




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

10.1.1

HALIFAX REGIONAL COUNCIL
April 22, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Linda Mosher, Chair
Chebucto Community Council

DATE: April 15, 2003

SUBJECT: **Case 00435: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for 7, 9, 11 and 13 Springvale Avenue**

ORIGIN:

Chebucto Community Council special meeting of April 15, 2003.

RECOMMENDATION:

It is recommended that Regional Council:

1. Give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-Law, presented as Attachment IV to the staff report dated April 8, 2003, and schedule a joint public hearing with Chebucto Community Council for May 20, 2003;
2. Adopt the amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use By-law, presented in Attachment IV of the staff report dated April 8, 2003;

PLEASE RETAIN REPORT FOR PUBLIC HEARING

DISCUSSION:

At the special meeting of Chebucto Community Council held on April 15, 2003, Community Council gave notice of motion to consider approval of the proposed development agreement, presented as Attachment V in the staff report dated April 8, 2003, and schedule a joint public hearing with Regional Council for May 20, 2003.

Contingent upon the proposed amendments being approved by Regional Council and becoming effective pursuant to the requirements of the Municipal Government Act, Community Council will consider:

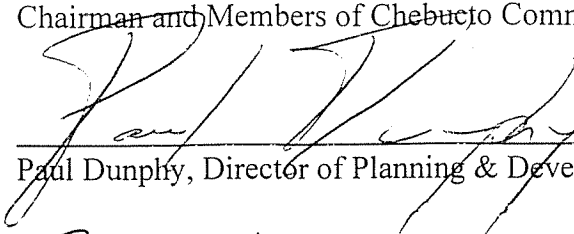
- a) approval of the proposed development agreement; and
- b) require that the development agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community Council or any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

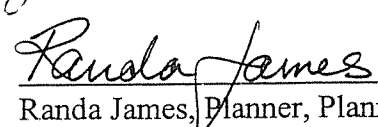
ATTACHMENT:

1. Staff Report dated April 8, 2003.

Chebucto Community Council
April 15, 2003

To: Chairman and Members of Chebucto Community Council

Submitted by: 
Paul Dunphy, Director of Planning & Development Services


Randa James, Planner, Planning Services

Date: April 8, 2003

Subject: Case 00435: Request to amend the Halifax Municipal Planning Strategy
and Land Use Bylaw for 7, 9, 11 and 13 Springvale Avenue.

ORIGIN:

Application by Tony Metlege, Jr., to amend the Halifax Municipal Planning Strategy and Land Use Bylaw to permit a multi-unit residential building at 7, 9, 11 and 13 Springvale Avenue, Halifax.

RECOMMENDATION:

It is recommended that Chebucto Community Council:

1. Recommend that Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw, presented as Attachment IV to this report, and schedule a public hearing for May 20, 2003;
2. Give Notice of Motion to consider approval of the proposed development agreement, presented as Attachment V, and schedule a joint public hearing with Regional Council for May 20, 2003;
3. Recommend that Regional Council adopt the amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw, presented in Attachment IV ;
4. Contingent upon the attached amendments being approved by Regional Council and becoming effective pursuant to the requirements of the Municipal Government Act:
 - (a) approve the proposed development agreement; and
 - (b) require that the development agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community Council or any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND:

A request has been received from Anthony Metledge, Jr., to develop a 38 unit apartment building at 7, 9, 11 and 13 Springvale Avenue between Dutch Village Road and Brook Street. The site comprises four separate lots within the Fairmount neighbourhood which is zoned R-1 and occupied with single family dwellings.

The site is bounded on the west by the Canadian National Railway corridor. To the north is a park and a subdivision which is zoned R-2T (Townhouse Zone). To the north west is Old Ashburn Golf Club (See Attachment I). The total area of the site upon consolidation, is 35,382 square feet (3287 sq.m.), of which approximately 377 square feet (35 sq.m.) will be required by the Municipality for proposed reconstruction of the road and sidewalk on Springvale Avenue.

Proposal

The proposal is to demolish the four existing multi-unit residential buildings containing a total of 24 units and replace these with a new 38 unit, four storey apartment building with underground parking. The building is designed to have nine townhouse units facing Springvale Avenue with their own private entrances. There will be a central lobby to provide access to 29 apartment suites at the rear of the building. The current use of the site is non-conforming under the present zoning and there is no policy provisions to support redevelopment to the proposed use. Therefore, an amendment to the existing MPS is required in order to enable the project to proceed.

Process

A staff report dated June 28, 2002 was forwarded to Halifax Regional Council who adopted a resolution to proceed with the MPS amendment process. Staff held a public information meeting to discuss the proposed amendments on October 17, 2002. Minutes of that meeting are included as Attachment VI.

Amendments to the Municipal Planning Strategy and Bylaw are under the authority of Regional Council, while approval of development agreements rests with Community Council. Both processes require a public hearing which can be held jointly. Regional Council may then approve the proposed amendments to the MPS and LUB. The decision on the development agreement can only be made by Chebucto Community Council subsequent to Regional Council's approval of the MPS and LUB amendments and after such amendments take effect.

Municipal Planning Strategy Designation and Zoning

Section II (City wide policies) of the MPS applies to this proposal (see Attachment VIII). The MPS designation of these properties is Residential Environments, with the zoning being R-1 (Single Family Dwelling) Zone. The proposed use is not permitted by the current zoning on the property. The existing multi-unit residential buildings are legally non-conforming as they predate the present zoning. Although a rezoning to R-3 (General Residential and Low-rise Apartment) or R-4 (Multiple Dwelling Zone) could be considered to permit an apartment proposal, this would not allow site specific criteria to be established to ensure compatibility with the neighbourhood. Staff have therefore drafted MPS policy to support consideration of a development agreement for this proposal.

DISCUSSION:

This application represents an opportunity to replace existing non-conforming apartment stock, in existence for over forty years, with a well designed condominium apartment building that will respond to a demand for more diverse housing forms.

The subject property has a number of attributes which make it appropriate for the proposed development, including:

- its location at the entrance to a community of lower density dwellings;
- proximity to public transit, downtown Halifax and the highways;
- connection to employment areas and neighbourhood amenities, such as a park;
- availability of existing centralized services.

Additionally, the proposed development has the potential to integrate well within the community as the proposed multi-unit apartment building:

- makes efficient use of the site;
- is designed to appear as nine townhouse units to address the context;
- is an improvement over the existing condition; and
- based on public consultation, has a level of acceptance within the neighbourhood.

Attachment IV sets out the proposed Municipal Planning Strategy amendments and Land Use By-law amendments to implement the MPS amendments.

Comparison to As of Right:

To determine the appropriateness of the proposed building for this site, it is compared to the requirements that would apply if the site were zoned R-3 and it was constructed “as of right”.

Analysis of this proposal for compliance with the R-3 provisions is included in Attachment IV. While this is a development agreement and strict adherence to the provisions of the land use bylaw is not necessary, the analysis provides a basis to evaluate the appropriateness of a development proposal. In general the proposal:

- Exceeds considerably the minimum lot area and frontage requirements;
- Exceeds by-law requirements for on-site tenant parking and visitor parking;
- Meets the allowable building height of 50 feet and four storeys;
- With some modification at the development permit stage, this proposal could comply with angle controls which regulate the height of the building based on the set backs;
- Exceeds the allowable density of 75 persons per acre by approximately 27% (the proposed agreement would vary the allowable density to a maximum of 100 persons per acre);
- Meets applicable building set-backs except for the front yard set-back (the proposed agreement would vary the front yard set-back to a minimum of 12 feet);
- Does not meet the requirements for open space and landscaped open space but the impact of this is somewhat mitigated given the location immediately beside an existing park.

Municipal Planning Strategy Policy:

Following is an analysis of the proposal based on the draft MPS policy (Attachment IV):

- The front building facade includes brick elements along with siding to complement the area;
- The building is designed to appear from the street as nine town house units to reduce the apparent mass of the building;
- The greatest set-back is adjacent the existing single family dwelling to provide separation for transition of scale;
- Underground parking will replace surface parking and provide an abundance of parking for visitors, whereas, the existing buildings have 23 spaces for 24 units but the proposed building will have 61 spaces for 38 units;
- Vehicular access will be confined to a single access point which has been designed in accordance with By-law S-300;
- Landscaping is to be provided throughout the site for buffering and aesthetic purposes;
- Pedestrian walkways on site for walking dogs to address a local concern.

Development Agreement

The draft development agreement provides the following additional controls:

- R-3 angle controls are to be met;
- In order to offset a minor increase in sewer flows resulting from the proposed development, low flow fixtures are to be provided in the building and vehicle washing in the underground parking area is to be prohibited;
- A vehicular lay-by at the front entry is provided for pedestrian drop-off purposes;
- Balcony and podium fencing is to be of steel or aluminum construction;
- Exposed parking garage faces to be finished;
- Designated space to be provided for three-stream source separation waste/resources;
- Additional detail relating to the landscape requirements for planting, fencing, walkways and a refuse container and seating are to be provided at the development permit stage;
- A small parcel of land to be subdivided and conveyed to HRM for the purposes of the roadway realignment and appropriate compensation for this land is to be provided;
- Consolidation of the four parcels into a single property is to occur at the permit stage.

The proposed development agreement requires the building to meet the R-3 angle controls established in the land Use By-law. Although the proposed building is not capable of meeting the R-3 zone front yard setback requirements the building design results in a greater street presence which merits relaxation of this requirement under the proposed agreement. Additionally, the proposed building would exceed the maximum density allowed under the R-3 Zone and is deficient in both open space and landscape open space. However, the proposed building has access to municipal parkland at the rear, would incorporate private balconies and include extensive planting of shrubs and trees as required in the development agreement in order to compensate.

Summary and Conclusion:

Municipal Planning Strategy amendments are usually only recommended where circumstances have changed. In this case, the present zoning of the subject property does not reflect the existing conditions. The replacement of the four existing multiple unit dwellings with a single new multiple unit building by development agreement enables the existing non-conforming use to be converted to a development which can be better integrated into the neighbourhood.

The proposed building has been evaluated in the context of the “as of right” requirements for apartment buildings. A development agreement should not be construed as a method to circumvent zoning standards but as a means to create a better development.

In staff's view, 7, 9, 11 and 13 Springvale Avenue is a suitable site for an apartment building. The MPS amendment and development agreement are written to allow the building proposed by the applicant. Although a lower density proposal would be preferable, the proposed building is a reasonable development for this site as there appears to be support from the community.

ALTERNATIVES:

1. Halifax Regional Council may choose to refuse the requested amendments to the Municipal Planning Strategy and Land Use By-law. Regional Council is under no obligation to consider a request to amend its MPS and a decision not to amend the MPS cannot be appealed. This alternative is not recommended, as staff feels that an apartment building development is the preferred use of this site.
2. Chebucto Community Council may choose to refer the case back to staff with specific changes to modify the development agreement to permit an apartment building with different standards to address concerns.
3. Chebucto Community Council may choose to refuse the proposed development agreement. This is not recommended for reasons cited above. Reasons must be provided for a refusal.
4. Chebucto Community Council may choose to approve the development agreement appended as Attachment V to permit the 38 unit, four storey apartment building with an underground parking garage as proposed by the applicant. This is the recommended course of action.

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.

