



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 13.1.1
Halifax and West Community Council
June 26, 2018

TO: Chair and Members of Halifax and West Community Council

-Original Signed-

SUBMITTED BY:

Kelly Denty, Director, Planning and Development

-Original Signed-

Jacques Dubé, Chief Administrative Officer

DATE: June 15, 2018

SUBJECT: **Case 20936: MPS/ LUB Amendments and Development Agreement for Long Lake Village, at Cowie Hill Road and Northwest Arm Drive, Halifax**

ORIGIN

- Application by Polycorp LLV Inc. and RV Atlantic Holdings Ltd.
- February 13, 2018 Regional Council initiation of MPS/ LUB amendment process.

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that Halifax and West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB), as set out in Attachments A and B of this report, to allow changes to the required amount of land area and unit mix for apartment sites on Lots N1, N2 and N3A within Long Lake Village, at Cowie Hill Road and Northwest Arm Drive, Halifax, and schedule a public hearing; and
2. Approve the proposed amendments to the Halifax Municipal Planning Strategy (MPS) and Halifax Mainland Land Use By-law (LUB), as set out in Attachments A and B of this report.

It is further recommended that Halifax and West Community Council:

3. Give notice of motion to consider the proposed amending development agreement, as set out in Attachment C of this report, to allow amendments to the Long Lake Village mixed-use development at Cowie Hill Road and Northwest Arm Drive, Halifax. The public hearing for the proposed

development agreement shall be held concurrently with the public hearing referenced in Recommendation 1.

Contingent upon the amendments to the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law being approved by Regional Council and becoming effective pursuant to the requirements of the Halifax Regional Municipality Charter, it is further recommended that Halifax and West Community Council:

4. Approve the proposed amending development agreement to allow amendments to the Long Lake Village mixed-use development at Cowie Hill Road and Northwest Arm Drive, Halifax, which shall be substantially of the same form as contained in Attachment C of this report.
5. Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, 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

Long Lake Village is a mixed-residential development on approximately 35 acres in the Mainland South area as shown on Maps 1 and 2. Polycorp LLV Inc. and RV Atlantic Holdings Ltd. have applied to amend the Halifax Municipal Planning Strategy (MPS), Halifax Mainland Land Use By-law (LUB) and an existing development agreement to accommodate changes to the latter stages of this development.

The major components of the proposal include an increase to the maximum land area to be used for apartment buildings within the development and a request for changes to the mix of apartment unit types for a proposed mixed-use building on Lot N3A. In addition to these items, the applicants have also proposed changes to the existing development agreement which can be considered without amending the existing MPS.

Subject Site	Lots N1, N2 and N3A, at Cowie Hill Road and Northwest Arm Drive, Halifax
Location	Long Lake Village subdivision, Halifax Mainland South
Regional Plan Designation	Urban Settlement (US)
Community Plan Designation (Map 1)	Residential Development District (RDD), Mainland South Secondary Planning Strategy, Halifax MPS
Zoning (Map 2)	RDD (Residential Development District) zone, Halifax Mainland LUB
Size of Site	2.4 hectares (5.9 acres) combined
Street Frontage	454.5 meters (1,490 feet) combined
Current Land Use(s)	1 apartment building under construction, 2 vacant land parcels
Surrounding Use(s)	North: Halifax Water lands, single unit dwellings and townhouses in Long Lake Village, and townhouses on Ridge Valley Road West: Long Lake Provincial Park lands South: A mix of residential uses, and Long Lake park East: A mix of residential uses, and undeveloped land in Long Lake Village.

Existing Development Agreement

The development agreement for Long Lake Village (formerly called “Rockcliffe Village”) was approved by the former Chebucto Community Council on July 6, 2009. The agreement generally allows for:

- the subdivision of land within the agreement area;
- a mix of single unit dwellings, townhouses, and apartment buildings;
- one commercial building;

- two neighbourhood park parcels and conservation land via the extension of Cowie Hill Road to Northwest Arm Drive; and
- the construction of two local streets.

The original development agreement has undergone several amendments, most recently to allow for a minor increase in the overall population density. Council should also note the agreement was amended to remove the requirement for a mandatory unit-type mix for apartment buildings on lots N1 and N2 in order to provide the developer with greater flexibility. Several of these past amendments were put forward by the developer as a means to increase the financial viability of the project. Difficulty in developing the site was in large part due to a relatively high proportion of the lands not being suitable for development due to infrastructure encumbrances with a portion of Cowie Hill Road being “single-loaded”, with development occurring only on one side. Those lands deemed unsuitable are being retained by HRM as “conservation land”.

Subdivision and Permit Approvals

Lots N1, N2 and N3A

The subject lots N1, N2 and N3A (Maps 1 and 2) have been subdivided in accordance with the existing development agreement. A Construction Permit has been issued for an apartment building on Lot N1, which is currently under construction, and a Development Permit has been granted for an apartment building on Lot N2. During the permit application review process, the Development Officer determined that the following building design changes for Lots N1 and N2 were in conformance with the wording of the development agreement and were granted approval:

- The presence of two tower components on a common building podium/ base, on each lot, were able to be considered as one building, instead of two. Therefore, each tower was permitted at a height of up to twelve storeys above (average) grade, including podium levels; and
- Building design and material changes were permitted in order to provide a more contemporary building appearance, with flat roofs as opposed to sloping ones and allowance for less masonry on the exterior.

Single-unit and Townhouse Lots

With regards to the overall Long Lake Village development, the first phase of the development included Hadley Crescent and the completion of Cowie Hill Road to Northwest Arm Drive, with ongoing lot approvals and construction of single-unit dwellings and townhouses taking place over the last few years. In the spring of 2018, final subdivision approval was granted for lots on Darjeeling Drive, which is the final street to be built within the area covered by the agreement, and the adjacent Grenoble Court, which lies mostly outside of the area covered by the agreement and is being developed through the as-of-right process.

Staff are aware of possible unauthorized removal of trees within the 50-foot deep naturalized buffer to the backs of the lots on Darjeeling Drive, at the northeastern boundary of Long Lake Village, which back on the townhouse properties on Drummond Road. This is an ongoing matter which is not directly related to the proposed amendments being sought. However, staff are investigating whether there are issues of non-compliance with the agreement, specifically, the removal of trees within the buffer, and whether there are potential remedies such as the re-planting of trees. The developer has indicated they are willing to undertake these remedies subject to the conclusions of the staff investigation.

Proposal Details

The applicant proposes to amend the Halifax MPS and LUB as follows:

- to allow an increase in the maximum land area for apartment uses in the overall RDD from 15% to approximately 17.5%. This would allow apartment uses presently allowed on Lots N1 and N2 to be extended to Lot N3A which was originally intended for commercial use; and,
- to allow for a single apartment unit type on each of the apartment sites including Lot N3A, as opposed to providing “...a mix of dwelling unit types” (including family-type units) as referenced in

the MPS. This will result in all or most apartment unit types being smaller units with contemporary amenities and storage spaces typically offered in larger units. This absence of the typically mandatory unit mix is currently permitted on Lots N1 and N2. The proposed amendments would extend the same conditions to Lot N3A, resulting in a greater number of apartment units overall without exceeding the maximum permitted density.

The major change to the land use as permitted in the development agreement resulting from the requested MPS amendments is as follows:

- Lot N3A would change from a 2-storey, 4,000 sq. foot commercial building to a 6-storey mixed-use building containing approximately 6,250 square feet of commercial uses and approximately 55 residential units.

Additional proposed changes to the development agreement which are enabled under existing MPS policies, and which were included as part of the public engagement process include:

- Allowing neighbourhood-focused and minor commercial uses on the ground floor of buildings on Lots N1 and N2, along with related signage provisions;
- Reducing the parking space dimensions for a portion of the required parking spaces on all apartment sites to account for small vehicles;
- Clarification that building height of twelve storeys is not to be exceeded, except in the case of the structured parking levels at the southern end of lot N2, provided wall treatment and landscaping measures are in place;
- Clarification of the required design treatment of blank foundation and parking structure walls;
- Removal of requirement for building height/ setbacks (“angle controls”) from North West Arm Drive;
- An extension to the date of completion of the development; and
- The replacement and updating of Schedules in the development agreement.

MPS and LUB Context

The subject site is designated Residential Development District (RDD) pursuant to the Halifax MPS, within the Mainland South Secondary Planning Strategy, and zoned RDD under the Halifax Mainland LUB (Maps 1 and 2).

Policies 1.5 and 1.5.1 of the Mainland South Secondary Planning Strategy (Section X of the MPS) allow Council to consider a comprehensive residential and mixed-use development on this site by development agreement (Attachment D). The agreement was originally required for this site since the proposal contained land uses and provisions which were not permitted as-of-right in the RDD zone.

Approval Process

The approval process for this application involves two steps:

- a) First, Regional Council must consider and, if deemed appropriate, approve proposed amendments to the MPS and LUB; and
- b) Secondly, Halifax and West Community Council must consider and, if deemed appropriate, approve a proposed development agreement once the MPS/LUB amendments are in effect.

Notwithstanding the two-stage approval process, a joint public hearing can be held by both Regional and Community Council to consider both the proposed MPS/ LUB amendments and the proposed amending development agreement. In the event, Regional Council approves the MPS and LUB amendments, Halifax and West Community Council may only make a decision on a proposed development agreement following the amendments to the MPS and LUB coming into effect. A decision on proposed MPS and LUB amendments is not appealable to the Nova Scotia Utility and Review Board (the Board). However, the decision on the proposed development agreement is appealable to the Board.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the HRM Charter, and the Public Participation Program approved by Council on February 25, 1997. The level of community engagement 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 and a public information meeting held on March 7, 2018. Attachment E contains a copy of the minutes from the meeting. The public comments received include the following topics:

- Concern with the potential for additional building height beyond 12 storeys in the proposed amendments and clarification of the building heights permitted to date;
- Concern with population density and whether it would increase as a result of the proposed amendments;
- Concern with blasting/ rock breaking and the timing of building construction;
- Concern with allowing a larger building on lot N3A, which would increase from two to six floors, and what the potential impact would be on the surrounding neighbourhood; and
- The effects of construction noise, dust and debris.

A public hearing must be held by Regional Council before consideration can be given to the approval of the proposed MPS/ LUB amendments. Should 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 3 will be notified of the hearing by regular mail.

The proposal will potentially impact local residents and property owners.

DISCUSSION

The MPS is a strategic policy document that sets out the goals, objectives and direction for long term growth and development in Municipality. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that there is merit in considering the proposed MPS and LUB amendments for the subject site. The following paragraphs review the rationale and content of the proposed MPS and LUB amendments, as well as the associated development agreement.

Proposed MPS and LUB Amendments

Staff considered the existing MPS policy context when drafting the proposed MPS and LUB amendments (Attachments A and B). A summary of the proposed amendments are as follows:

- Increase in the maximum land area for apartment uses in the development from 15% to 17.5%; and
- to allow for a single predominant apartment unit type on lot N3A, similar to that which is currently permitted on Lots N1 and N2.

Of the matters addressed by the proposed MPS and LUB amendments, the following has been identified for detailed discussion.

Increase in the maximum land area for apartment uses

The inclusion of Lot N3A for apartment use in the total land area covered by the development agreement results in a 2.5% increase, above the current 15% limitation, which is relatively minor. No additional lands in Long Lake Village beyond Lot N3A will be permitted to be used for multi-unit residential uses. The population density of 28.1 persons per acre, which was the subject of an approved amendment to the agreement in 2016, is not increasing, but rather is proposed to be spread over three sites instead of two. The population is also more concentrated due to the abundance of open space and conservation land in the overall development.

There have been past instances of amendments to the MPS to allow for a much greater percentage of apartment uses than what is currently proposed. Examples of this include the Regatta Point and Melville Ridge developments. In this case, the utilization of lot N3A for apartment uses will likely result in slightly lower towers on portions of lots N1 and N2. There are no apparent land use conflicts as a result, due to requirements in the proposed MPS amendments and amending agreement related to building setbacks and screening from abutting low-density residential uses (townhouses). Therefore, it is reasonable to amend MPS/ LUB in this case to allow for a small increase in the percentage of land area devoted to multi-unit residential uses.

One apartment unit type

The proposed apartment units are not all traditional small bachelor units, but rather, include larger units with contemporary amenities. Proposed unit sizes will range between approximately 600 square feet to 1,200 square feet in floor area. The demand for traditional family-type units has changed over time, due to the changing nature and size of families and housing affordability issues. The developer has indicated that demand exists for these types of units.

The proposed smaller unit type with contemporary amenities and storage spaces offers an affordable alternative which appears to be relatively unique in the Halifax suburban market. While the project as proposed would contain a mix of apartment unit sizes instead of unit types, the overall development does contain a mix of residential uses in the immediate area, including single unit dwellings, townhouses and apartments. Therefore, in this instance, it is reasonable to consider new policy to allow for one predominant apartment unit type on all apartment sites within the Long Lake Village development.

