



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

Item No.
Halifax and West Community Council
January 23, 2018

TO: Chair and Members of the Halifax and West Community Council

SUBMITTED BY: Original signed
Kelly Denty, Acting Director, Planning and Development

DATE: December 7, 2017

SUBJECT: **Case 19532 (Part 1): Discharging Existing Development Agreements & Partial Rezoning to Schedule 'K' - The Mainland Common Area, Halifax**

ORIGIN

Application by WM Fares Architects, on behalf of the Septra Incorporated and Halifax Regional Water Commission, to enable a mixed-use development consisting of residential and commercial uses in the lands surrounding the Mainland Common in Clayton Park.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.

RECOMMENDATION

It is recommended that Halifax and West Community Council:

1. Approve, by resolution, the proposed discharging agreement of the Stage I and Stage II development agreements for Parcel 2, which shall be substantially of the same form as set out in Attachment A ;
2. Approve, by resolution, the proposed discharging agreement of the Stage I development agreement for Parcel 3, which shall be substantially of the same form as set out in Attachment B;
3. Require both discharging agreements be signed by the property owner(s) within 120 days, or any extension thereof granted by Council on request of the property owner(s), 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;
4. Give First Reading to consider approval of the proposed rezoning, as set out in Attachment C, to rezone a portion of Parcel 2 from I-2 (Radio Transmitter) Zone to Schedule 'K' Zone, and schedule a public hearing; and

5. Adopt the amendment to the Halifax Mainland Land Use By-law, as set out in Attachment C.

BACKGROUND

WM Fares Architects, on behalf of Septra Incorporated and the Halifax Regional Water Commission (Halifax Water), is applying to allow for a mixed-use development consisting of residential and commercial uses on a site located on the Mainland Common area in Clayton Park (Map 1). The site consists of three large parcels, along Regency Park Drive and Washmill Lake Drive and abut the Mainland Common, Halifax. As the proposal cannot be enabled as-of-right under the existing zoning applied to the lands, the applicant has submitted a proposal which has been broken into two-parts:

Part 1

- a) Discharge existing Stage I and Stage II development agreements applied to Parcels 2 and 3 (Maps 1, 4 and 5); and
- b) Rezone a portion of the site located to the east and identified as Parcel 2 from I-2 (Radio Transmitter) Zone to Schedule 'K' (Maps 1 and 3, and Schedule A).

Part 2

- c) Enter into a Stage I development agreement for a comprehensive development district development, as per the provisions of the Halifax Mainland Land Use By-law (LUB) for developments under Schedule 'K' (Attachment H); and
- d) Enter into Stage II development agreements, which will set out the details for the proposed development on a phase-by-phase basis.

Due to the complex and technical nature of the proposal and the associated planning process, this report will only address Part 1 of the proposal. A subsequent, and separate staff report, will provide details, policy analysis and recommendations for Part 2, which will address the conceptual master plan under Schedule 'K' through the Stage I development agreement process.

	Parcel 1 (PID No. 00330845)	Parcel 2 (PID No. 40550774)	Parcel 3 (PID No. 41177403)
Location (Map 1)	Clayton Park Area	Clayton Park Area	Clayton Park Area
Regional Plan Designation	Urban Settlement (US)	Urban Settlement (US)	Urban Settlement (US)
Community Plan Designation (Map 2) <i>Halifax Municipal Planning Strategy (MPS)</i>	Residential Environments	Residential Environments	Residential Environments
Zoning (Map 3) <i>Halifax Mainland Land Use By-law (LUB)</i>	Schedule 'K'	Schedule 'K' and I-2 (Radio Transmitter) Zone	Schedule 'K'
Existing Development Agreement (DA) (Maps 4 and 5)	N/A	Stage I & Stage II DA <i>(Planning Case 7281)</i>	Stage I DA <i>(Planning Case 01304)</i>
Current Land Uses(s)	Vacant	Fairview Hills Golf Range	Vacant

Surrounding Use(s)	<ul style="list-style-type: none">• To the North of the subject site, surrounding uses include commercial uses and low density residential uses.• To the East of the subject site, surrounding uses include mainly low-density residential uses (Mount Royal Subdivisions).• To the South of the subject site, surrounding uses include multiple-unit buildings.• To the West of the subject site, surrounding uses include mainly a mixture of low-density and high-density residential uses, and commercial uses.• The subject site is located between two green spaces which include the Geizer Hill Trail and the Mainland Common. The site is also within close proximity to various community facilities such as the Keshan Goodman Library, the Canada Games Centre and the Lacewood Metro Transit.
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Proposal Details

The applicant proposes a mixed-use subdivision development consisting of:

- residential uses such as townhouses and multiple unit dwellings;
- a variety of commercial uses such as restaurants, retail or office uses;
- community facility uses, such as churches or daycare facilities; and
- parkland uses.

For information purposes, Attachment G illustrates the proposed master plan for the development. Council should note that more details regarding the proposed land uses, building design, park dedication and other elements of the development will be provided and discussed under Part 2 of the request should Council approved the request to rezone the lands to Schedule K.

Existing Development Agreements

Currently, there are Stage I and Stage II development agreements that apply to Parcels 2 and 3. Before Council can consider any new development agreement on the site, the existing agreements must be discharged. Details of the existing agreements are as follows:

1. Case 7281: In 1995-1996, the former City of Halifax held a public hearing and approved a Stage I and Stage II development agreement to permit for a golf course/range use and the associated buildings. This agreement applies to Parcel 2 (Map 4).
2. Case 01304: In 2010, the former Chebucto Community Council held a public hearing and approved the Stage I development agreement for Clayton Park West Phase 5. This agreement also applies to Parcel 3 (Map 5), lands owned by Halifax Water. Planning records indicate that other lands of Halifax Water which were germane to the Stage I development agreement included Parcel 3 but the agreement does not contemplate any development rights or restrictions on these lands, nor were they incorporated as part of the allocated density calculations for the Clayton Park West Phase 5 development.

Land Use By-law Context

The I-2 (Radio Transmitter) Zone applies to a portion of Parcel 2, and allows for radio or television transmitter stations and accessory uses. The Schedule 'K' Zone applies to the other parcels (Map 3). It allows for the consideration of a comprehensive development district development through Stage I and Stage II development agreements.

Enabling Policy

The 'Residential Environments' designation under the Halifax MPS, which applies to the site and majority of the Mainland North area, allows for consideration of a variety of residential zones and uses provided applicable policy criteria is met.

Attachment D contains a copy of the applicable policy from the Halifax MPS (for Part 1 of the proposal), and Attachment E contains the Schedule 'K' provisions from the Halifax Mainland Land Use By-law (LUB).

COMMUNITY ENGAGEMENT

The community engagement process for this application is consistent with the intent of the HRM Community Engagement Strategy. The level of engagement on all parts of the request, consisting of the rezoning and Stage I development agreement, was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area (Map 3) and a public information meeting held on December 3, 2014. The public meeting provided information on the rezoning request and the details of the Stage I development agreement.

Attachment F contains a copy of the minutes from the meeting. The public comments received can be grouped under the following topics:

- Existing infrastructure and traffic issues, including the importance of establishing the connection to Regency Park Drive;
- Parking;
- Parklands and trails;
- Potential interference to cellular services; and
- Privacy concerns from the residents of Mount Royale Subdivision.

As stated previously, two separate public hearings must be held by Halifax and West Community Council. The first public hearing is required for the consideration of the partial rezoning of Parcel 2 to Schedule 'K'. A second public hearing must be held by Community Council before they can consider approval of the proposed Stage I development agreement once the existing development agreements are discharged by resolution, and the Schedule 'K' Zone is in effect.

The rezoning and Stage I development agreement proposal will potentially impact the following stakeholders: local residents and property owners, community or neighbourhood organizations, and businesses.

DISCUSSION

Staff has reviewed the proposal in accordance with relevant policies contained in the City-wide Objectives and Policies Section of the 'Residential Environments' Designation, and advise that it is reasonably consistent with the intent of the MPS. Attachments A, B and C contain the proposed discharging agreements and the proposed rezoning. Attachment D provides an evaluation of the rezoning in relation to the relevant MPS policies.

The following matters have been identified for more detailed discussion:

Discharge of Existing Development Agreements

Before Council can consider the proposed development under Schedule 'K', all existing Stage I and Stage II development agreements must be discharged.

Golf Course/Range Use (Planning Case 7281)

Under the existing Stage I and Stage II development agreements, Parcel 2 was developed as a golf course/range use and included accessory buildings (Map 4). The course/range was created in the late 1990s, and as such, met the intent of the existing development agreement.