ATTACHMENTS:

- I Zoning
- II Perspective
- III Site Development Plan
- IV Proposed Amendments to the Halifax MPS and LUB
- V Proposed Development Agreement with
 - Schedule "A" Legal Description of the Lands
 - Schedule "B" Site Development Plan
 - Schedule "C" Unit Data Chart
 - Schedule "D" Parking Garage Plan
 - Schedule "E" First Floor Plan
 - Schedule "F" Second Floor Plan
 - Schedule "G" Third Floor Plan
 - Schedule "H" Fourth Floor Plan
 - Schedule "I" Front and Rear Elevations
 - Schedule "J" East and West End Elevations
 - Schedule "K" Building Sections X1, Y1 & Y2
 - Schedule "L" Building Sections Y3, Y4 & Y5
 - Schedule "M" Sketch Showing Land Required
- VI Minutes of October 17, 2002, Public Information Meeting
- VII Comparison of Building Proposed for Springvale Avenue to the As Of Right Provisions of the Land Use Bylaw
- VIII Relevant Sections of the Halifax Municipal Planning Strategy


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 Randa James, Planning Services, 490-4499



Map 1 - Zoning

7 - 13 Springvale Avenue
Halifax

 Subject property

HALIFAX
REGIONAL MUNICIPALITY
PLANNING AND
DEVELOPMENT SERVICES

0 100
ft

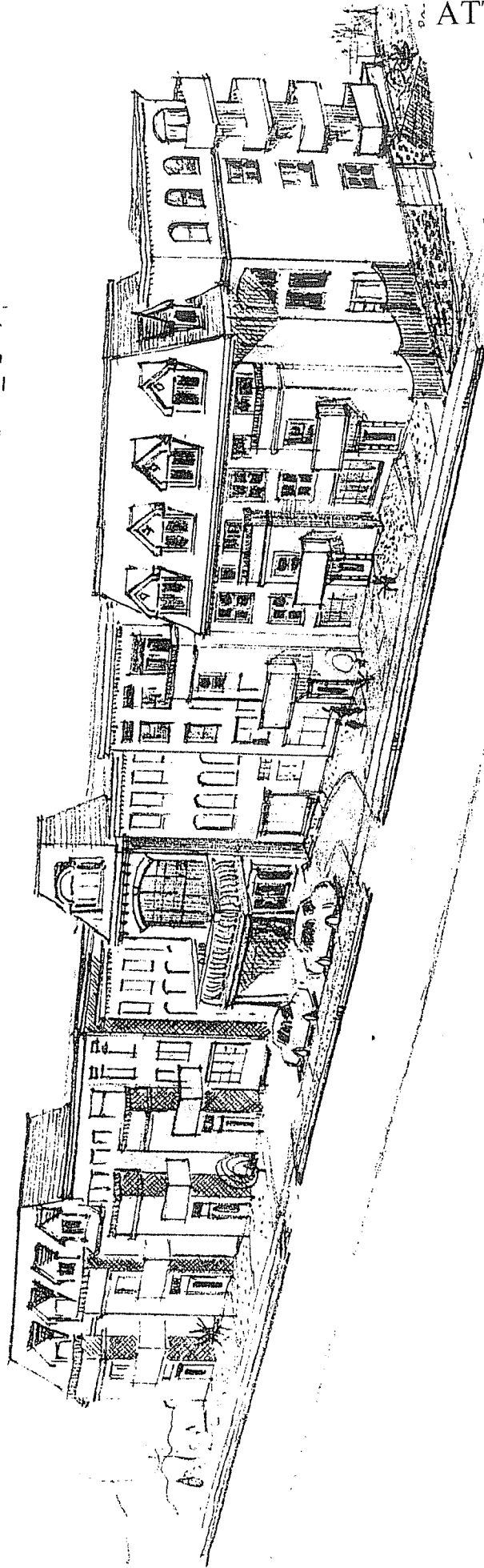
Zone

R-1 Single Family Dwelling
R-2T Townhouse
K Schedule K

Halifax Mainland By-Law Area

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.

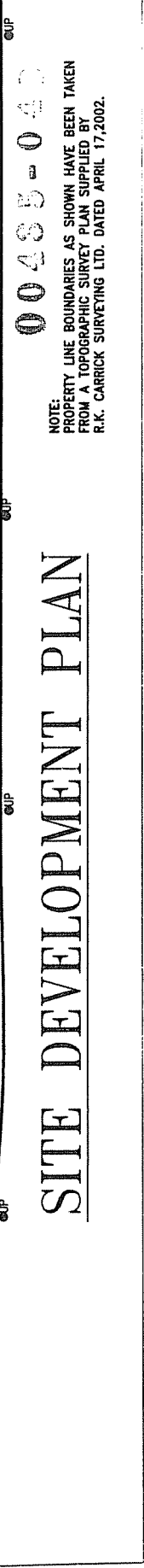


PROPOSED SPRINGVALE
CONDOMINIUM DEVELOPMENT



ENGINEERS, PROJECT MANAGERS, & DEVELOPERS
W.M. FARES & ASSOCIATES INC.
117 Kearney Lake Road
Halifax, Nova Scotia
PHONE: (902) 457-6676 FAX: (902) 457-4686

2002-07	SD1
---------	-----



ATTACHMENT IV

Proposed Amendments to the Halifax Municipal Planning Strategy and Land Use Bylaw

- 1 Insert the following policies after Policy 2.15 of Section II (City-wide Objectives and Policies) of the Halifax Municipal Planning Strategy:

2.16 Pursuant to Policies 2.1, 2.2 and 2.4 a multi-unit building may be considered for civic numbers 7, 9, 11 and 13 Springvale Avenue (LRIS PID Nos. 207019, 207027, 207035 and 207043) by development agreement.

2.16.1 Any development permitted pursuant to Policy 2.16 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:

- a) the adequacy of the servicing capacity of the site;
- b) architectural design of the building including building materials;
- c) the scale, height, and massing of the building;
- d) the adequacy of parking provided;
- e) safe accesses to the site and building;
- f) site landscaping including buffering;
- g) location, form and function of open space.

2. Add section 71(9) to the Halifax Mainland Land Use Bylaw to read as follows:

7, 9, 11 and 13 Springvale Avenue

Council may, by development agreement, pursuant to Policies 2.16 and 2.16.1 of Section II of the Municipal Planning Strategy, permit the development of a multiple unit residential building on a consolidated parcel consisting of civic numbers 7, 9, 11 and 13 Springvale Avenue (LRIS PID Nos. 207019, 207027, 207035 and 207043).

ATTACHMENT V
Proposed Development Agreement

THIS AGREEMENT made this day of , 2003,

BETWEEN:

ANTHONY METLEGE, Jr.
(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 Springvale Avenue between Dutch Village Road and Brook Street 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 a 38 unit apartment building on the Lands pursuant to the provisions of the Municipal Government Act and the Municipal Planning Strategy and Land Use By-law for Halifax;

AND WHEREAS the Chebucto Community Council approved this request at a meeting held on 2003, referenced as Municipal Case Number 00435;

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 consolidated/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 Mainland Land Use By-law for Halifax, as may be amended from time to time.
- 1.3 Except as otherwise provided for herein, the consolidation/subdivision of the Lands shall comply with the requirements of the Subdivision By-law for Halifax, 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.
- 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 and each lot owner 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 or lot owner.
- 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 Use

The Developer shall construct a building on the Lands, which, in the opinion of the Development Officer, is substantially in conformance with Schedules "B" to "N" inclusive (Plans No. 027, 028, 035, 037, 038 and 041 - 046 inclusive filed in the Halifax Regional Municipality Planning and Development Services Department as Case 00435) and shall not develop or use the lands for any purpose other than a 38 unit apartment building.

Schedule "A"	Legal Description of the Lands
Schedule "B"	Site Development Plan and Project Calculations (043)
Schedule "C"	Unit Data Chart (035)

Schedule "D"	Parking Garage Plan (044)
Schedule "E"	First Floor Plan (037)
Schedule "F"	Second Floor Plan (038)
Schedule "G"	Third Floor Plan (027)
Schedule "H"	Fourth Floor Plan (028)
Schedule "I"	Front and Rear Elevations (045)
Schedule "J"	East and West End Elevations (046)
Schedule "K"	Building Sections X1, Y1 & Y2 (041)
Schedule "L"	Building Sections Y3, Y4 & Y5 (042)
Schedule "M"	Sketch Showing Land Required

2.2 Roadway Realignment

The area identified as "Portion of Land Required 35 m² ±" on Schedule "M" shall be included and identified as a part of the consolidation plan as referred to in item 2.7 of this agreement. The parcel indicated is to be conveyed to the ownership of the Halifax Regional Municipality for roadway realignment purposes based upon a final survey agreed upon with HRM Design and Construction Services of Public Works and Transportation Services. The owner shall be compensated for the land in question with a purchase price based upon an independent appraisal in consultation with HRM Real Estate Services of Corporate Services.

2.3 Building Architecture

- 2.3.1 The building shall be predominantly clad in Hardi-plank siding or equivalent with approximately one third of the front building face to be a brick or equivalent.
- 2.3.2 Balconies and podium fencing shall have decorative steel or aluminium rails and balustrades or equivalent. No exposed wolmanized lumber is to be used.
- 2.3.3 The exposed parking garage faces shall be clad in the same siding as the building and grey textured concrete or finished in coloured stucco or equivalent.
- 2.3.4 The maximum height of the building shall be 50 feet. The maximum number of stories above grade shall be four and shall not include the parking garage level.
- 2.3.5 The maximum number of units shall be 38 units, nine of which will be designed to appear as townhouses from the street and a minimum of seven of the nine units are to have their main entrance facing the street.
- 2.3.6 The maximum density for this project shall not exceed 100 persons per acre.
- 2.3.7 The minimum front yard setback shall be 12 feet but balconies may encroach to a setback minimum of 10 feet.

2.3.8 Pursuant to Sections 2.3.1 to 2.3.7 inclusive, the Development Officer may approve modifications to the location, size and height of the building, as well as the architectural design of the building, including facade features and the type of exterior materials, provided such modifications are minor in nature and, in the opinion of the Development Officer, further enhance the appearance of the building and Lands.

2.3.9 The building shall include designated space for three stream (refuse, recycling and composting) source separation services. This designated space for source separation services shall be approved by the Development Officer and Building Inspector in consultation with HRM Solid Waste Services.

2.3.10 The building shall be constructed with low flow fixtures throughout, including but not limited to low flow shower heads, low flow faucet aerators and ultra low flow insulated toilets in order to offset some of the increased sewer flows. It is the developer's responsibility to ensure that the washing of vehicles in the underground parking area is not permitted and that this is a covenant applied to the property.

2.4 R-3 (General Residential and Low-rise Apartment) Zone Requirements

2.4.1 For greater certainty, notwithstanding Schedules "I", "J", "K" and "L", the multiple unit residential building shall meet the requirements of the R-3 (General Residential and Low-rise Apartment) Zone of the Halifax Mainland Land Use By-law, including angle controls.

2.4.2 Notwithstanding Section 2.4.1, Sections 28CF(1) (population density) and 28CF(2) (open space) of the Halifax Mainland Land Use By-law shall not apply.

2.5 Landscaping

2.5.1 The developer shall submit a landscape plan to the Development Officer for approval as part of the building permit application. The landscape plan shall include as a minimum the planting identified in this agreement. The intent of the landscaping is to provide a buffer and/or screening between the building and adjacent properties as well as for aesthetic enhancement.

- (a) Landscaping shall be provided along the street frontage consisting of a minimum of one (1) deciduous tree per townhouse unit and the size shall be a minimum of 60 mm caliper (2.4 inch diameter). Foundation planting in the form of upright shrubs with a minimum height of 60 cm. (2 ft.) and a minimum of five (5) shrubs per townhouse unit is to be provided in the front yards. The developer shall ensure that all soft landscape areas are to be sodded and the sod is to conform to the Canadian Nursery Sod Growers' Specifications. The developer shall ensure that all plant material is to conform to the Canadian Nursery Trades Association Metric Guide Specifications and Standards.