Proposed Development Agreement

Attachment C contains the proposed amending development agreement for the subject site. The proposed agreement addresses the following matters:

- Inclusion of ground-level commercial uses and related signs on lots N1 and N2;
- Allowing for changes to lot N3A to permit a 6-storey mixed-use building instead of a two-storey commercial building;
- Allowance for some smaller parking spaces to account for small vehicles, primarily within the interior structured parking levels, by including a parking table schedule;
- Clarification of the required design treatment of blank foundation and parking structure walls and the height exemption for structured parking levels at the southern end of lot N2;
- Removal of requirement for building height/ setbacks (“angle controls”) from North West Arm Drive; and
- To allow an extension to the date of completion of the development.

Of the matters addressed by the proposed amending development agreement to satisfy the MPS criteria as shown in Attachment B, the following have been identified for detailed discussion.

Land Use Compatibility

The key changes to the agreement with regard to land uses are the introduction of neighbourhood and minor commercial uses on lots N1 and N2 as well as the change on lot N3A from strictly commercial uses to a mixed-use building. No impacts are anticipated as a result of these changes.

The allowable commercial uses include “minor-commercial” type uses such as restaurants, retail uses and offices. The proposal now includes commercial uses on the ground-floor levels of lots N1, N2 and N3A, totaling up to 15,000 square feet, instead of the 4,000 square foot floor area allowance in the existing agreement. The ground-floor commercial uses in the three multi-unit buildings can be considered a commercial convenience centre which primarily serves the surrounding residential area. This type and scale of use is similar to the commercial uses found in the Stoneridge and Stanley Park developments to the northwest. In this case, the agreement limits the amount of commercial floor area and limits the uses to neighbourhood or minor commercial uses. Therefore, staff advise the proposal for lot N3A is compatible with the adjacent land uses and the surrounding neighbourhood.

Building and Site Design

There are no significant impacts of the proposed changes to the agreement on the site design of lots N1 and N2. A small portion of the surface parking will now be utilized for the ground-level commercial uses. Building heights will not exceed 12 storeys, with the exception of the exposed parking levels and foundation wall along the southern half of the building on Lot N2, which is in the lowest lying area of the apartment sites and is not visible from streets and other properties.

Regarding lot N3A, this site shares property lines with a neighbouring townhouse at 652 Cowie Hill Road, to the northeast, and with the multi-unit building on lot N2, to the southeast. The proposed amendments to the agreement require that the building on lot N3A be located at least 60 feet away from the northeast property line in common with the neighbouring townhouse at 652 Cowie Hill Road and that a combination of fencing and trees be provided along the NE property line for screening purposes. In comparison, the existing development agreement allows for a one or two storey commercial building which could be built as close as 12 feet from the common property line and could be constructed up to 35 feet in height, thereby having the potential for creating greater land use impacts.

Shadow renderings were created to help identify the shadowing impacts of the proposed 6-storey building in comparison to the existing buildings on lots N1 and N2. Shadow impacts of the proposed building (lot N3A) on the neighbouring townhouse property will be minimal and, in some instances in winter, will be “over-shadowed” by those of the buildings on lots N1 and N2. Impacts are limited to winter months and some spring/ fall shadowing late in the day. Additionally, since the existing development agreement allows for a significantly sized commercial building to be located on lot N3A, such a commercial building could create greater shadow impacts than would the current proposal. Despite this, it is generally accepted in urban and suburban locations that neighbouring buildings will create some shadow impacts on one another, even in low-density residential neighbourhoods. The shadow impacts of buildings are generally of greater concern when they impact public open spaces such as parks and playgrounds.

Traffic and Servicing

An addendum to the original Traffic Impact Study (TIS) was prepared by the developer’s consultant regarding the proposal. The addendum was reviewed by HRM and Nova Scotia Transportation and Infrastructure Renewal, who have jurisdiction over Northwest Arm Drive, and has been deemed acceptable.

The proposed amendments were reviewed by Halifax Water and no concerns were identified. The developer will be required to prepare a wastewater capacity analysis prior to the issuance of construction permits for buildings on lots N2 and N3A.

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 MPS. The proposed changes to the apartment sites N1, N2 and N3A do not materially change the overall development or result in additional land use impacts. Therefore,

staff recommend approval of the proposed MPS and LUB amendments as well as the amending development agreement.

FINANCIAL IMPLICATIONS

There are no financial implications. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred to satisfy the terms of the proposed development agreement. The administration of the proposed development agreement can be carried out within the approved 2018-2019 budget with existing resources.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

Halifax and West Community Council may choose to recommend that Regional Council:

1. Modify the proposed amendments to the Halifax MPS and Halifax Mainland LUB, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the HRM Charter.
2. Refuse the proposed amendments to the Halifax MPS and Halifax Mainland LUB. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

The Halifax and West Community Council may choose to:

3. 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 development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the HRM Charter.
4. 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 development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the HRM Charter.

ATTACHMENTS

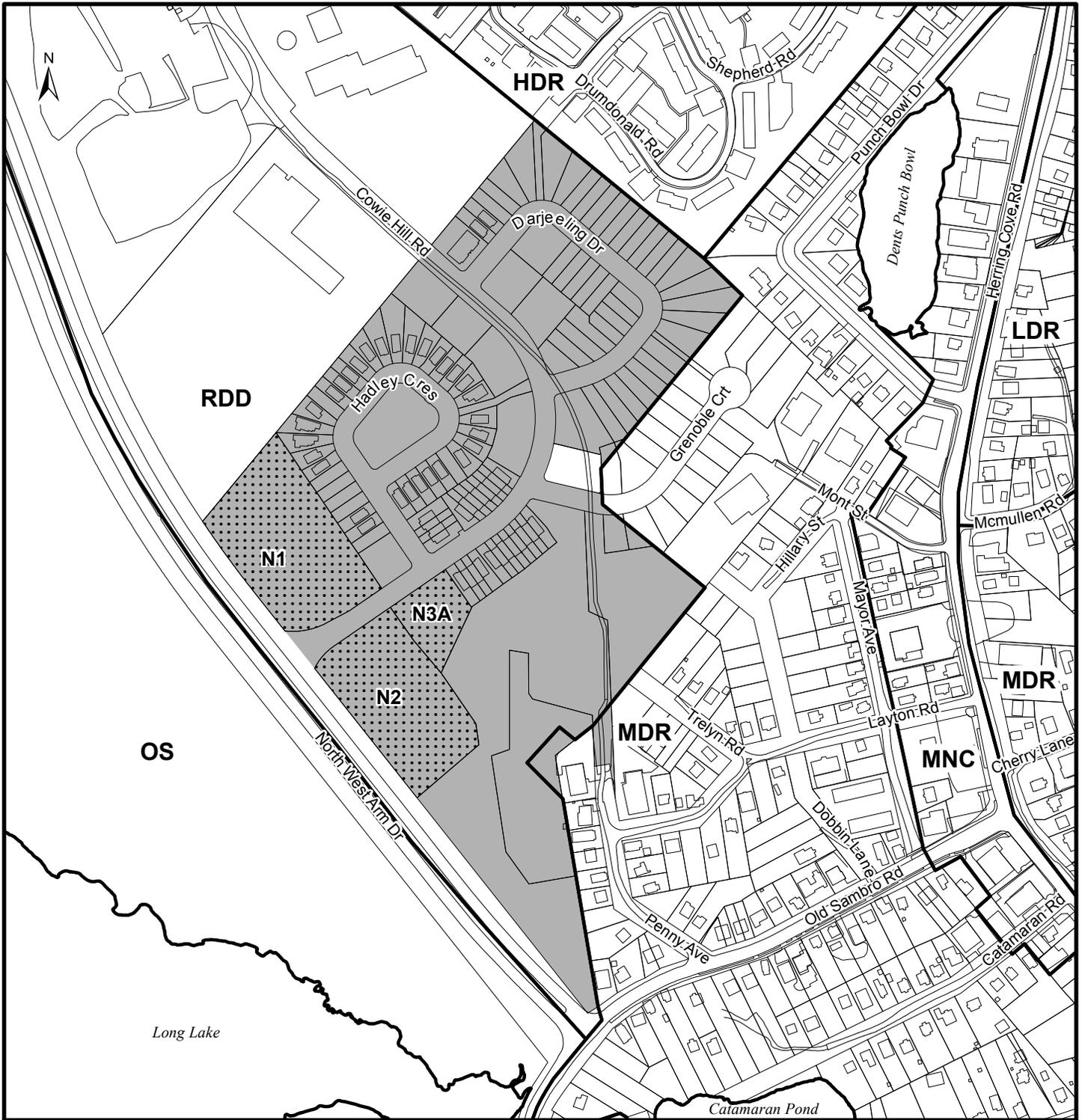
Map 1:	Generalized Future Land Use
Map 2:	Zoning
Map 3:	Area of Notification
Attachment A:	Proposed Amendments to the MPS for Halifax
Attachment B:	Proposed Amendments to the LUB for Halifax Mainland
Attachment C:	Proposed Amending Development Agreement (<i>with Schedules</i>)
Attachment D:	Review of Relevant Policies of the Halifax MPS
Attachment E:	Public Information Meeting Summary

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: Paul Sampson, Planner II, Current Planning, 902.490.6259

-Original Signed-

Report Approved by: _____
Carl Purvis, Urban & Rural Planning Applications Program Manager, 902.490.4797



Map 1 - Generalized Future Land Use

Long Lake Village
Halifax

HALIFAX

-  Area of Existing Development Agreement
-  Areas Impacted by MPS and DA Amendments
- Halifax Plan Area
- Mainland South Secondary Plan Area

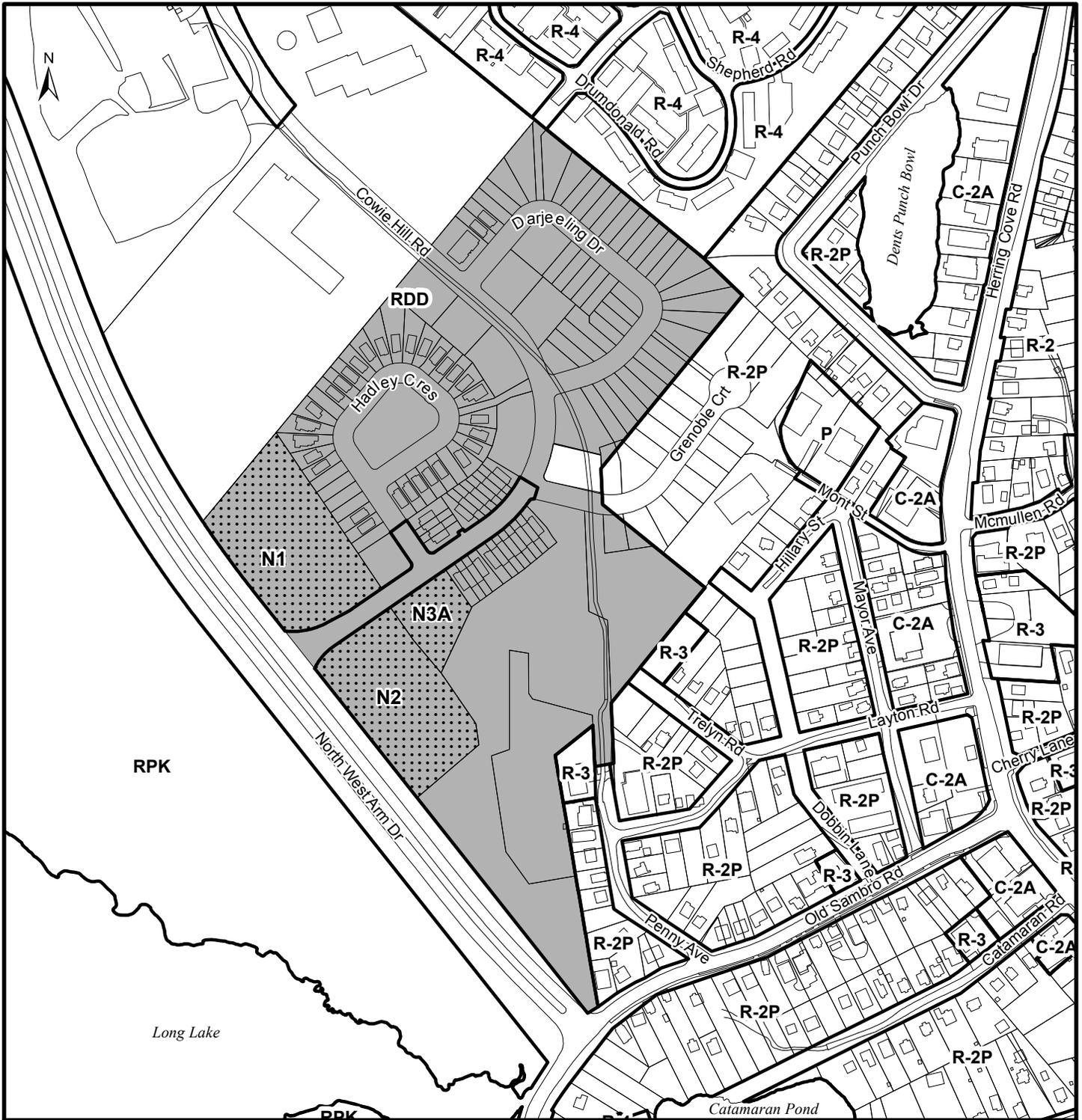
Designation

- LDR Low Density Residential (Mainland South)
- MDR Medium Density Residential (Mainland South)
- HDR High Density Residential (Mainland South)
- RDD Residential Development District (Mainland South)
- MNC Minor Commercial (Mainland South)
- OS Major Community Open Spaces (Halifax)



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.



