



P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No. 10.1.2**  
**North West Community Council**  
**January 9, 2017**  
**February 6, 2017**

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

Original Signed

**SUBMITTED BY:**

\_\_\_\_\_  
Bob Bjerke, Chief Planner and Director, Planning and Development

**DATE:** November 23, 2016

**SUBJECT:** **Case 19625: Substantive and Non-Substantive amendments to the Bedford West Sub Area 5 Development Agreement, Bedford**

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**ORIGIN**

Application by West Bedford Holdings Limited

**LEGISLATIVE AUTHORITY**

*Halifax Regional Municipal Charter (HRM Charter), Part VIII, Planning and Development*

**RECOMMENDATION**

It is recommended that North West Community Council:

1. Give Notice of Motion to consider the proposed substantive development agreement amendments, specifically items 1 through 3, as set out in Attachment A, to permit changes to the permitted housing mix for the development agreement for Bedford West Sub Area 5, Bedford, and schedule a public hearing;
2. Approve the proposed substantive development agreement amendments, specifically items 1 through 3, which shall be substantially of the same form as set out in Attachment A of this report;
3. Approve, by resolution, the proposed non-substantive development agreement amendments, specifically item 4, which shall be substantially of the same form as set out in Attachment A, to permit the transfer of density from one sub area to another of this report; and
4. Require that the proposed amending development agreement be signed and delivered within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

**BACKGROUND**

An application by West Bedford Holdings Limited has been submitted requesting substantive and non-substantive amendments to the existing development agreement for Sub Area 5 of Bedford West in Bedford (Map 1). The requested amendments would enable the transfer of 90 dwelling units from Bedford West Sub Area 8 to Block A12 of Sub Area 5, and to amend the permitted proportion of dwelling units permitted in multiple unit dwellings within Sub Area 5.

|   |   |
|---|---|
| <b>Subject Lands</b>                      | Bedford West Sub Area 5   |
| <b>Location</b>                           | Amesbury Gate, Bedford West, Sub Area 5   |
| <b>Regional Plan Designation</b>          | Urban Settlement  |
| <b>Community Plan Designation (Map 1)</b> | Bedford West Secondary Planning Strategy (BWSPS) under the Bedford Municipal Planning Strategy (MPS)  |
| <b>Zoning (Map 2)</b>                     | BWCDD (Bedford West Comprehensive Development District) Zone under the Bedford Land Use By-law (LUB)  |
| <b>Size of site</b>                       | Portion of 8.7 ha (undetermined final size)   |
| <b>Street Frontage</b>                    | ~33m  |
| <b>Current Use</b>                        | Mixed use, residential and commercial subdivision   |
| <b>Surrounding Uses</b>                   | To North – residential land uses (Bedford West Sub Area 2)<br>South – Larry Uteck Boulevard, low density residential and vacant commercial land.<br>East – Highway 102, Bedford South and residential land uses.<br>West – residential land uses. |

**Proposal Details**

The applicant proposes to amend the development agreement for the Bedford West Sub Area 5 development to transfer dwelling units from the undeveloped Sub Area 8 of Bedford West. The major aspects of the proposal are as follows:

- transfer 90 multiple unit dwelling units from Sub Area 8;
- permit the dwelling units to be established as multiple unit dwellings;
- Assign the multiple unit dwellings specifically to Block A12 in the form of a nine storey building. No changes are proposed relating to the parameters for the construction of this building.

Secondly, the applicant is requesting that the housing mix requirements of the existing agreement be amended by increasing the proportion of units permitted in multiple unit dwellings. The current agreement permits 74 percent of the dwelling units in multiple unit dwellings; the applicant is requesting that this be increase to 80 percent.

**Enabling Policy**

Policy for the Bedford West area originates from the Bedford West Secondary Planning Strategy (BWSPS) contained within the Bedford MPS. BWSPS policy [BW-32(a)] enables the transfer of up to one unit per acre into a Sub Area from another Sub Area. Such an amendment may be considered as a non-substantive amendment and does not require a public hearing. Further, the BWSPS does not specifically include policy which details a prescribed housing mix but speaks to the provision of a mix of housing types [BW-32(a)]. Such an amendment is a substantive amendment and, as such, must be considered by Council through a full public hearing process.

