings owned by Killam on the property. He wanted to point out to residents that this proposed development will not be the end of the development on that property. He suggested Killam has enough property to create more multi-unit dwellings or town houses.

Mr. Richardson indicated he did address the future potential for development on the site during his presentation and it was unfair to suggest Killam was concealing any plans.

Jerry Pye suggested in twenty years time there is a good possibility these low income developments will end up boarded up, he stated he has grave concerns for the recent applications and the long term impact they will have on the community.

Gerry Perusse (Citizens for Brightwood) is concerned about future development in the area, she would like to see the planning department look at Dartmouth as a whole and not on an individual application basis. She feels Dartmouth has great potential and if more care was put into the planning as a whole, the communities would greatly benefit from this. In the case of the proposed development she is concerned the buildings exterior does not fit in with the look of Victoria Gardens buildings.

Trevor Zinck reiterated to Killam representatives and planning staff in attendance, residents want to have confidence in the planning department, he suggested they want to know there communities are being considered as a whole not piece by piece. He would like to be assured aspects such as traffic and views will be taken into consideration.

Michael Adams suggested it is very hard to find affordable housing in the area, he suggested this type of development at this price range is just not available in this area, and it is exactly what he would be interested in. He suggested when the Brightwood lands are developed the properties will be upper end housing - out of the average blue collar worker's price range. He reminded surrounding residents that Victoria Gardens parkland is not publically owned. He stated residents of Victoria Gardens are not allowed to have dogs but every night he watches the neighbourhood residents walk their animals through these green spaces and not even have the courtesy to clean up after them. Mr. Adams stated he is overjoyed with the proposal and he is in full support.

Trevor Zinck asked if residents of Victoria Gardens take exception to the single family dwelling residents using their park.

Cynthia Charles, resident of Victoria Gardens, indicated the rent has increased for the past few years, and she would like to see Killam Properties Ltd. put money into upgrades for the existing units rather than building more they cannot maintain.

Mr. Richardson stated Killam has recently spent a considerable amount to upgrade the existing buildings.

Councillor McCluskey asked if the \$795.00 per month rent is the market value.

Mr. Richardson indicated that was the case.

Jerry Pye asked if the \$795.00 per month rent will change if the grant is not received.

Mr. Richardson indicated the per month rent would have to be reevaluated if the grant is not received, considering each unit has a construction cost of \$93 000.00.

Mr. Pye asked if these properties were an investment property for Killam. He suggested they are a way to gain revenue for their company.

Mr. Richardson indicated this was correct and that this was Killam's business and also how they support their 220 employees.

Jerry Pye indicated in his past experience with planning, he feels developing land piece by piece is a way through the back door for developers. He suggested Killam is concerned about getting the maximum potential of property density under the existing Land Use By-Laws and Municipal Planning Strategies before the new Regional Plan comes into effect.

Mr. Richardson stated that was incorrect and if that were the case they would have applied for 50% coverage not 18%. He suggested for Mr. Pye to characterize Killam Properties Ltd this way was unfair.

Residents asked what the likelihood would be of the old buildings suffering from a vacancy rate, with the new development being approved.

Mr. Richardson suggested Killam expects existing residents to want to move into the new building, but he doesn't anticipate vacancies in the older units as new residents are likely to occupy them.

Ms. Koblents explained that buildings don't just become vacant, there are always economic reasons and likely maintenance issues. She also stated the population of metro is rising.

Gordon Evans asked why the square footage of the two bedroom units proposed would be 200 square feet larger than the Victoria Gardens two bedroom units. He also wonders why five appliances would be offered and he does not feel this is fair and he takes exception to Killam

creating these type of units on a grant from the government. He feels existing residents should be taken into consideration.

Ms. Koblents asked colleague Barbara Nehiley, Special Projects Advisor to say a few words on the issue of affordable housing.

Barb Nehiley, Special Projects Advisor suggested these units have met all the social assistance regulations. She stated these units are modest, they meet current standards for affordable housing. There are five appliances offered, and she feels giving a low income home the opportunity to have conveniences such as these a good thing.

Councillor McCluskey asked Ms. Nehiley what income would someone have to earn to afford this type of housing.

Ms. Neihley indicated a person earning approximately \$30 000.00 per year would be able to afford these units.

Gordon Evans reiterated the overall plan for the area needs to be addressed He suggested it cannot be ignored when the decision is being made to approve or deny this application.

An unknown resident representing Scotia Court Resource Centre asked about the access to the site and how many additional vehicles will be travelling in and out of the development.

Mr. Richardson indicated the access is still being discussed.

An unknown resident stated Scotia and Nova Court is heavily used by children as a play area. She is concerned that will be affected and would like to see traffic access addressed.

Paul Hughes a Victoria Road resident suggested views in the city are disappearing all across the Municipality, and he feels the green area proposed for this site is more than adequate. He also suggested with oil, gas and electricity increasing in the future people are going to want to move closer into the city, to utilize public transit.

Yvonne Raezkowski asked Ms. Koblents if she will take all questions and concerns made here tonight into consideration before making her recommendation to Council.

Ms. Koblents explained all the aspects discussed at tonight's meeting will be taken into consideration before she formulates a recommendation to Council. She then gave a brief description of the steps this application will follow after tonight's meeting.

A resident stated again they would like to see this proposal be looked at as a whole with the rest of the local applications being considered at the same time.

Ms. Koblents reiterated that there is a community plan already, and that if the regional plan is approved, there will be further public consultation forums in which residents can give their input into more detailed community planning reviews.

Residents are concerned the community planning will come too late for their community.

Mr. Pye agreed with residents the community plan will come too late.

Terry Zinck suggested Killam Properties wait for the Regional Plan to come into effect to continue with this application and in the mean time invest money into repairing the existing developments.

Bertha Battiste asked Mr. Richardson to clarify if the units will be accessible units or barrier free units.

Mr. Richardson indicated only the main level apartments will be barrier free, including the exterior door.

Doug Rigby suggested the current Dartmouth plan has not done anything to protect the community from unbalanced development. He suggests something be done to hold these new applications off until the Regional Plan comes into effect.

Residents questioned the remaining public forums in which they will have the opportunity to speak to this application, and asked what the notification process will be for the process remaining.

Mr. Richardson stated that Killam circulated notification of this meeting to all residents of Victoria Gardens, even though they were not required to. They chose to because they feel residents should have their concerns heard.

Ms. Koblents confirmed the way the municipality mails out notifications, they can only be directed to home owners. A similar mail out as was done for this meeting will be done prior to the public hearing.

An unknown resident asked if accommodating hearing-impaired residents as well as physically handicapped residents has been considered.

Barbara Jordan suggested the survey circulated recently to residents by Killam requesting improvement suggestions was misleading. She feels residents did not understand that survey had nothing to do with this evening meeting and feels that is why there was not a better turn out.

Mr. Richardson suggested that was a company wide survey that was circulated to all residents of all of Killam's units.

Ms. Koblents suggested tenant issues should be addressed in a private forum.

Mr. Pye suggested meeting notifications need to be circulated to all tenants not just owners.

Ms. Koblents explained that the process used is approved by council and is not something that she can address in this forum.

Ms. Koblents suggested if there were no further questions the meeting could be adjourned.