In preparation for the proposed subdivision development, the applicant has confirmed that the current golf course use, Fairview Hills Golf Range, will cease once the development agreement is discharged. Since the golf course/range use is not permitted within the underlying zone (Schedule 'K'), the business cannot resume after it ceases to operate.

Clayton Park Subdivision – Phase 5 (Planning Case 01304)

This agreement applies to Parcel 3 and refers to it as Block H. The existing agreement states that Block H is to remain under the ownership of the Municipality and is not for development. Council should note that the current development agreement does not contemplate any development rights or restrictions on this parcel, nor is the parcel incorporated in the allocated density calculations for the Clayton Park West Phase 5 development.

Further, Section 7.4.2(d) of the existing development agreement specifies that Council may discharge the agreement on the condition that the developer's rights under the agreement are preserved and Council shall apply appropriate zoning pursuant to the Halifax MPS and Halifax Mainland LUB. As such, discharging Parcels 2 and 3 from all existing development agreements does not pose a conflict with the MPS as it enables both as-of-right and discretionary development approvals. Therefore, it is recommended that Halifax and West Community Council approve, by resolution, the proposed discharging agreements to the Stage I and Stage II development agreements for Parcels 2 and 3, as provided in attachments C and D of this report.

The Halifax Regional Municipality Charter provides Council with a mechanism to discharge development agreements. Part VIII, Section 244, identifies that Council may discharge a development agreement, in whole or in part, in accordance with the terms of the agreement or with the concurrence of the property owner. The Charter does not require a public hearing for the discharge of an agreement or a portion thereof. A development agreement may be discharged by resolution of Halifax and West Community Council.

LUB Amendment/Rezoning to Schedule 'K'

The site is located within a predominantly residential area, and with a great potential for a variety of residential uses and zones to be considered on the property. Most of the surrounding subdivisions in the area, such as Clayton Park (phases 1-5), Mount Royale and Rockingham South, were developed under City-Wide Policies and Schedule 'K' Policies (Implementation Policy 3.3) of the Halifax MPS. The intent of Schedule 'K' is to enable Community Council the consideration of mixed-use developments on vacant land in the Mainland North area. This approach allows for incorporating appropriate land use controls and framework for a well-planned development.

As the I-2 zoned portion of Parcel 2 will no longer be utilized for transmission tower purposes, the Schedule 'K' Zone is the most appropriate zone to apply to this property. The rezoning will provide an opportunity to ensure the site is developed with proper land use regulations to create appropriate transition between existing and proposed uses.

The Halifax MPS contains criteria that enables Community Council consideration of a residential development through the rezoning process. Council may consider altering the development rights of the industrial-zoned portion of Parcel 2 to the Schedule 'K' Zone in accordance with Policies 2.1, 2.1.2, 2.2 and 2.4 found in Part II, Residential Environments.

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal reasonably carries out the intent of the MPS. Discharging Parcels 2 and 3 from existing Stage I and Stage II development agreements, and rezoning a portion of Parcel 2 to Schedule 'K' Zone is consistent with the intent, objectives and policies of the MPS. Therefore, staff recommend that the Halifax and West Community Council approve the proposed LUB amendment and the discharge of the agreements as set out in Attachments A and B.

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 discharging agreement.

The administration of the proposed discharging agreement can be carried out within the approved 2017/2018 C310 Planning Applications budget and with existing resources.

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 Nova Scotia Utility and Review Board. Information concerning risks and other implications of rezoning and adopting the proposed Discharging Agreements are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

Discharging Existing Development Agreement (Parcel 2) – Resolution by Council

1. Halifax and West Community Council may choose to refuse the proposed discharge of the Stage I and Stage II development agreements for Parcel 2. A decision of Community Council to refuse to discharge a development agreement is appealable to the NS Utility and Review Board as per Section 262 of the *HRM Charter*.

Discharging Existing Development Agreements (Parcel 3) – Resolution by Council

1. Halifax and West Community Council may choose to refuse the proposed discharge of the Stage I development agreements for Parcel 3. A decision of Community Council to refuse to discharge a development agreement is appealable to the NS Utility and Review Board as per Section 262 of the *HRM Charter*.

Rezoning (Parcel 2) – Decision by Council

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

ATTACHMENTS

Map 1	Site Plan
Map 2	Generalized Future Land Use
Map 3	Zoning and Notification
Map 4	Golf Range Development Agreement (Planning Case No. 7281)
Map 5	Clayton Park Phase 5 Stage I Development Agreement

(Planning Case No. 01314)

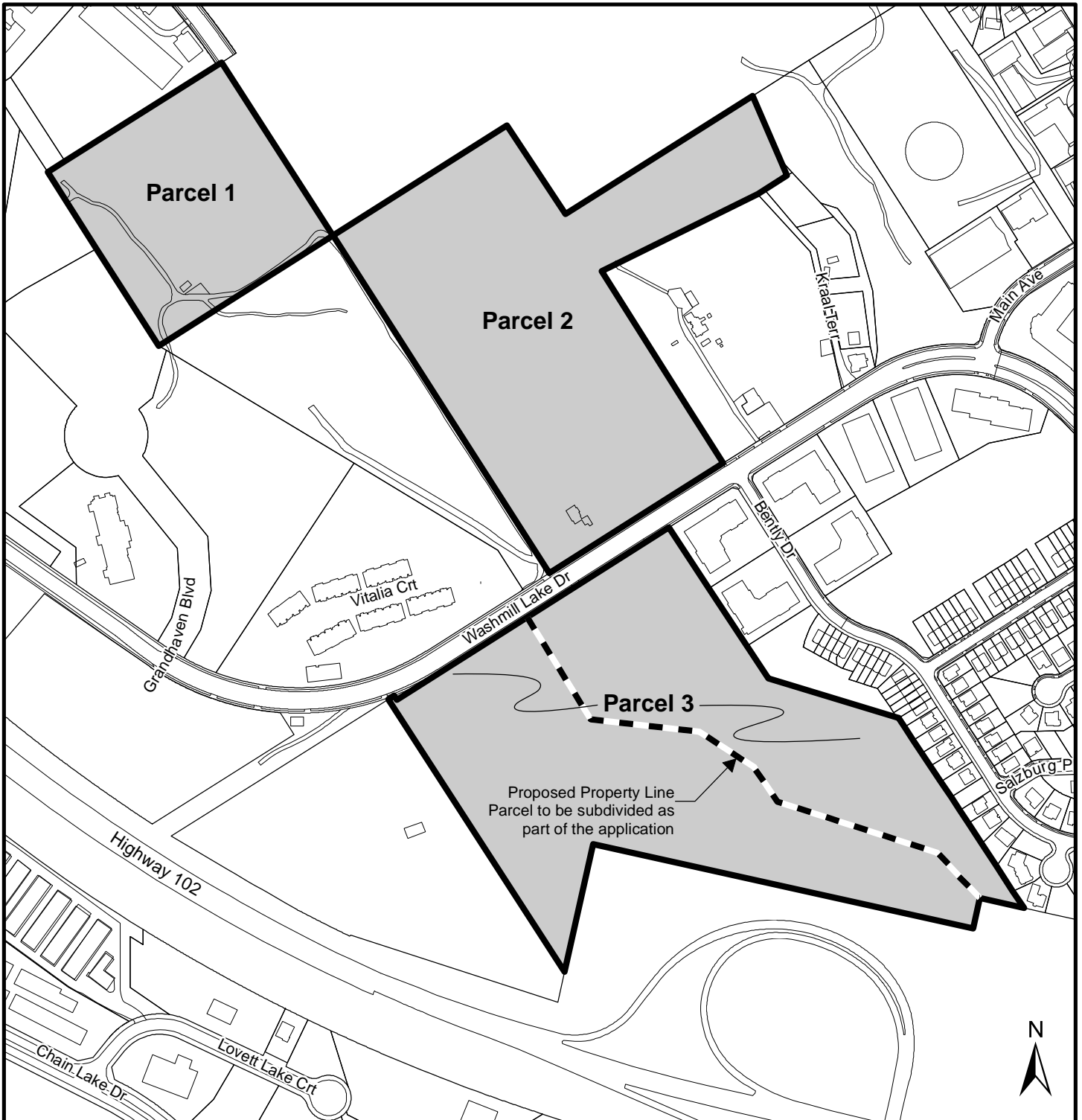
Attachment A	Proposed Stage I and Stage II Discharging Agreement (Parcel 2)
Attachment B	Proposed Stage I Discharging Agreements (Parcel 3)
Attachment C	Proposed Amendment to the Halifax Mainland Land Use By-law - <i>Schedule A - Rezoning from I-2 (Radio Transmitter) Zone to Schedule 'K'</i>
Attachment D	Review of Relevant Policies of the Halifax Municipal Planning Strategy
Attachment E	Excerpt from the Halifax Mainland Land Use By-law
Attachment F	Public Information Meeting Minutes
Attachment G	Proposed Development Master Plan