**Existing Development Agreement**

Sub Area 5 of Bedford West is a 46.5 ha (115.1 acre) area of land which is regulated by an existing development agreement approved by North West Community Council on June 23, 2011. The existing agreement permits a mixed use commercial and residential subdivision with a variety of residential land uses. The agreement also permits approximately 200 low density dwelling units (single, semi-detached or townhouse) and approximately 491 high density dwelling units in a series of multiple unit dwellings.

Several non-substantive amendments to this agreement were approved by North West Community Council on November 16, 2015. These amendments specifically allowed for an increase in height for two multiple unit dwelling located on Amesbury Gate.

Under Section 6.11(e) of the existing development agreement, Council can consider a non-substantive amendment for the following:

“6.11 (g) Transfers of density into this agreement which do not affect the collection of Capital Costs or exceed an additional 1 unit per acre;”

### **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a Public Information Meeting was scheduled for December 8, 2014, however, no members of the public attended.

A public hearing must be held by North West Community Council before they can consider approval of the proposed amending development agreement. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

The proposed amending development agreement will potentially impact local residents, property owners and adjacent businesses.

### **DISCUSSION**

Staff has reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the Bedford West SPS. Attachment B provides an evaluation of the proposed development agreement in relation to the relevant MPS policies.

#### **Proposed Development Agreement**

Attachment A contains the proposed development agreement for the subject site and the conditions under which the development may occur. The proposed development agreement addresses the following matters:

- non-substantive amendments to permit the addition of 90 dwelling units to Sub Area 5, transferred from Sub Area 8; and
- substantive amendments to the housing mix to enable the transferred dwelling units to be constructed as multiple unit dwelling units.

The attached amending development agreement will permit construction of a maximum of 90 multiple unit dwelling units, subject to the controls identified above. Of the matters addressed by the proposed amending development agreement to satisfy the SPS criteria as shown in Attachment B, the following have been identified for detailed discussion.

#### **Transfer of Dwelling Units from Bedford West Sub Area 8**

As the development agreement for Bedford West Sub Area 8 has been approved and executed, Council may now enable the transfer of dwelling units to other Sub Areas such as Sub Area 5.

Bedford West SPS policies consider the possibility of transfers between areas within the Sub Areas of Bedford West. Policy BW-32(a) prescribes that up to an additional 1 unit per acre can be transferred to

any Sub Area. In this instance, 90 multiple unit dwelling units are proposed, and this within the 115 unit maximum permitted by policy.

Staff have reviewed the technical issues with the transfer of the dwelling units and have determined that there will not be any significant impact to the road, sewer or water infrastructure as Sub Area 5 uses the same service systems as Sub Area 8. The dwelling units are to be assigned to Block A-12 which is located in the northern corner of Sub Area 5. The impact of assigning these dwelling units to this site is that the building will likely be built to the maximum permitted height of nine storeys and within the design parameters of the existing development agreement.

#### Housing Mix

The current development agreement allows a maximum of 74 percent of the dwelling units to be within multiple unit dwellings and the applicant proposes to increase this to 80 percent. This increase is to partially accommodate the dwelling units transferred from Sub Area 8 but also to allow the applicant flexibility in the choice of lower density land uses by allowing permitting an increased lot width on low density residential (single unit, semi-detached, townhouse) lots. Given the advanced stage of development in Sub Area 5, it is likely that the number of multiple unit dwelling units will be below 80 percent.

While the proposal enables greater flexibility, there are no changes proposed to the amount of land allocated for lower density land uses and multiple unit dwellings. No changes are proposed which affect the requirements for construction of any land use, and the development form of the community remains generally unchanged from that which is currently permitted by the existing agreement and amending agreement.

#### Capital Cost Contributions

All development in Bedford West is subject to a Capital Cost Program under the Regional Subdivision By-law and a similar program by Halifax Water. The program funds a series of strategic infrastructure upgrades including transportation upgrades and sewer and water trunk services managed by Halifax Water. Future upgrades are planned in the greater Bedford West area and include future widening of portions of Larry Uteck Boulevard and other infrastructure such as traffic signals and/or round-a-bouts. These upgrades will happen in a staged manner depending on the rate of growth. Capital Cost Contribution Charges for Bedford West are paid by the Developer as part of the subdivision process and the Municipality contributes appropriately apportioned amounts where the benefit of the improvements are beyond the immediate subdivision.