MEETING ADJOURNMENT

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

ATTACHMENT B
MPS Policies

Policy IP-5 It shall be the intention of City Council to require Development Agreements for apartment building development in R-3, R-4, C-2, MF-1 and GC Zones. Council shall require a site plan, building elevations and perspective drawings for the apartment development indicating such things as the size of the building(s), access & egress to the site, landscaping, amenity space, parking and location of site features such as refuse containers and fuel storage tanks for the building.

In considering the approval of such Agreements, Council shall consider the following criteria:

- (a) adequacy of the exterior design, height, bulk and scale of the new apartment development with respect to its compatibility with the existing neighbourhood;
- (b) adequacy of controls placed on the proposed development to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) the height, size, bulk, density, lot coverage, lot size and lot frontage of any proposed building;
 - (ii) traffic generation, access to and egress from the site; and
 - (iii) parking;
- (c) adequacy or proximity of schools, recreation areas and other community facilities;
- (d) adequacy of transportation networks in, adjacent to, and leading to the development;
- (e) adequacy of useable amenity space and attractive landscaping such that the needs of a variety of household types are addressed and the development is aesthetically pleasing;
- (f) that mature trees and other natural site features are preserved where possible;
- (g) adequacy of buffering from abutting land uses;
- (h) the impacts of altering land levels as it relates to drainage, aesthetics and soil stability and slope treatment; and
- (i) the Land Use By-law amendment criteria as set out in Policy IP-1(c).

Policy IP-1(c)

In considering zoning amendments and contract zoning, Council shall have regard to the following:

- (1) that the proposal is in conformance with the policies and intents of the Municipal Development Plan

- (2) that the proposal is compatible and consistent with adjacent uses and the existing development form in the area in terms of the use, bulk, and scale of the proposal
- (3) provisions for buffering, landscaping, screening, and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries
- (4) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the City is to absorb any costs relating to the development
 - (ii) the adequacy of sewer and water services and public utilities
 - (iii) the adequacy and proximity of schools, recreation and other public facilities
 - (iv) the adequacy of transportation networks in adjacent to or leading to the development
 - (v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas
 - (vi) preventing public access to the shorelines or the waterfront
 - (vii) the presence of natural, historical features, buildings or sites
 - (viii) create a scattered development pattern requiring extensions to truck facilities and public services while other such facilities remain under utilized
 - (ix) the detrimental economic or social effect that it may have on other areas of the City.
- (5) that the proposal is not an obnoxious use
- (6) that controls by way of agreements or other legal devices are placed on proposed developments to ensure compliance with approved plans and coordination between adjacent or near by land uses and public facilities. Such controls may relate to, but are not limited to, the following:
 - (i) type of use, density, and phasing
 - (ii) emissions including air, water, noise
 - (iii) traffic generation, access to and egress from the site, and parking
 - (iv) open storage and landscaping
 - (v) provisions for pedestrian movement and safety
 - (vi) management of open space, parks, walkways
 - (vii) drainage both natural and sub-surface and soil-stability
 - (viii) performance bonds.
- (7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock outcroppings, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors
- (8) that in addition to the public hearing requirements as set out in the Planning Act and City by-laws, all applications for amendments may be aired to the public via the "voluntary" public hearing process established by City Council for the purposes of information exchange between the applicant and residents. This voluntary meeting allows the

residents to clearly understand the proposal previous to the formal public hearing before City Council.

**ATTACHMENT C
Development Agreement**

THIS AGREEMENT made this day of , 2006, BETWEEN:

KILLAM PROPERTIES LIMITED
(hereinafter called the "Developer")

OF THE FIRST PART

-and-

HALIFAX REGIONAL MUNICIPALITY,
a body corporate, in the County of
Halifax, Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located on Scotia Court, Dartmouth, Nova Scotia (PID#_____), and which said lands are more particularly described in Schedule 'A' to this Agreement (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a development agreement to allow for the construction of a multiple unit residential building on the Lands pursuant to the provisions of the Municipal Government Act and the Municipal Planning Strategy and Land Use By-law for Dartmouth;

AND WHEREAS the Harbour East Community Council approved this request at a meeting held on March 02, 2006, referenced as Municipal Case Number 00811;

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 The Developer agrees that the Lands shall be subdivided, developed and used only in accordance with and subject to the terms and conditions of this Agreement.
- 1.2 Except as otherwise provided for herein, the development and use of the Lands shall comply with the requirements of the Dartmouth Land Use By-law, as may be amended from time to time.
- 1.3 Except as otherwise provided for herein, the subdivision of the Lands shall comply with the requirements of the Subdivision By-law of Dartmouth, as may be amended from time to time.
- 1.4 Pursuant to Section 1.2 and 1.3, 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 and Subdivision By-law to the extent varied by this Agreement), or any statute or regulation of the Province of Nova Scotia, and the Developer or lot owner agrees to observe and comply with all such laws, by-laws and regulations in connection with the development and use of the Lands. For greater clarity, the following municipal bylaws and policies are identified which the Developer hereby agrees to comply with:

Bylaw S-300 - Streets Bylaw
 Bylaw B-201 - Building Bylaw
 Bylaw B-300 - Blasting Bylaw
 Bylaw N-200 - Noise Bylaw
 HRM Municipal Service System Specifications
 NS DEL Erosion & Sedimentation Control Handbook for Construction Sites

- 1.5 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 and Subdivision 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.
- 1.6 The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all federal, provincial and municipal regulations, by-laws or codes applicable to any lands owned by the Developer.
- 1.7 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: USE OF LANDS AND DEVELOPMENT PROVISIONS

2.1 Schedules

The Developer shall develop and use the Lands in conformance with the site plan, design drawings, and renderings, attached as the following Schedules to this Agreement:

Schedule 'A'	Legal Description of the Lands
Schedule 'B'	Site Plan and Landscaping
Schedule 'C'	Site Plan & Landscaping Notes
Schedule 'D'	South and East Elevations
Schedule 'E'	North and West Elevations
Schedule 'F1', 'F2' & 'F3'	Floor Plans (Parking, Main level, Typical Level)

2.2 Permitted Uses

- 2.2.1 The use of the Lands permitted by this Agreement, subject to its terms and as generally illustrated on the Schedules attached, is a multiple unit dwelling with a maximum of 60 units.
- 2.2.2 The unit mix shall include 21-one bedroom, and 39 two-bedroom units, including 12 units built specifically to accommodate persons in wheelchairs as shown on Schedule 'F2'.

2.2.3 No outdoor storage shall be permitted on the Lands. All waste management facilities shall be accommodated inside the building.

2.3 Buildings/Architecture

2.3.1 The Developer shall construct a building on the Lands, which is substantially in conformance with Schedules 'D' and "E" attached hereto, including the location, size, height, and architectural design, including facade features and type of exterior materials.

2.3.2 The Developer agrees that buildings constructed on the Lands shall not exceed four (4) storeys including any penthouses, over a parking structure.

2.3.3 Exterior finish shall be primarily a combination of brick and siding. Brick cladding shall be used over a minimum of the first storey, including all exposed foundation. Windows shall be taller than they are wide with minimum 4.5" window and door trims as generally shown on Schedules 'D' and 'E'. Balcony railings shall be pre-finished metal (not wood or galvanized) and a covered canopy shall be provided at the main entrance.

2.3.4 The minimum setback for the building from any property line shall be 4.5 metres and the maximum building lot coverage shall not exceed 35 %.