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Dali Salih, Planner II, Current Planning, 902.490.1948

Report Approved by: Original signed


Carl Purvis, Planning Applications Program Manager, 902-490-4797

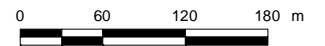


Map 1 - Site Plan

Mainland Common Development
Washmill Lake Drive, Halifax

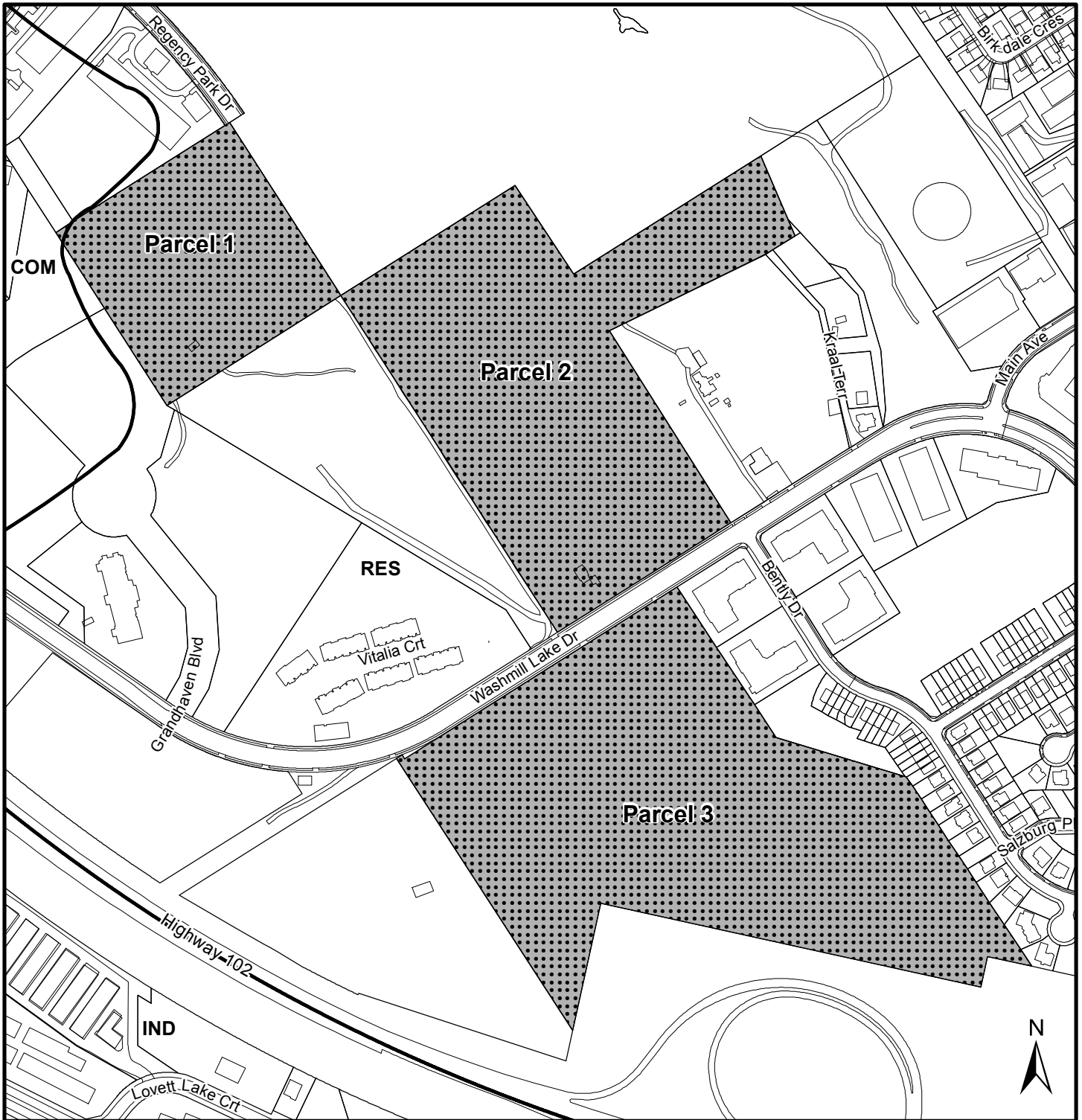
HALIFAX

 Subject Site



Halifax Plan
Area


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this plan is not guaranteed.



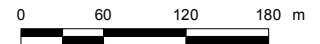
Map 2 - Generalized Future Land Use

Mainland Common Development
Washmill Lake Drive, Halifax

HALIFAX

 Subject Site

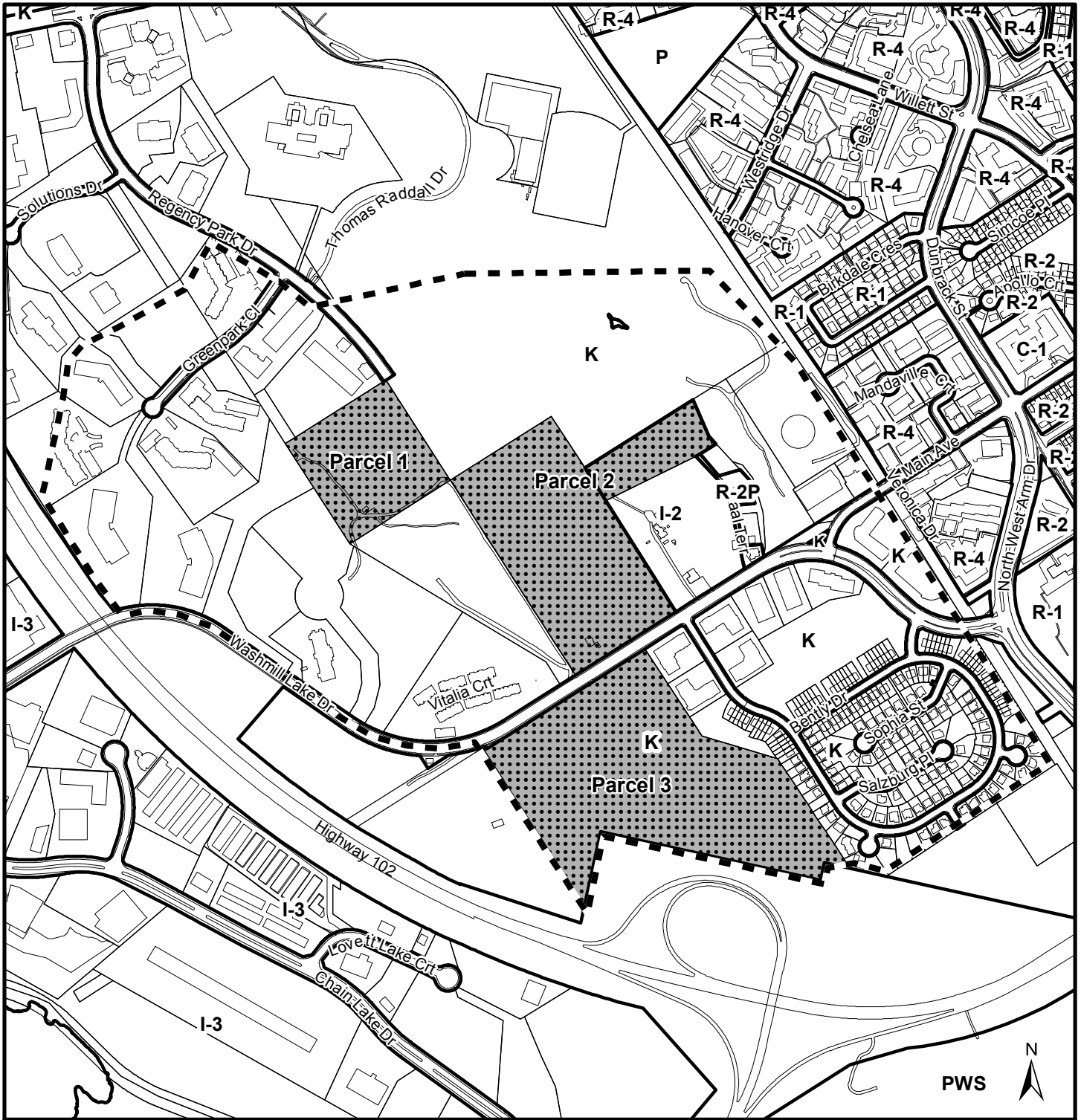
Designations
 RES Residential Environments
 COM Commercial
 IND Industrial



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.