Map 2 - Zoning

Long Lake Village
Halifax

-  Area of Existing Development Agreement
-  Areas Impacted by MPS and DA Amendments

Halifax Mainland
Land Use By-Law Area

Zone

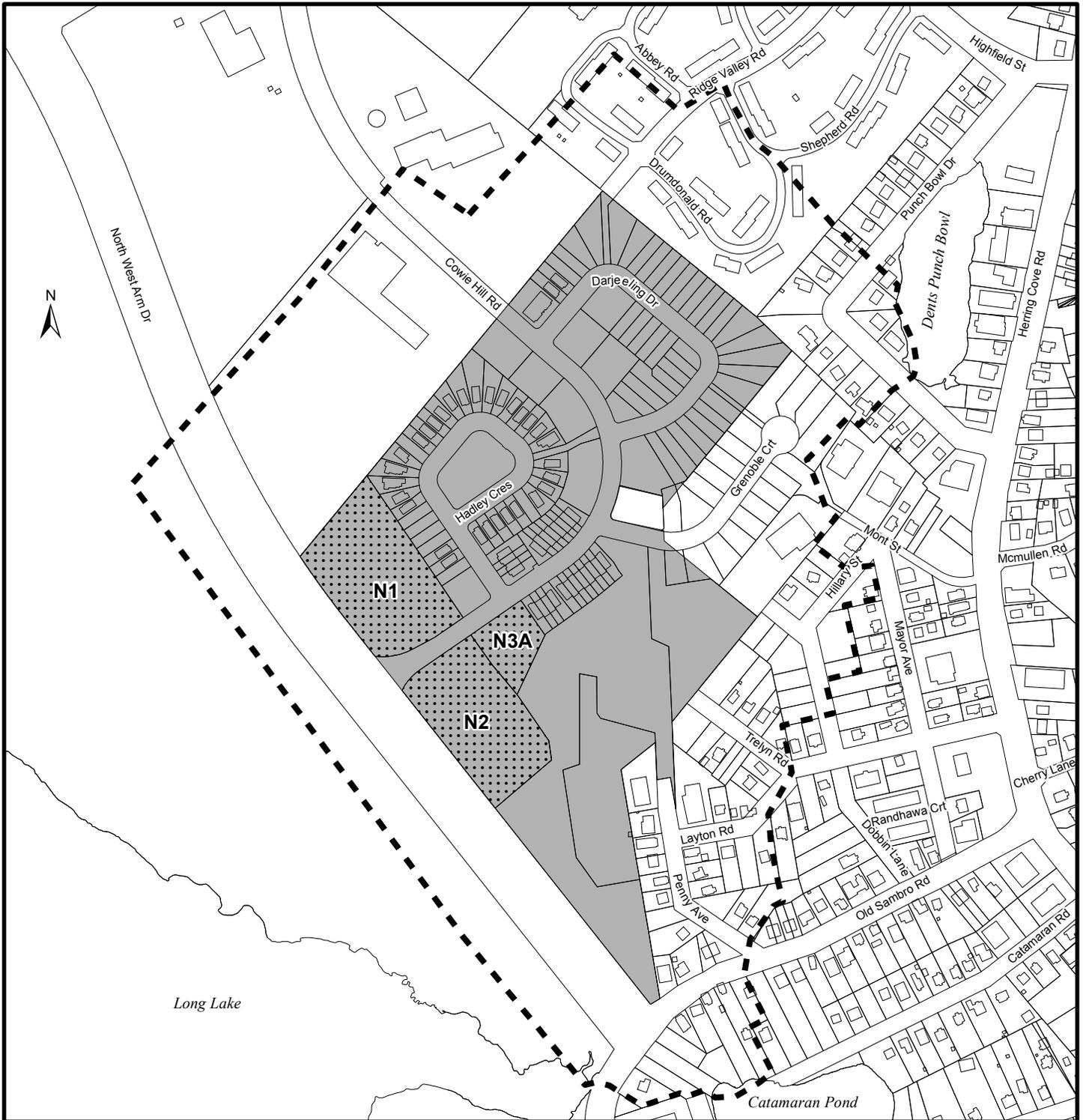
- R-2 Two Family Dwelling
- R-2P General Residential
- R-3 Low-Rise Apartment
- R-4 Multiple Dwelling
- RDD Residential Development District
- C-2A Minor Commercial
- P Park and Institutional
- RPK Regional Park

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 - Area of Notification

Long Lake Village
Halifax

HALIFAX

 Area of Existing Development Agreement

 Areas Impacted by MPS and DA Amendments

Halifax Mainland
Land Use By-Law Area



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

ATTACHMENT A

Proposed Amendment to the Municipal Planning Strategy for Halifax

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Halifax Municipal Planning Strategy is hereby further amended as follows:

1. By adding Policy 1.5.8 to Section X (Mainland South Secondary Planning Strategy), immediately following Policy 1.5.7, as shown in bold as follows:

1.5.8 Lots N1, N2 and N3A, Long Lake Village

The area designated as 'Residential Development District' known as Long Lake Village, at Cowie Hill Road and North West Arm Drive, contains a compact form of mixed-use development containing single-family, townhouse, multiple-unit residential and commercial uses combined with open space, which includes parkland and conservation land.

Notwithstanding Schedule I (Guidelines for Residential Development District), which restricts the land area being used for apartment uses to a maximum of 15%, the Municipality may consider by development agreement multiple-unit residential (apartment) uses with ground floor commercial uses on Lots N1, N2 and N3A (PID 41352022, 41352030, and 41394024), Cowie Hill Road with those 3 lots encompassing up to 17.5% of the land area covered by the development agreement. Adequate controls shall be placed on the building height and location on lot N3A in order to reduce impacts on abutting residential uses.

Furthermore, notwithstanding Policy 1.5 of the Mainland South SMPS, which calls for a mix of dwelling unit types, the development agreement may allow for a single unit type (bachelor-type unit counting as 1 person per unit) on Lot N3A.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Regional Council of Halifax Regional Municipality held on the _____ day of _____, 20__.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this ____ day of _____, 20__.

Municipal Clerk

ATTACHMENT B

Proposed Amendment to the Land Use By-law for Halifax Mainland

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Mainland is hereby further amended, as shown in bold as follows:

1. By adding Section 72(5), immediately after Section 72(4), as follows:

72(5) The Municipality may, by development agreement, pursuant to policies 1.5, 1.5.1, 1.5.8 and Schedule I (Guidelines for Residential Development District) of Section X (Mainland South Secondary Planning Strategy) of the Halifax Municipal Planning Strategy, allow multiple-unit residential (apartment) uses with ground floor commercial uses on Lots N1, N2 and N3A (PID 41352022, 41352030, 41394024), Cowie Hill Road, encompassing up to 17.5% of the land area covered by the development agreement, and may allow for a single residential unit type (bachelor-type unit counting as 1 person per unit) on Lots N1, N2 and N3A.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Regional Council of Halifax Regional Municipality held on the _____ day of _____, 20__.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this ____ day of _____, 20__.

Municipal Clerk

ATTACHMENT C

Proposed Amending Development Agreement

THIS FOURTH AMENDING DEVELOPMENT AGREEMENT made this day of , 2018,

BETWEEN:

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

[Insert Name of Corporation/Business LTD.],
a body corporate, in the Province of Nova Scotia,
(hereinafter **together** 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 Northwest Arm Drive and Cowie Hill Road, Halifax [PID# 41352022, 41352030, 41394024], and which said lands are more particularly described in Schedule A-1 hereto (hereinafter called the "Lands");

AND WHEREAS the former Chebucto Community Council for the Municipality approved an application to enter into a development agreement to allow for a comprehensive mixed-use development on the lands (referenced as Municipal Case Number 01179), which said development agreement was registered at the Land Registry Office in Halifax on October 9, 2009 as Document #94471258 (hereinafter called the "Original Agreement"), and which applies to the Lands;

AND WHEREAS the former Chebucto Community Council for the Municipality approved an application to amend the Original Agreement to allow for substantive changes to the development on the Lands (referenced as Municipal Case Number 15976), which amending development agreement was registered at the Land Registry Office in Halifax on October 21, 2010 as Document #97048665 (hereinafter called the "First Amending Agreement"), and which applies to the Lands;

AND WHEREAS the former Chebucto Community Council for the Municipality approved an application to further amend the Original Agreement to allow for a specific location for a local street connection and resultant reconfiguration of the Conservation Land (referenced as Municipal Case Number 16629), which amending development agreement was recorded at the Land Registry Office in Halifax on July 20, 2011 as Document #98748248 (hereinafter called the "Second Amending Agreement"), and which applies to the Lands;

AND WHEREAS the Halifax and West Community Council for the Municipality approved an application to further amend the Original Agreement to allow for the discharge of a portion of the Lands from the Original Agreement (referenced as Municipal Case Number 19065), which discharging agreement was recorded at the Land Registry Office in Halifax on April 29, 2014 as Document #104972030 (hereinafter called the "Discharging Agreement"), and which applied to the Lands;

AND WHEREAS the Halifax and West Community Council for the Municipality approved an

application to further amend the Original Agreement to allow for a change in overall population density from 27.1 to 28.1 persons per acre (referenced as Municipal Case Number 20113), which amending development agreement was recorded at the Land Registry Office in Halifax on December 20, 2016 as Document #110086684 (hereinafter called the "Third Amending Agreement"), and which applies to the Lands;

AND WHEREAS the Original Agreement, First Amending Agreement, Second Amending Agreement, Discharging Agreement, and Third Amending Agreement together comprise the Existing Development Agreement (hereinafter called "the Existing Development Agreement");

AND WHEREAS the Developer has requested further amendments to the Existing Development Agreement pursuant to the provisions of the *Halifax Regional Municipal Charter* and pursuant to Policies 1.5 and 1.5.1 of Section X of the Halifax Municipal Planning Strategy and Section 62B(1) and 62B(2) of the Halifax Mainland Land Use Bylaw;

AND WHEREAS the Halifax and West Community Council for the Municipality approved these requests at a meeting held on [INSERT DATE], referenced as Municipal Case Number **20936**;

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

-
1. Except where specifically varied by this Fourth Amending Development Agreement, all other, conditions and provisions of the Existing Development Agreement, as amended, shall remain in effect.
 2. The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Fourth Amending Agreement, and the Existing Development Agreement.
 3. The Existing Development Agreement shall be amended by deleting subsection 2.1 in its entirety, as shown in strikeout, and inserting the following text as shown in bold, as follows:

~~The Developer shall develop the lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the following Schedules attached to this agreement (plans numbered 01179-001 to 01179-004 inclusive) filed in the Halifax Regional Municipality as Case Number 01179.~~

The schedules are:

~~Schedule A — Legal Description of the Lands
Schedule B-1 — Conceptual Site/ Master Plan — Plan # 15976-001
Schedule C — Typical Elevation, 10 storey Residential Plan # 01179-002
Schedule D — Typical Elevation, 4 storey Residential Plan # 01179-003
Schedule E — Typical Elevation, 6 storey Residential Plan # 01179-004
Schedule F — Future Local Street Connection — Plan # 16629-001~~

The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement and filed in the Halifax Regional Municipality as Case Number 20936:

**Schedule A Legal Description of the Lands
Schedule A-1 Legal Description of Lots N1, N2 and N3A**

Schedule B-2	Conceptual Site/ Master Plan
Schedule B-3	Site Plan, Lots N1, N2, N3A
Schedule C-1	Southwest Elevation, Lot N1, Building B
Schedule C-2	Southwest Elevation, Lot N1, Building A
Schedule C-3	Southeast Elevation, Lot N1, Building A
Schedule C-4	Northeast Elevation, Lot N1, Building A
Schedule C-5	Northeast Elevation, Lot N1, Building B
Schedule C-6	Northwest Elevation, Lot N1, Building B
Schedule D-1	Southwest Elevation, Lot N2, Building A
Schedule D-2	Southwest Elevation, Lot N2, Building B
Schedule D-3	Northwest Elevation, Lot N2, Building A
Schedule D-4	Northeast Elevation, Lot N2, Building B
Schedule D-5	Northeast Elevation, Lot N2, Building A
Schedule D-6	Southeast Elevation, Lot N2, Building B
Schedule E-1	West Elevation, Lot N3A
Schedule E-2	North Elevation, Lot N3A
Schedule E-3	East Elevation, Lot N3A
Schedule E-4	South Elevation, Lot N3A
Schedule F	Future Local Street Connection
Schedule G-1	Parking Table, Lots N1, N2, N3A