- (b) Landscaping shall be provided on the rear landscaped podium in order to provide some screening of the rear of the building. This landscaping is to be a combination of ten (10) or more deciduous trees with a minimum size of 45 mm caliper (1.8 inch diameter), ten (10) or more coniferous trees a minimum of 1.5 m (5 ft.) high and a minimum of one hundred (100) upright shrubs with a minimum height of 60 cm. (2 ft.). The plant material is to be 50% coniferous for year round cover.
- (c) It is the responsibility of the developer to ensure that the underground parking structure is to be capable of supporting loads for 15 cm (6 inches) of drainage gravel over the extent of the landscape podium plus an additional 40 cm (16 inches) of topsoil for sod, 60 cm (2 ft.) of topsoil for shrubs and 90 cm (3 ft.) of topsoil for trees, all of which is in addition to the anticipated mature weight of the plant material.
- (d) Landscaping shall be provided in the landscape area between the southwest building face and the railway property line and shall consist of a mix of a minimum of five (5) coniferous trees a minimum of 1.5 m (5 ft.) high, a minimum of five (5) deciduous trees a minimum of 60 mm caliper (2.4 inch diameter) and a minimum of twenty five (25) coniferous and a minimum of twenty five (25) deciduous shrubs a minimum of 60 cm (2 ft.) high. This passive amenity area is to include appropriate decorative seating and a corresponding decorative refuse container.
- (e) The developer shall provide additional, mutually agreed buffering in the form of a visually obscuring fence along the common boundary with 5 Springvale Avenue should the owner of 5 Springvale so wish. In the case that the Developer and the owner of 5 Springvale not agree, the Development officer shall make the final determination.
- (f) The lay-by lane at the front entrance and walkways to and from the building, as shown on Schedule "C", shall be finished with interlocking paving stones, decorative concrete or equivalent. The path, as shown on Schedule "C", shall be finished with a semi-permeable hard surface such as limestone screenings, crushed clay, pea gravel or an equivalent.

2.6 Maintenance

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 building, fencing, walkways, recreational amenities, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow removal/salting of walkways, driveways, and parking areas.

2.7 Land Subdivision and Consolidation

The Developer shall consolidate the four existing parcels of land (PID #s 207019, 207027, 207035 and 207043) into a single parcel prior to the issuance of the development permit. The Developer shall subdivide a parcel of land, approximately 35 square metres, from the south corner of 13 Springvale Avenue as identified in Schedule "M", required for the reconstruction of the road and sidewalk. The subdivided parcel, as referred to in item 2.2 of this agreement, shall be transferred into the ownership of the Halifax Regional Municipality coincidental with final subdivision approval. The Developer shall be responsible for all costs associated with the subdivision and the consolidation of the parcels subject to this agreement.

2.8 Streets and Municipal Services

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

2.9 Occupancy Permit

2.9.1 No occupancy permit shall be issued for any building constructed on the lands until such time as the landscaping has been completed in accordance with section 2.5 of this agreement, provided however that where such building has been completed and all other terms of this agreement have been met, an occupancy permit may be issued provided that the developer supplies a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The security deposit shall be in the form of a certified cheque or letter of credit issued by a chartered bank to the Development Officer.

2.9.2 Should the developer not complete the landscaping within six months of issuance of the occupancy permit or by September 1 of the year in which the occupancy permit was issued, whichever is earlier, the Municipality may use the deposit to complete the landscaping as set out in section 2.3 of this agreement. The developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the developer upon completion of the work.

2.9.3 Pursuant to Section 2.8, no occupancy permit shall be issued for the building on the Lands until all street improvements, municipal servicing systems and utilities have been completed, except that the occupancy permit may, at the discretion of

the Municipality, be issued subject to security being provided to the Municipality in the amount of 120 percent 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 letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of all work, as described herein and illustrated on the Schedules, and as approved by the Municipality.

PART 3: AMENDMENTS

- 3.1 The provisions of this Agreement relating to the following matters are identified as and shall be deemed to be not substantial and may be amended by resolution of Chebucto Community Council:
1. A change in the type or number of units provided the density does not exceed the density approved by Chebucto Community Council.
- 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 In the event that construction of the project has not commenced within two 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 completion of the footings for the proposed building.
- 4.4 If the Developer fails to complete the development, or after five 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

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, 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 whereupon all reasonable expenses whether arising out of the entry onto the lands or from the performance of the covenants may be recovered from the Developer by direct suit and such amount shall, until paid, form a charge upon 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 Planning 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

)
) _____
) **ANTHONY METLEGE, Jr.**
)
)
) **HALIFAX REGIONAL**
) **MUNICIPALITY**
)
)
) Per _____
) Mayor
)
)
) Per _____
) Municipal Clerk

CONTRACT NOTES:

THESE CHARGES ARE THE PROPERTY OF
U.S. POSTS AND PATENTS OFFICE AND SHALL NOT
BE LOANED OR CONSIDERED AS THE PROPERTY
OF ANY OTHER AGENCY WITHOUT THE WRITTEN
CONSENT OF U.S. POSTS AND PATENTS OFFICE.

INFORMATION FROM THE 2000
 U.S. CENSUS BUREAU IS
 THE PROPERTY OF THE U.S. CENSUS BUREAU.

There's one special suggestion for those who want to become authors: **Don't quit!** It's the number one rule for all successful writers.

Plants in California of California and
found in soil. All specimens small.
in California in soil. (California)

ATTENTION: THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
455 FIFTH AVENUE
NEW YORK 17, N.Y.

Volunteers needed
for the following projects:

STYL KANAKI DE PARIS, L'ESSENCE, L'ESSENCE, L'ESSENCE.

THE NATIONAL LABOR BOARD
IT IS THE RESPONSIBILITY OF THE EMPLOYER-EMPLOYEE
TO RESOLVE THEIR DISPUTES WITHOUT GOING TO

There is no acknowledgment from the publisher that the book is a reprint of the original work. The book is a reprint of the original work.

THESE RESULTS WILL BE USED IN
CONNECTION WITH ALL OTHER INFORMATION
AND DOCUMENTS ON FILE IN THE FBI FILE.

RESEARCH IN THE AREA OF

THE UNIVERSITY OF TEXAS AT AUSTIN

U.I. Federal 1998 13355-1-19-98 Vol. 13355-0000 Vol.
Index to Federal (Nursing) 13355-0000
Continued Catalogue 13355-0000 to Catalogue

COMPONENTS OF THE SYSTEM ARE ALL
EFFECTIVELY CONTROLLED BY THE
SYSTEM OF THE SYSTEM IS EFFECTIVELY

FIGURE 1

[illegible]

	CS/PA/2003	US/PA/2003	US/PA/2003
5			US/PA/2003
6			US/PA/2003

1	cost/vol/yr	minimum inventory level
1	cost/vol/yr	maximum inventory level

NO.	DATE	DESCRIPTION	PERIOD	PLAT
-----	------	-------------	--------	------

REVISIONS

Abstract

Downloaded from ascelibrary.org by University of California, San Diego on 06/01/15. Copyright ASCE, all rights reserved.

RESEARCH, POLICY ISSUES, & EVALUATION

J.M. VANCE & ASSOCIATES INC.
1117 Kearney Lake Road
Haltifax, Nova Scotia

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

THE SUITE COMMISSION

ADDITIONAL WORKSHEET 2

CANC 73 7.2.11.13 SPENDING-PALE AFFILIATE
WALFAL KOWA SCOTIA

Page 4

PLAN
WITH DETAIL DRAWING

100-443887-100

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION
MAY 20 2008

11/00/2002	1° 30'	11/00/2002
------------	--------	------------

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

SD1	2002-07
-----	---------

1

NOTE:
PROPERTY LINE BOUNDARIES AS SHOWN HAVE BEEN TAKEN
FROM A TOPOGRAPHIC SURVEY PLAN SUPPLIED BY
R.K. CARRICK SURVEYING LTD. DATED APRIL 17, 2002.

SITE DEVELOPMENT PLAN

PROPOSED 38 SUITE CONDOMINIUM BUILDING
CIVIC #'S: 7,9,11,13, SPRINGVALE AVENUE
HALIFAX, NOVA SCOTIA

UNIT DATA: FLATS

UNIT	BEDROOMS	BATHROOMS	LAUNDRY	UNIT AREA	BALCONY	TOTAL AREA	QUANTITY
A	THREE	TWO	W/D	1428.00 SQ. FT.	+ 180 SQ. FT.	= 1608.00 SQ. FT.	4
B	ONE+DEN	TWO	W/D	1292.00 SQ. FT.	+ 84 SQ. FT.	= 1376.00 SQ. FT.	16
C	THREE	TWO	W/D	1402.00 SQ. FT.	+ 84 SQ. FT.	= 1486.00 SQ. FT.	4
D	TWO	TWO	W/D	1686.00 SQ. FT.	+ 90 SQ. FT.	= 1776.00 SQ. FT.	1
E	TWO	TWO	W/D	1680.00 SQ. FT.	+ 90 SQ. FT.	= 1770.00 SQ. FT.	1
F	TWO	TWO	W/D	1562.00 SQ. FT.	+ 90 SQ. FT.	= 1652.00 SQ. FT.	1
G	TWO	TWO	W/D	1562.00 SQ. FT.	+ 90 SQ. FT.	= 1652.00 SQ. FT.	1
H	ONE	ONE	W/D	840.00 SQ. FT.	+ 90 SQ. FT.	= 930.00 SQ. FT.	1

UNIT DATA: TOWNHOUSES

UNIT	BEDROOMS	BATHROOMS	LAUNDRY	UNIT AREA BY LEVEL				TOTAL AREA	BALCONY	TOTAL AREA	QUANTITY
				BSMNT.	1ST.	2ND.	3RD.				
TH1	TWO	TWO	W/D	- - -	920 S.F.	920 S.F.	- - -	1840 S.F.	+ 76 S.F.	= 1916.00 SQ. FT.	1
TH2	TWO	TWO	W/D	- - -	920 S.F.	920 S.F.	- - -	1840 S.F.	+ 76 S.F.	= 1916.00 SQ. FT.	1
TH3	THREE	TWO	W/D	- - -	920 S.F.	920 S.F.	920 S.F.	2760 S.F.	+ 76 S.F.	= 2836.00 SQ. FT.	1
TH4	TWO	TWO	W/D	- - -	720 S.F.	720 S.F.	- - -	1440 S.F.	+ 72 S.F.	= 1512.00 SQ. FT.	1
TH5	TWO	TWO	W/D	720 S.F.	720 S.F.	720 S.F.	- - -	2160 S.F.	+ 72 S.F.	= 2232.00 SQ. FT.	1
TH6	TWO	TWO	W/D	840 S.F.	920 S.F.	920 S.F.	- - -	2680 S.F.	+ 76 S.F.	= 2748.00 SQ. FT.	1
TH7	TWO	TWO	W/D	840 S.F.	920 S.F.	920 S.F.	840 S.F.	3520 S.F.	+ 76 S.F.	= 3596.00 SQ. FT.	1
TH8	THREE	TWO	W/D TH8	840 S.F.	920 S.F.	920 S.F.	840 S.F.	3520 S.F.	+ 166 S.F.	= 3686.00 SQ. FT.	1
TH9	THREE	TWO	W/D TH9	857 S.F.	937 S.F.	937 S.F.	857 S.F.	3588 S.F.	+ 166 S.F.	= 3754.00 SQ. FT.	1

ONE BEDROOM UNITS 1
TWO BEDROOM UNITS 26
THREE BEDROOM UNITS 11
TOTAL 38

W.M. FALCON & ASSOCIATES INC.
117 Glenview Lane, North
Halifax, Nova Scotia
B3B 1C6
(905) 441-1111
FAX (905) 441-1112