Halifax Plan Area



Map 3 - Zoning and Notification

Mainland Common Development
Washmill Lake Drive, Halifax

-  Subject Site
-  Area of Notification

Halifax Mainland
Land Use By-Law Area

Zones

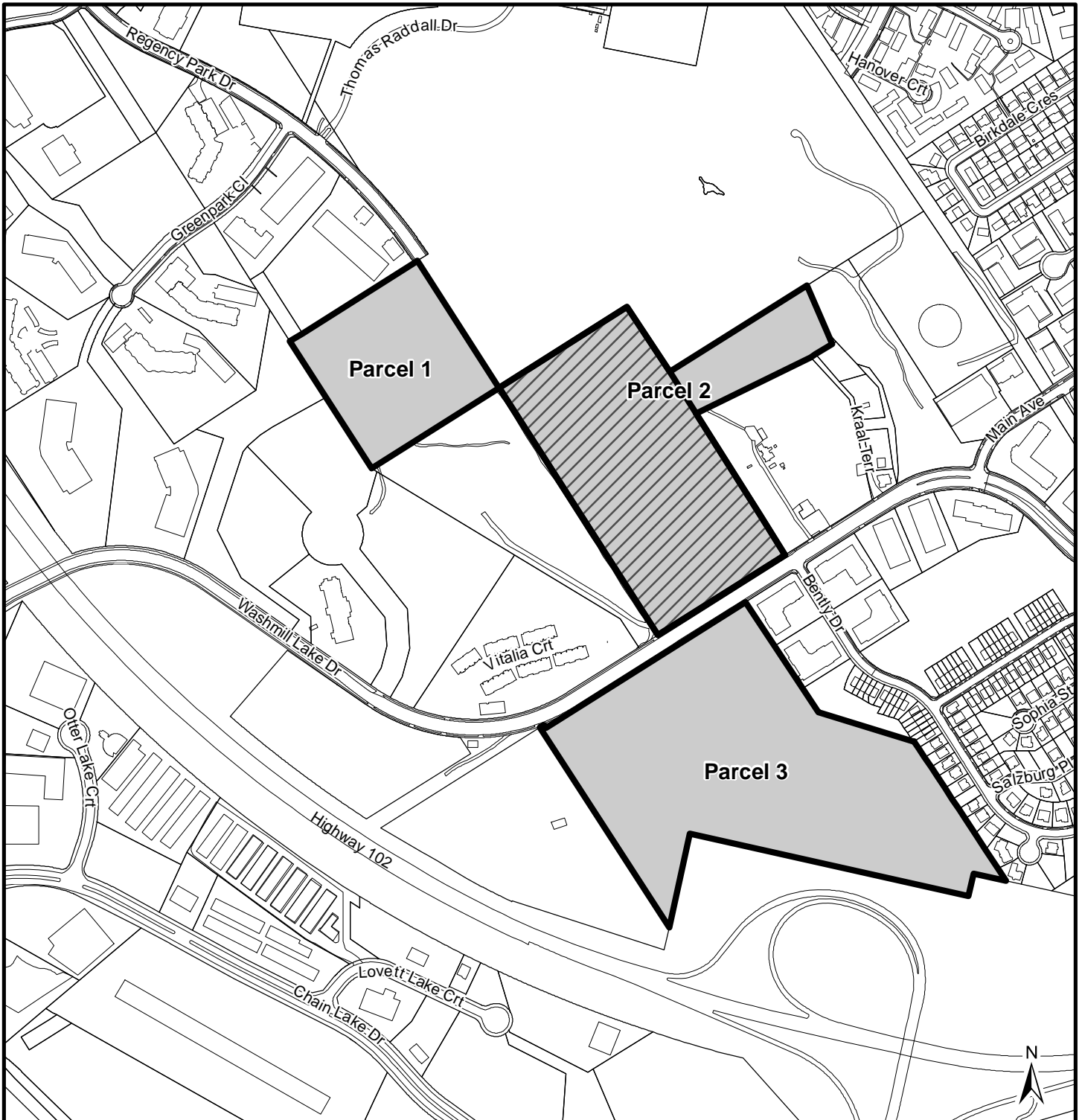
- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-2P General Residential
- R-4 Multiple Dwelling
- C-1 Local Business
- I-2 Radio Transmitter
- I-3 General Industrial
- P Park and Institutional
- PWS Protected Water Supply
- K Schedule K

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 4 - Golf Range Development Agreement (Case 7281)

Mainland Common Development
Washmill Lake Drive, Halifax

-  Subject Site
-  Golf Range Development Agreement (Case 7281)

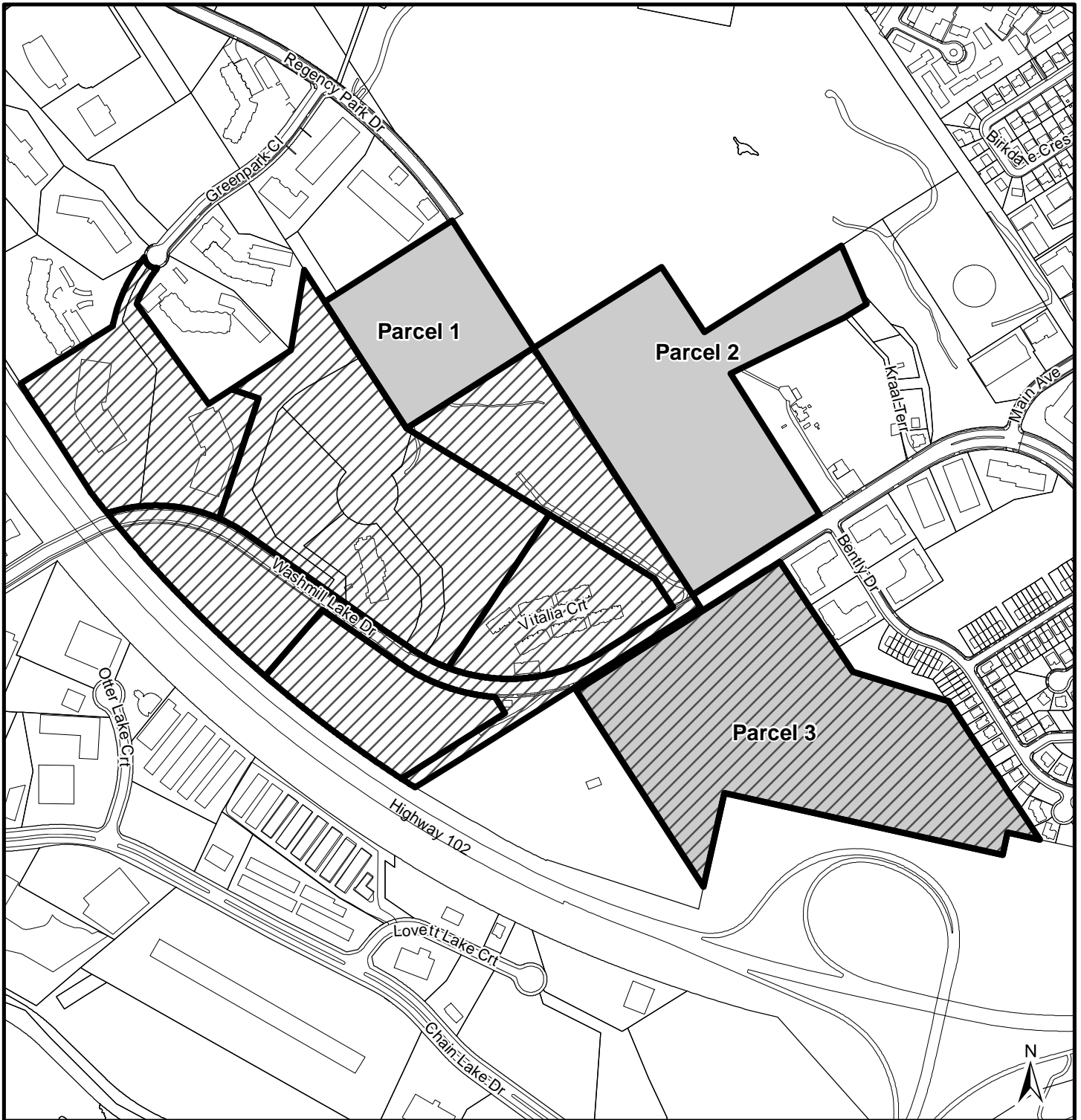
HALIFAX

Halifax Plan
Area

0 60 120 180 240 m



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

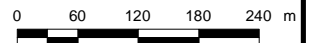


**Map 5 - Clayton Park West Phase 5
Stage I Development Agreement (Case 01304)**

HALIFAX

Mainland Common Development
Washmill Lake Drive, Halifax

-  Subject Site
-  Clayton Park West Phase 5 Development Agreement (Case 01304)



Halifax Plan
Area

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

ATTACHMENT A

Proposed Stage I and Stage II Discharging Agreement (Parcel 2)

THIS DISCHARGING AGREEMENT made this day of **[INSERT MONTH]**, 20___,

BETWEEN:

[INSERT Name of Corporation/Business LTD.]
a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

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 certain lands located at PID No. 40550774, Halifax, and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the former City of Halifax Council of the Municipality approved a Stage I and Stage II Development Agreement to construct a golf centre at Geizer Hill, Halifax (Municipal Case No. 7281), which said Development Agreement was registered at the Halifax County Registry of Deeds on April 4, 1996 as Document Number 12552 located in Book Number 5856 at Pages (443 to 448) (hereinafter called the "Existing Agreement");

AND WHEREAS the Developer has requested that the Existing Agreement be discharged from the Lands;

AND WHEREAS, pursuant to the procedures and requirements contained in the *Halifax Regional Municipality Charter*, the North West Community Council of the Municipality approved this request by resolution at a meeting held on **[INSERT - date]**, referenced as **Municipal Case Number 19532**;

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

1. The Existing Agreement is hereby discharged as it applies to the Lands and shall no longer have any force or effect.
2. Any future development of the Lands shall conform with all applicable provisions and requirements of the Halifax Mainland Land Use Bylaw, as amended from time to time.