4. The Existing Development Agreement shall be amended by deleting the following Schedules:

Schedule B-1	Conceptual Site/ Master Plan # 15976-001
Schedule C	Typical Elevation, 10-storey Residential Plan # 01179-002
Schedule D	Typical Elevation, 4-storey Residential Plan # 01179-003
Schedule E	Typical Elevation, 6-storey Residential Plan # 01179-004

And inserting the following Schedules:

Schedule A-1	Legal Description of Lots N1, N2 and N3A (attached)
Schedule B-2	Conceptual Site/ Master Plan (attached)
Schedule B-3	Site Plan, Lots N1, N2, N3A (attached)
Schedule C-1	Southwest Elevation, Lot N1, Building B (attached)
Schedule C-2	Southwest Elevation, Lot N1, Building A (attached)
Schedule C-3	Southeast Elevation, Lot N1, Building A (attached)
Schedule C-4	Northeast Elevation, Lot N1, Building A (attached)
Schedule C-5	Northeast Elevation, Lot N1, Building B (attached)
Schedule C-6	Northwest Elevation, Lot N1, Building B (attached)
Schedule D-1	Southwest Elevation, Lot N2, Building A (attached)
Schedule D-2	Southwest Elevation, Lot N2, Building B (attached)
Schedule D-3	Northwest Elevation, Lot N2, Building A (attached)
Schedule D-4	Northeast Elevation, Lot N2, Building B (attached)
Schedule D-5	Northeast Elevation, Lot N2, Building A (attached)
Schedule D-6	Southeast Elevation, Lot N2, Building B (attached)
Schedule E-1	West Elevation, Lot N3A (attached)
Schedule E-2	North Elevation, Lot N3A (attached)
Schedule E-3	East Elevation, Lot N3A (attached)
Schedule E-4	South Elevation, Lot N3A (attached)
Schedule G-1	Parking Table, Lots N1, N2, N3A (attached)

Schedule A of the Existing Development Agreement (Legal Description of the Lands) and Schedule F of the Second Amending Agreement (Future Local Street Connection, Plan #16629-

001) shall be retained.

5. The Existing Development Agreement shall be amended by deleting all text references to “Schedule B-1” and replacing them with reference to “Schedule B-2”.
6. Section 2.3.1 of the Existing Development Agreement shall be amended by deleting the text shown in strikeout, and inserting the text shown in bold, as follows:

2.3.1 The use(s) of the Lands permitted by this Agreement, as generally shown on the Schedules, are the following:

- (a) ~~Four M~~**multiple-unit residential (apartment) buildings on Lots N1, N2 and N3A, which may include the following Special Care Home uses: homes for the aged, licensed nursing homes and/or residential care facilities for seniors;**
- (b) ~~One c~~**Commercial building uses on the ground-floor and at-grade levels of the multiple-unit residential (apartment) buildings on Lots N1, N2 and N3A or, alternatively, residential units and amenity (“recreational”) space which are permitted elsewhere in the buildings;**
- (c) townhouses;
- (d) single family dwellings;
- (e) uses accessory to any of the foregoing uses.

7. Section 2.4.2 of the Existing Development Agreement shall be amended by deleting the text shown in strikeout, and inserting the text shown in bold as follows:

2.4.2 The multiple-unit residential (apartment) buildings **on Lots N1, N2 and N3A**, as ~~generally~~ shown on ~~the~~ Schedules, ~~B, C, D and E~~, shall comply with the R-3 and R-4 zones of the Land Use By-law with the following exceptions:

- (a) **Buildings on Lots N1 and N2 No. 2 and 3** shall be permitted to a maximum height of ~~ten~~ **twelve** storeys, not including the mechanical penthouse level. ~~Dwelling units may be permitted within the same level as the mechanical penthouse. Notwithstanding this, the Development Officer may allow an increase to a maximum height of twelve storeys, not including the mechanical penthouse.~~ **The exposed parking levels and foundation wall along the southern half of the building on Lot N2 may be excluded from the calculation of the number of storeys, provided that the exterior face of the parking levels and foundation wall include an acceptable combination of wall treatment, as outlined in section 2.4.8, and vegetative screening materials;**
- (b) ~~The B~~**buildings on Lot N3A No. 1 and 4** shall be permitted to a maximum height of ~~six~~ **six** storeys, ~~not including the mechanical penthouse level provided the Development Officer may allow an increase to a maximum height of six storeys in order to accommodate the transfer of densities permissible pursuant to Sect. 2.4.5;~~
- (c) For all buildings, angle controls may be waived from all property lines ~~except the Northwest Arm Drive right-of-way;~~
- (d) Population density shall be calculated in accordance with Section 2.4.5;
- (e) ~~There shall be no minimum lot frontage requirement for Buildings No. 1 and 4~~ **Lots N1 and N2 may be subdivided into two lots each, notwithstanding that the two additional lots may not have frontage on Cowie Hill Road, but may utilize Cowie Hill Road for vehicular access purposes;**
- (f) Landscaped open space requirements may be reduced by up to 50% for any of the multiple-unit buildings;
- (g) Building materials shall be generally as shown on ~~the~~ Schedules ~~C, D and E~~ or may include an acceptable equivalent as determined by the Development Officer;

- (h) The Development Officer may allow the footprint, size and siting of the buildings to vary from that shown on Schedule B-2, **with the exception that the building wall on Lot N3A shall be located no closer than 60 feet from the northeast property line, abutting the townhouse property at 652 Cowie Hill Road;**
- (i) The unit mix requirements of Section 28CI of the Land Use By-law shall not apply;
- (j) **Parking requirements for multiple-unit residential (apartment) and commercial uses shall comply with Schedule G-1;**
- (k) **Ground-floor commercial uses noted in Section 2.3.1 (b) shall comply with Section 29A of the Land Use By-law. Notwithstanding Section 29A of the Land Use By-law, all buildings are not required to contain 100 or more dwelling units, do not need to be located within 120 feet of an intersection and commercial uses do not need to be separately accessible from the building exterior. Commercial uses shall not exceed 1,393 square metres (15,000 sq. ft.) of gross commercial floor area in total on lots N1, N2 and N3A. Ground-floor and at-grade uses may also include residential units and amenity (“recreational”) space which are permitted elsewhere in the buildings; and**
- (l) **Exterior signs for Lots N1, N2 and N3A shall be limited to:**
 - i) **Fascia, awning or projecting signs for commercial uses at the ground floor levels;**
 - ii) **Signs for building names, branding, civic addressing and directional signs; and**
 - iii) **Two ground/ pylon signs per lot, not to exceed 10 feet in height.**

8. The Existing Development Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the following text as shown in bold:

2.4.4 ~~The commercial building shall not exceed two storeys in height and not exceed 4,000 square feet of gross floor area. No more than 16 parking spaces shall be required. Commercial uses and signs shall comply with the C-2A zone requirements of the Land Use By-law.~~ **Deleted**

9. Section 2.4.5 of the Existing Development Agreement shall be amended by deleting the text shown in ~~strikeout~~, as follows:

2.4.5 The residential population density of the entire development shall not exceed 27.1 persons per acre of Gross Lot Area as defined in the Land Use By-law. The number of multiple-unit (apartment) dwelling units shown on Schedule B-2 shall be based on 2-bedroom equivalents, therefore, the actual number of units may vary. Population density shall be calculated on the following basis:

- Apartments:
 - one person for each bachelor unit,
 - 2 persons for each one bedroom unit
 - 2.25 persons for all other unit types
- Townhouse - 3.35 persons
- Single Family dwelling - 3.35 persons

The Development Officer shall allow the numbers of single family, townhouse or multiple-unit (apartment) dwelling units, as shown on Schedule ~~B-B-2~~, to vary by up to 30%, provided that the population density of the entire development indicated above is not exceeded ~~and provided the number of multiple unit (apartment buildings) does not exceed four.~~

For the purposes of calculating density, one bedroom plus den units shall be considered to be the same as one-bedroom units. Population density tracking calculations shall be provided to the Development Officer of the Municipality with each application for Development or Construction permits for any multiple-unit building.

Notwithstanding the maximum residential population density of 27.1 person per acre noted above, the residential population density of the entire development may be increased to 28.1 persons per acres of Gross Lot Area as defined in the Land Use By-law, provided that the additional population is directed to the multiple-unit **residential** (apartment) ~~dwellings~~ **buildings** only.

10. The Existing Development Agreement shall be amended by inserting subsection 2.4.8, immediately following subsection 2.4.7, as shown in bold:

2.4.8 Parking Garage Wall Treatment/ Exposed Foundation: Large blank or unadorned exterior parking garage or foundation walls shall not be permitted. The scale of large walls shall be tempered by the introduction of such elements as artwork/ murals, plantings and trellises, and architectural detail to create shadow lines (implied windows, cornice lines, or offsets in the vertical plane). Any exposed foundation in excess of five feet in height shall be architecturally detailed, veneered with concrete or metal panels, stone or brick or treated in an equivalent manner acceptable to the Development Officer.

11. The Existing Development Agreement shall be amended by inserting subsection 2.6.9, immediately following subsection 2.6.8, as shown in bold:

2.6.9 Notwithstanding subsection 2.6.2, on Lot N3A, the landscaped area between the parking lot and the northeast property line, abutting the townhouse property at 652 Cowie Hill Road, shall include an opaque privacy fence or screening structure with a minimum height of five feet along or near the property line, in combination with tree planting (at least 50 percent of which shall be coniferous), above the retaining wall structure for screening purposes.

12. The Existing Development Agreement shall be amended by adding Subsections 4.2 (i) and (j), immediately following subsection 4.2 (h), as shown in bold:

- (i) An extension to the date of completion of the development, as specified in subsection 5.4.1.;**
- (j) Changes to the exterior architectural appearance and building materials for the multiple-unit residential buildings which, in the opinion of the Development Officer, do not conform with the Schedules or subsections 2.4.2 (g) and (h).**

13. Section 5.4.1 of the Existing Development Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the text shown in bold, as follows:

- 5.4.1 If the Developer fails to complete the development by **October 9, 2029** ~~after ten years from the date of the registration of this Agreement at the Registry of Deeds or Land Registration Office~~ Council may review this Agreement, in whole or in part, and may:
- (a) retain the Agreement;
 - (b) negotiate a new Agreement; or
 - (c) discharge this Agreement.

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: _____

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

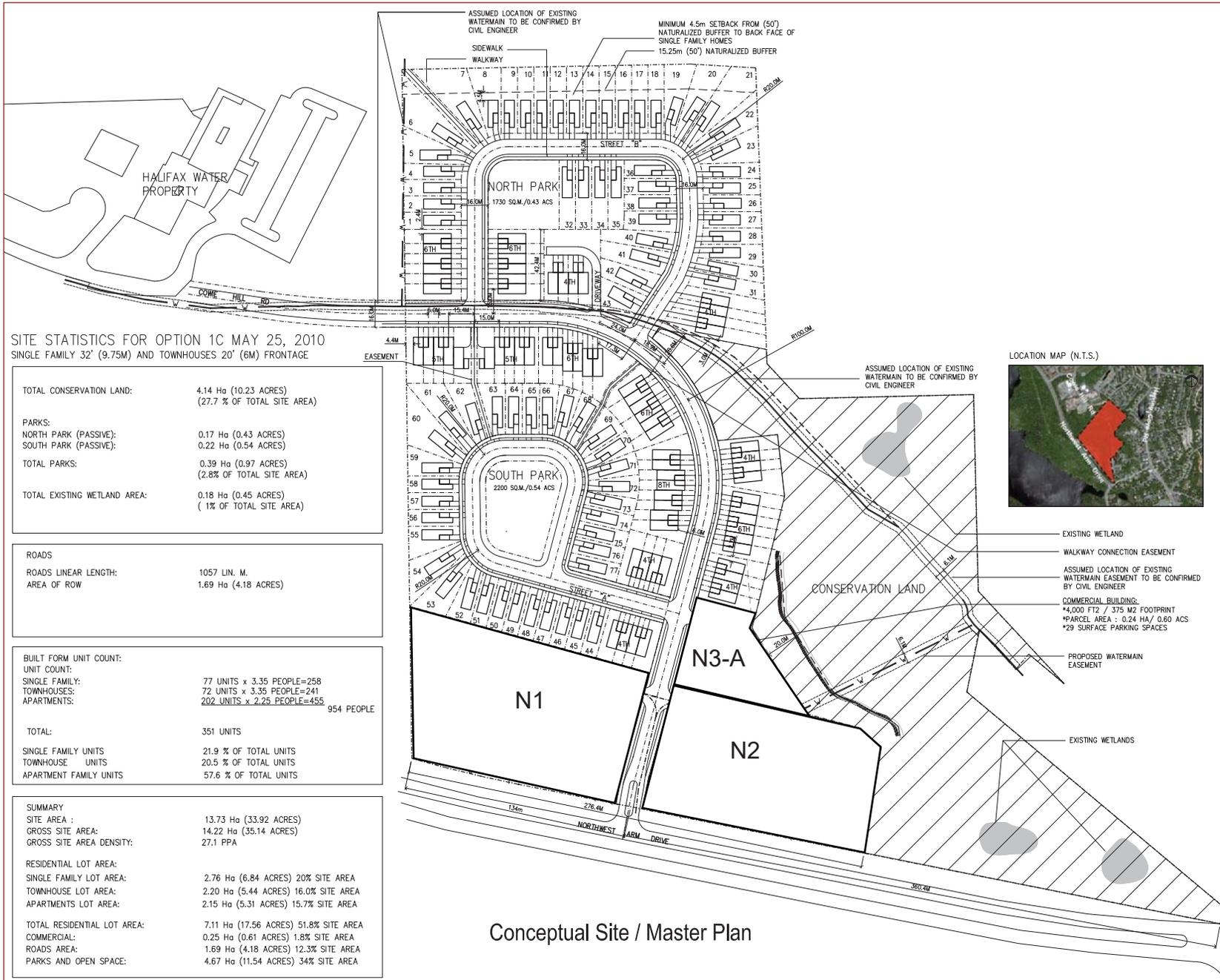
HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____
MAYOR