The transfer of the 90 dwelling units will have a minor impact on the collection of the Capital Cost Charge (CCC), specifically in relation to the timing of the receipt of the payments to the Municipality. As the CCC is based on the acreage of land and is not based on density, the collection of the relevant CCC would not happen until the subdivision of the originating Sub Area takes place. It is anticipated that this would take place between 5 and 10 years in the future. As all CCC charges are factored to reflect future costs and respond to inflation, the CCC charges would increase over time. The net impact on the Municipality should be minimal as the factoring of the charge is intended to neutralize the costs of delayed payments.

Further, it is not anticipated that the transfer of the density from Sub Area 8 will reduce the density in the originating Sub Area to a point where development would not be practical or financially feasible.

#### **North West Planning Advisory Committee**

The North West Planning Advisory Committee (NWPAC) reviewed this application on January 7, 2015. The Committee recommended that North West Community Council approve the proposed development subject to consideration of the traffic impact, that the housing mix be clearly defined, and that the land use plan be maintained. A report from the PAC to Community Council will be provided under separate cover.

#### **Conclusion**

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the SPS. The proposed transfer of dwelling units is envisioned by Bedford West policy and staff advise they do not anticipate a resulting significant impact on the service systems for this community. Further, the proposed change in housing mix does not change the amount of land allocated for low density land uses nor do they affect the requirements for constructing any of the approved land uses. Therefore, staff recommend that the North West Community Council approve the proposed amending development agreement.

### **FINANCIAL IMPLICATIONS**

There are no budget implications. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this proposed amending development agreement. The administration of the proposed development agreement can be carried out within the approved 2016/2017 budget and with existing resources.

There are no long-term financial implications of the transfer of 90 dwelling units to Sub Area 5, assuming Sub Area 8 will fully develop within the foreseeable future, which is expected.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amending development agreement are contained within the Discussion section of this report.

### **ENVIRONMENTAL IMPLICATIONS**

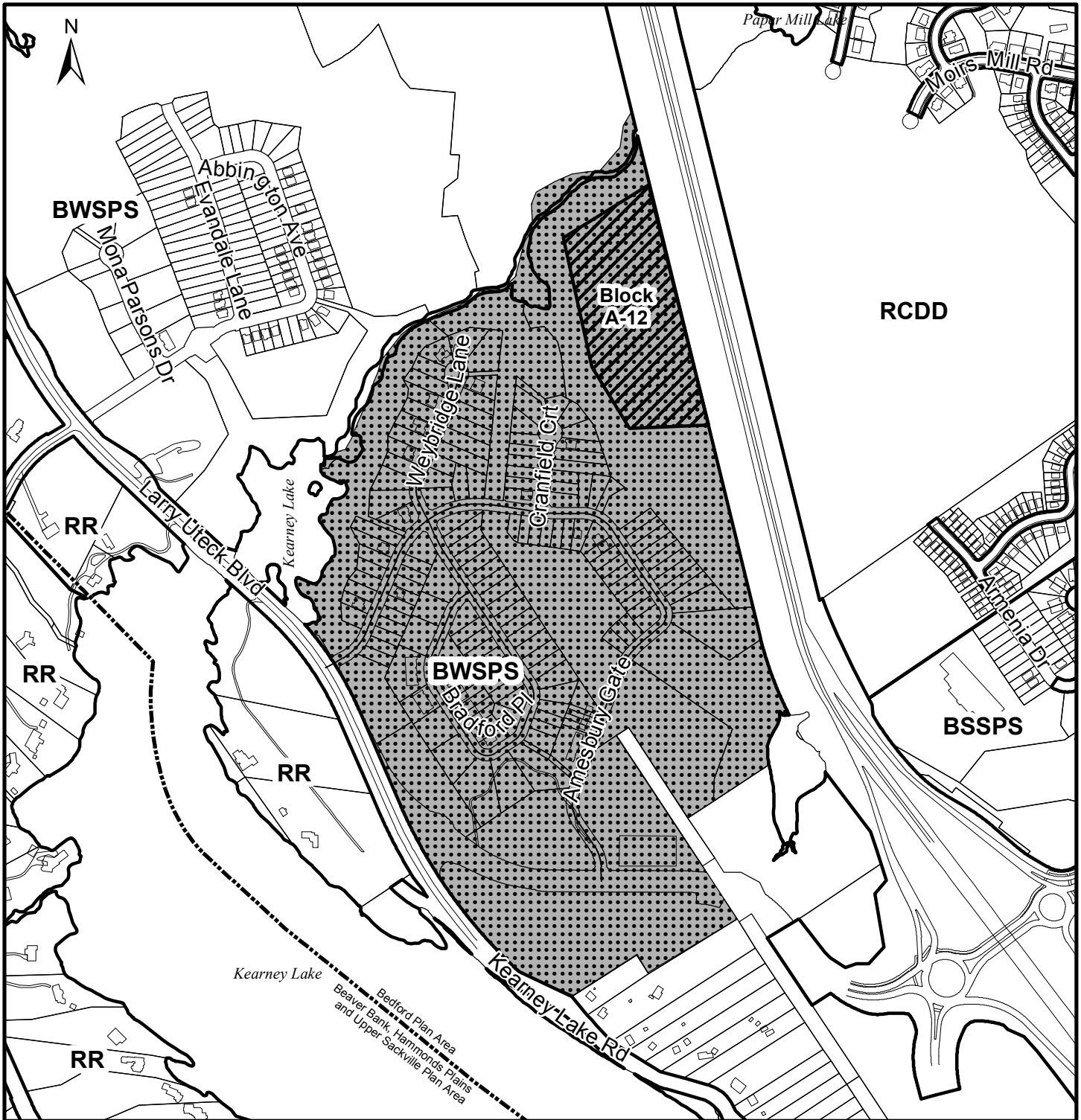
No environmental implications are identified.