IN WITNESS WHEREOF 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

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

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that _____, _____ of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ the subscribing witness to the foregoing indenture who being by me sworn, made oath, and said that Mike Savage, Mayor and Kevin Arjoon, Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

ATTACHMENT B

Proposed Stage I Discharging Agreements (Parcel 3)

THIS DISCHARGING AGREEMENT made this day of **[INSERT MONTH]**, 20___,

BETWEEN:

[INSERT Name of Corporation/Business LTD.]
a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

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 certain lands located at PID No. 41177403, Halifax, and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the former Chebucto Community Council of Municipality approved a Stage I Development Agreement with Clayton Developments Limited, and The Shaw Group Limited, and Halifax Regional Water Commission to allow for the primary design and planning of a mixed commercial / residential development (Clayton Park West Phase 5) on January 4, 2010 (Municipal Case No. 01304), which said Development Agreement was registered at the Halifax County Land Registration Office on March 30, 2010 as Document No. 95611076 (hereinafter called the "Existing Agreement"), and which applies to the Lands;

AND WHEREAS the Developer has requested that the Existing Agreement be discharged from the Lands;

AND WHEREAS, pursuant to the procedures and requirements contained in the *Halifax Regional Municipality Charter*, the North West Community Council of the Municipality approved this request by resolution at a meeting held on **[INSERT - date]**, referenced as Municipal Case Number 19532;

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

1. The Existing Agreement is hereby discharged as it applies to the Lands and shall no longer have any force or effect.
2. Any future development of the Lands shall conform with all applicable provisions and requirements of the Halifax Mainland Land Use Bylaw, as amended from time to time.

IN WITNESS WHEREOF 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

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

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that _____, _____ of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ the subscribing witness to the foregoing indenture who being by me sworn, made oath, and said that Mike Savage, Mayor and Kevin Arjoon, Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

ATTACHMENT C

Proposed Amendment to the Halifax Mainland Land Use By-law

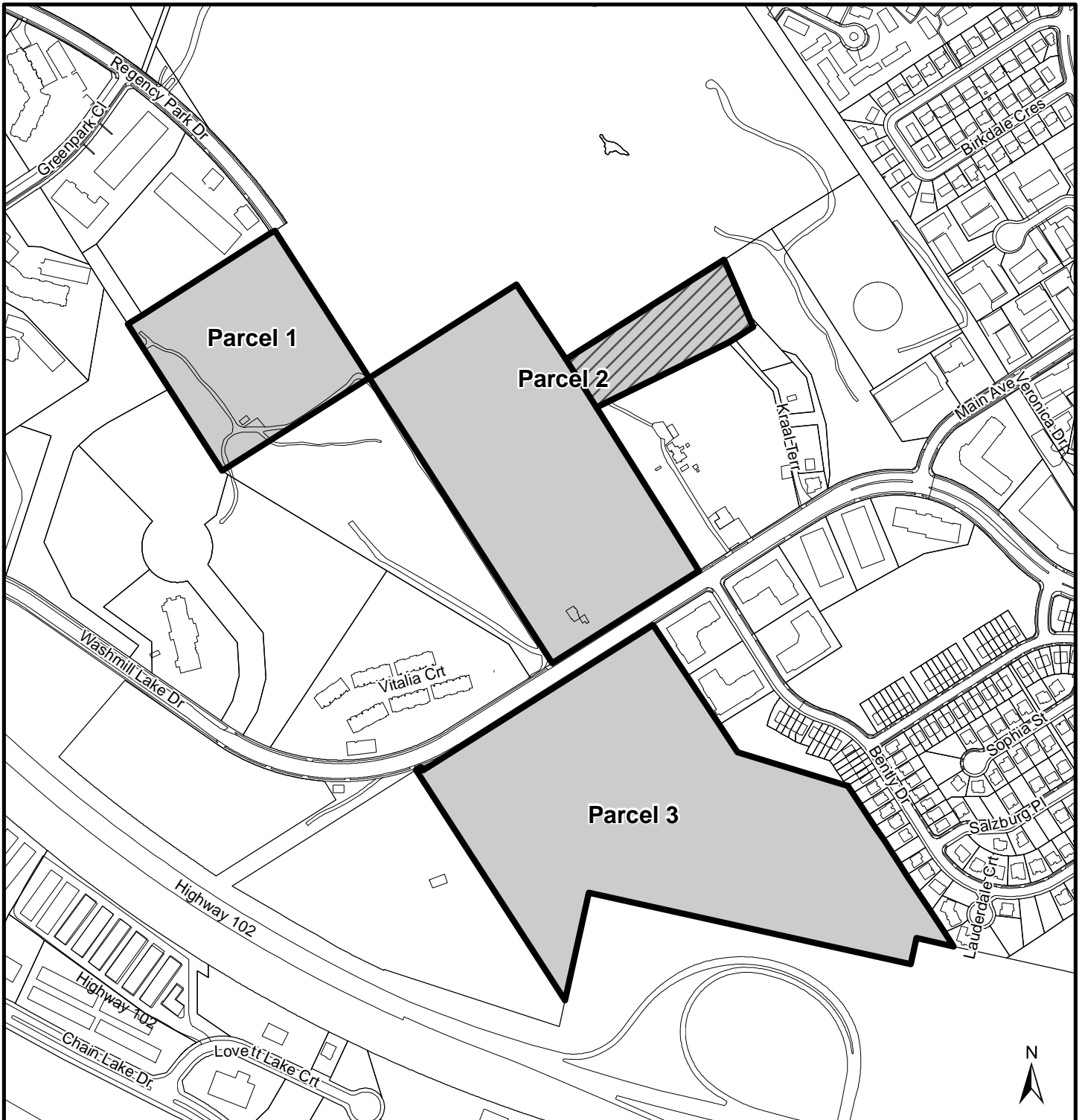
BE IT ENACTED by the Halifax and West Community Council of the Halifax Regional Municipality that the Halifax Mainland Land Use By-law is hereby further amended as follows:

1. Map ZM-1 – Zoning is amended by rezoning the lands shown on Schedule A attached hereto from I-2 (Radio Transmitter) to Schedule 'K'

THIS IS TO CERTIFY that the amendment to the Halifax Mainland Land Use By-law, as set out above, was duly passed by a majority vote of the Halifax and West Community Council of Halifax Regional Municipality held on the day of _____, 2018.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this ____day of _____, 2018.