Witness

Per: _____
MUNICIPAL CLERK



SITE STATISTICS FOR OPTION 1C MAY 25, 2010
SINGLE FAMILY 32' (9.75M) AND TOWNHOUSES 20' (6M) FRONTAGE

TOTAL CONSERVATION LAND:	4.14 Ha (10.23 ACRES) (27.7 % OF TOTAL SITE AREA)
PARKS:	
NORTH PARK (PASSIVE):	0.17 Ha (0.43 ACRES)
SOUTH PARK (PASSIVE):	0.22 Ha (0.54 ACRES)
TOTAL PARKS:	0.39 Ha (0.97 ACRES) (2.8% OF TOTAL SITE AREA)
TOTAL EXISTING WETLAND AREA:	0.18 Ha (0.45 ACRES) (1% OF TOTAL SITE AREA)
ROADS	
ROADS LINEAR LENGTH:	1057 LIN. M.
AREA OF ROW:	1.69 Ha (4.18 ACRES)
BUILT FORM UNIT COUNT:	
UNIT COUNT:	
SINGLE FAMILY:	77 UNITS x 3.35 PEOPLE=258
TOWNHOUSES:	72 UNITS x 3.35 PEOPLE=241
APARTMENTS:	202 UNITS x 2.25 PEOPLE=455
	954 PEOPLE
TOTAL:	351 UNITS
SINGLE FAMILY UNITS	21.9 % OF TOTAL UNITS
TOWNHOUSE UNITS	20.5 % OF TOTAL UNITS
APARTMENT FAMILY UNITS	57.6 % OF TOTAL UNITS

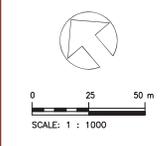
SUMMARY	
SITE AREA :	13.73 Ha (33.92 ACRES)
GROSS SITE AREA:	14.22 Ha (35.14 ACRES)
GROSS SITE AREA DENSITY:	27.1 PPA
RESIDENTIAL LOT AREA:	
SINGLE FAMILY LOT AREA:	2.76 Ha (6.84 ACRES) 20% SITE AREA
TOWNHOUSE LOT AREA:	2.20 Ha (5.44 ACRES) 16.0% SITE AREA
APARTMENTS LOT AREA:	2.15 Ha (5.31 ACRES) 15.7% SITE AREA
TOTAL RESIDENTIAL LOT AREA:	7.11 Ha (17.56 ACRES) 51.8% SITE AREA
COMMERCIAL:	0.25 Ha (0.61 ACRES) 1.8% SITE AREA
ROADS AREA:	1.69 Ha (4.18 ACRES) 12.3% SITE AREA
PARKS AND OPEN SPACE:	4.67 Ha (11.54 ACRES) 34% SITE AREA

Conceptual Site / Master Plan

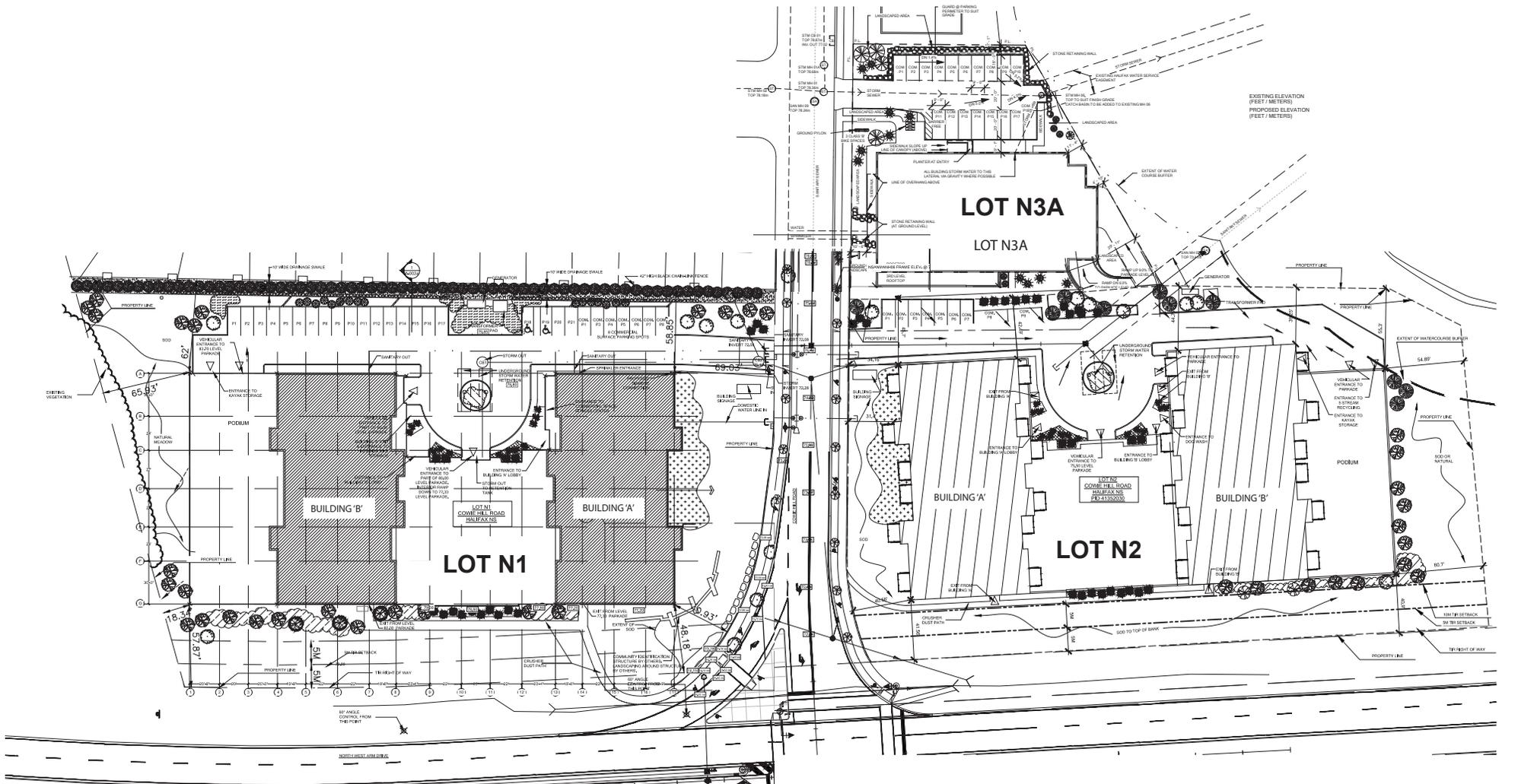
IBI GROUP

Young+Wight / IBI Group Architects
5th Floor-230 Richmond Street West
Toronto ON M5V 1V6 Canada
Tel: 416 968 3522
Fax: 416 598 0944

Young+Wight/IBI Group Architects
is a member of IBI Group Architects



ADDED WATERMAIN AT PROPERTY LINE	MAY 18, 2010
PLAN UPDATES FOR DEV. AGREEMENT	APR 21, 2010
REVISED LOTS AT BUFFER	FEB 19, 2010
REVISED PLAN	JAN 14, 2010
REVISED PLAN	DEC 24, 2009
24840	DEC 12, 08
24840	DEC 12, 08
ROCKCLIFFE VILLAGE	
H&B Inc. NS, Canada	
MASTER PLAN - OPTION 1C	
Schedule B-2	



**LOTS N1, N2 AND N3-A
LONG LAKE VILLAGE, HALIFAX, NS**

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.



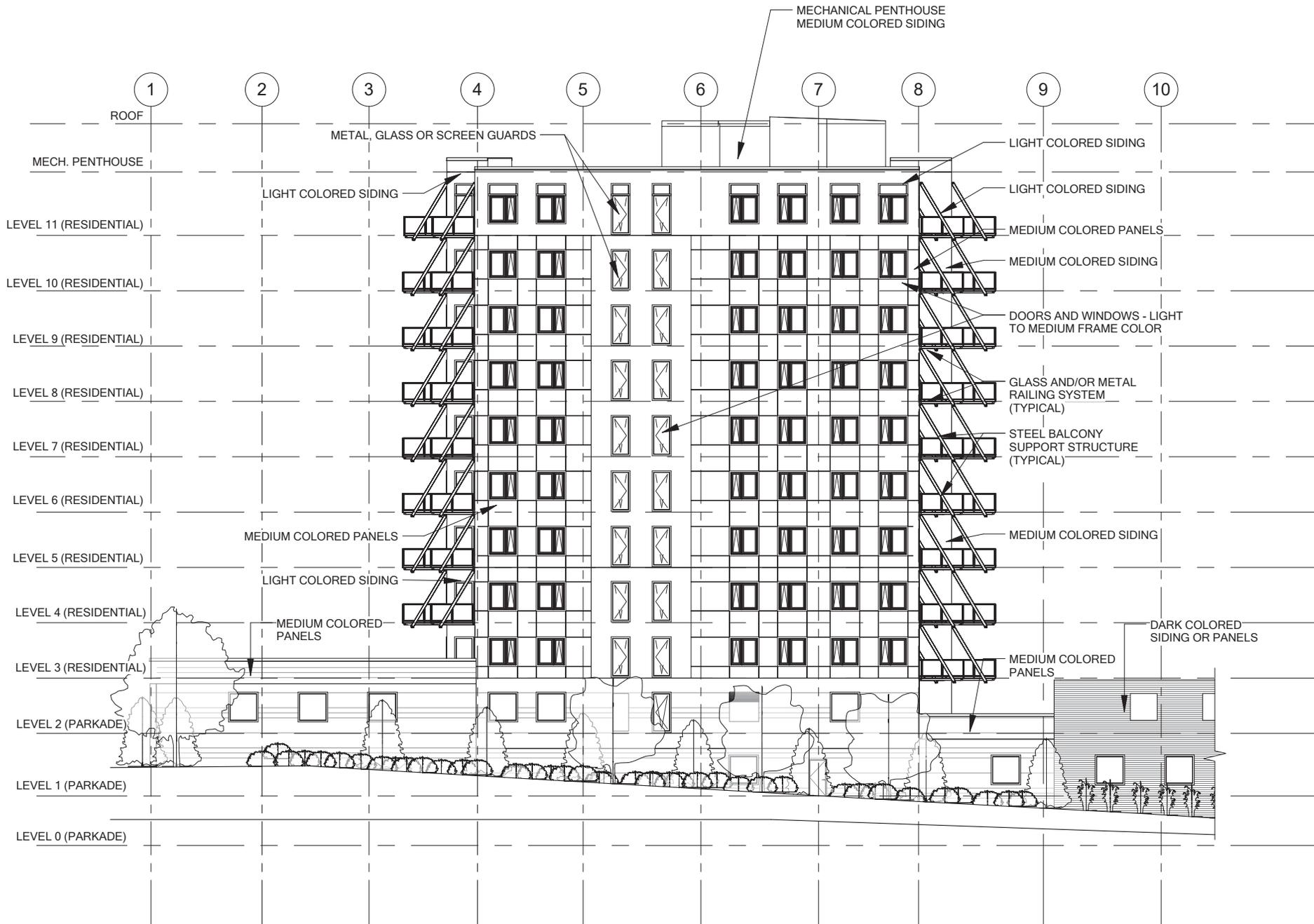
ISSUED FOR:
**DEVELOPMENT
AGREEMENT
APPLICATION**

DRAWING:
SITE PLAN KEY

SCALE:

ISSUE DATE:
MAY 2018

SCHEDULE B-3



ARIA at Long Lake
 LOT N1 COWIE HILL RD
 HALIFAX, NOVA SCOTIA

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.