38 SUITE CONDOMINIUM
& TOWNHOUSE BUILDING

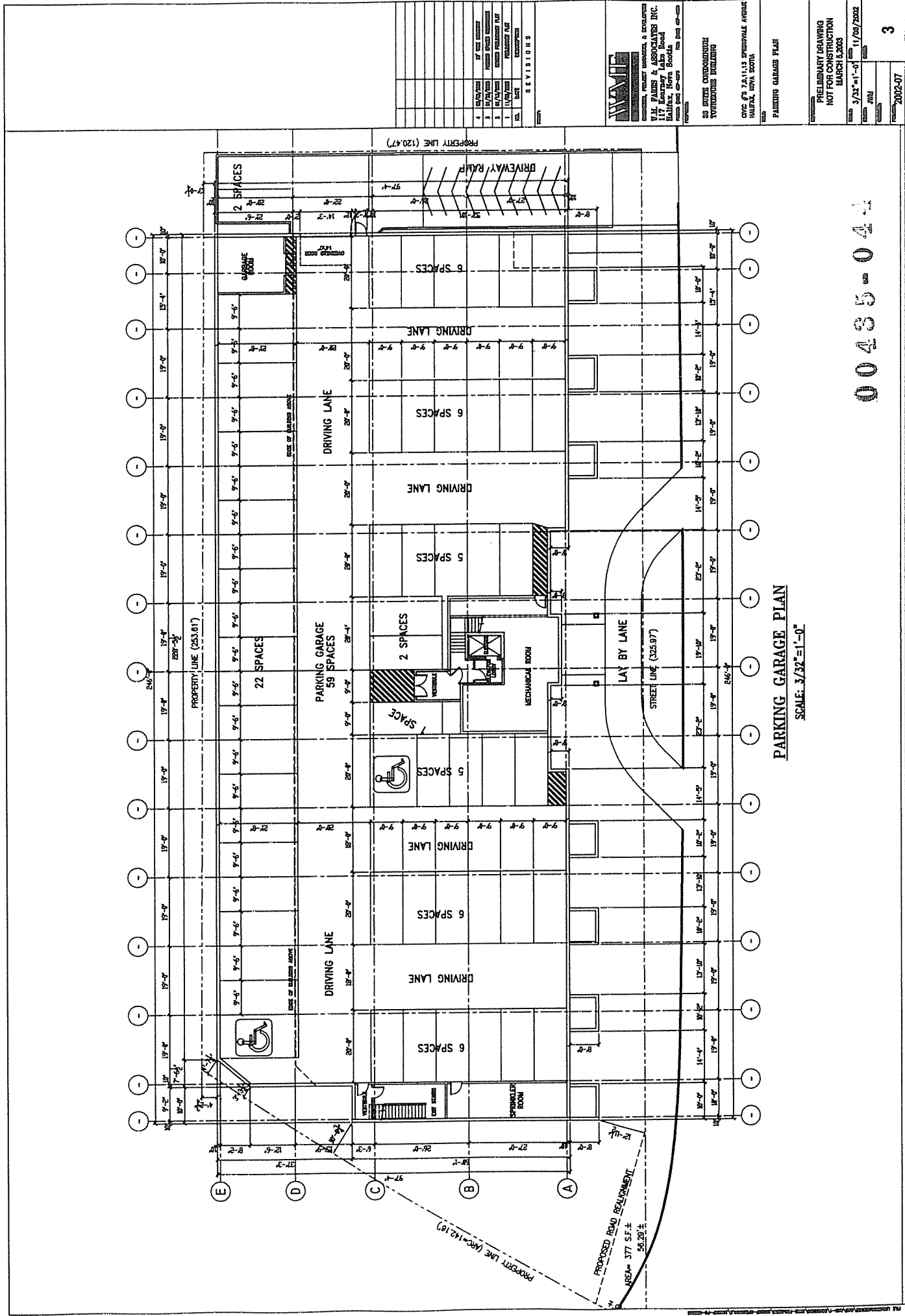
CIVIC #'S 7,9,11,13 SPRINGVALE AVENUE
HALIFAX, NOVA SCOTIA

UNIT DATA SHEET

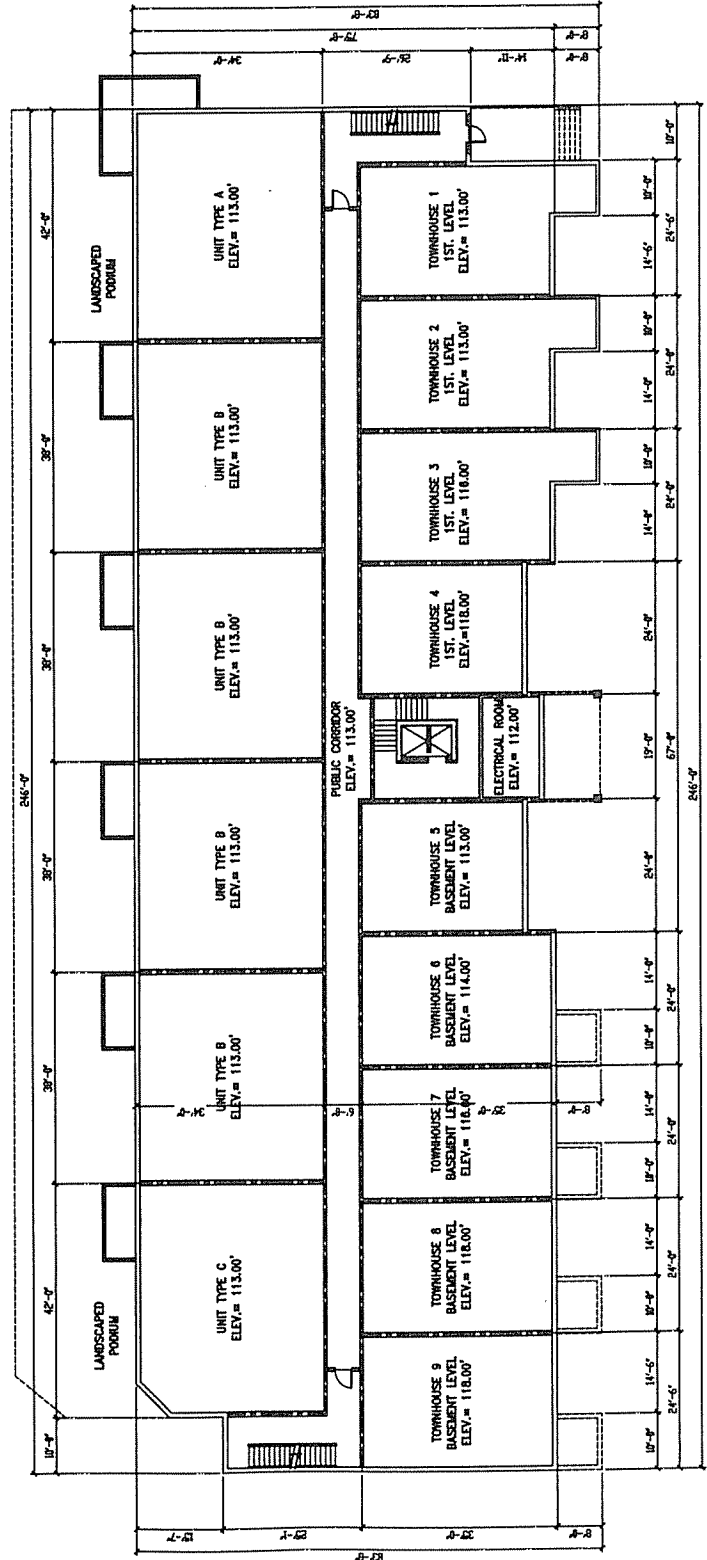
PRELIMINARY DRAWING
NOT FOR CONSTRUCTION
JANUARY 20, 2003

DATE 01/20/2003
DRAWN BY JFM
CHECKED BY JFM
2002-07
A2

00435-000



00435-041



FIRST FLOOR PLAN
FINISHED FLOOR @CORRIDOR ELEV.=113.00'
SCALE: 3/32"=1'-0"

REVISIONS			
REV.	DATE	DESCRIPTION	PREPARED BY
3	01/24/2003	REWORKED FROM PREVIOUS PLAT	
2	01/14/2003	REWORKED FROM PREVIOUS PLAT	
1	11/04/2002	PREPARED BY PLAT	

THE

V.M. PARES & ASSOCIATES INC.
117 Kearney Lake Road
Halifax, Nova Scotia
Phone (902) 437-4775 Fax (902) 437-4776

PLATE 1

30 BUTTE CONDOMINIUM
A TOWNHOUSE FULL PRICE

CHIC 075 72.11.18 IMPROVABLE AYDAR
HALLFAX, NOVA SCOTIA

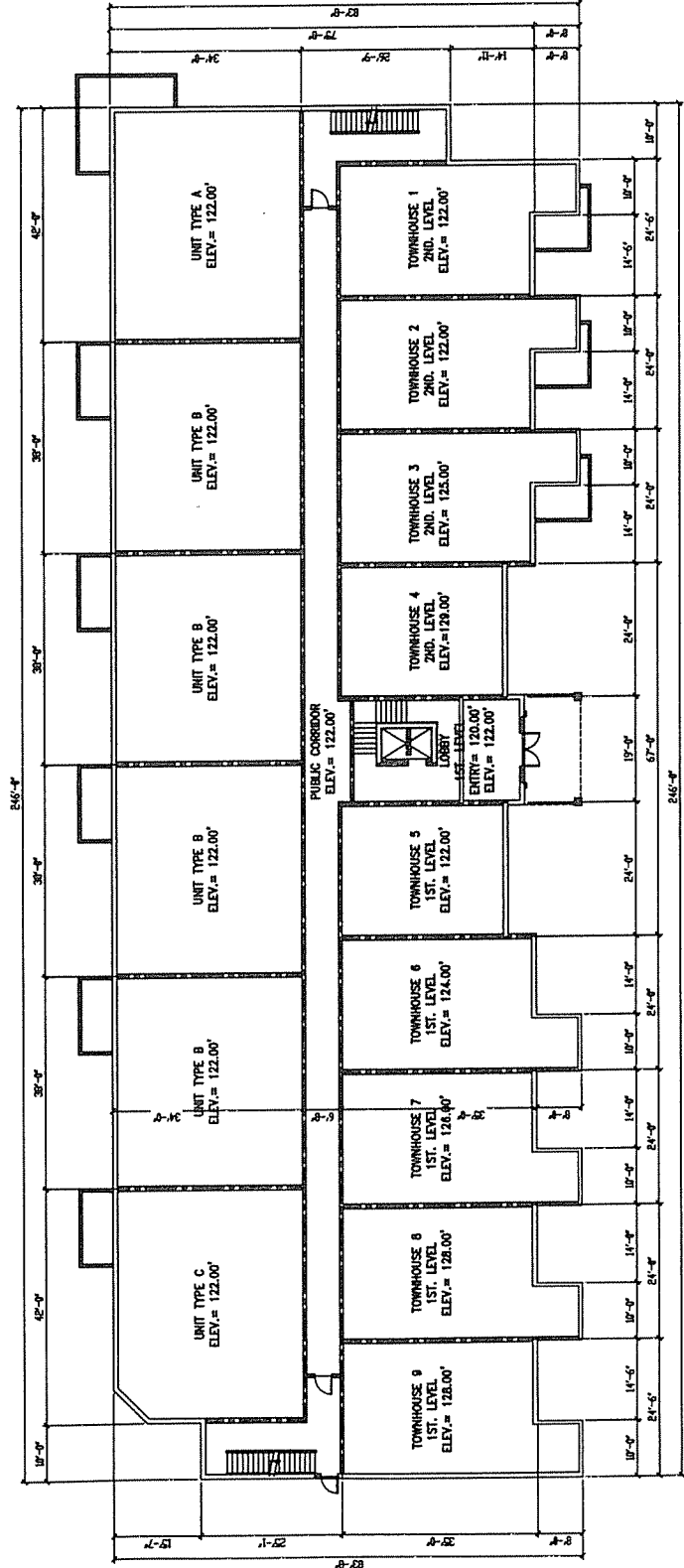
11-11-61

WHAT ABOUT FLIGHTS?