Municipal Clerk



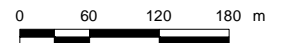
Schedule A - Rezoning from I-2 (Radio Transmitter) Zone to Schedule 'K'

Mainland Common Development
Washmill Lake Drive, Halifax

HALIFAX

-  Subject Site
-  Lands to be rezoned from I-2 (Radio Transmitter) to Schedule 'K'

Halifax Plan
Area



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

ATTACHMENT D

Review of Relevant Policies from the Halifax MPS and Halifax Mainland LUB

Halifax Municipal Planning Strategy (MPS)	
Section II – City Wide Objectives and Policies	
Part 1: Economic Development	
Applicable Policies	Staff Comments
<p>1.2 <i>The City should strive to expand its tax base so that it can maintain its tax rates at levels that are competitive with other municipalities of the region.</i></p>	<p>This policy is not applicable to the proposal.</p>
<p>1.2.1 <i>The City should seek to provide municipal services commensurate with the capacity of its tax base and the high standard of living and working environments essential to encourage growth and change.</i></p>	<p>This policy is not applicable to Part 1 of the proposal.</p>
<p>1.2.2 <i>In considering new development regulations and changes to existing regulations, and development applications, the City shall give consideration of any additional tax revenues or municipal costs that may be generated therefrom.</i></p>	<p>The impact of discharging of existing development agreements (Parcels 2 and 3) and the partial rezoning (Parcel 2) to Schedule 'K' on the tax base is limited to an increase in the overall site value and tax. Once all parcels are consolidated, the Schedule 'K' Zone will enable future consideration for a mixed-use development consisting of different housing types.</p> <p>Municipal costs are those normally associated with service delivery to residential neighbourhoods. As such, there is no concern relative to this policy.</p>
<p>1.2.3 <i>Pursuant to Policy 1.2.2, the City shall investigate techniques of assessing the fiscal effects of its actions and shall consider the adoption of uniform methods where justified and appropriate.</i></p>	<p>This policy is not applicable to the proposal.</p>
Part 2: Residential Environments	
<p><u>Objective:</u> The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.</p>	
Applicable Policies	Staff Comments
<p>2.1 <i>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.</i></p>	<p>The site is currently not serviced. However, as part of this application, a Traffic Impact Study and an analysis of sewer and sanitary services were completed. Both documents were reviewed by Development Engineering and Halifax Water, and deemed acceptable.</p> <p>As noted in the Staff Report, this report only addresses the discharging of existing development agreements (Parcels 2 and 3) and the partial rezoning (Parcel 2) to Schedule 'K'. Subsequent staff reports will follow to provide details and recommendations on Part 2 of the application, which will address the development proposal under</p>

	Schedule 'K'.
2.1.2 <i>On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned-unit development zone subsequent to the adoption of this Plan.</i>	<p>Rezoning a portion of Parcel 2 to Schedule 'K' will enable Council to consider a mixed-use development through Schedule 'K' policy by way of a Stage I and Stage II development agreement.</p> <p>The intent of Schedule 'K' policy and mechanism is to allow for a comprehensive development for vacant properties in Mainland North. Through this approach provisions can be included to ensure the new development complements the existing development in the area and provides a framework for a well-planned mixed-use development.</p>
2.2 <i>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.</i>	<p>This policy is not applicable to Part 1 of the application.</p> <p>Policy 3.1 – Repealed Policy 3.2 – N/A</p>
2.3 <i>The City shall investigate alternative means for encouraging well-planned, integrated development.</i>	This policy is not applicable to Part 1 of the application.
2.3.1 <i>The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such development which may become obsolete.</i>	This policy is not applicable to Part 1 of the application.
2.3.2 <i>Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.</i>	This policy is not applicable to Part 1 of the application.
2.4 <i>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.</i>	<p>Rezoning a portion of Parcel 2 to Schedule 'K' will enable Council to consider a mixed-use development consisting of residential and commercial uses through Schedule 'K' policy by way of a Stage I and Stage II development agreement.</p> <p>As noted in the Staff Report, this report will only address the discharge of existing development agreements and the rezoning proposal. Subsequent and separate Staff Reports will follow to address the development proposal under Schedule 'K' through the Stage I development agreement process.</p>

<p>2.4.1 <i>Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</i></p>	<p>This policy is not applicable to Part 1 of the application.</p> <p>Policy 3.1 – Repealed Policy 3.2 – N/A</p>
<p>2.4.2 <i>In residential neighbourhoods alternative specialized housing such as special care homes; commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be permitted. Regulations may be established in the land use by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.</i></p>	<p>This policy is not applicable to Part 1 of the application.</p>
<p>2.4.2.1 <i>Pursuant to 2.4.2 the land use by-law may regulate the number, size, height, illumination and location of signs.</i></p>	<p>This policy is not applicable to Part 1 of the application.</p>
<p>2.4.3 <i>Further to City-Wide residential and heritage policies which recognize the diversity of residential neighbourhoods and encourage the retention of existing structures which reflect the City's heritage, the City recognizes that areas designated and zoned residential-commercial provide opportunities for conversions to residential tourist accommodations uses. To encourage the reuse of buildings in these areas for these purposes, the land use by-law shall establish provisions which permit these uses in existing buildings subject to special controls</i></p>	<p>This policy is not applicable to Part 1 of the application.</p>
<p>2.6 The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</p>	<p>This policy is not applicable to Part 1 of the application.</p>

2.8	<i>The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).</i>	This policy is not applicable to Part 1 of the application.
2.9	<i>The City shall actively seek to influence the policies and programs of other levels of government in order to implement the City's housing policies and priorities, and shall also actively seek taxation preference as one method of encouraging rehabilitation of existing housing stock.</i>	This policy is not applicable to Part 1 of the application.
2.10	<i>For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.</i>	This policy is not applicable to Part 1 of the application.
2.11	<i>For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.</i>	This policy is not applicable to Part 1 of the application.
Implementation Policies		
Applicable Policies		Staff Comments
3.1.1	<i>The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.</i>	This application is consistent with the Halifax Municipal Planning Strategy. See Section II, Policy 2.4 above.
4.	<i>When considering amendments to the Zoning By-laws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.</i>	N/A
4.1	<i>The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.</i>	This application is consistent with the Halifax Municipal Planning Strategy

ATTACHMENT E

Excerpt from the Halifax Mainland Land Use By-Law

I-2 (Radio Transmitter) Zone

- 49 (1) The following uses shall be permitted in any I-2 Zone:
- (a) radio or television transmitter station;
 - (b) uses accessory to any of the uses in (a).
- 49 (2) No person shall in any I-2 Zone carry out, or cause or permit to be carried out, any development for any purpose other than one or more of the uses set out in subsection (1).
- 49 (3) No person shall in any I-2 Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1).

Requirements:

- 50 Buildings erected, altered or used for I-2 uses in an I-2 Zone shall comply with the following requirements:
- (a) The building lines applicable in an R-1 Zone shall apply to I-2 uses in an I-2 Zone except that when the appropriate walls of a building specified in Section 49 are fireproof to comply with the provisions of the Building By-law of the municipality, such building shall be exempt from the side building line requirements and the distance requirements from any other building; provided that the exception shall not apply to a lot line abutting a lot use for residential uses only, but this proviso shall not apply to lots within a commercial zone which do not abut on a residential zone

ATTACHMENT F

Public Consultation Meeting Minutes

STAFF IN

ATTENDANCE: Jillian MacLellan, Planner, HRM Planning Applications
Alden Thurston, Planning Technician, HRM Planning Applications
Cara McFarlane, Planning Controller, HRM Planning Applications

ALSO IN

ATTENDANCE: Councillor Reg Rankin, District 12
Cesar Saleh, W.M. Fares Group

PUBLIC IN

ATTENDANCE: Approximately 48

The meeting commenced at approximately 7:02 pm.

1. Call to order, purpose of meeting – Jillian MacLellan

Case 19532 is an application for a proposed rezoning and Stage I development agreement for a property in relation to the Mainland Commons.

Ms. MacLellan introduced herself as the Planner facilitating this application through the planning process; Councillor Reg Rankin, District 12; Cara McFarlane and Alden Thurston, HRM Planning Applications; Cesar Saleh, W.M. Fares Group, representing the property owner.

The purpose of the Public Information Meeting (PIM) is to identify that an application has been received, give some background on the proposal and receive feedback on the proposal from the public. This is purely for information exchange and no decisions are made at the PIM.

The applicant is proposing to rezone a small portion of the property from the I-2 (Radio Transmitter) Zone to a Schedule K Zone. If that is approved they would like to enter into a Stage I development agreement to allow for a mixed residential and commercial development.

Ms. MacLellan explained the definition of a rezoning and development agreement to the public.

In the Mainland North area for Halifax, development agreements are divided into a Stage I and a Stage II development agreement. A Stage I agreement is quite broad setting out general concepts and layout. The Stage II agreement is much more detailed generally dealing with a specific component of the development (building placement, architectural requirements, etc.).

2. Overview of planning process – Jillian MacLellan

The planning process is as follows: application submitted; a PIM held; review of the application by HRM Staff; through public comments and ones received from different agencies, Staff will draft a development agreement; once the development agreement has been negotiated, Staff provides a report to Halifax and West Community Council (HWCC) which would provide Staff's recommendation on approval or refusal of the proposal; an appeal period of 14 days follows HWCC's decision; if no appeals are filed, the development agreement can be signed, registered and an application for a Stage II development agreement can be submitted by the applicant.

3. Presentation of Proposal – Jillian MacLellan

The property is located near the Mainland Commons where a variety of different uses exist in the area

(residential, commercial, institutional). There are lands owned by Halifax Regional Water Commission (HRWC) and CBC. There are a variety of recreational facilities (Mainland Commons and trails) that make up a large portion of the adjacent property.