2.3.5 The roofline of the building shall be varied as generally shown on Schedules 'D' and 'E'.

2.3.6 The Development Officer may approve modifications to the internal layout of the units (provided that overall unit number and type are not increased) and to the architectural appearance provided that such changes, in the opinion of the Development Officer, are minor in nature, and serve to further the intent of this agreement.

2.4 Parking and Circulation

2.4.1 No less than sixty (60) parking spaces shall be provided to serve residents of this building. A minimum of forty three (43) of these shall be located underground as shown on Schedule 'D1'. Should remaining required parking be allocated off site, as shown on Schedule 'B', an access and parking easement shall be submitted to the Development Officer prior to issuance of an occupancy permit. An access easement is required as long as access to the proposed drop-off loop at the main entrance is provided off Boland Road as generally shown on Schedule 'B'.

2.4.2 Parking for disabled persons shall be provided at a minimum as required by the Building Code Act, including the provision of applicable signage.

2.4.3 All external driveways and circulation aisles shall be concrete or asphalt, and the perimeter of all external driveways, parking areas and landscaped islands shall be defined by concrete curb.

2.4.4 Bicycle Parking shall be provided in the form of a minimum of: an exterior bicycle rack for a minimum six (6) bicycles located within 15 metres of the main entrance as generally shown on Schedule 'B'; and one interior bicycle room a minimum of 11' x 20' containing no fewer

than 24 bicycle wall racks. Bicycle racks shall be made of sturdy material by a suitable manufacturer and if surface-mounted, mounted with anti-theft anchors. Bicycle racks supporting only the wheel, or providing only one point of contact with the frame are not permitted.

- 2.4.5 The Development Officer may approve modifications to layout, access, and location of parking, provided these serve to improve the overall appearance and functionality of the development.

2.5 Streets and Municipal Services

- 2.5.1 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 site drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies and regulations of HRM, HRWC and other approval agencies, except as provided for herein. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer.
- 2.5.2 The Developer shall have prepared, by a Professional Engineer, final detailed plans illustrating proposed servicing, grading, stormwater management and vehicle access for the site. Said plans shall be submitted and subject to review and approval by the Development Engineer with the Building Permit Application. Alterations to the service and access easements as shown on Schedule 'B' may be permitted subject to the approval of the Development Officer.
- 2.5.3 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, 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 Engineer.
- 2.5.4 Pursuant to this Section, no occupancy permit shall be issued for any dwelling unit on the Lands until all street improvements and/or reinstatement, municipal servicing systems and utilities have been completed, except that the occupancy permit(s) may, at the discretion of the Building Official, be issued subject to security being provided to the Municipality in the amount of 120 per cent of the estimated cost of completion of all outstanding work. The security shall be in favour of the Municipality and may be in the form of a certified cheque or irrevocable, automatically renewable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of all work, as approved by the Development Engineer.

2.6 Amenity and Open Space

2.6.1 On Site Amenity

- 2.6.1.1 A minimum of 13,800 square feet (1,282m²) of open space for passive and active recreation use by residents shall be provided through a combination of on-site landscaping, paths, and including private balconies and terraces. A detailed

landscaping plan, substantially in conformance with that shown on Schedules 'B' and 'C' and stamped by a professional Landscape Architect who is a member in good standing with the Canadian Society of Landscape Architects shall be submitted with the application for a Construction Permit.

- 2.6.1.2 The landscaping plan shall provide details of the location of all required plant material at the minimum quantity and size indicated on Schedule 'B2'. This plan shall specify all model numbers, quantities and manufacturers of site furnishings (benches, picnic tables, bicycle racks, etc.) as well as construction details of landscaping features (raised planters, fences, trees etc.). A minimum of four (4) benches and two (2) picnic tables shall be provided. All plant material shall be specified to conform to the latest edition of the Canadian Nursery Trades Association Metric Guide Specifications. All new grass areas shall be sod (not seed) and conform to the Canadian Nursery Sod Growers' Specifications.
- 2.6.1.3 In addition to landscape measures outlined above, an existing rose hedge along Scotia Court shall be protected during construction. Any plants lost during construction (with the exception of those removed to provide driveway and walkway access) shall be replaced with equivalent plant material, over and above that required on the plant list in Schedule 'B2'. Temporary fencing shall be erected prior to issuance of the Construction Permit.
- 2.6.1.4 An existing chain link fence along Scotia Court shall be removed and replaced by an ornamental iron fence along the extent of the lot's frontage on Scotia Court.
- 2.6.1.5 Concrete surfaced wheelchair accessible pathways around the building and through the amenity areas shall be constructed as generally shown on Schedule 'B'. Unit pavers shall be used near the main entry.
- 2.6.1.6 Private, individual, outdoor amenity space in the form of balconies or ground level terraces shall be provided for each unit. No balcony shall have a minimum dimension less than five (5) feet.
- 2.6.1.7 The Development Officer may approve modifications to the species of plant stock provided such modifications, in the opinion of the Development Officer, enhance the visual appearance of the Lands. (E.g. substituting deciduous for evergreen plants to add more year- round interest.)
- 2.6.1.8 Prior to issuance of any occupancy permit, certification in the form of a letter by a Landscape Architect who is a member in good standing of the Canadian Society of Landscape Architects shall be provided confirming that landscaping measures have been completed in accordance with the landscaping plan submitted and Section 2.6 of this agreement.
- 2.6.1.9 An occupancy permit may be issued provided that the developer supplies a security deposit in the amount of 120 percent of the estimated cost to complete the landscaping. The security deposit shall be in the form of a certified cheque or an automatically

renewing letter of credit issued by a chartered bank to the Municipality. Should the developer not complete the landscaping within 18 months of issuance of the occupancy permit, the Municipality may use the deposit to complete the landscaping as set out in Schedules 'B' and 'C' and section 2.6. The developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the developer upon completion of the work and its certification.

2.6.2 Park Dedication

2.6.2.1 Through the subdivision process undertaken to create the lands that are the subject of this agreement, a parkland dedication was required. Prior to issuance of a construction permit, verification must be submitted to the Development Officer that such dedication has been made in the amount of 10% of the assessed value of the lands or by way of a Park Dedication Agreement.

2.7 Environmental Controls

2.7.1 The Developer shall have an Erosion and Sedimentation Control Plan prepared by a Professional Engineer. The Plan shall comply with regulations of the Nova Scotia Department of Environment and Labour Erosion and Sedimentation Control Handbook for Construction Sites. The plan shall accompany the Building Permit application.

2.8 Solid Waste Facilities

2.8.1 The underground parking garage shall include designated space for three stream (refuse, recycling and composting) source separation services. This designated space for source separation services shall be shown on the building plans and approved by the Development Officer and Building Official in consultation with the Manager of Solid Waste Resources.

2.9 Maintenance

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

PART 3: AMENDMENTS

3.1 The following items are considered by both parties to be non-substantial matters and may be amended by resolution of Harbour East Community Council:

- a) Change of access to surface parking and drop-off loop from Boland Road to Scotia Court.
- b) Changes to the design, layout, and positioning of the buildings provided that plans are submitted for any changes to the building design and that such changes, in the opinion of Council, are minor in nature and serve to improve the building's overall appearance.

- 3.2 Amendments to any matters not identified under section 3.1 shall be deemed substantial and may only be amended in accordance with the approval requirements of the Municipal Government Act.