**PRELIMINARY DRAFTING
NOT FOR CONSTRUCTION
JANUARY 28, 2003**

3/12/11	11/08/2002
---------	------------

[illegible]

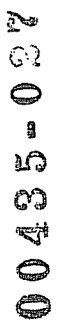


SECOND FLOOR PLAN
FINISHED FLOOR @CORRIDOR ELEV.=122.00'
SCALE: 3/32"=1'-0"

00435-038

1	2/21/2002	OWNER REQUESTED RAE
2	3/14/2002	OWNER REQUESTED RAE
3	3/14/2002	OWNER REQUESTED RAE
4	3/14/2002	OWNER REQUESTED RAE
5	3/14/2002	OWNER REQUESTED RAE
6	3/14/2002	OWNER REQUESTED RAE
7	3/14/2002	OWNER REQUESTED RAE
8	3/14/2002	OWNER REQUESTED RAE
9	3/14/2002	OWNER REQUESTED RAE
10	3/14/2002	OWNER REQUESTED RAE
11	3/14/2002	OWNER REQUESTED RAE
12	3/14/2002	OWNER REQUESTED RAE
13	3/14/2002	OWNER REQUESTED RAE
14	3/14/2002	OWNER REQUESTED RAE
15	3/14/2002	OWNER REQUESTED RAE
16	3/14/2002	OWNER REQUESTED RAE
17	3/14/2002	OWNER REQUESTED RAE
18	3/14/2002	OWNER REQUESTED RAE
19	3/14/2002	OWNER REQUESTED RAE
20	3/14/2002	OWNER REQUESTED RAE
21	3/14/2002	OWNER REQUESTED RAE
22	3/14/2002	OWNER REQUESTED RAE
23	3/14/2002	OWNER REQUESTED RAE
24	3/14/2002	OWNER REQUESTED RAE
25	3/14/2002	OWNER REQUESTED RAE
26	3/14/2002	OWNER REQUESTED RAE
27	3/14/2002	OWNER REQUESTED RAE
28	3/14/2002	OWNER REQUESTED RAE
29	3/14/2002	OWNER REQUESTED RAE
30	3/14/2002	OWNER REQUESTED RAE
31	3/14/2002	OWNER REQUESTED RAE
32	3/14/2002	OWNER REQUESTED RAE
33	3/14/2002	OWNER REQUESTED RAE
34	3/14/2002	OWNER REQUESTED RAE
35	3/14/2002	OWNER REQUESTED RAE
36	3/14/2002	OWNER REQUESTED RAE
37	3/14/2002	OWNER REQUESTED RAE
38	3/14/2002	OWNER REQUESTED RAE
39	3/14/2002	OWNER REQUESTED RAE
40	3/14/2002	OWNER REQUESTED RAE
41	3/14/2002	OWNER REQUESTED RAE
42	3/14/2002	OWNER REQUESTED RAE
43	3/14/2002	OWNER REQUESTED RAE
44	3/14/2002	OWNER REQUESTED RAE
45	3/14/2002	OWNER REQUESTED RAE
46	3/14/2002	OWNER REQUESTED RAE
47	3/14/2002	OWNER REQUESTED RAE
48	3/14/2002	OWNER REQUESTED RAE
49	3/14/2002	OWNER REQUESTED RAE
50	3/14/2002	OWNER REQUESTED RAE
51	3/14/2002	OWNER REQUESTED RAE
52	3/14/2002	OWNER REQUESTED RAE
53	3/14/2002	OWNER REQUESTED RAE
54	3/14/2002	OWNER REQUESTED RAE
55	3/14/2002	OWNER REQUESTED RAE
56	3/14/2002	OWNER REQUESTED RAE
57	3/14/2002	OWNER REQUESTED RAE
58	3/14/2002	OWNER REQUESTED RAE
59	3/14/2002	OWNER REQUESTED RAE
60	3/14/2002	OWNER REQUESTED RAE
61	3/14/2002	OWNER REQUESTED RAE
62	3/14/2002	OWNER REQUESTED RAE
63	3/14/2002	OWNER REQUESTED RAE
64	3/14/2002	OWNER REQUESTED RAE
65	3/14/2002	OWNER REQUESTED RAE
66	3/14/2002	OWNER REQUESTED RAE
67	3/14/2002	OWNER REQUESTED RAE
68	3/14/2002	OWNER REQUESTED RAE
69	3/14/2002	OWNER REQUESTED RAE
70	3/14/2002	OWNER REQUESTED RAE
71	3/14/2002	OWNER REQUESTED RAE
72	3/14/2002	OWNER REQUESTED RAE
73	3/14/2002	OWNER REQUESTED RAE
74	3/14/2002	OWNER REQUESTED RAE
75	3/14/2002	OWNER REQUESTED RAE
76	3/14/2002	OWNER REQUESTED RAE
77	3/14/2002	OWNER REQUESTED RAE
78	3/14/2002	OWNER REQUESTED RAE
79	3/14/2002	OWNER REQUESTED RAE
80	3/14/2002	OWNER REQUESTED RAE
81	3/14/2002	OWNER REQUESTED RAE
82	3/14/2002	OWNER REQUESTED RAE
83	3/14/2002	OWNER REQUESTED RAE
84	3/14/2002	OWNER REQUESTED RAE
85	3/14/2002	OWNER REQUESTED RAE
86	3/14/2002	OWNER REQUESTED RAE
87	3/14/2002	OWNER REQUESTED RAE
88	3/14/2002	OWNER REQUESTED RAE
89	3/14/2002	OWNER REQUESTED RAE
90	3/14/2002	OWNER REQUESTED RAE
91	3/14/2002	OWNER REQUESTED RAE
92	3/14/2002	OWNER REQUESTED RAE
93	3/14/2002	OWNER REQUESTED RAE
94	3/14/2002	OWNER REQUESTED RAE
95	3/14/2002	OWNER REQUESTED RAE
96	3/14/2002	OWNER REQUESTED RAE
97	3/14/2002	OWNER REQUESTED RAE
98	3/14/2002	OWNER REQUESTED RAE
99	3/14/2002	OWNER REQUESTED RAE
100	3/14/2002	OWNER REQUESTED RAE

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION
JANUARY 2002
DATE: 3/14/2002
BY: [Signature]
CHECKED: [Signature]
11/09/2002
2002-07



THIRD FLOOR PLAN
FINISHED FLOOR @ CORRIDOR ELEV. = 131.00'
SCALE: 3/32" = 1'-0"

SCALE: 3/32"=1'-0"

[illegible]

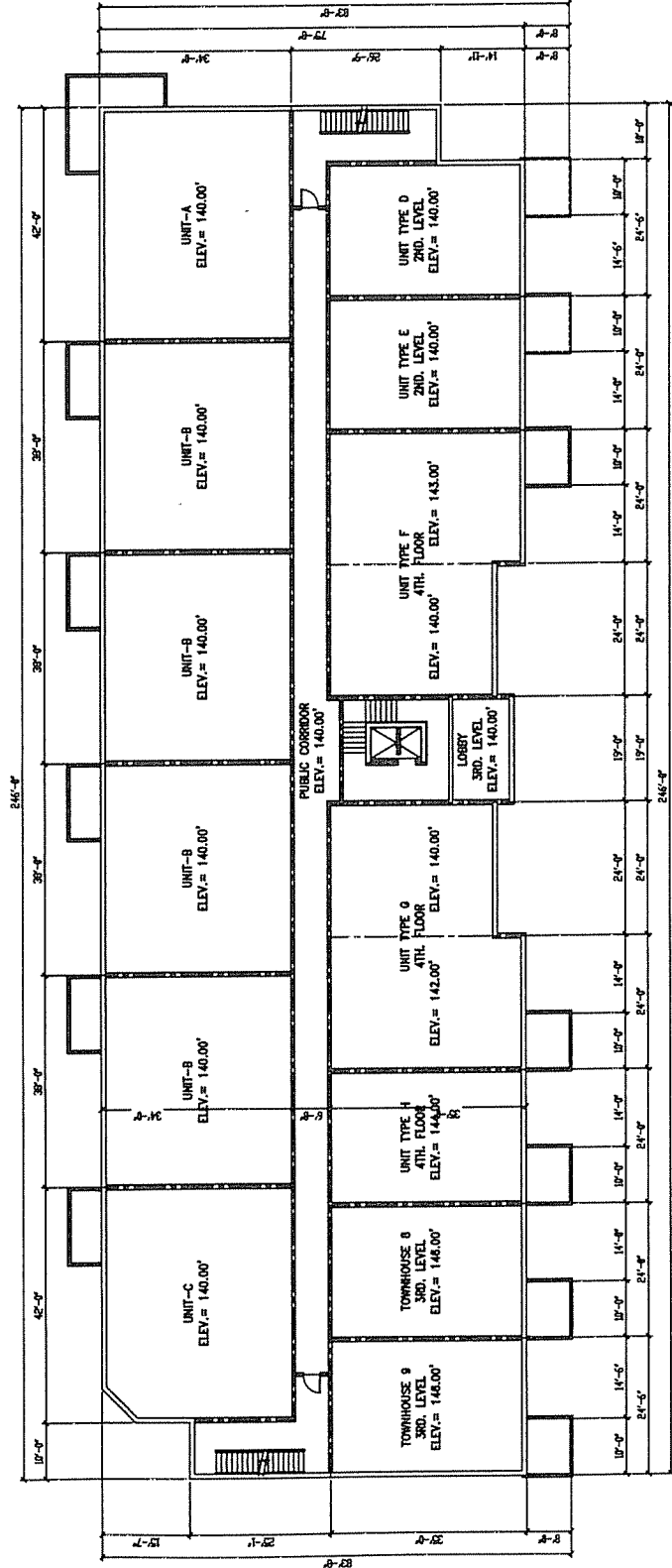
WAMP
ENGINEERING, PROJECT MANAGEMENT, & DEVELOPMENT
W.M. FARIES & ASSOCIATES INC.
117 Kearney Lakes Road
Haltham, Nova Scotia
Phone (902) 457-4595 Fax (902) 457-4595

CHICAGO, ILL. (UPI) - The Chicago Board of Education Tuesday approved a plan to build a new high school in the city's South Loop area.

THIRD FLOOR PLAN

**PRELIMINARY DRAWING
NOT FOR CONSTRUCTION
JANUARY 13, 2003**

5/32" = 1'-0"	11/06/2002	6
PLAN	DATE	
PROJECT		
2002-07		



00435-023

FOURTH FLOOR PLAN

FINISHED FLOOR @CORRIDOR ELEV.=140.00'

SCALE: 3/32"=1'-0"

REVISIONS		DATE		DESCRIPTION	
1	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
2	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
3	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
4	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
5	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
6	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
7	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
8	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
9	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
10	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
11	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
12	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
13	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
14	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
15	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
16	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
17	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
18	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
19	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
20	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
21	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
22	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
23	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
24	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
25	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
26	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
27	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
28	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
29	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
30	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
31	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
32	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
33	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
34	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
35	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
36	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
37	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
38	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
39	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
40	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
41	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
42	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
43	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
44	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
45	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
46	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
47	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
48	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
49	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
50	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
51	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
52	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
53	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
54	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
55	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
56	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
57	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
58	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
59	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
60	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
61	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
62	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
63	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
64	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
65	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
66	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
67	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
68	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
69	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
70	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
71	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
72	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
73	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
74	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
75	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
76	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
77	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
78	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
79	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
80	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
81	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
82	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
83	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
84	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
85	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
86	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
87	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
88	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
89	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
90	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
91	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
92	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
93	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
94	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
95	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
96	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
97	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
98	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
99	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021
100	12/21/2021	12/21/2021	12/21/2021	12/21/2021	12/21/2021

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION
JANUARY 13, 2022

3/32"=1'-0"

11/05/2022

7

2022-07

NO.	DATE	REVISIONS
1	01/11/07	ISSUED FOR PERMITS
2	01/11/07	REVISIONS
3	01/11/07	REVISIONS
4	01/11/07	REVISIONS
5	01/11/07	REVISIONS
6	01/11/07	REVISIONS
7	01/11/07	REVISIONS
8	01/11/07	REVISIONS
9	01/11/07	REVISIONS
10	01/11/07	REVISIONS
11	01/11/07	REVISIONS
12	01/11/07	REVISIONS