Different types of residential development in the area were shown. The majority of residential development in the area is multi-unit dwellings. The commercial node at Lacewood and Regency Park Drives, the CBC lands adjacent to the property and some recreational facilities were shown on the screen.

The property is designated Residential Environments within the Halifax Municipal Planning Strategy (MPS) and the majority of the property is zoned Schedule K while a small portion is zoned I-2 under the Halifax Mainland Land Use By-law (LUB). It is the I-2 Zone portion that the applicant would like to rezone to Schedule K.

The Schedule K Zone permits mainly residential development with commercial and institutional uses and requires a Stage I and a Stage II development agreement before any permits can be issued for development.

As part of the Stage I development agreement, the applicant is proposing mixed residential units, townhouse units, multi-unit residential buildings (heights ranging from five to twelve storeys). A commercial node along Regency Park Drive, two parkland components (including a neighbourhood park and an addition to the Mainland Commons), and an extension to Regency Park Drive are also proposed. The concept plan was shown.

The Stage I development agreement will set out the general concept layout for the development such as different building forms and their location. Schedule K requires the majority of the development be residential uses; however, commercial and community facilities that would complement the proposed development and surrounding neighbourhoods is encouraged.

Presentation of Proposal – Cesar Saleh, Engineer with W.M. Fares Group

An overall map of the area was shown. There are three parcels of land: Area 1, Area 2 and Area 3. The parcel is about 50 acres in size, undeveloped and has an urban context close to major arterial routes, transit connections and existing services.

Area 1 is adjacent to Mount Royale. The development is limited to the front portion of the property. Area 2 is the former golf range lands (known as the former CJCH lands) and borders the end of Regency Park Drive. Area 3 is adjacent to the 11 storey building at the end of Regency Park Drive.

Area 1 is 13.34 acres and fronts on Washmill Lake Drive. The applicant is proposing two multi-unit residential buildings with 11 floors and 110 units each. The buildings are a little taller but have a smaller footprint with ample parking and open space. The back portion of this lot is not slotted for development.

Area 2 is 23.48 acres and currently fronts on Washmill Lake Drive with a lighted intersection at Regency Park Drive. There are four mixed-use buildings with two storeys of commercial/retail at grade, offices on the second floor and then stepping into residential, consisting of 60 units, at the nodes (ends) of the buildings. There are four multi-unit residential buildings, ranging between eight and twelve floors, located at the end of Area 2 which back onto the Mainland Commons. The buildings will front the streetscape with commercial at grade to allow friendly streetscapes that are pleasant to walk in front of and avoid asphalt parking lots in front of the buildings. There is ample landscape open space between three of the buildings. There is a large parcel of land in Area 2 that will be used as park dedication.

Area 3 is 10 acres in size and fronts on Regency Park Drive. There is one multi-unit residential building and 15 blocks of four townhouses each proposed. The multi-unit building, consisting of five storeys stepping into eight and 100 units, is adjacent to the existing 11 storey building at the end of Regency Park Drive. Buildings 2 to 16 are the townhouse blocks totaling 60 townhouses. Each block of townhouses would have a different design.

There is an existing trail that enters Area 3; therefore, HRM has asked the applicant to move some of the townhouses to allow the trail to enter into the proposed park and local pedestrian circulation. The location

of another existing trail was shown and the idea will be to connect this trail through the proposed park dedication lot (4 acres in size) and probably put an active transportation trail connecting to the community.

A few slides were shown to illustrate building mass, heights and footprints and how they would fit on the land in relation to the surrounding existing buildings.

Some slides were shown of different styles of buildings and townhouses that the developer has built in the past, or currently building, to give an idea of what could potentially be built in this development.

4. Questions and Comments

Bob Shannon, Solutions Drive – What is the timeline to complete the entire development? **Mr. Saleh** anticipates this to be about a ten year project. The buildings will not be built at the same time. **Ms. MacLellan** – In regard to the planning process, it could be eight months to a year before the application is approved by HWCC.

Mr. Shannon - What would the total density be? **Mr. Saleh** – Total density would be approximately 2300 people (47 persons per acre). **Ms. MacLellan** - The density that is being proposed is higher than what HRM considers for this area; therefore, Staff will have to look at that. Density for this area was established through the Mainland North Secondary Plan back in 1982 or 1986. For a portion of the property it establishes a density of 30 persons per acre and for another portion 40 persons per acre. Staff will be looking for an average of 33 persons per acre for this development.

Mr. Shannon - What about the infrastructure in regards to traffic and existing traffic on Lacewood Drive? **Mr. Saleh** - All services are available for this parcel of land. The Regency Park Drive connection behind Home Depot was always envisioned. The road is classified as a major collector road; therefore, is capable of handling the proposed density. A traffic study was done and is available to the public. The report indicates that a lighted intersection is warranted where the developer has proposed one.

Laurie Mosher, Bently Drive – Bently Drive is very narrow and cars are parked along the side of the road because most of the residents in the apartment buildings own two vehicles. There is concern about the parking in Area 1 as there will be about 450 extra vehicles for 1200 units. Will there be ample parking? Apartments in this price range usually have two adults who typically require a car each. **Mr. Saleh** – There is underground parking (one space per unit) and then extra parking outside for visitors and second vehicles that residents may own. There are 1.5 parking spaces per unit. The LUB requires 1 space per unit but the developer requested more. Mr. Saleh will check into this. **Ms. MacLellan** – Staff will compare this with what was required for Bently Drive and make sure the number is larger.

Ms. Mosher – It looks like there is a road connecting from the top of Bently Drive. Will that be closed off? Will there be access from Bently Drive to those two buildings. **Mr. Saleh** – There is no connection between Bently Drive and Area 1 and it is not anticipated. Area 1 is accessed directly from the major collector, Washmill Lake Drive.

Bob McDonald, Warwick Lane, Chair of a local trail group – Is there a wetland in Area 1? **Mr. Saleh** – There is but the development is outside the wetland area. **Mr. McDonald** – Could that be considered as an additional parkland contribution? **Ms. MacLellan** – HRM generally won't consider wetlands as parkland dedication but they may consider it as conservation lands. Staff could discuss that further. **Mr. Saleh** – As part of the road classification and in addition to the proposed trails and parkland, there is a paved active trail from the proposed lighted intersection through to Regency Park Drive as well as a sidewalk on the opposite side. **Ms. MacLellan** – The active transportation department requires the development to have a sidewalk on one side and a shared sidewalk/active transportation trail on the other.

Mr. McDonald – Why not rezone the large parcel of proposed parkland in Area 2 to Parkland rather than Schedule K? **Ms. MacLellan** – Schedule K allows for the development agreement to be placed on the property and under the development agreement the parcel would be parkland.

Mr. McDonald – Are you aware of the topography in Area 3 where you are proposing the park? There is

a steep grade there. **Ms. MacLellan** – She will ask the parks department to make sure a trail is feasible at that location.

Tim Rowe, Washmill Lake Drive – Washmill Lake Drive has bicycle lanes on either side; therefore, no one can park on that street. **Mr. Saleh** – There is no intention to park on Washmill Lake Drive. There is ample parking in Area 1. **Ms. Mosher** – Bently Drive is very dangerous as the cars are parked along the narrow street which makes it difficult to see children walking between the cars.

Nathan England, Regency Park Drive – What businesses is the developer hoping to attract? How would they benefit the residents? **Mr. Saleh** – Mostly personal service shops. The commercial/retail at grade is usually about 1200 square feet per space. Upstairs would be offices (medical, dental, etc.).

Larry Wartman, Washmill Lake Drive, a Senior Manager for Operations and represents CBC Canada – He is concerned about potential interference to services from their facility which would include all of the cellular services in the city (police, fire, paging, radio, television, etc.). An analysis needs to be done to ensure there is no interference.

Mr. Wartman - RF overloads to adjacent properties is also a concern. People living in these units might experience high RF energy levels which may interfere with electronic devices they have. There are studies (performed with other developments) that look at the impact of building heights and RF energy levels. This is very critical in respect to the people that may occupy these residential units.

Mr. Wartman – We have to respect Safety Code 6 which is required by Health Canada. Health Canada requires the non-ionizing radiation to be below established general public limits for safety reasons. The higher a building, the more susceptible people are to non-ionizing radiation. For the record, they would like to work with the developer and HRM to ensure that these things are respected. **Ms. MacLellan** – This application has been sent to Industry Canada and Health Canada for their review. **Mr. Saleh** - Noted comments. RF and Safety Code 6 studies were done six or seven years ago when dealing with one of the parcels but the studies will be done again to include the other properties and this particular proposal. In the first report, a height was established and all proposed buildings have remained below that. **Mr. Wartman** – Since that time, services from the tower have changed as well and Health Canada has significantly changed limits to the general public to be much more stringent so it really does require another analysis. **Mr. Saleh**- A new plan will be sent for a new analysis.