### **ALTERNATIVES**

1. North West Community Council may choose to approve the proposed amending development agreement subject to modifications. Such modifications may require further negotiation with the applicant and may require a supplementary report or another public hearing. A decision of Council to approve this amending agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the HRM Charter.
2. North West Community Council may choose to refuse the proposed amending development agreement, and in doing so, must provide reasons why the proposed agreement does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed amending agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

### **ATTACHMENTS**







**Map 1 - Generalized Future Land Use**

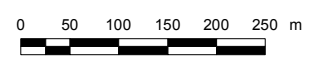
Sub-Area 5 Bedford West  
Bedford

**HALIFAX**

-  Subject Area 5
-  Block A-12

**Bedford Designations**

- RR Residential Reserve
- RCDD Residential Comprehensive Development District
- BWSPS Bedford West Secondary Planning Strategy
- BSSPS Bedford South Secondary Planning Strategy



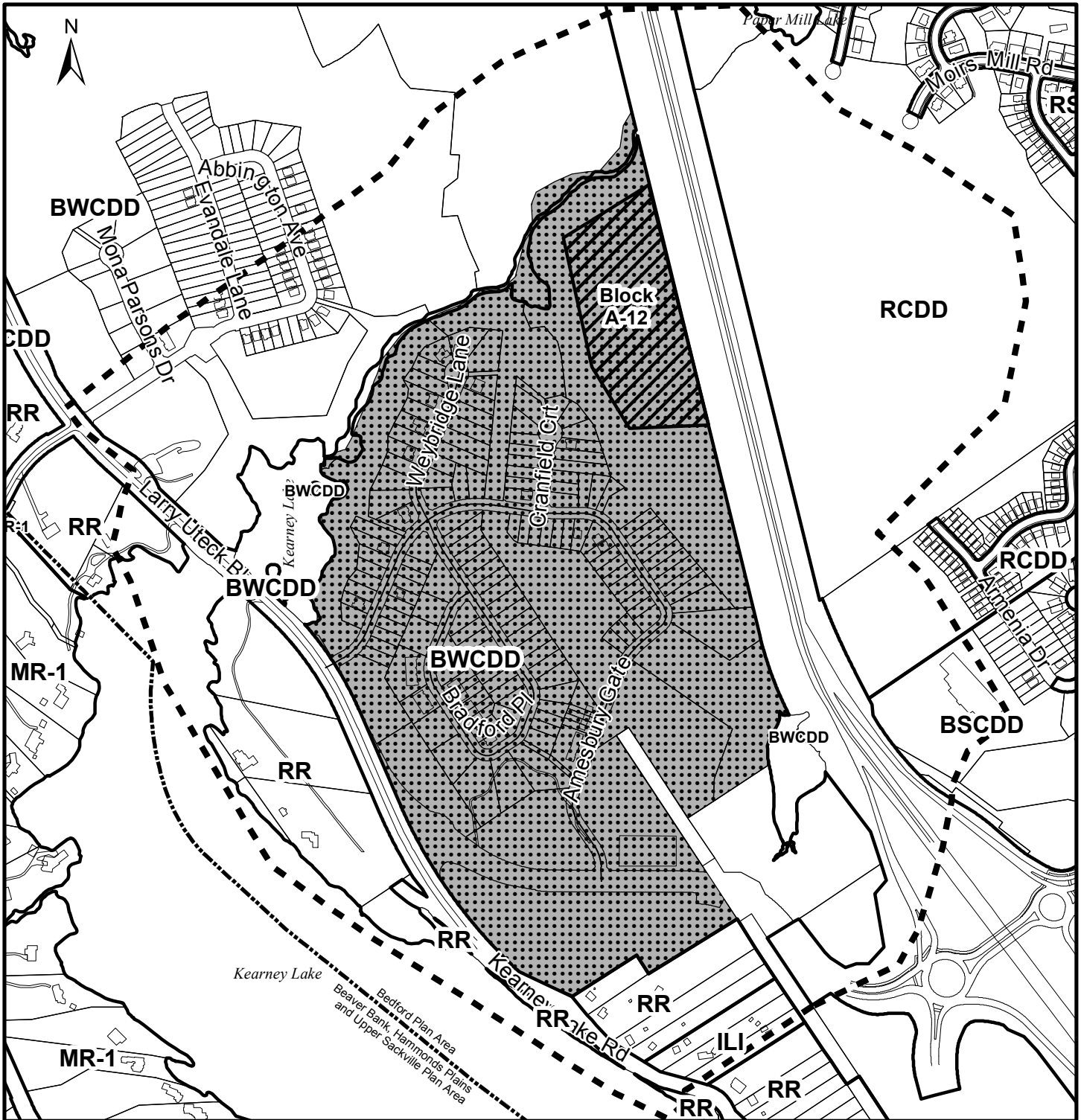
This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

**Beaver Bank, Hammonds Plains and Upper Sackville Designations**






- RR Rural Resource

Bedford  
Plan Area



## Map 2 - Zoning and Notification

Sub-Area 5 Bedford West  
Bedford

-  Subject Area 5
-  Block A-12
-  Area of notification
-  Bedford
-  Land Use By-Law Area

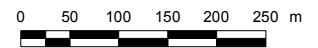
### Bedford Zones

- RSU Single Dwelling Unit
- RR Residential Reserve
- ILI Light Industrial
- RCDD Residential Comprehensive Development District
- BWCCD Bedford West Comprehensive Development District
- BSCDD Bedford South Comprehensive Development District

### Beaver Bank, Hammonds Plains and Upper Sackville Zones

- MR-1 Mixed Resource

**HALIFAX**



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

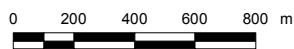
The accuracy of any representation on this plan is not guaranteed.





### Map 3 - Bedford West Sub Areas

 Bedford West Development Sub-Areas



The accuracy of any representation on this plan is not guaranteed.