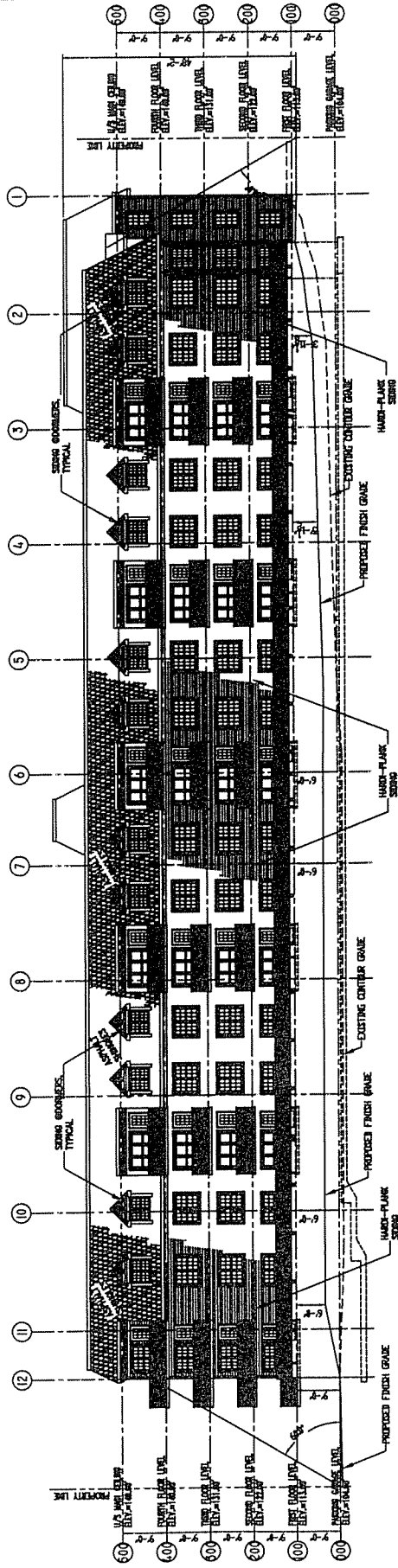
W.M. PARKS & ASSOCIATES INC.
 ARCHITECTS
 117 KENNEDY PARK ROAD
 SUITE 200
 INDIANAPOLIS, IN 46202
 TEL: 317.633.1100
 FAX: 317.633.1101

20 BUTTE COMMUNITY & TOWNHOUSE BUILDING
 ONE 20 781113 SPRINGDALE AVENUE
 INDIANAPOLIS, IN 46202

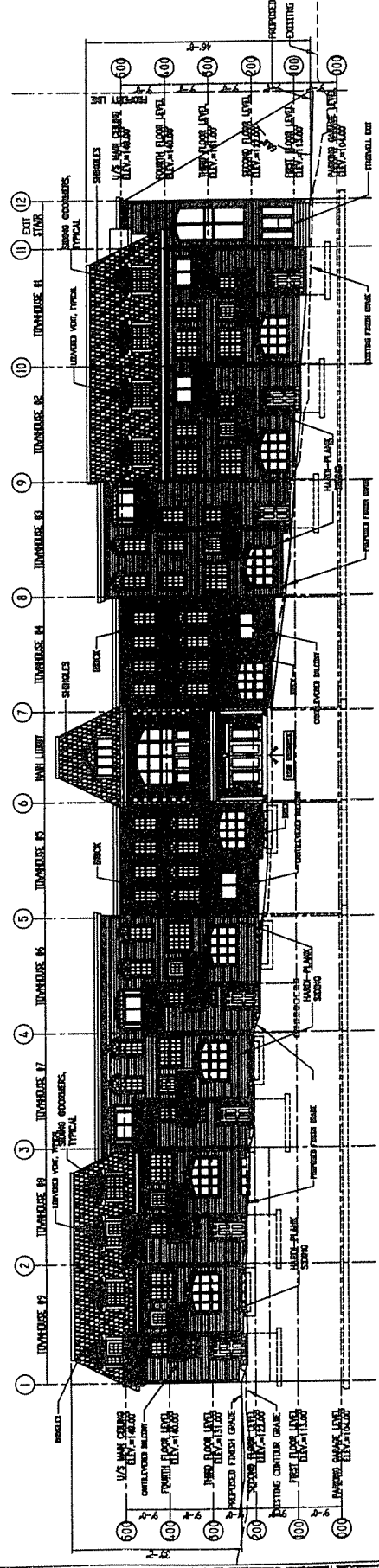
EXISTING ELEVATIONS
 FRONT & REAR

PRELIMINARY DRAWING
 NOT FOR CONSTRUCTION
 MARCH 1, 2007

DATE: 3/22/07
 DRAWN BY: JMM/ML
 CHECKED BY: JMM/ML
 PROJECT NO: 00435-040
 SHEET NO: 8

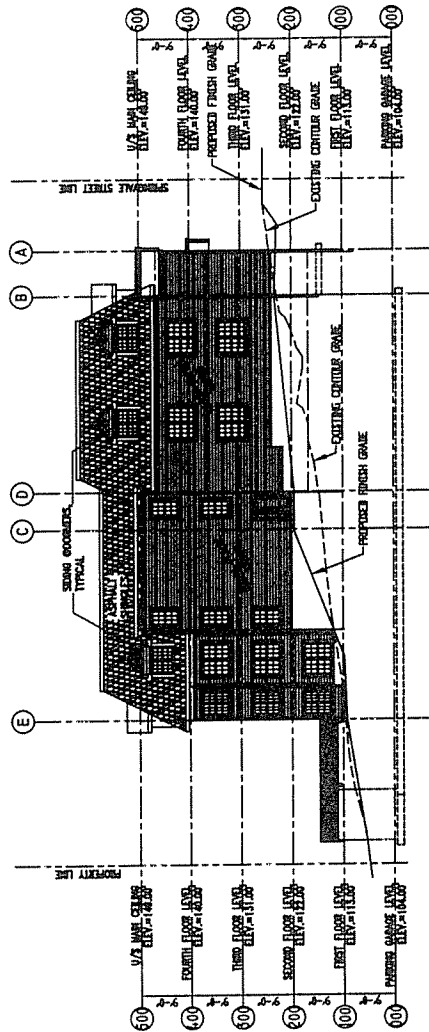


**REAR ELEVATION
 NORTH SIDE**
 SCALE: 3/32"=1'-0"

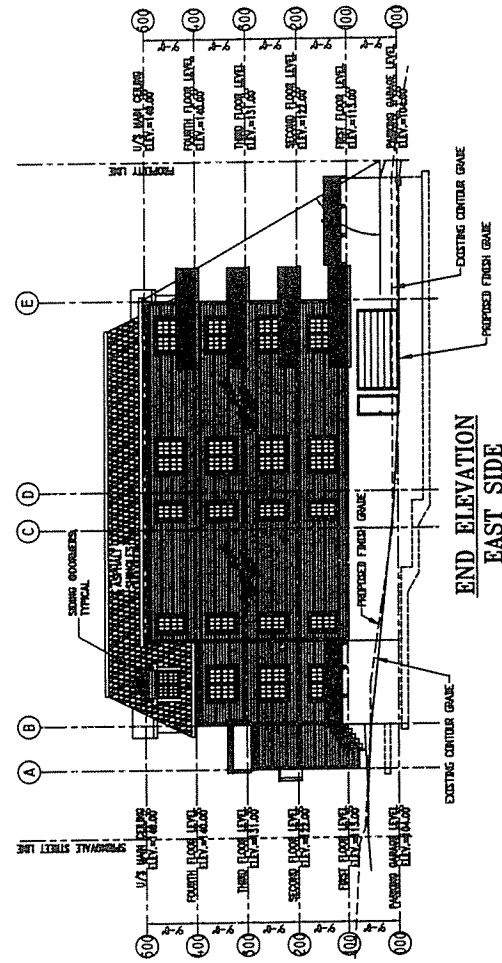


**FRONT ELEVATION
 SOUTH SIDE**
 SCALE: 3/32"=1'-0"

00435-040



END ELEVATION
WEST SIDE
SCALE: 3/32"=1'-0"



END ELEVATION
EAST SIDE
SCALE: 3/32" = 1'-0"

REVIEWS			
SL	DATE	DESCRIPTION	REVIEW RESULTS
1	01/01/2001	INITIAL REVIEW	
2	01/01/2001	REVIEW RESULTS	

THE

W.M. FAIRBANKS & ASSOCIATES INC.
117 Kearney Lake Road
Halifax, Nova Scotia
Phone 421-4474