**MICHAEL
 APIER
 ARCHITECTURE INC.**

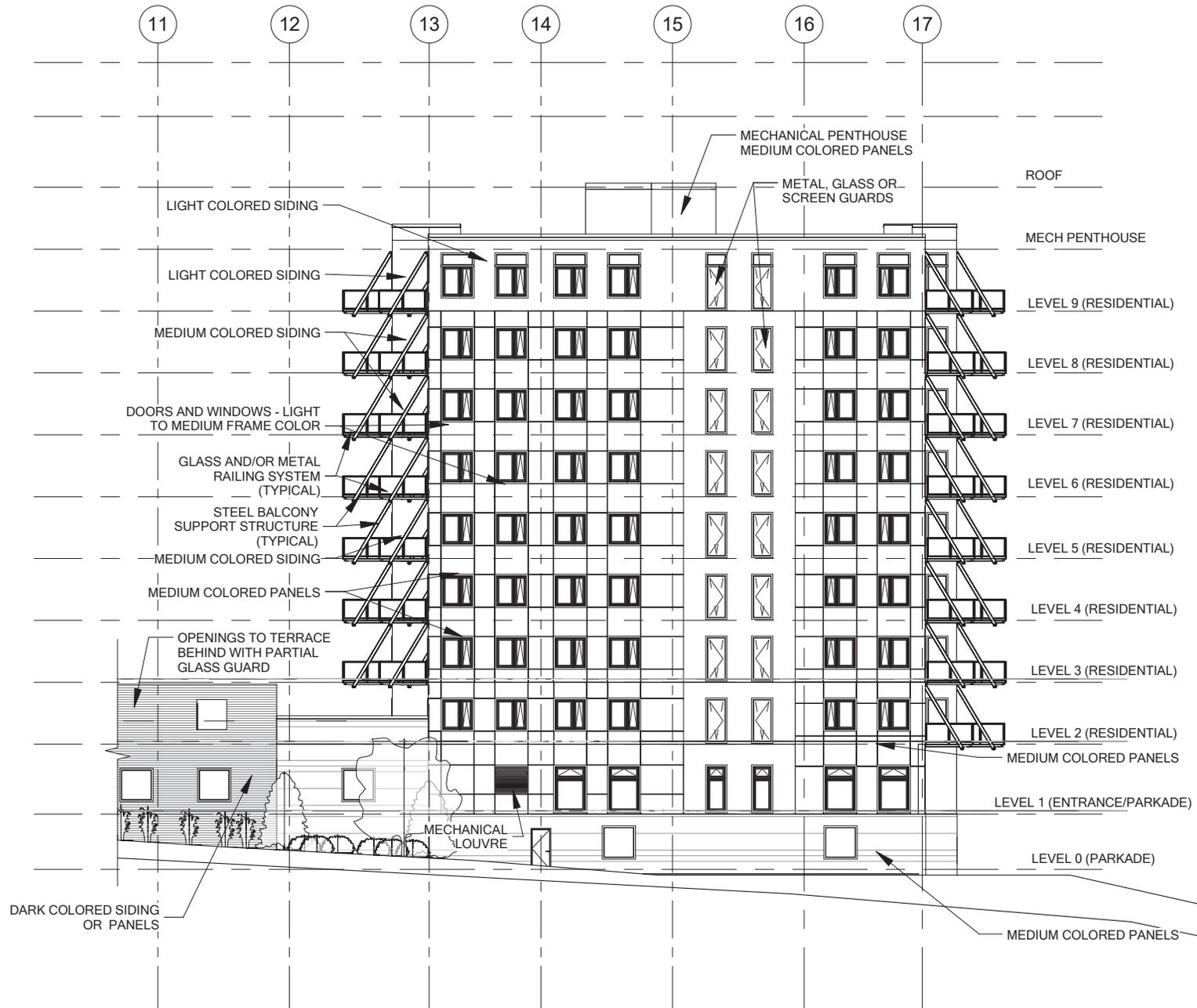
DRAWING:
SOUTHWEST ELEVATION BUILDING 'B'

DATE:
 MAY 2018

SCALE:
 1 : 300

ISSUED FOR AMENDMENT TO DA

SCHEDULE C-1



ARIA at Long Lake
 LOT N1 COWIE HILL RD
 HALIFAX, NOVA SCOTIA

- ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
- DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
- ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.

**MICHAEL
 APIER
 ARCHITECTURE INC.**

DRAWING:
SOUTHWEST ELEVATION BUILDING 'A'

SCALE:
 1 : 300

ISSUED FOR AMENDMENT TO DA

DATE:
 MAY 2018

SCHEDULE C-2



ARIA at Long Lake
 LOT N1 COWIE HILL RD
 HALIFAX, NOVA SCOTIA

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.

**MICHAEL
 APIER
 ARCHITECTURE INC.**

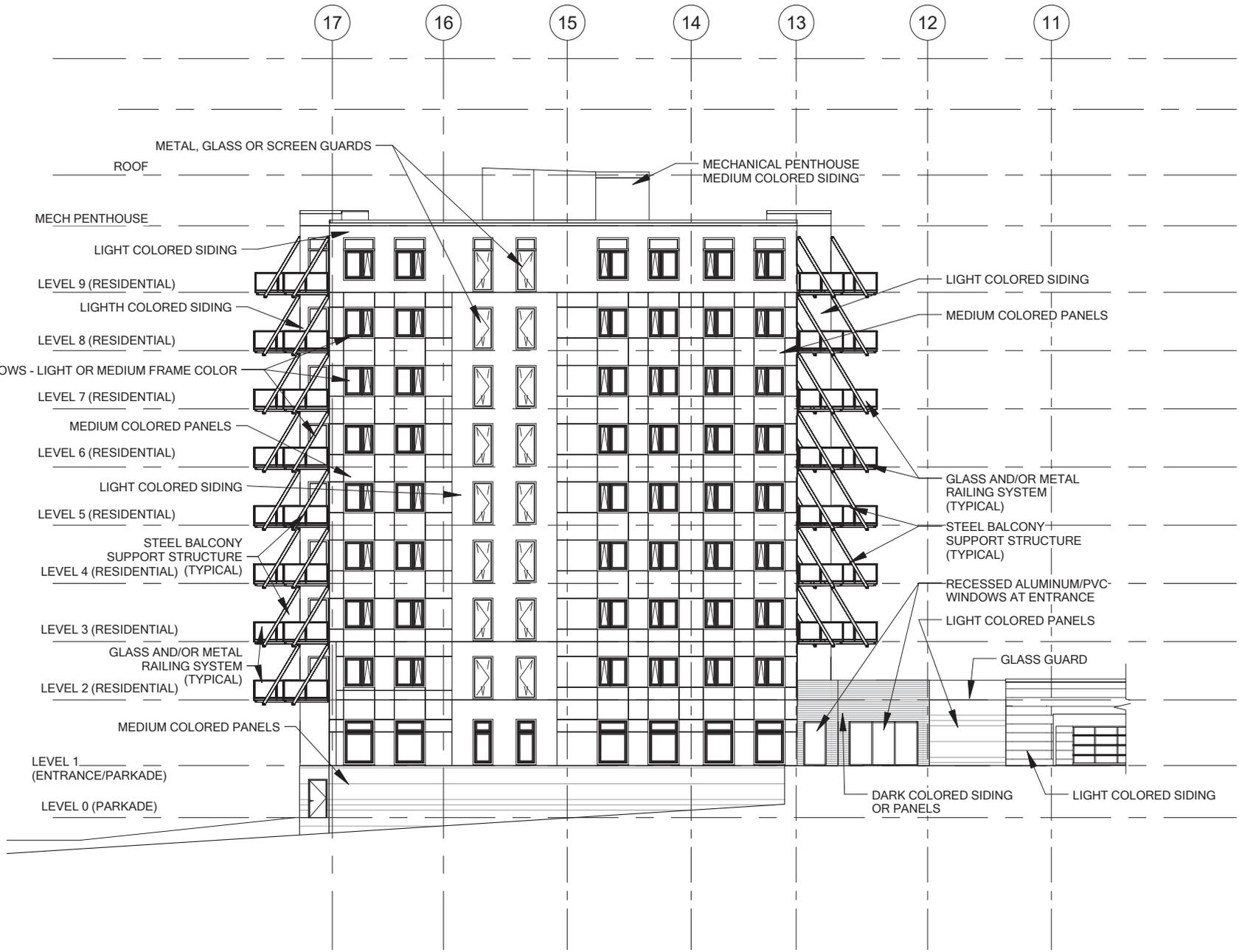
DRAWING:
SOUTHEAST ELEVATION BUILDING 'A'

SCALE:
 1 : 300

ISSUED FOR AMENDMENT TO DA

DATE:
 MAY 2018

SCHEDULE C-3



ARIA at Long Lake
 LOT N1 COWIE HILL RD
 HALIFAX, NOVA SCOTIA

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.



DRAWING:
NORTHEAST ELEVATION BUILDING 'A'

SCALE:
1 : 300

ISSUED FOR AMENDMENT TO DA

DATE:
 MAY 2018

SCHEDULE C-4



ARIA at Long Lake
 LOT N1 COWIE HILL RD
 HALIFAX, NOVA SCOTIA

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.

**MICHAEL
 APIER
 ARCHITECTURE INC.**

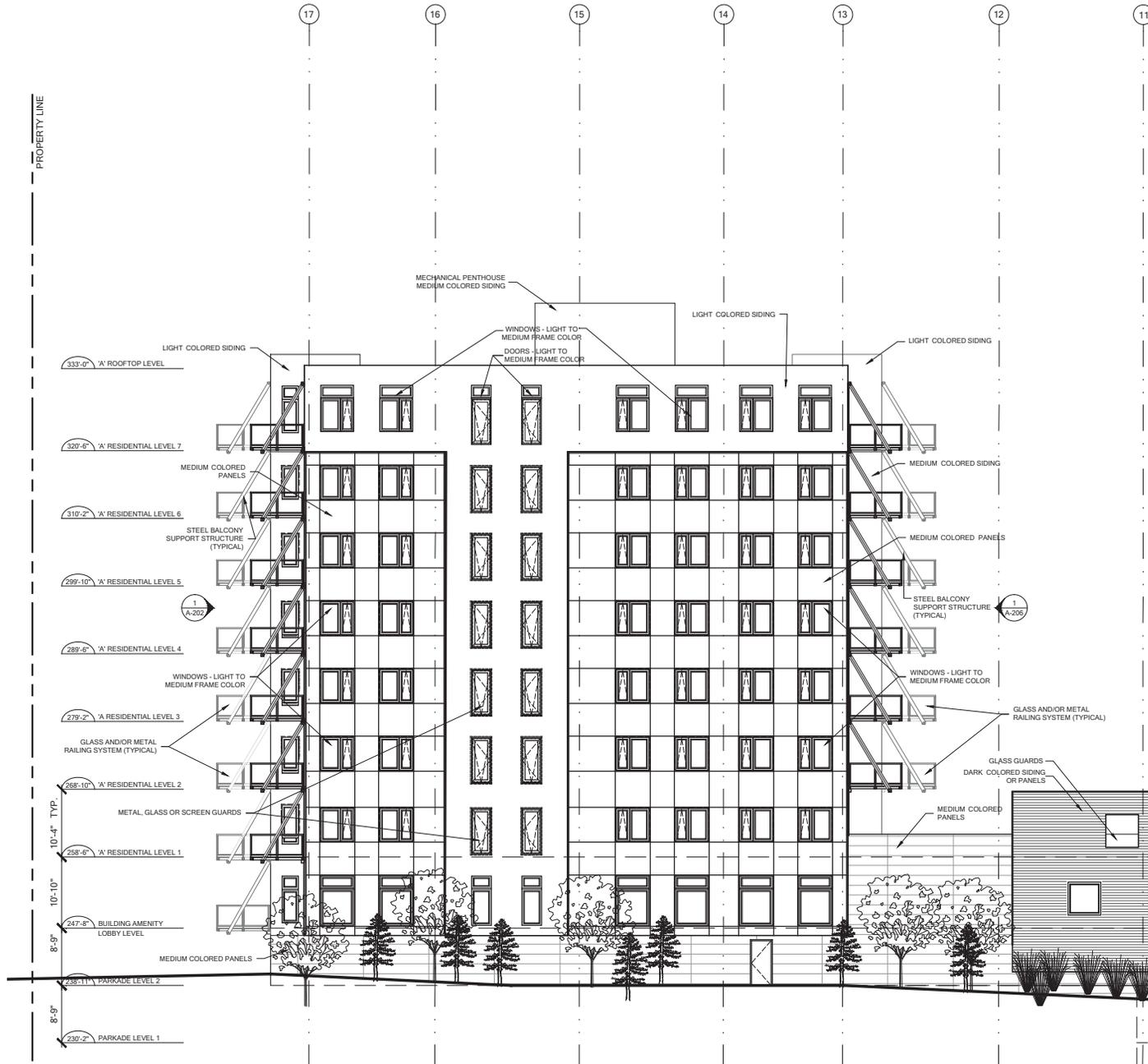
DRAWING:
NORTHWEST ELEVATION BUILDING 'B'

SCALE:
1 : 300

ISSUED FOR AMENDMENT TO DA

DATE:
MAY 2018

SCHEDULE C-6



ADAGIO

LOT N-2 COWIE HILL ROAD
HALIFAX
NOVA SCOTIA

REVISIONS

NO.	REVISION NAME	DATE
	ISSUED FOR AMENDMENT TO DA	MAY 2018

ALL CONSTRUCTION TO MEET
ALL APPLICABLE CODES, BY-LAWS,
STANDARDS, ETC.