**Attachment A**  
**Proposed Amending Development Agreement**

THIS AGREEMENT made this      day of **[Insert Month]**, 20\_\_\_,

BETWEEN:

**[Insert Name of Corporation/Business LTD.]**  
a body corporate, in the Province of Nova Scotia

OF THE FIRST PART

- and -

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

OF THE SECOND PART

WHEREAS the Developer is the registered owner of Lot WB-13R8 located at Amesbury Gate, Bedford and which said lands are more particularly described in Schedule A and illustrated in Schedule A-1 hereto (hereinafter called the "Lands");

**AND WHEREAS** the North West Community Council of the Municipality, at its meeting on 23rd day of June 2011, approved a development agreement to allow for residential and commercial subdivision on the Lands, and said Agreement is filed in the Land Registry as Document Number 101458348 (hereinafter called the "Existing Development Agreement");

**AND WHEREAS** the North West Community Council of the Municipality, at its meeting on 16th day of November 2015, approved an amending development agreement to allow for the increase in the heights of two buildings;

**AND WHEREAS** the North West Community Council of the Municipality, at its meeting on 29<sup>th</sup> day of February 2016, approved a corrected amending development agreement to allow for the increase in the heights of two buildings, and said Agreement is filed in the Land Registry as Document Number 109113929 (hereinafter called the "First Amending Agreement");

**AND WHEREAS** the North West Community Council of the Municipality, at its meeting on 13<sup>th</sup> day of June, 2016, approved a development agreement to permit a mixed use subdivision for Bedford West Sub Areas 7 and 8, and said Agreement is filed in the Land Registry as Document Number 109634718 (hereinafter called the "Existing Sub Area 7 and 8 Development Agreement");

*AND WHEREAS the Developer has requested that the Municipality enter into an amending development agreement to allow for the transfer of 90 dwelling units from*

*Sub Area 8 to Sub Area 5 and to alter the permitted housing mix pursuant to the provisions of the Halifax Regional Municipality Charter and pursuant to Policies of the Bedford West Secondary Planning Strategy and the Bedford Municipal Planning Strategy and Part 4, Section 3, Clause p) of the Bedford Land Use By-law;*

AND WHEREAS the North West Community Council for the Municipality approved this request at a meeting held on **[Insert - Date]**, referenced as Municipal Case Number 19625;

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

- 
1. The Existing Development Agreement shall be amended by deleting Schedule P and replacing it with Schedule P-1, attached as Schedule B to this agreement;
  2. The Existing Development Agreement shall be amended replacing all occurrences of the text "Schedule P" with "Schedule P-1".
  3. Section 3.3.2 of the Existing Development Agreement shall be deleted and replaced with the following:

"3.3.2 The number of dwelling units within Sub Area 5 as identified in Schedule B shall not exceed 691 units, plus 90 multiple unit dwelling units transferred from Sub Area 8 for a total of 781 dwelling units:

| Dwelling Type                           | Permitted Number of Units          |
|---|------------------------------------|
| Single Unit, Semi-Detached or Townhouse | minimum 19.7% of 781 (154 units)   |
| Multiple Unit                           | maximum 80.3% of 781 (627 units) " |

4. The Existing Development Agreement shall be amended by adding the following new clause after clause 4.4.7:

"4.4.7A Further to Clauses 4.4.6 and 4.4.7, a total of 90 multiple unit dwelling units from Sub Area 8 have been transferred in to Sub Area 5 with a total population of 203 additional persons. As a result, the Development Officer may permit the total population (density) of the lands to be increased from 2302 persons to 2505 persons."