PART 4: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

- 4.1 A copy of this Agreement and every amendment and discharge of this Agreement shall be recorded at the office of the Registry of Deeds at Halifax, Nova Scotia and the Developer shall pay or reimburse the Municipality for the registration cost incurred in recording such documents.
- 4.2 This Agreement shall be binding upon the parties thereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the land which is the subject of this Agreement until this Agreement is discharged by the Council.
- 4.3 Notwithstanding any subdivision approvals granted pursuant to this Agreement or any transfer or conveyance of any lot or of all or any portion of the Property, this Agreement shall continue to apply to and bind the Developer, the Property and each lot and the Developer shall continue to be bound by all terms and conditions of this Agreement.
- 4.4 Upon the transfer of title of any lot, the owner thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot.
- 4.5 Notwithstanding Section 4.4 or any transfer of title to a lot, the Developer shall continue to be responsible for the fulfilment of the Developer's covenants under this Agreement and any Subdivision Agreement entered pursuant to this Agreement.
- 4.6 In the event that construction on the Lands has not commenced within 5 (five) years from the date of registration of this Agreement at the Registry of Deeds, as indicated herein, the Municipality may, by resolution of Council, either discharge this Agreement, whereupon this Agreement shall have no further force or effect, or upon the written request of the Developer, grant an extension to the date of commencement of construction. For the purposes of this section, "commencement of construction" shall mean the pouring of the footings for the foundation for the building.
- 4.7 Upon the completion of all development on the Lands, or portions thereof, or after 10 (ten) years from the date of registration of this Agreement at the Registry of Deeds, whichever time period is less, Council may review this Agreement, in whole or in part, and may:
- (a) retain the Agreement in its present form;
 - (b) negotiate a new Agreement;
 - (c) discharge this Agreement on the condition that for those portions of the development that are deemed complete by Council, the Developer's rights hereunder are preserved and the Council shall apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law, as may be amended.

PART 5: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

- 5.1 The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within one day of receiving such a request.
- 5.2 If the Developer fails to observe or perform any covenant or condition of this Agreement after the Municipality has given the Developer thirty (30) 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 defence based upon the allegation that damages would be an adequate remedy;
 - (b) the Municipality may enter onto the Property and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the development agreement, whereupon all reasonable expenses whether arising out of the entry onto the lands or from the performance of the covenants or remedial action, shall be a first lien on the Property 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 Municipal Government Act or Common Law in order to ensure compliance with this Agreement.

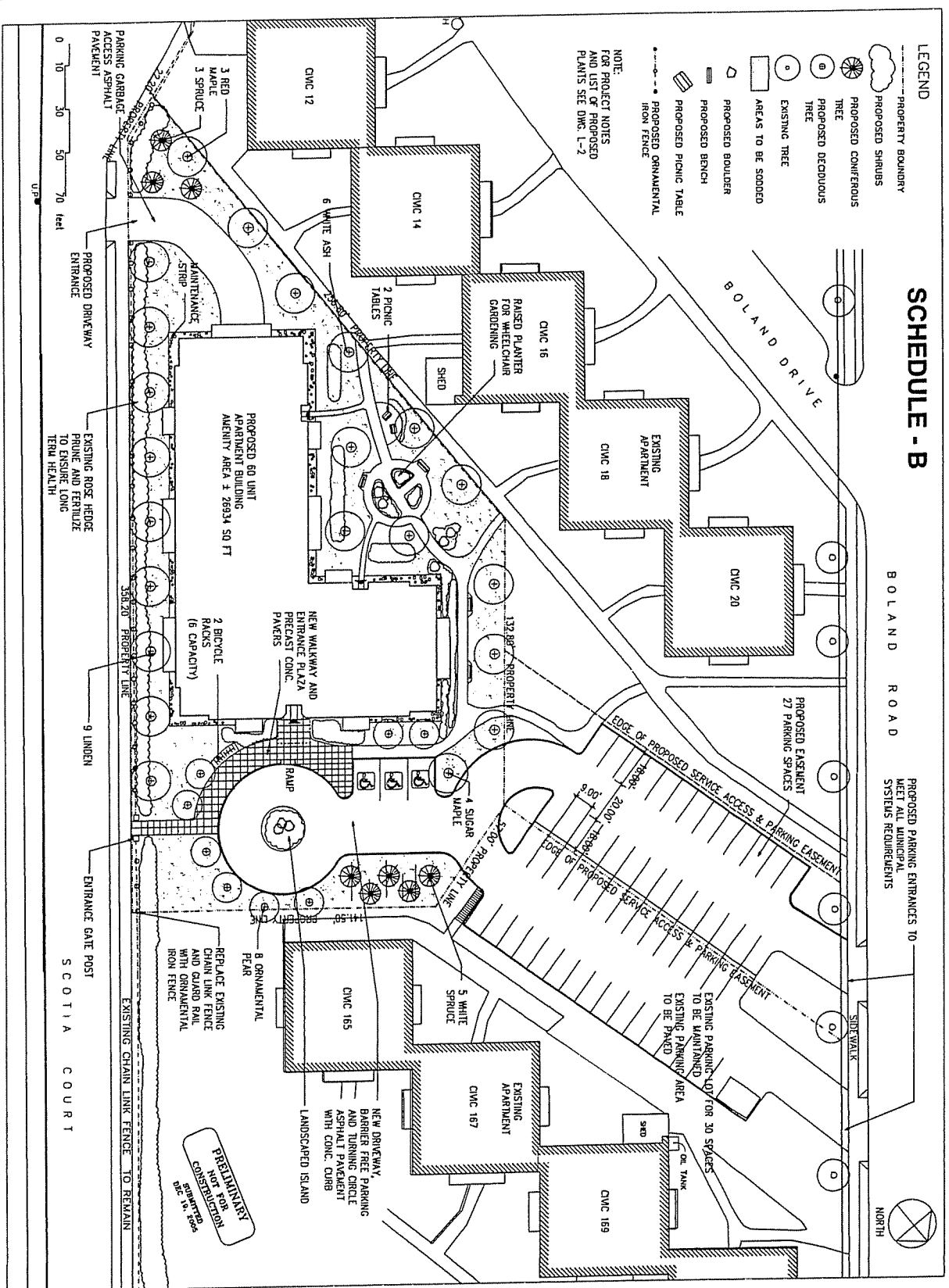
IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on the day and year first above written:

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

)	<u>KILLAM PROPERTIES LIMITED</u>
)	
)	
)	
)	
per: _____)	per: _____

Sealed, Delivered and Attested)	HALIFAX REGIONAL MUNICIPALITY
by the proper signing officers of)	
Halifax Regional Municipality)	
duly authorized on that behalf)	per: _____
in the presence of:)	MAYOR
)	
)	
per: _____)	per: _____
)	MUNICIPAL CLERK

SCHEDULE - B



- LEGEND**
- PROPOSED SHRUBS
 - PROPOSED CONIFEROUS TREE
 - PROPOSED DECIDUOUS TREE
 - EXISTING TREE
 - AREAS TO BE SODDED
 - PROPOSED BOULDER
 - PROPOSED BENCH
 - PROPOSED PICNIC TABLE
 - PROPOSED ORNAMENTAL IRON FENCE