七

23 SUITE 3000
PACIFICORP BLDG
SAN FRANCISCO, CA 94111

CIVIC #73 7.9.11.13 SPECIALIALE ANTONIO
HALFALZ NOVA SCOTIA

41

**BARRY LISA & LARRY
EATON VASTIE BUILDING**

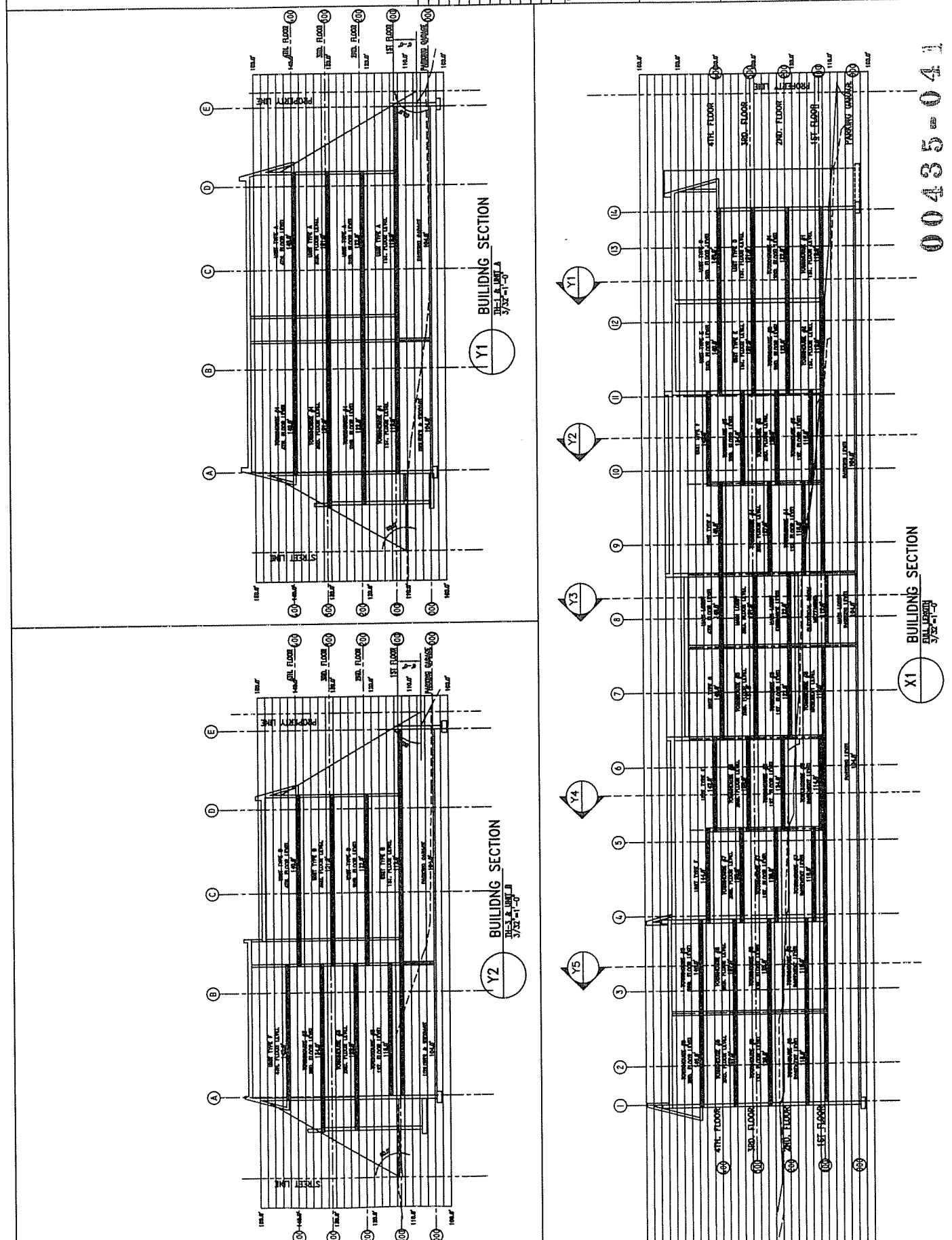
**PRELIMINARY DRAWING
NOT FOR CONSTRUCTION
MARCH 5, 2003**

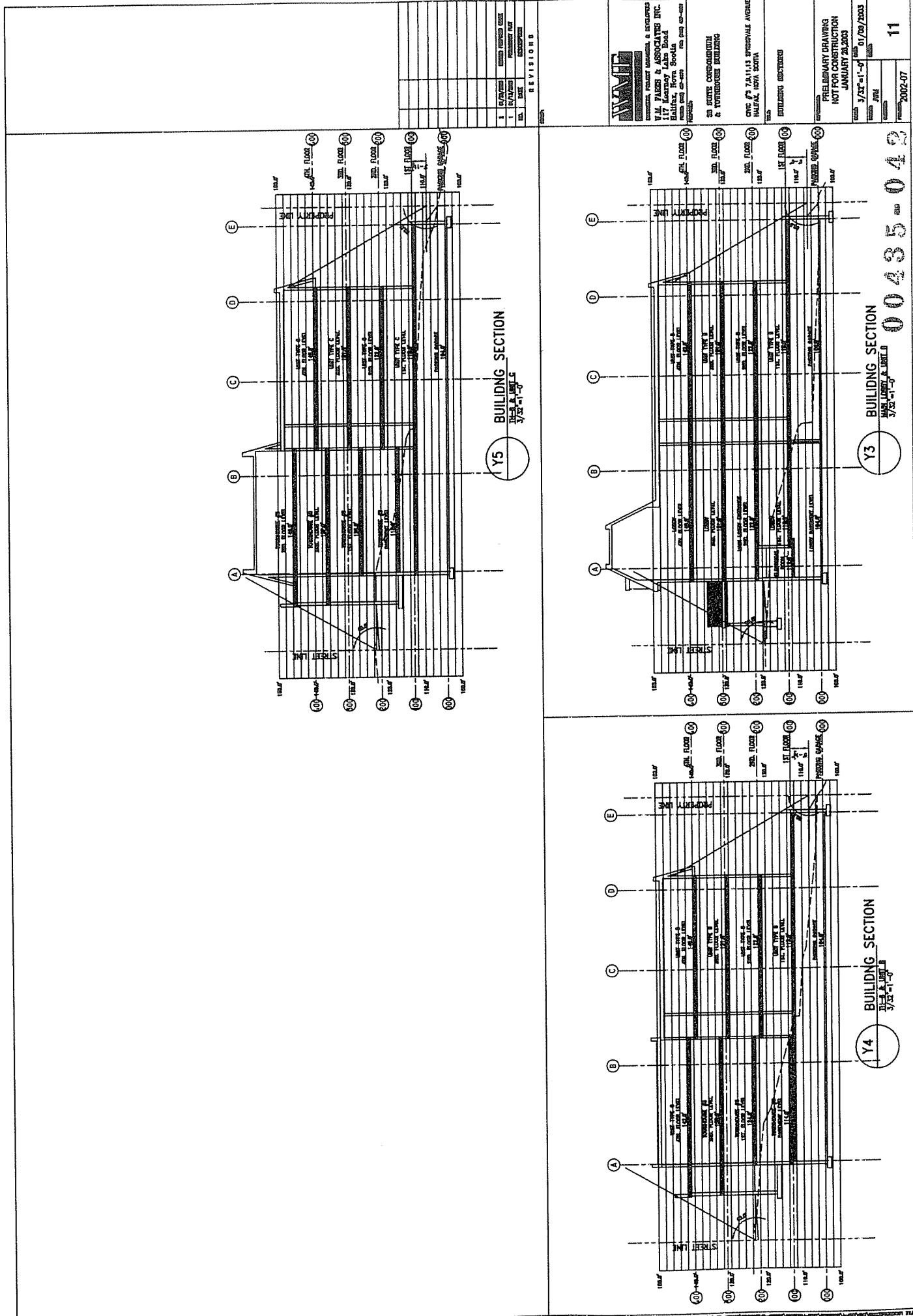
3/32" = 1'-0"	11/03/2002
---------------	------------

	0
W/FMS	

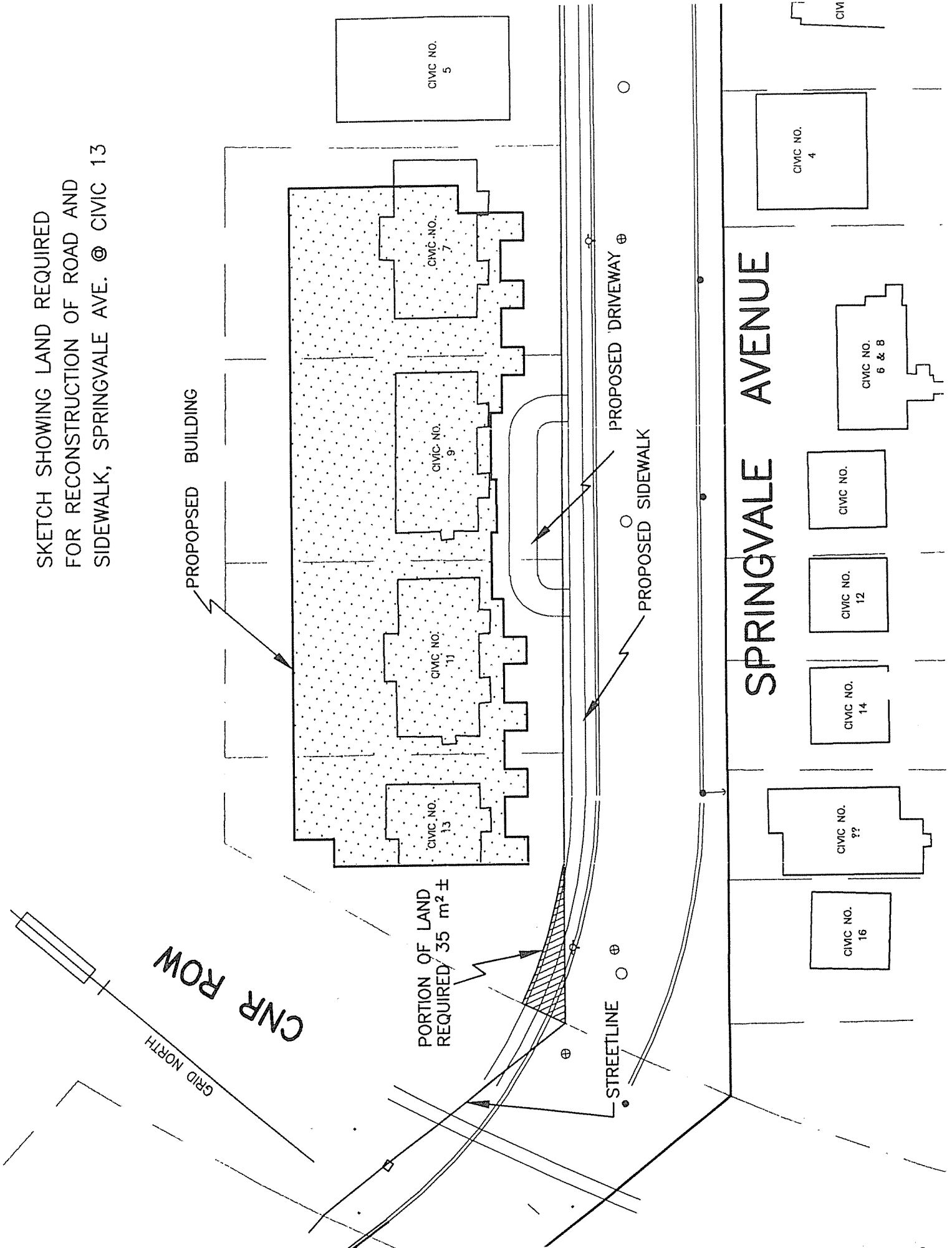
2002-07

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--





SKETCH SHOWING LAND REQUIRED
FOR RECONSTRUCTION OF ROAD AND
SIDEWALK, SPRINGVALE AVE. @ CIVIC 13



ATTACHMENT VI

Public Information Meeting Minutes (Case 00435) October 17, 2002

In attendance: Councillor Mosher
Gary Porter, Planner
Randa James, Planner
Gail Harnish, Planning & Development
Wadih Fares, W.M. Fares & Associates, Consultant & President
Tony Metledge Jr., Owner

Gary Porter called the meeting to order at approximately 7:00 p.m. in the lunchroom of the Springvale School, 92 Downs Avenue, Halifax.

Gary Porter advised that the properties at 7, 9, 11 and 13 Springvale Avenue are designated in the Municipal Planning Strategy (MPS) as Residential Environments and are zoned R-1 (Single Family Zone). The R-1 zoning only permits single family dwellings. There are four existing apartment buildings which predate the zoning and are called non-conforming uses. The Municipal Government Act says that a building with a non-conforming use can stay there forever unless the use is discontinued for a period of six months or if the building is destroyed by fire or otherwise more than 75% of its value. In terms of discontinuance, some recent court decisions applied a legal interpretation of discontinuance. You pretty well have to board up the building and take out the plumbing before the six months comes into play.

Gary Porter indicated the owner would like to be able to build an apartment building which is not permitted by the R-1 zone so he has asked for an amendment to the MPS so he can build an apartment building there by development agreement. A development agreement is a process whereby if they can come to some agreement, HRM will enter into a legally binding contract with the owner. It is a specific approval for a particular building and there can be conditions such as the type of fence, access points, and parking specifications. He reviewed the plan amendment process, noting that a preliminary report went to Regional Council on July 16, 2002, which initiated the public participation process.

It was questioned what the timeframe would be to go through the process. Gary Porter advised that the application was made in January of 2002 and we are now only at the public information meeting stage. He estimated that the report would go to Community Council in January of next year and that the development could probably proceed by next spring.

Mr. Wadih Fares stated they are here to give the public some information about what they are proposing and to listen to the concerns and hopefully respond to them. He advised there are four buildings existing on the property containing a total of 24 units. They are proposing to replace these buildings with a 37 unit condominium building. He noted Gary mentioned an apartment building and indicated the City does not have any law to specify whether a building will be condominiums

or apartments. The difference is that apartments are rental; condominiums are owner occupied. They are going for a condominium project because the market in Halifax is pretty strong and because the land is worth such a large amount of money the project has to be viable.

Mr. Fares stated that because they are in a residential area and a good area, they tried to come up with a concept that enhanced the residential aspect and the streetscape of Springvale Avenue. There are nine townhouse units in the front. Each townhouse will have its own entrance off of Springvale Avenue. The apartment complex will be at the back of them so you will not see a big bulky building as you drive along Springvale Avenue. It will be a very residential look and the characteristics shown on the three dimensional picture will give a very elegant look as you drive up Springvale. Because it is a condominium, it will be owner-occupied. He felt the residents would appreciate having people owning their own home living next door to them. He displayed a sketch of the building they were proposing which they believed to be nice looking. They are introducing a stone wall with a gate in the front of each townhouse which gives it a residential look. With the way these townhouses are designed, they will look like small homes along Springvale Avenue. The main lobby of this building will service the townhouses and the back units of the condominium.

Mr. Fares pointed out on the sketch the location of the penthouse units, noting that the remaining units would be normal suites. They do not have a detailed design yet. Tonight they are looking for people's comments and for the next meeting will have more details in terms of suites and bedroom layout. The townhouse units will have three bedrooms and the condominiums will be two bedroom units. There will be 45 underground parking spaces available. There will be 8 extra spaces for units needing extra cars or for visitors. It is a very high quality building. The lay of the land costs so much money so they would have to be high quality because the sale prices "will be up there". The only way it will be viable is because the condominium market is good in Halifax and that is the trend right now. They believe they are offering a better solution for the neighbourhood from what they have now. He felt that the landowner and the residents will benefit in the end.

Mr. Fares stated there will be no blasting. This property is surrounded by Springvale Avenue and the CN line. He pointed out that they moved away from the adjacent property. The setback is currently 8' which will be increased to 20', which will benefit the abutting property.

In response, Mr. Fares advised the condominium building will be of concrete construction.

Mr. Shave, 34 Milson Avenue, questioned when sidewalks would be provided. Councillor Mosher advised that there was approval in this year's budget to install concrete curb and gutter, sidewalks, and to do resurfacing of the road, which the residents agreed to but Engineering decided to hold off on design, pending the outcome of this request. The money is still in the budget and she would ensure the residents pay this year's costs. They also wanted to acquire a bit of Mr. Metlege's lands for the roadway.