APPROXIMATE DIMENSIONS
AND ROOF SLOPES



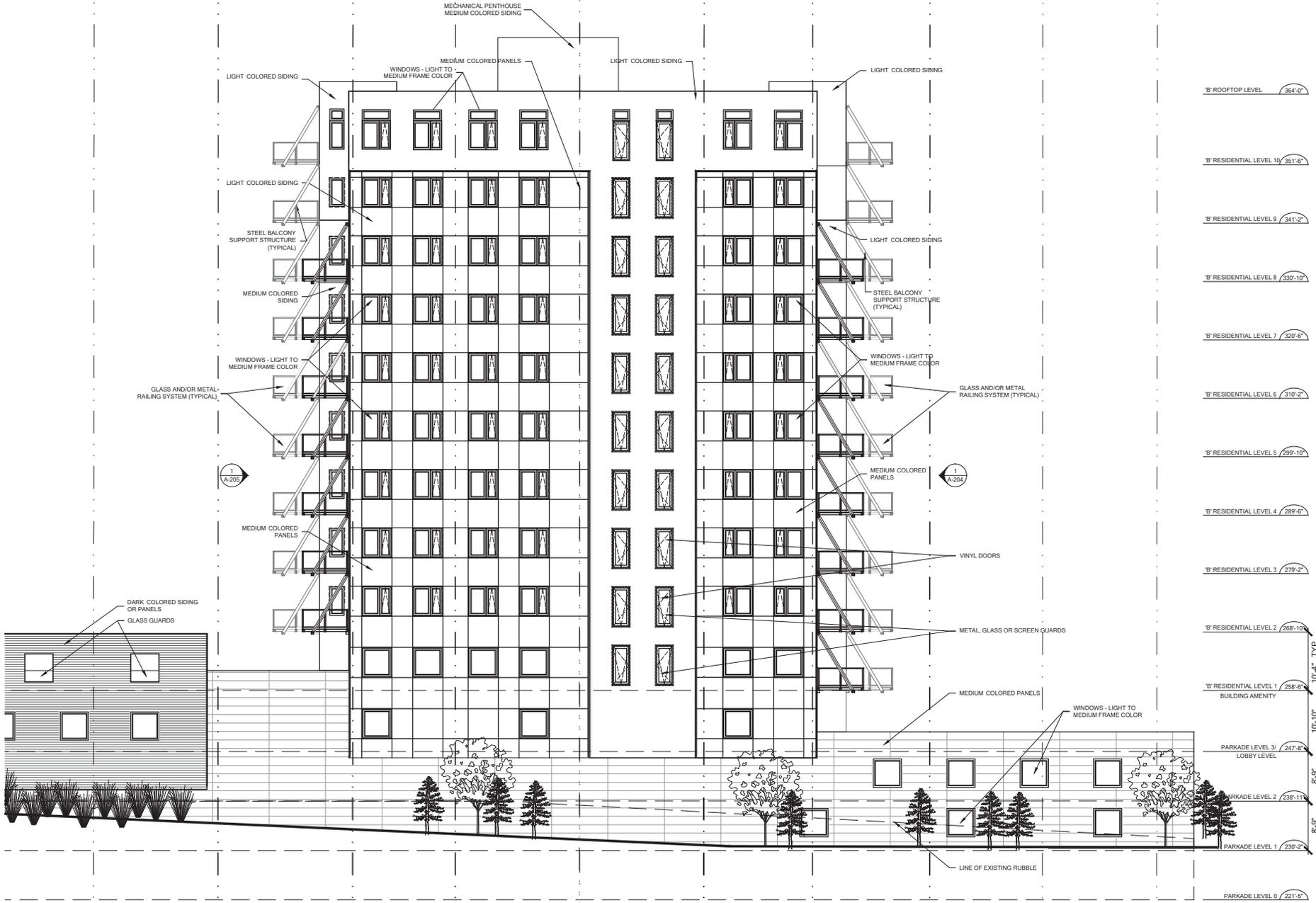
DRAWING
SOUTHWEST ELEVATION
BUILDING 'A'

SCALE
NOT TO SCALE

DATE
MAY 2018

SCHEDULE
D-1

10 9 8 7 6 5 4 3 2 1



ADAGIO

LOT N-2 COWIE HILL ROAD
HALIFAX
NOVA SCOTIA

REVISIONS

NO.	REVISION NAME	DATE
	ISSUED FOR AMENDMENT TO DA	MAY 2018

ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, BY-LAWS, STANDARDS, ETC.

APPROXIMATE DIMENSIONS AND ROOF SLOPES



DRAWING
SOUTHWEST ELEVATION
BUILDING 'B'

SCALE
NOT TO SCALE

DATE
MAY 2018

SCHEDULE
D-2



PROPERTY LINE

ADAGIO

LOT N-2 COWIE HILL ROAD
HALIFAX
NOVA SCOTIA

REVISIONS

NO.	REVISION NAME	DATE
	ISSUED FOR AMENDMENT TO DA	MAY 2018

ALL CONSTRUCTION TO MEET
ALL APPLICABLE CODES, BY-LAWS,
STANDARDS, ETC.

APPROXIMATE DIMENSIONS
AND ROOF SLOPES

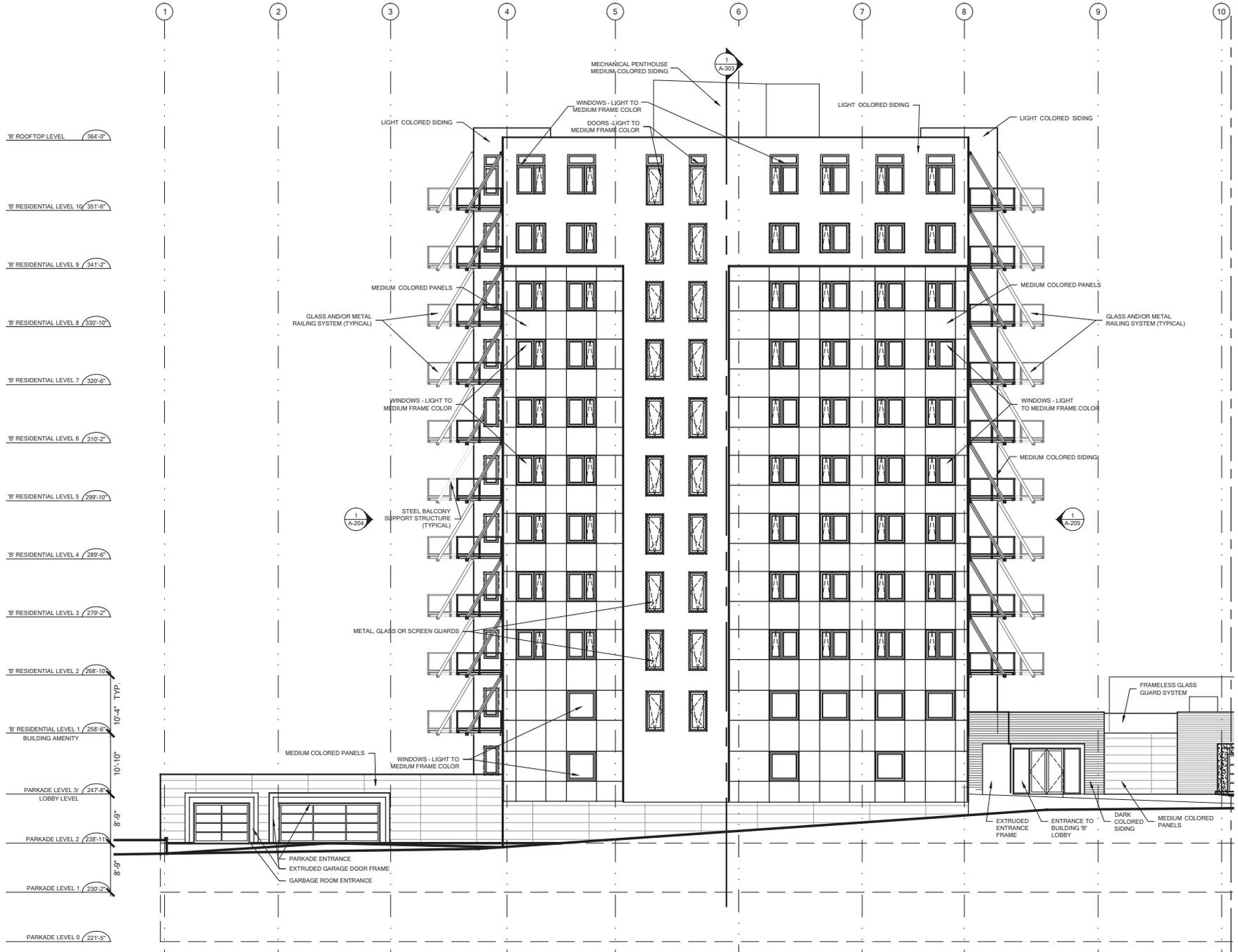
MICHAEL
NAPIER
ARCHITECTURE inc
www.mnarch.ca + 902.455.5522

DRAWING
NORTHWEST ELEVATION
BUILDING 'A'

SCALE
NOT TO SCALE

DATE
MAY 2018

SCHEDULE
D-3



ADAGIO

LOT N-2 COWIE HILL ROAD
HALIFAX
NOVA SCOTIA

REVISIONS

NO.	REVISION NAME	DATE
1	ISSUED FOR AMENDMENT TO DA	MAY 2018

ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, BY-LAWS, STANDARDS, ETC.

APPROXIMATE DIMENSIONS AND ROOF SLOPES

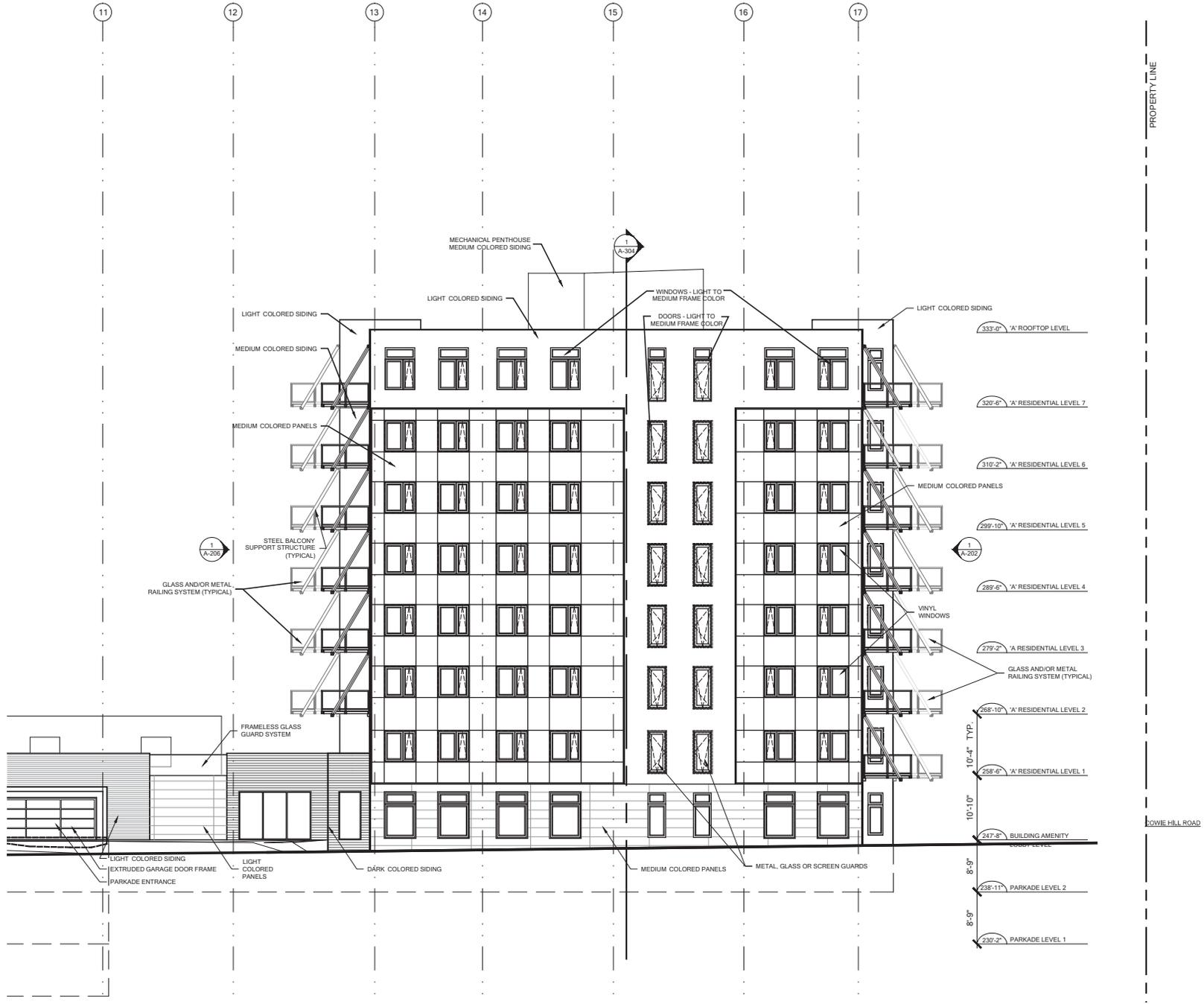
MICHAEL
NAPIER
ARCHITECTURE inc
www.mnarch.ca + 902.455.5522

DRAWING
NORTHEAST ELEVATION
R1111 DING 'B'

SCALE
NOT TO SCALE

DATE
MAY 2018

SCHEDULE D-4



ADAGIO

LOT N-2 COWIE HILL ROAD
HALIFAX
NOVA SCOTIA

REVISIONS

NO.	REVISION NAME	DATE
1	ISSUED FOR AMENDMENT TO DA	MAY 2018

ALL CONSTRUCTION TO MEET
ALL APPLICABLE CODES, BY-LAWS,
STANDARDS, ETC.