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

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

**(Insert Registered Owner Name)**

\_\_\_\_\_  
Witness

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

\_\_\_\_\_  
Witness

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

**(Insert Registered Owner Name)**

\_\_\_\_\_  
Witness

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

\_\_\_\_\_  
Witness

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

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

**HALIFAX REGIONAL MUNICIPALITY**

\_\_\_\_\_  
Witness

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

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_  
MUNICIPAL CLERK

Schedule P-1 - Density Chart

| West Bedford                            |          | 24-Oct-16   |        |
|---|----------|---|--------|
| Sub Area 5                              |          | 115.1 Acres   |        |
| Road Name                               |          | Length in Meters                                      |        |
|   |          | 65' Lots 50-55' Lots 44'-55' Bung TH (22') Bung Condo |        |
| Road 5-A                                | 235      | 23  |        |
| Road 5-B                                | 665      | 30  | 44     |
| Road 5-C                                | 1076     | 54  | 11     |
| Road 5-D                                | 126      | 17  |        |
| BLOCK B                                 |          |   | 11     |
| Total Road Length                       |          | 2,102   |        |
| Total Low Density Units                 |          | 190   | 24.3%  |
| Total People                            |          |   | 636.5  |
| BLOCK A11                               | Units 67 | Height 6  | 150.75 |
| BLOCK D (commercial)                    | 3.5 acs  |   | 30     |
| BLOCK E                                 | 62       | 5   | 139.5  |
| BLOCK F                                 | 132      | 6   | 297    |
| BLOCK G                                 | 68       | 7   | 153    |
| BLOCK H                                 | 172      | 7 & 6   | 387    |
| BLOCK A12 (transferred units - Pending) | 90       | 9   | 202.5  |
| Multiple Residential                    |          | 75.67%  | 591    |
| Total Units                             |          | 781   | 0      |
| Density                                 |          | 6.79 upa  |        |
| Total Population                        |          | 2071  | 433    |
| Residual population                     |          |   |        |

**Attachment B**  
**Relevant Bedford West /SPS Policy**

| Policy Criteria   | Comment   |
|---|---|
| <p><b>Policy BW-14:</b> <i>The water distribution system shall conform with the recommendations of the Birch Cove North/Bedford West Water Master Infrastructure Plan (CBCL, 1999) and with the system schematics illustrated on Schedule BW-3 unless otherwise acceptable to the Halifax Regional Water Commission and no development shall be approved by the Municipality unless notified by the Commission that the proposed distribution system conforms with all design and operating specifications established.</i></p>   | <p>The existing agreement complies with these requirements. The proposed increase of 90 dwelling units (202 persons) is enabled by Policy BW-32.</p> <p>As Sub Area 5 uses the same trunk water system as Sub Area 8, there is no net increase in water flows and there are no technical issues with relocating the proposed dwelling units.</p>  |
| <p><b>Policy BW-15:</b> <i>The sanitary sewer system shall be designed in conformity with the schematics illustrated on Schedule BW-4 and in accordance with the Municipality's Service Systems Specifications, as amended from time to time. Sewage flow calculations, shall be based on an assumed occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling; 50 persons per acre for general commercial uses within the Community Commercial Centre shown on Schedule BW-7 or proposed within Sub-Area 9; and 40 persons per acre for mixed use business campus uses; and 30 persons per acre for local commercial, community facility and institutional uses.</i></p>  | <p>The existing agreement complies with these requirements. The proposed increase of 80 dwelling units (202 persons) is enabled by Policy BW-32.</p> <p>As Sub Area 5 uses the same trunk sewer system as Sub Area 8, there is no increase in sewer flows and there are no technical issues with relocating the proposed dwelling units.</p>  |
| <p><b>Policy BW-16:</b> <i>Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed to satisfy the following conditions:</i></p> <p>c) <i>For all other Sub-Areas or part thereof, a maximum density of 20 person per acre shall be permitted;</i></p>  | <p>The existing agreement complies with these requirements. The proposed increase of 90 dwelling units (202 persons) is enabled by Policy BW-32 and enables an increase of up to one unit per acre. Based on this increase, the total permitted population per acre would be approximately 21.75 persons per acre.</p>  |
| <p><b>Policy BW-20:</b> <i>A development Sub-Area plan is established for this secondary plan area as illustrated on Schedule BW-6 in which the following conditions shall apply:</i></p> <p>a) <i>Any approvals within Sub-Areas 1 to 12 will also be contingent upon availability of capacity within municipal service systems;</i></p> <p>b) <i>any development agreement entered into within Sub-Areas 2 to 8 and 12 shall include provisions for all new development intended within the Sub-Area;</i></p> <p>e) <i>no municipal approval for Sub-Area 5 will be given until development agreements have been entered into for Sub-Areas 2, 3 and 4 or Sub-Areas 2, 4 and 6 but nothing will preclude allowing development to commence before completion of Sub-Areas 2, 3, 4 or 6;</i></p> <p>g) <i>no development agreement shall be entered into for Sub-Areas 5 unless a servicing and phasing plan has been prepared and included in the agreement for the extension of municipal sewer and water services to both Sub-Areas 5 and 9.</i></p> | <p>a) The existing agreement complies with these requirements. No increase in flows are anticipated to the trunk service systems.</p> <p>b) The existing agreement complies with these requirements. No changes are proposed which affect these matters.</p> <p>e) Agreements have been entered into for Sub areas 2, 3 and 4.</p> <p>g) Municipal sewer and water has been extended to Sub Area 5.</p> |