Doug Wright, Regency Park Drive – He believes there will be an additional 1200 to 1500 cars at the Lacewood Drive intersection. That intersection currently takes three lights to make a left-hand turn (on a Saturday). Once the bus terminal is active, there will be more traffic. There is only one way to the highway. **Mr. Saleh** – A traffic study was performed by a third party consultant for the whole development. The classification of this road was designed and anticipated to make that connection and should improve things as it will allow Fairview residents to access the amenities on Lacewood Drive.

Mr. Wright – With the commercial space next to the road, where is the garbage area and loading bays going to be located? **Mr. Saleh** - All the refuse for the residential buildings will be within the underground parking of the building which is standard. The loading for the commercial uses will be behind the building. The garbage bins and loading bays will not be visible from the street.

Mr. Wright – What is going to be done with all the existing wildlife? **Mr. Saleh** – He is not sure if there are any requirements. Area 1 has limited amount of space disturbed. Most of the development is on flat land that has already been disturbed. **One resident** – It is all forest from Regency Park Drive to Washmill Lake Drive. **Mr. Saleh** – The treed area is outside what is being proposed. He recognized that there is some vegetation that has to be removed.

Mr. Wright – HRM could look at the golf driving range. Will that be moved elsewhere or will it be developed?

Mr. Wright – Suggested more townhouses instead of the multi-unit buildings to reduce the traffic numbers.

Hiram Tiller, Regency Park Drive – There are three times during the day where there are conflicts with the traffic from the high school on Greenpark Close. What does HRM plan to do during these periods?

Also, getting out from Regency Park Drive to Lacewood Drive is very dangerous. HRM must be able to do something. They should be proactive and put a left-hand signal there. **Ms. MacLellan** – She will bring both of those comments to the attention of the traffic authority although that would be outside of this development agreement. **Mr. Tiller** – Pointed out that he has brought the issue up in the past and is told there will be little or no impact but yet the traffic keeps increasing.

Claudette Gaudet, Greenpark Close – She observes deer (two which have broken legs) in the area adjacent to the proposed townhouses every day several times a day. Maybe there needs to be a plan to relocate these animals or at least put up a crossing warning so that people are aware.

Ms. Gaudet – For most of the day, students and, at times, busses are parked up and down Regency Park Drive which is not taken into consideration. The entire hill can be backed up with people coming from the school and from the playground area. She respects the want for development but the developers need to be conscious of the fact that people (even those that live in high-rise buildings) like to see and appreciate greenspace. The parking is going to be at the back of these commercial buildings but it is significant and it is going to be visible for people living in the high-rise apartments.

Ms. Gaudet – With all the numbers of large buildings being built throughout the city, is this in keeping with the growth of the population? With populations getting smaller, who is moving into the buildings? **Ms. MacLellan** – These areas have undergone their planning processes and the ability for the development of either high-rise or multi-unit buildings or forms of residential style dwellings were permitted through those plans.

Stacey Devoe, Bently Drive – Her property backs on a piece of parkland which has yet to be developed due partly to improper grading resulting in a lot of water running onto her property. Is there a timeline for completion of the parkland? Hopefully it won't be left until the end when there is no money left and it can't be developed. **Ms. MacLellan** – That would be looked at in the overall stage of the development. As a result of the concerns from Mount Royale residents, the hope is not to repeat the same thing.

Ms. Devoe – She reiterated the traffic and parking concerns. It was mentioned that there will be 1.5 spaces per unit, but people have visitors. Where are they going to park? They will go down Bently Drive and there are already issues there.

John Conn, Greenpark Close – His main concern is safety. He is hoping for the extension of Regency Park Drive through to Washmill Lake Drive asap. Any emergency vehicle would have to take the roundabout way to his residence and it could be life threatening.

Brenda Mitchell, Bently Drive – Is the whole development a ten year plan? **Mr. Saleh** – Generally speaking as it will be done in multiple phases. **Ms. Mitchell** – After all the development agreements are in place, do you anticipate breaking ground for the first stage being in two-year's time? **Mr. Saleh** – That is a reasonable assessment. **Ms. Mitchell** – Would Area 1 be started first? **Mr. Saleh** – The intention is to make the connection right away. The phases have not been identified as of yet but assumes that Area 1 would be phase one.

Ms. Mitchell – She is also concerned about wildlife in the area. There is another large ten-year development just down on Washmill Lake Drive that will produce four buildings with 100 units in each which will increase traffic. Across the street from that, another 12 storey building with over 100 units is being developed. The building she is in and the one across the street from it are half vacant. Seniors and young families cannot afford these new places going up as rents are too high. **Ms. MacLellan** – There is policy that already allows for development to happen here but the policy requires that the development goes through a public consultation. **Mr. Saleh** – The developer would not be investing this real estate and money if it wasn't going to be profitable. The community will bring a variety of demographics to the area and one will benefit the other.

Renaud Francoeur, Bently Drive – He would like to see building #31 pushed back a bit on the property. Is the height 11 floors total or 11 floors plus the underground parking? **Mr. Saleh** – He will look into pushing the building back although there is a generous distance between building #31 and the block of townhouses on Bently Drive.

Mr. Francoeur - Suggested a roundabout instead of a signalized intersection. **Ms. MacLellan** – Will

check with traffic authority but assumes that the capacity wouldn't warrant a roundabout. **Mr. Saleh** – The lighted intersection is what was recommended.

Councillor Rankin, District 12 – He tried to have some issues with Mount Royale resolved (parking, flooding, undeveloped parkland). In his opinion, it was one of the worst forms of urban planning. HRM should have taken the opportunity to develop and participate in developing the parkland in Mount Royale. After the fact, it will cost more to develop the parkland and resolve the drainage problems. The proposed parkland needs to be developed. The signalized intersection needs to go in first before the numbers grow along with the concerns and frustrations. The current phase shows 1.25 parking spaces per unit but 1.5 spaces were mentioned and every space is important as there is no parking on Washmill Lake Drive. He is quite sensitive to what has happened in Mount Royale and hopefully HRM and the developer will take this into consideration when moving forward. He finds the façade and the commercial impressive and suggested it to be very much like Hydrostone in Halifax. It has to be very conducive to transit.

Wendy McDonald, Warwick Lane – She pointed out that there are very few public community facilities in the area. There may be a party room in a tall building but it is not accessible to the general public. A community garden might be a positive asset. There is a waterline owned by HRWC that people use as a walking trail. Perhaps the developer could enhance that somewhat. In 2008, HRM did have a Master Plan for the Mainland Commons. Maybe that Plan should be revisited. She applauds the idea of the active transportation link into the Mainland Commons. Nothing has been said about the new transit terminal. HRM has to make sure there is transit and enhance the approach to the new transit terminal (adequate lighting, sidewalks on Thomas Raddall Drive, all important linkages that make it a complete community, etc.). This is just one piece of the puzzle for Clayton Park West, Clayton Park Fairview and so on so that it is a place that folks will want to move to. There is an Urban Forest Master Plan and it frustrates her to see the other property in the area clear cut. HRM needs to retain our trees for clean air, pollution prevention, habitat, etc. Traffic studies are great but they are done in isolation. She suggested a signalized traffic light at the corner of Washmill Lake Drive and Main Avenue for safety. There are a significant number of cars but not enough people crossing to warrant the lights or a crosswalk at Main Avenue where the trail crosses. Everyone needs to work together as a community.

Sylvia Wambolt, Greenpark Close – Traffic data was gathered in February 2013 and since then there have been a lot more buildings open up at the end of Greenpark Close and surrounding areas so traffic studies are not up to date. **Ms. MacLellan** – She will bring this up with the development engineer. A lot of the developments in the area are required to go through a development agreement; therefore, the traffic consultant should have been aware of that.

John Murrans, Regency Park Drive – He is concerned about lights at the end of Greenpark Close and Thomas Raddal Drive as it is not an intersection. One of the streets would have to be moved in order to line them up.

Mr. Wright – Is there a noise by-law? Will there be limited construction time for this development? **Ms. MacLellan** – Yes, there is a noise by-law; however, sometimes a variance can be granted through Council's approval.

Ms. Mitchell – Why didn't HRM put a three-way stop where the Theatres are on Washmill Lake Drive?

Councillor Rankin – He agreed that it is a poor layout but a stop sign or lights is not warranted there.

5. Closing Comments

Ms. MacLellan thanked everyone for coming and expressing their comments.

6. Adjournment

The meeting adjourned at approximately 8:48 p.m.

Attachment G - Proposed Development Master Plan