NOTE:
FOR PROJECT NOTES
AND LIST OF PROPOSED
PLANTS SEE DWG. L-2

PROPOSED PARKING ENTRANCES TO
MEET ALL MUNICIPAL
SYSTEMS REQUIREMENTS



OWNER PROJECT NO.	DATE
CONTRACT NO.	DATE
PROJECT NO.	DATE
SCALE	DATE
DRAWN BY	DATE
DESIGNED BY	DATE

DATE: 12/10/2010
PROJECT: VICTORIA GARDENS
OWNER: DANIELA LUTTI, NOVA SCOTIA
DRAWING: PRELIMINARY LANDSCAPE PLAN

NO.	REVISION	DATE
1	ISSUED FOR REVIEW	DEC 10 2010
2	REVISED	
3	REVISED	
4	REVISED	
5	REVISED	
6	REVISED	
7	REVISED	
8	REVISED	
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STUDIO WORKS
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1000 10th Street, Suite 100
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Fax: (902) 422-2222
www.studioworks.ca

Gordon Ratcliffe
Landscape Architects
65396 YOUNG STREET
HALIFAX, NOVA SCOTIA
CANADA, B3K 1Z7
PHONE: (902) 478-3893
FAX: (902) 857-1108

SCHEDULE - C

NOTES:

1. ALL PATHWAYS, RAMPS AND BUILDING ENTRANCES TO BE BARRIER FREE IN ACCORDANCE WITH CAN/CSA-B651.
2. NEW PATHWAYS TO BE CAST-IN-PLACE BROOM, FINISH CONCRETE.
3. SITE FURNISHINGS TO BE :
BENCHES TO BE SUPPLIED BY WABASH, SURFACE MOUNT, MODEL NUMBER CY421W OR APPROVED EQUAL (4 REQ'D) PICNIC TABLES TO BE SUPPLIED BY WABASH SURFACE MOUNT MODEL NUMBER SY135D OR APPROVED EQUAL (2 REQ'D).

PLANT LIST			
QTY.	COMMON NAME	BOTANICAL NAME	SIZE/CONDITION
8	WHITE SPRUCE	PICEA GLAUCA	150 CM/WB
3	RED MAPLE	ACER RUBRUM	50 MM/WB
4	SUGAR MAPLE	ACER SACCHARUM	50MM/CAL
6	WHITE ASH	FRAXINUS AMERICANA	50MM/CAL
9	LINDEN	TILIA AMERICANA	50MM/CAL
8	ORNAMENTAL PEAR	PYRUS CALLERYANA	45MM/CAL
20	PURPLE PAVEMENT ROSE	ROSA RUGOSA PURPLE PAVEMENT	50 CM/POTTED
45	ANTHONY WATERER SPIREA	SPIREA BUMALDA PURPLE PAVEMENT	50 CM/POTTED
30	BURNING BUSH	EUONYMUS COMPACTA ALATA	2 GAL POT
80	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	2 GAL POT
40	FOERSTER'S REED GRASS	CALAMAGROSTIS ACUT. KARL FORESTER	2 GAL POT
40	DAYLILY	HEMEROCALLIS	2 GAL POT

SITE DATA: LOT 6, VICTORIA GARDENS, DARTMOUTH, N.S.

R4 ZONE - PROPOSED 4 STOREY - 60 UNIT MULTUNIT BUILDING

- LOT SIZE APPROX = ± 48,717.50 SQ FT
- REQUIRED AREA = ± 36,540.00 SQ FT
- PROPOSED BUILDING COVERAGE = ± 15,576.00 SQ FT / 32.0%
- REQUIRED AMENITY AREA = ± 13,800.00 SQ FT
- AVAILABLE BALCONY AREA = ± 3,819 SQ FT

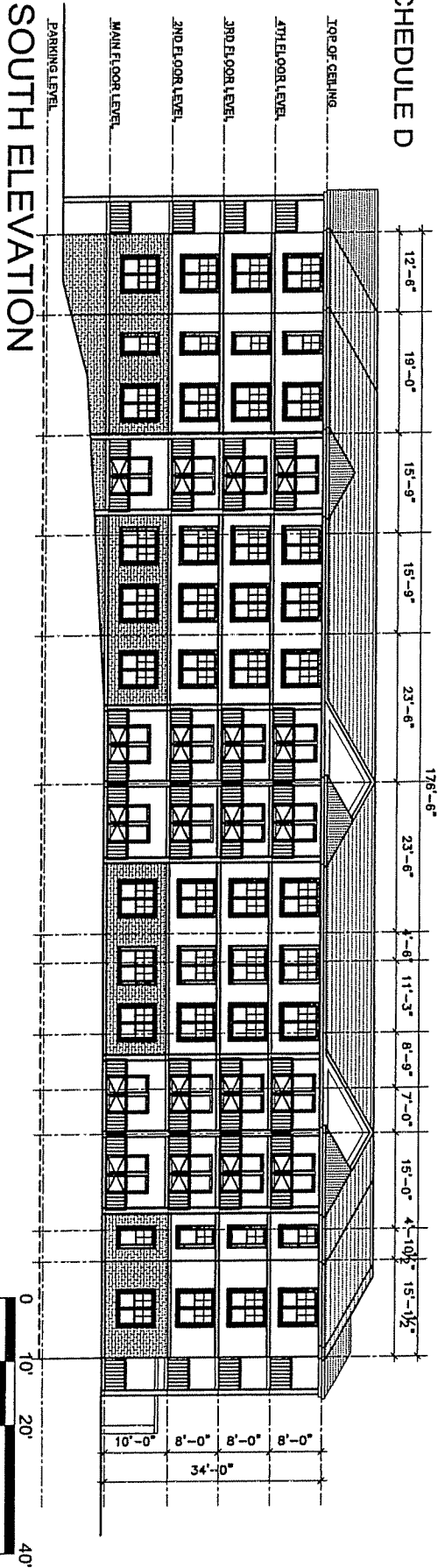
**PRELIMINARY
NOT FOR
CONSTRUCTION**
 10.10.2004

Gordon Ratcliffe
 Landscape Architects
 53398 YOUNG STREET
 HALIFAX, NOVA SCOTIA
 CANADA, B3K 1Z7
 PHONE: (902) 478-3883
 FAX: (902) 857-1108

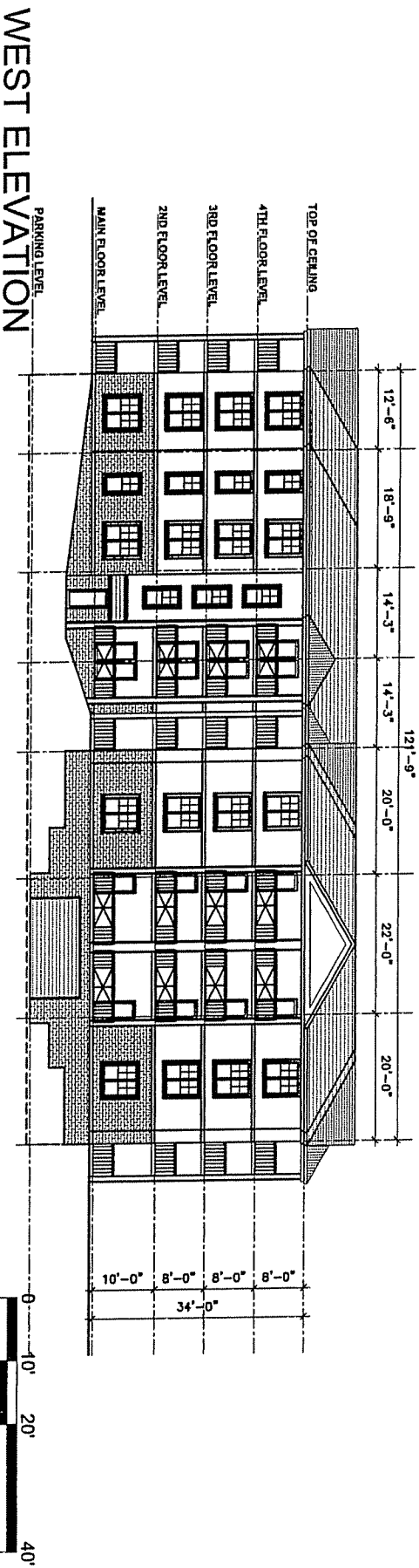
STUDIO WORKS
 ARCHITECTURAL LTD.
 1000 University Ave. Suite 100
 Halifax, Nova Scotia B3K 2C9
 Phone: (902) 425-1100
 Fax: (902) 425-1101