Mr. Ken Carter, 14 Homecrest Terrace, questioned what consideration was given to the traffic patterns, particularly access and egress.

Gary Porter responded that has not been looked at yet but would be part of the detailed review.

Mr. Carter requested that emphasis and priority be put on that particular access.

Ms. Joanne Budden, 10 Springvale Avenue, asked about visitor's parking, noting that right now there are only three spots. It was being proposed to put visitor's parking under the building. There are only 45 parking spaces and there are going to be 37 units which does not leave much space for visitor's parking. Another individual stated they are parking in front of their houses up the street.

Mr. Fares responded that any development with many visitors will result in parking on the street. They are offering more than is available now.

It was stated that right now there is parking available behind the building. There is more provision for visitor's parking and it is still difficult.

Mr. Fares responded that eight extra parking spaces may not be a lot but felt that should accommodate visitor's parking.

Mr. Bob Carter, 10 Springvale Avenue, commented it seems these are multi-bedroom units of a higher end which is likely to attract a more professional crowd who are likely to have two vehicles. If each of the eight townhouse units have two vehicles, then there is no extra parking for visitors. The winter parking issue would be a factor.

Mr. Fares advised they were using the standards used across the City for visitor's parking. People needing two spaces may not buy these units. He indicated they would take the concern into consideration.

Mr. Bob Eaton, 87 Doull Avenue, questioned whether the back portion could be used for parking.

Mr. Fares responded no, indicating that the underground parking takes up all the land in the back. However, the top of it will be landscaped and used for recreational purposes.

Mr. Jim Bowden, 16 Springvale Avenue, indicated that he felt people were unduly concerned about parking, noting that people downtown have managed.

Ms. Joanne Budden stated that she did not want the concern to be discounted. She did not want to be in a situation where it is worse when a modification to the plan or a small building could be considered at the beginning.

Mr. Fares advised that the building could not be smaller, otherwise it would not be economical to build.

Ms. Maureen Hiltz, 9E Springvale Avenue, stated that the parking should be no more of a problem than it is anywhere else. She cannot park there now because the homeowners park on her side of the street. She indicated she was more worried that she may be losing her home and did not appreciate

it. She has been living in this community. It will be a nicer looking building but did not like the fact that she was losing her home.

Ms. Lorey Brown, 15 Springvale Avenue, indicated she was concerned about pets. They have a lot of problems with the tenants in that area with dogs in particular using the tracks as facilities to go and also in their back yard. She questioned whether there would be any facilities to accommodate people with animals.

Mr. Brent Brown, 15 Springvale Avenue, said he was looking for something to ensure that the animals stay on their own land. The by-laws are a joke. They have been chased by pit bulls in their own back yard.

An individual stated he was the superintendent and there are no pit bulls there.

Ms. Brown indicated they have had problems with certain people and that there is a tenant up the street from them with a pit bull.

Ms. Jodi Badcock, 22 Springvale Avenue, stated that she found the speeding becomes excessive. People are flying over the hill and one of these days somebody is going to get hurt. This development will mean more traffic.

Gary Porter agreed that if there are more units there will be a few more cars. If there are speeders it is the police that should be doing something about that. They now have a sign with radar in it. If there is a sufficient number of speeders, the police will step up the surveillance.

Councillor Mosher advised that 147 tickets were issued on Dutch Village Road over a two week period. It is everywhere in the subdivision and it is the same everywhere in HRM. Everybody in HRM wants speed bumps and traffic signs. The police are aware of the significant speeding. She asked that they not focus on traffic in general in the subdivision but rather on whether or not they want to change what is there now. She questioned whether the public liked this proposal and whether they were willing to work with the developer and make some changes. She referenced a recent proposal by a developer wanting to put up 20 and 17 storey buildings. The people did not want it and it was rejected by Chebucto Community Council. In this case, it is a better situation with a development agreement. They are here to get feedback. Relative to traffic, they should look at how 37 units compares to 24 units.

It was questioned whether the street would be straightened out. Councillor Mosher confirmed that Engineering is wanting to make it straighter but needs to acquire land to do so.

Mr. Jim Bowden spoke in favour of lights at Dutch Village Road and Springvale Avenue.

Mr. Bob Horodyski, 3 Springvale Avenue, commented that the traffic problem is not really this developer's issue but at the same time the density is increasing so without HRM's help in dealing with the traffic issue in their subdivision, they have a big problem. There can be 10-12 cars at the

bottom of Springvale Avenue waiting to get out. If this was just a project by itself with only 12 more units it is no big deal but then there is also the development up the hill with 147 units.

Mr. Fares stated that traffic is an issue across the City this year. Their City is growing. Dutch Village Road is very busy. This development has a controlled access with a very short haul to Dutch Village Road. He indicated that he lived in Wedgewood Park and could not get onto Kearney Lake Road. He said that he did not want this issue to hinder this project.

Mr. Horodyski commented that the density of the whole neighbourhood is increasing but there is no increasing access to the neighbourhood. There is no way to ease the pressure off the traffic.

Mr. Dustin Quirk, 12 Springvale Avenue, indicated he noticed on the tentative plans that the building is being moved closer to the street. Mr. Fares responded that it is 10' closer.

It was questioned whether the height of the buildings would still be four storeys and whether they would be taller than the existing buildings.

Mr. Fares advised they would be a maximum of four storeys. He pointed out that the one portion would be three storeys. It follows the slope of the street.

It was questioned what the average value of the townhouses would be versus the apartments. Mr. Fares responded it is too early yet but from his experience in the construction industry estimated that the value could be \$169,000 upwards and could be closer to \$200,000 as an average.

Mr. Quirk questioned where the refuse containers would be. Mr. Fares advised that they have a garbage room in the parking garage. Usually it is located next to the overhead door.

It was questioned whether there were any windows on the end of the building facing on the left hand side of the units.

Mr. Fares responded they have not done the design yet. For the next meeting they would try to answer a lot of the concerns. Gary Porter advised that more detailed plans would be received as the application goes through the process.

Ms. Wendy Graham, 14 Springvale Avenue, asked how long construction would take. Mr. Fares responded about one year.

Ms. Graham asked for confirmation that there would be no blasting. Mr. Fares responded that he did not believe there would be any blasting. There is already a basement in the existing structure. The excavation would be very minimal.

Mr. Quirk referenced the comment that the land was very expensive and questioned how much it was purchased for. Mr. Fares responded that was not a subject to be discussed here but suggested Mr. Quirk give him a call.

Mr. Danny Chedrawe questioned how this would fit in the overall planning strategy in terms of regional intensification.

Gary Porter responded that he did not know if we have an official policy. The unofficial policy that generally applies in the old City of Halifax is that apartment buildings in established neighbourhoods should proceed by development agreement as it gives the neighbours some say in the final product.

Mr. Chedrawe questioned whether Council has directed staff to conduct a traffic study for this overall area (Springvale/Fairmount).

Councillor Mosher advised that a study was done on August 1st which she felt was the wrong time of year. If the lights are needed, the developer of the Butler lands is responsible for a portion.

Mr. Chedrawe commented that the development up the street may result in signal lights being required. Councillor Mosher concurred it was a possibility and noted they need to look at the accident rates. There are 3700 cars a day on the lower portion of Springvale Avenue. It was clarified that the lower portion is classified as a collector and not a residential street.

Mr. Bob Carter asked about the front of the buildings. Mr. Fares responded that the idea was for the townhouses to have a front door. The main lobby would be for the back building.

Ms. Wendy Graham, 14 Springvale Avenue, asked for confirmation that all the units including the apartment building would be owner occupied. Mr. Fares responded yes.

Ms. Graham indicated that the buildings are currently owned by an individual so if they have a problem with plowing, it is directed at one individual. She asked how this would work for a condominium.

Gary Porter advised that there would be a Condominium Corporation which would include a Board of Directors. He cautioned that although the units would be owned, there was the possibility that some of the units could be rented by the owner. Some people will buy two units; they live in one and rent the other one.

Mr. Ian Watt, 16 Milsom Avenue, questioned if the developer was prepared to work with the Traffic Authority because even though they have controlled access and a short access to where they exit and Dutch Village Road, there will be 37 more cars.

Mr. Fares stated that the traffic issues in the City are not just for this development. There are traffic problems everywhere in the City this year. For five weeks the newspaper did reports on traffic. It is their intention to work with any suggestions from all the authorities.

Gary Porter advised that HRM has a Streets Ordinance which sets out conditions for driveways and access points which this development will have to conform to.

Ms. Lorey Brown commented that when members of the public raise concerns, it seems to be their problem. She felt the development would be good for the neighbourhood but they have come here to give their suggestions.

Mr. Fares responded that in terms of the concern about pets, this was the first time he heard that concern ever raised. The concern is noted in the minutes.

Mr. Fares stated it is their intention to improve on what is there today and to be of a benefit to the neighbours. This development at the end of the day has to make sense.

Councillor Mosher advised that she had been contacted by the Browns. She had signs posted on all the lands and had letters hand-delivered to the apartments telling the people to pick-up after their dogs. Also, By-law Enforcement and the Police do surveillance on the rented apartments. She indicated she was doing everything she possibly could to address the concern. There are animal problems throughout the City.

Ms. Brown stated that she would like to see an area for the dogs rather than the old tracks.

Mr. Ken Carter said they have been asking questions and have been put on the offensive. The main concern of the neighbourhood is traffic. They did not care about the development. The traffic is affecting them. He asked that they not be belittled.

Mr. Bob Eaton indicated they went through the traffic issue a few weeks ago with the 147 new units and felt they are just rehashing what they already did.

An individual stated the traffic is the heart of the matter. It has a lot to do with what is going on in the whole neighbourhood. The traffic department did the numbers but they are not reality when you are trying to turn left off Springvale Avenue onto Dutch Village Road.

Ms. Wendy Graham questioned how closely the residents would be informed of the process. Gary Porter urged that those in attendance sign the attendance sheet so that their names could be included on the mailing list. People within 250' of the site should have received a notice of this meeting and will get another one for the next meeting.

Mr. Jack Lanigan, 21 Milsom Avenue, stated he did not think 45 parking spaces was enough and felt there should be two parking spaces provided for each unit. This would keep traffic off the street and give an allowance for people wanting to visit. If there are less cars on the street, there are less obstructions for traffic.

Councillor Mosher requested that the staff report include how many parking spots are there now and the ratio of current compared to proposed.

Mr. Bob Carter spoke in favour of the people living in the townhouses being able to access their units from the underground parking otherwise they will park on the street.

Mr. Dustin Quirk questioned whether thought was given to some kind of barrier if people are being dropped off at the lobby. Mr. Fares advised they would consider that.

The meeting adjourned at approximately 8:00 p.m.

ATTACHMENT VII

Comparison of Building Proposed for Springvale Avenue to the As Of Right Provisions of the Land Use Bylaw (excluding angle controls)

Item	Required ¹	Provided	Comment
Lot frontage	60 feet	325.97 feet	meets bylaw
Lot area	6000 square feet	35,381.58 square feet	meets bylaw
Density	75 persons per acre	95.38 persons per acre	<i>does not meet bylaw</i>
Landscape open space	20,540 square feet	13,228.74 square feet	<i>does not meet bylaw</i>
Open space (total) ²	25,675 square feet	16,616.74 square feet	<i>does not meet bylaw</i>
Parking	38	61 (23 for visitors)	meets bylaw
Setback (front)	20 feet	varies 12.28 feet min ³	<i>does not meet bylaw</i>
Setback (south west)	10 feet	varies 10.07 feet min	meets bylaw
Setback (rear)	20 feet	varies 24.68 feet min ³	meets bylaw
Setback (north east)	10 feet	22.46 feet min ³	meets bylaw

¹ All are minimum requirements except density which is a maximum permitted.

² Includes landscaped open space at grade, balconies and other common recreation areas

³ Measurement is to the building wall. Balconies and a canopy are located within the setback area.

ATTACHMENT VIII

Relevant Sections of the Halifax Municipal Planning Strategy

Section II - City-wide Objectives and Policies

2. RESIDENTIAL ENVIRONMENTS

Objective The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.

2.1 Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.

2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.

2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.