| Policy Criteria   | Comment  |
|---|--|
| <p><b>Policy BW-23:</b> <i>The Community Concept Plan, presented as Schedule BW-7, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the community concept plan area and any development of the land shall be subject to approval of a development agreement. In the event that the lands allocated for the proposed Highway 113 right-of-way are not required by the Province for a highway, then the lands may be used for development permitted within the abutting land use designation.</i></p>   | <p>The existing agreement and proposed amendment complies with the land uses allocated in the Community Concept plan.</p>  |
| <p><b>Policy BW-24:</b> <i>To facilitate a variety of housing types and achieve both the overall density and open space allocations envisioned by the Regional Plan, consideration may be given to varying development standards established under the Bedford Municipal Planning Strategy and Land Use By-law. More specifically standards pertaining to lot area, lot frontage, lot coverage, setbacks and building height may be varied to reflect the uniqueness of each Sub-Area, the market being targeted and the theme of that Sub-Area.</i></p> <p><i>If required, terms may be incorporated in a development agreement to ensure functional and aesthetic objectives are achieved.</i></p>  | <p>The proposed changes do not affect these matters and all previously established land uses and the provisions for their development are maintained.</p>  |
| <p><b>Policy BW-32:</b> <i>The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation shown on Schedule BW-7:</i></p> <ul style="list-style-type: none"> <li>a) <i>the density of housing units shall not exceed six units per acre per Sub-Area except that if the maximum density permitted in one development Sub-Area is not achieved, the Municipality may consider transferring the difference between the maximum permitted and actual number of housing units to another development Sub-Area provided all policy criterion can be satisfied and the housing density does not exceed seven units per acre in any development Sub-Area;</i></li> <li>b) <i>community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops;</i></li> <li>c) <i>sidewalks and pathways facilitate comfortable and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services;</i></li> <li>d) <i>the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists;</i></li> <li>e) <i>a variety of housing types is provided within each Sub-Area and distributed so as to avoid a congested appearance of streetscapes. Consideration shall be given, but not limited, to</i></li> </ul> | <ul style="list-style-type: none"> <li>a) The existing agreement complies with these requirements. The proposal will increase the density to 6.79 units per acre.</li> <li>b) The existing agreement complies with these requirements. No changes are proposed which affect these matters.</li> <li>c) The existing agreement complies with these requirements. No changes are proposed which affect these matters.</li> <li>d) The existing agreement complies with these requirements. No changes are proposed which affect these matters.</li> <li>e) The existing agreement allocated and distributes the housing types throughout the subdivision. The transfer of dwelling unit in to the sub area will not</li> </ul> |

| Policy Criteria   | Comment  |
|---|--|
| <p><i>the design guidelines of policies R-12A, R-12B and R-12C of the Municipal Planning Strategy, although the limitations placed on building height and units per building under policy R-12A shall not be applied;</i></p> <p>f) <i>the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;</i></p> <p>g) <i>building locations, height, scale, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian safety and compatibility with the natural environment;</i></p> <p>h) <i>natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the on-site parking supply;</i></p> <p>i) <i>Vegetation is maintained or landscaping measures, a fence or other physical barrier provided so as to provide a buffer between new developments and commercial or industrial developments which is effective in ensuring public safety and mitigating visual or noise impacts;</i></p> | <p>create a congested streetscape and can be accommodated under the existing permitted development form. Even though there is a proposed increase in the number of dwelling units allocated to multiple unit dwellings, there is no increase in the amount of land allocated for multiple unit dwellings (32.7%). Further, there is no decrease in the amount of land allocated for low density development.</p> <p>f) The existing development agreement complies with these matters and the proposal does not include changes to the requirements for the placement of buildings. The proposed increase in flexibility of low density housing type will not significantly affect these matters.</p> <p>g) The existing agreement complies with these requirements. No changes are proposed which significantly affect these matters.</p> <p>h) The existing agreement complies with these requirements. No changes are proposed which affect these matters.</p> <p>i) The existing agreement complies with these requirements. No changes are proposed which affect these matters.</p> |