DATE	SCALE	PROJECT	DRAWING NO.	DATE	SCALE
		VICTORIA GARDENS	L-2		
<p>PROJECT: VICTORIA GARDENS</p> <p>DRAWING: DARTMOUTH, NOVA SCOTIA</p> <p>NOTES AND PLANT LIST</p>					
<p>SCALE: AS SHOWN</p> <p>DRAWN BY: [] CHECKED: []</p> <p>APPROVED: []</p>					
<p>DATE: [] SCALE: []</p>					
<p>OWNER'S PROJECT NO.: [] DRAWING NO.: []</p> <p>CONSULTANT'S NO.: [] REVISION: []</p>					

SCHEDULE D



SOUTH ELEVATION

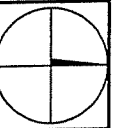


WEST ELEVATION

STUDIO WORKS
 ARCHITECTURAL STUDIO
 1111 11th Street
 Victoria, BC V8W 2E1
 Tel: 250-383-2888
 Fax: 250-383-2889
 www.studioworks.ca

PROJECT: VICTORIA GARDENS RENTAL HOUSING ELEVATIONS - PROPOSED BUILDING - LOT 6 - SCHEDULE D
 CLIENT: KILLAM PROPERTIES, SCOTIA COURT, DARTMOUTH, N.S.

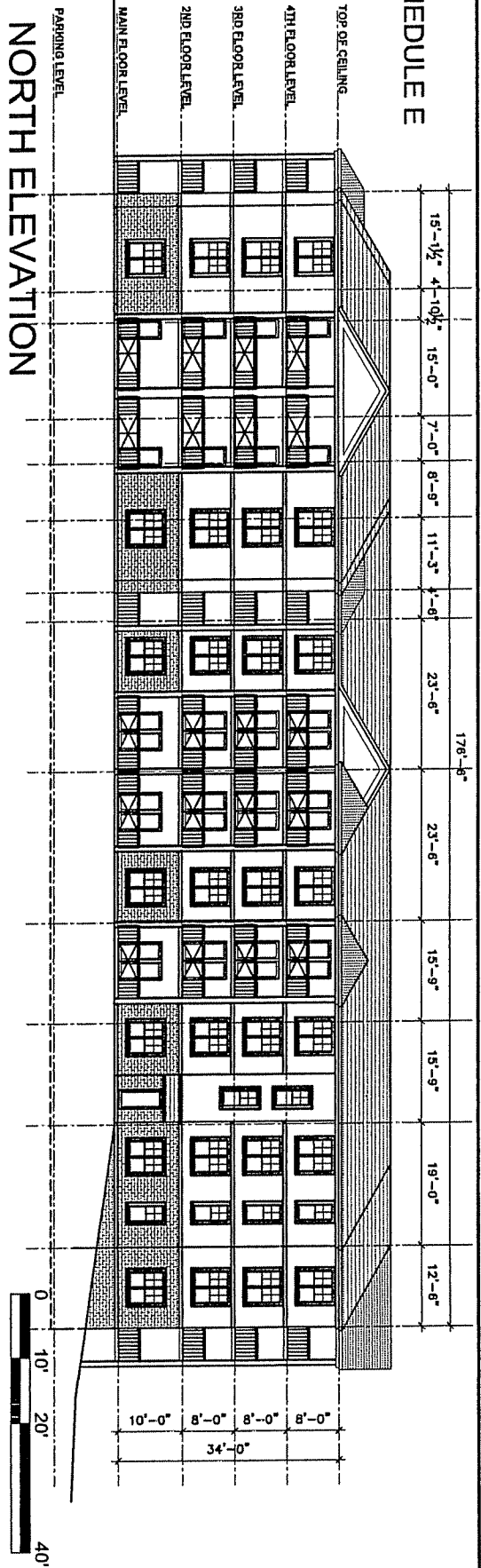
KILLAM PROPERTIES INC



scale	1/8"=1'-0"
date	MAY 2005
drawn	ZH
proj.	KP0501

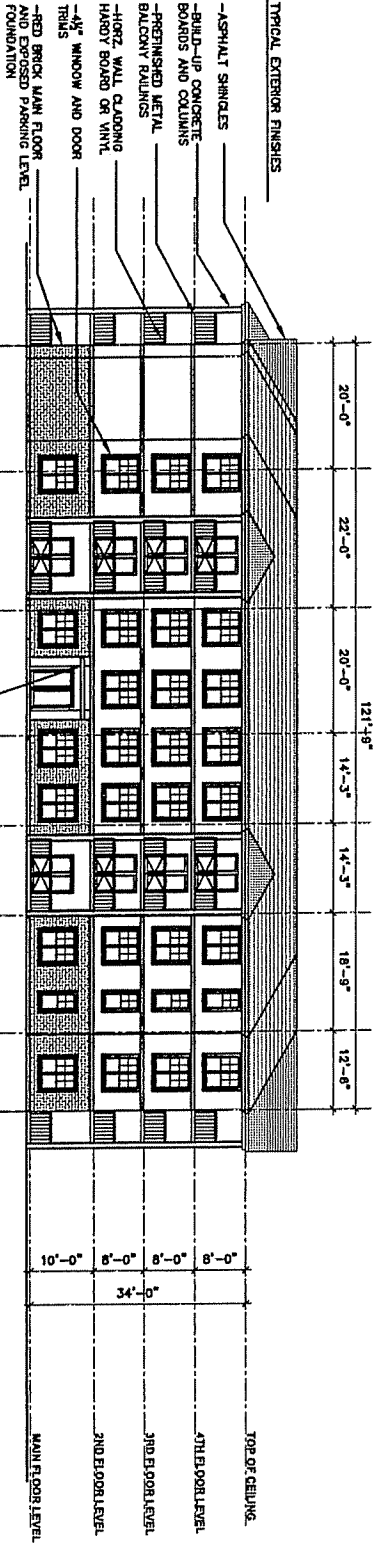
Sheet No.: **A5**
 Date: DEC/15/2005

SCHEDULE E



NORTH ELEVATION

EAST ELEVATION

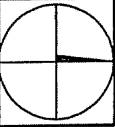


EAST ELEVATION

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RE: VICTORIA GARDENS RENTAL HOUSING
 ELEVATIONS - PROPOSED BUILDING - LOT 6 - SCHEDULE E
 LOCATION: KILLAM PROPERTIES, SCOTIA COURT, DARTMOUTH, N.S.

KILLAM PROPERTIES INC

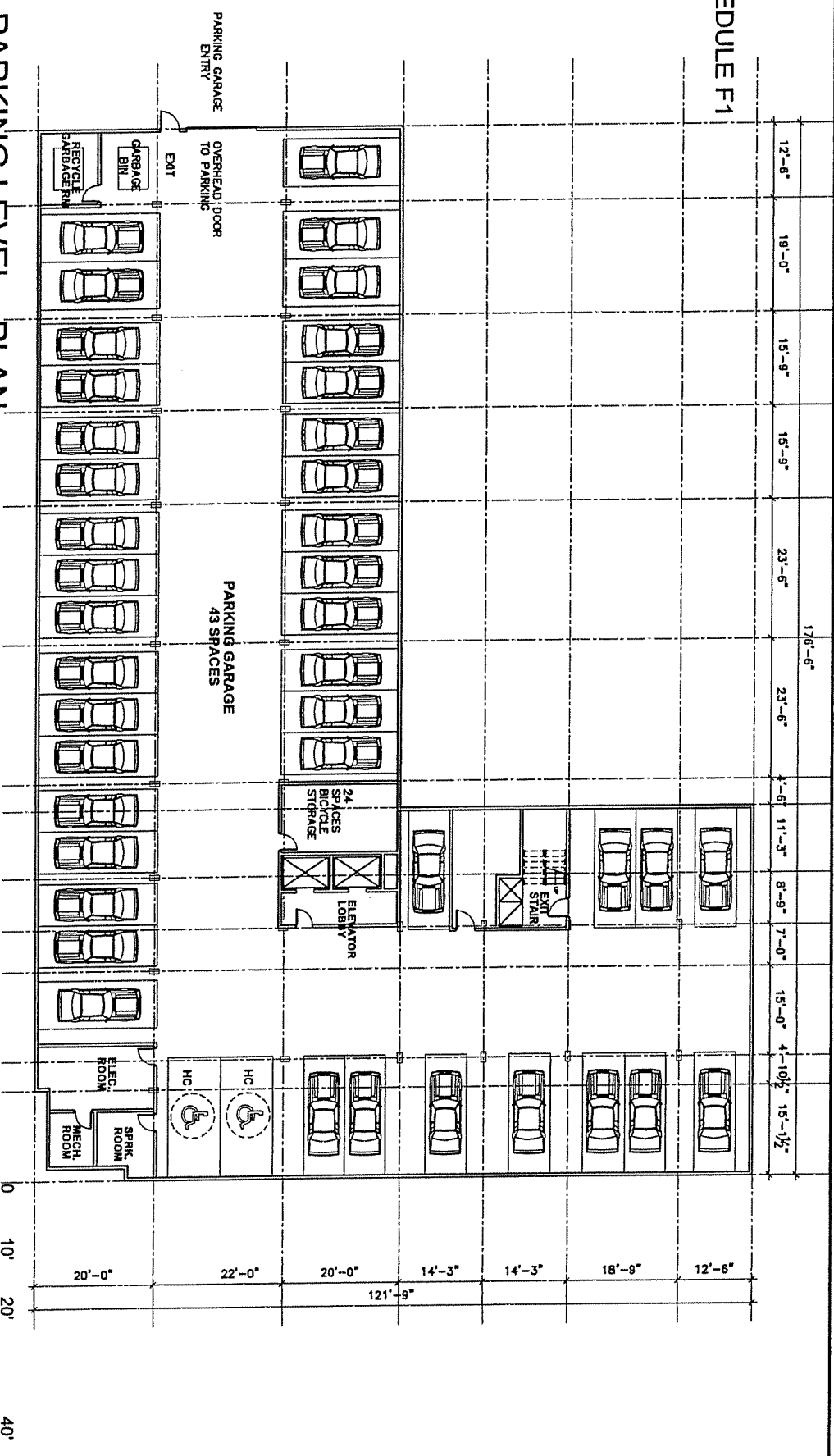


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date	JUNE, 2005
drawn	ZH
proj.	405501

dwg no: **A6**
 rev: BECH2005

SCHEDULE F1

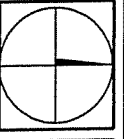
PARKING LEVEL - PLAN



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Site
 VICTORIA GARDENS RENTAL HOUSING
 PARKING FLOOR PLAN - PROPOSED BUILDING - LOT 6 - SCHEDULE F1
 Location
 KILLAM PROPERTIES, SCOTIA COURT, DARTMOUTH, N.S.

KILLAM
 PROPERTIES INC



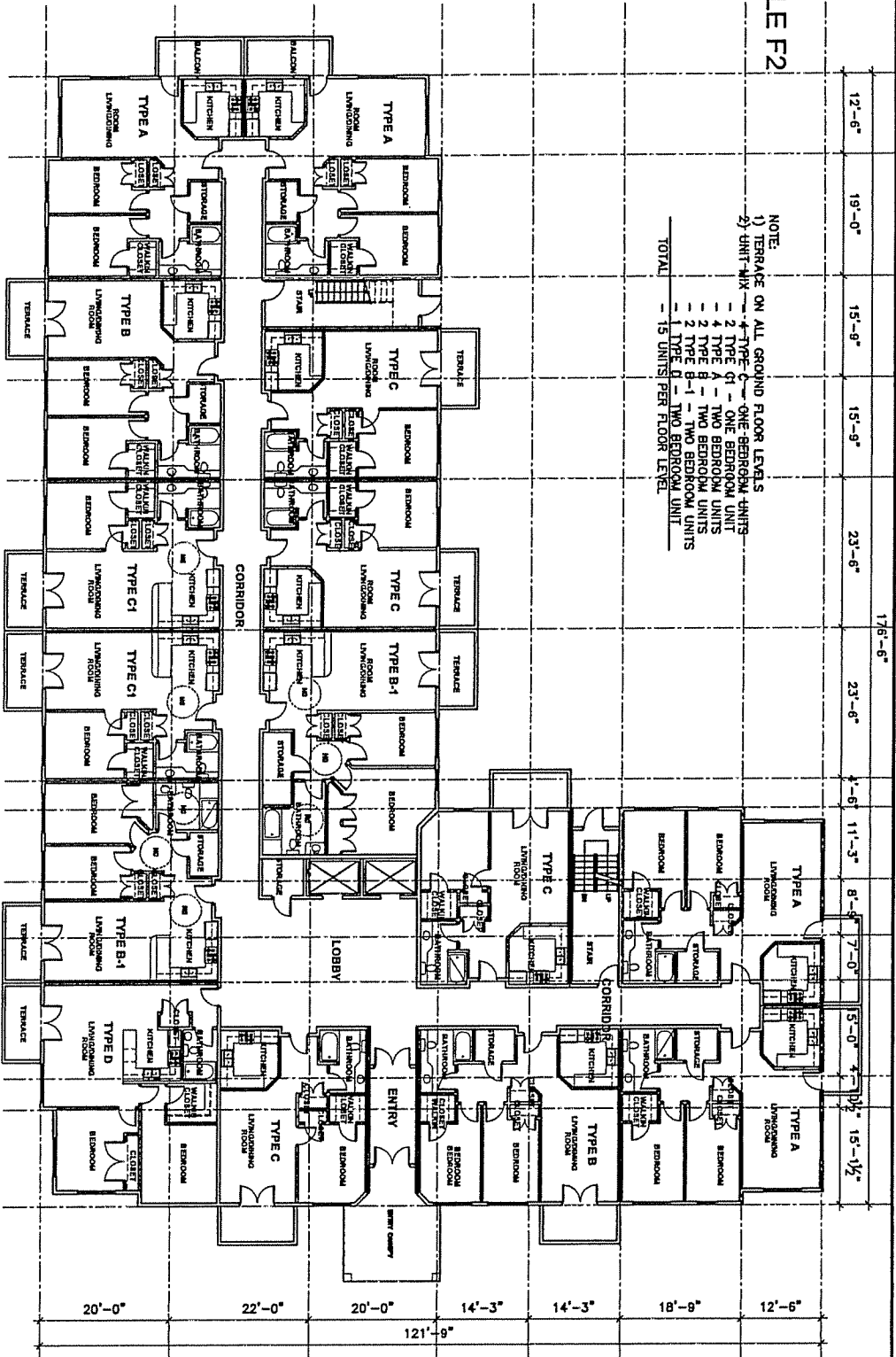
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 Date JUNE, 2006
 Drawn ZH
 Prof. 10/05/01

Drawn
A1
 Rev. DEC1/2005

SCHEDULE F2

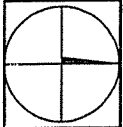
- NOTE:
- 1) TERRACE ON ALL GROUND FLOOR LEVELS
 - 2) UNIT MIX -
 - 4 TYPE C - ONE BEDROOM UNITS
 - 2 TYPE C1 - ONE BEDROOM UNITS
 - 4 TYPE A - TWO BEDROOM UNITS
 - 2 TYPE B - TWO BEDROOM UNITS
 - 2 TYPE B-1 - TWO BEDROOM UNITS
 - 1 TYPE D - TWO BEDROOM UNIT
- TOTAL - 15 UNITS PER FLOOR LEVEL

MAIN LEVEL - PLAN



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150
 VICTORIA GARDENS RENTAL HOUSING
 MAIN LEVEL FLOOR PLAN - PROPOSED BUILDING - LOT 6 - SCHEDULE F2
 KILLAM PROPERTIES, SCOTIA COURT, DARTMOUTH, N.S.



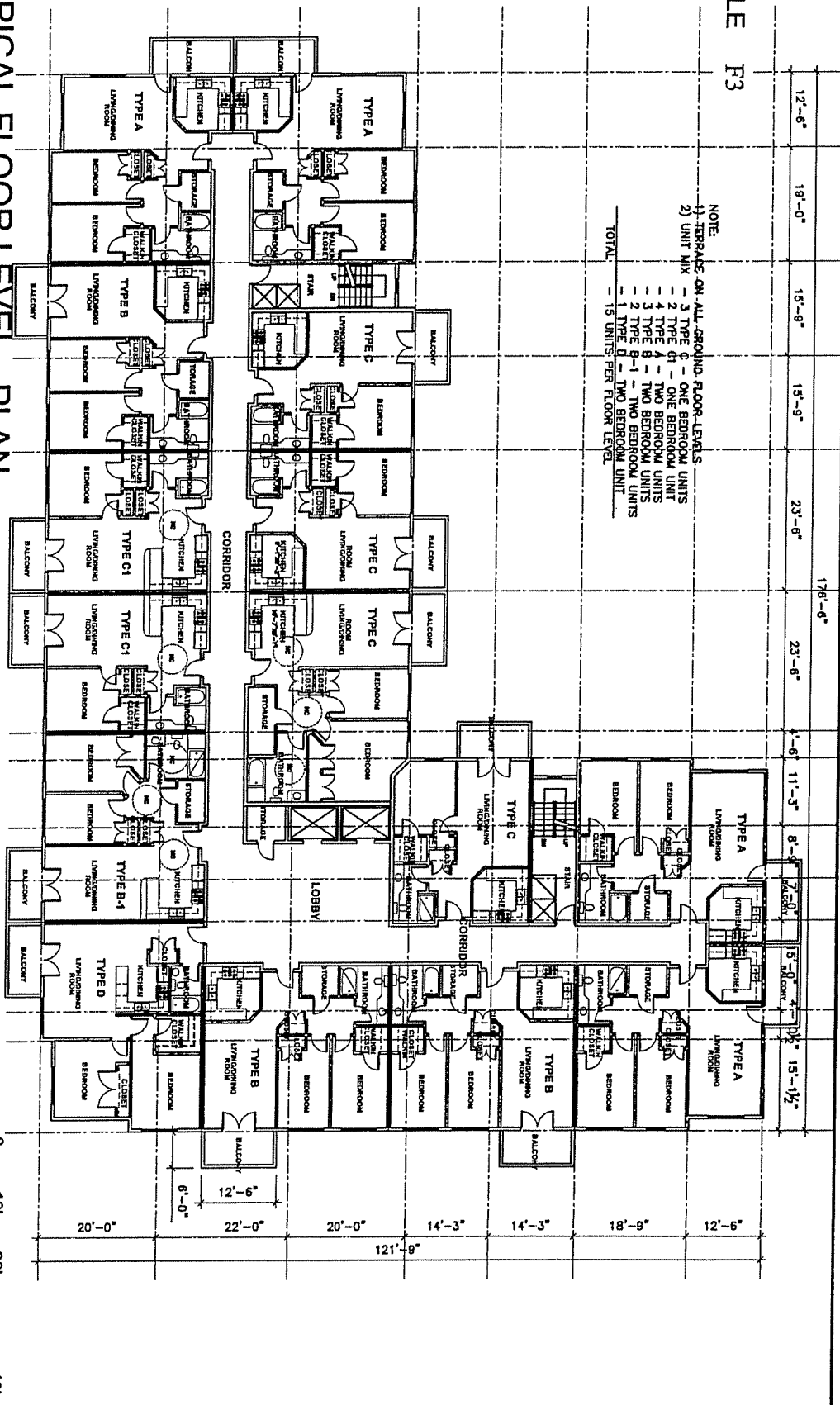
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date	JUNE, 2005
drawn	ZN
proj.	KP0501

dwg no:
A2
 rev: DEC/12/2005

SCHEDULE F3

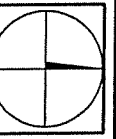
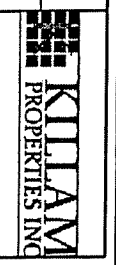
- NOTE:
- 1) TERRACE ON ALL GROUND FLOOR LEVELS
 - 2) UNIT MIX
 - 3 TYPE C - ONE BEDROOM UNITS
 - 2 TYPE C1 - ONE BEDROOM UNITS
 - 4 TYPE A - TWO BEDROOM UNITS
 - 3 TYPE B - TWO BEDROOM UNITS
 - 2 TYPE B-1 - TWO BEDROOM UNITS
 - 1 TYPE D - TWO BEDROOM UNITS
- TOTAL
= 15 UNITS PER FLOOR LEVEL

TYPICAL FLOOR LEVEL - PLAN



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VICTORIA GARDENS RENTAL HOUSING
 TYPICAL FLOOR PLAN - PROPOSED BUILDING - LOT 6 - SCHEDULE F4
 KILLAM PROPERTIES, SCOTIA COURT, DARTMOUTH, N.S.



Scale: 1/8" = 1'-0"
 Date: JUNE 2005
 Drawn: ZN
 Pwd: KPO/SST

Drawn by: A4
 Date: DEC 12 2005