APPROXIMATE DIMENSIONS
AND ROOF SLOPES

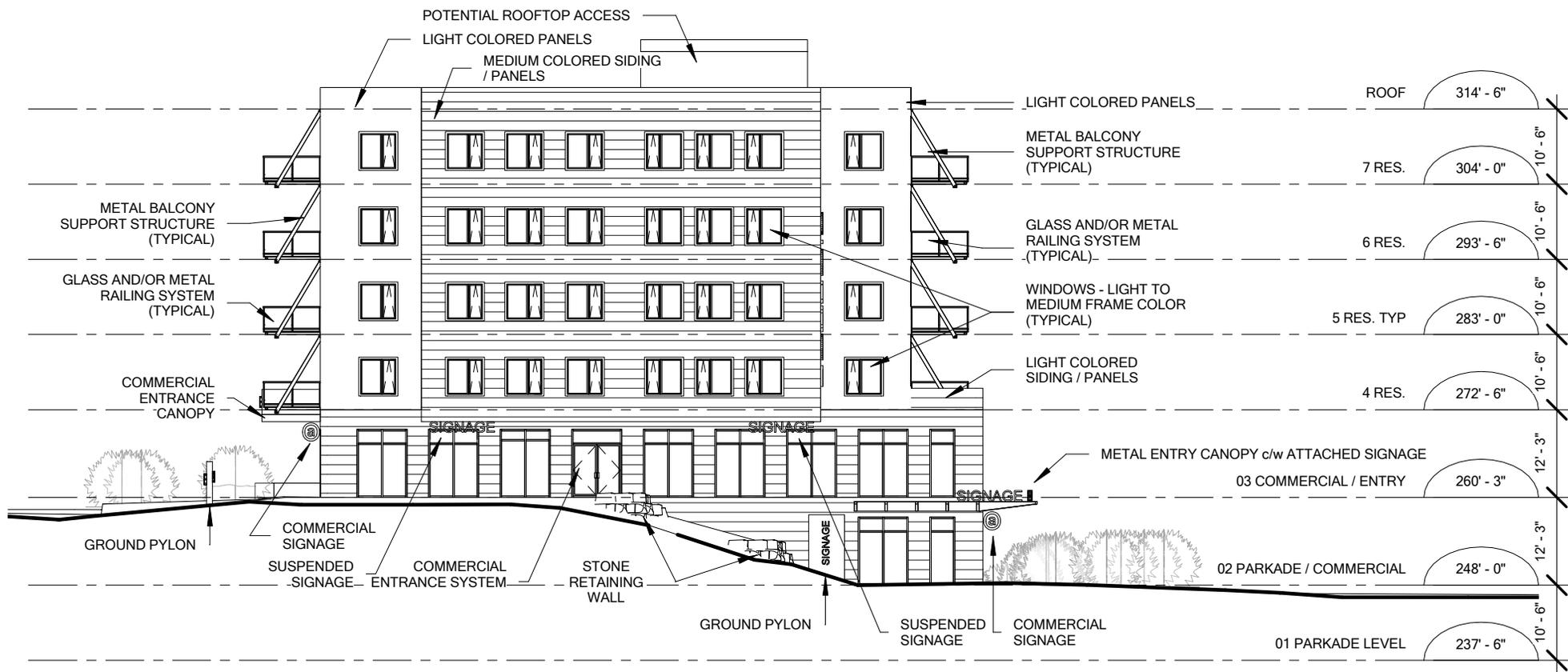
MICHAEL
NAPIER
ARCHITECTURE inc
www.mnarch.ca + 902.455.5522

DRAWING
NORTHEAST ELEVATION
BUILDING 'A'

SCALE
NOT TO SCALE

DATE
MAY 2018

SCHEDULE D-5



LOT N3A
 COWIE HILL ROAD
 HALIFAX NS

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.



ISSUED FOR:
**DEVELOPMENT
 AGREEMENT
 APPLICATION**

DRAWING:
WEST ELEVATION

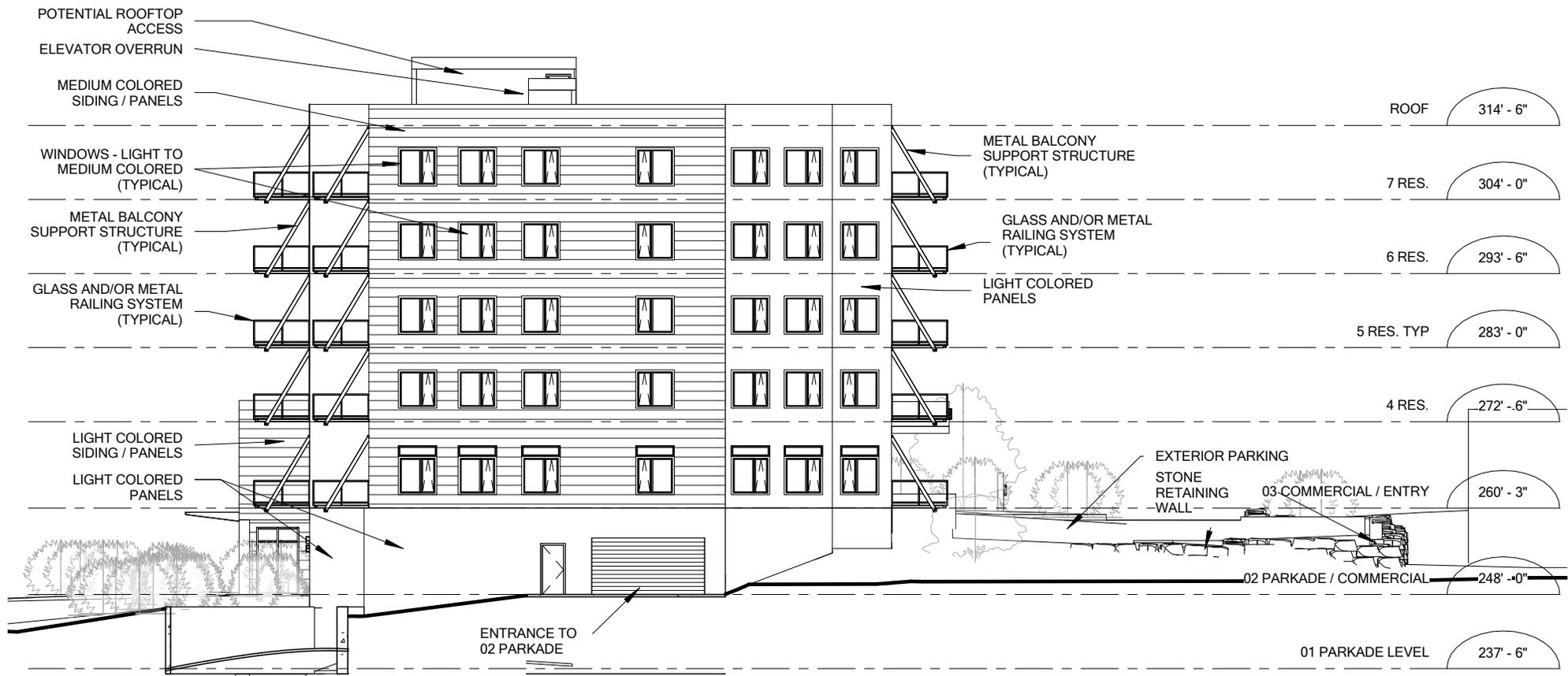
SCALE:
 3/64" = 1'-0"

ISSUE DATE:
 2018-06-05

DRAWING NO.:
 SCHEDULE E-1



LOT N3A COWIE HILL ROAD HALIFAX NS	1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC. 2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED. 3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.	MICHAEL APIER ARCHITECTURE <small>www.miaarch.ca • 902.455.5522</small>	ISSUED FOR: DEVELOPMENT AGREEMENT APPLICATION	DRAWING: NORTH ELEVATION	ISSUE DATE: 2018-06-05
			SCALE: 3/64" = 1'-0"	DRAWING NO.: SCHEDULE E-2	



LOT N3A
 COWIE HILL ROAD
 HALIFAX NS

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.



ISSUED FOR:
**DEVELOPMENT
 AGREEMENT
 APPLICATION**

DRAWING:
EAST ELEVATION

SCALE:
3/64" = 1'-0"

ISSUE DATE:
2018-06-05

DRAWING NO.:
SCHEDULE E-3



LOT N3A
 COWIE HILL ROAD
 HALIFAX NS

1. ALL CONSTRUCTION TO MEET ALL APPLICABLE CODES, STANDARDS, BY-LAWS, ETC.
2. DO NOT SCALE THIS DRAWING FOR CONSTRUCTION PURPOSES. USE FIGURED DIMENSIONS AS NOTED.
3. ALL DIMENSIONS AND CONDITIONS TO BE VERIFIED ON SITE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT AND AGREED UPON BEFORE PROCEEDING.



ISSUED FOR:
**DEVELOPMENT
 AGREEMENT
 APPLICATION**

DRAWING:
SOUTH ELEVATION

SCALE:
 3/64" = 1'-0"

ISSUE DATE:
 2018-06-05

DRAWING NO.:
 SCHEDULE E-4

LONG LAKE VILLAGE PARKING	SCHEDULE G-1
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LOT N1	MINIMUM SPACES TO BE PROVIDED
PARKING SPACE TO RESIDENTIAL UNIT RATIO 1.1:1 (interior and/or exterior) MIN. COMMERCIAL SPACES 9	
* 2/3 of the parking spaces to be 9'x20'; up to 1/3 of the parking spaces to be 8'x16'	

LOT N2	MINIMUM SPACES TO BE PROVIDED
PARKING SPACE TO RESIDENTIAL UNIT RATIO 1.1:1 (interior and/or exterior) MIN. COMMERCIAL SPACES 9	
* 2/3 of the parking spaces to be 9'x20'; up to 1/3 of the parking spaces to be 8'x16'	

LOT N3-A	MINIMUM SPACES TO BE PROVIDED
PARKING SPACE TO RESIDENTIAL UNIT RATIO 1:1 (interior and/or exterior) MIN. COMMERCIAL SPACES 16	
* 40 of the interior parking spaces to be 8'x16'; the remainder of the interior spaces to be 9'x20'; exterior parking spaces to be 9'x20' with the exception of those along north property line which are to be 9'x17' to provide extra buffer to neighbour	

Attachment D
Review of Relevant Policies of the Halifax MPS

Halifax Municipal Planning Strategy
Section X – Mainland South Secondary Planning Strategy
1. Residential Environments

Objective: The development and maintenance of Mainland South as a predominantly residential area with a diverse mixture of family and non-family housing.

Policy	Comment
<p><i>1.5 Areas designated as "Residential Development District" on the Generalized Future Land Use Map shall be residential development areas planned and developed as a whole or in phases under a unified site design, providing a mixture of residential uses and related recreational, commercial and open space uses, with an emphasis on a mix of dwelling unit types.</i></p>	<p>The original residential development proposal was approved in 2009. The overall site design remains largely intact. The current proposal primarily involves changing Lot N3A from a commercial building to a mixed-use building with residential units and spreading out the commercial uses to the ground floors of all multi-unit buildings. The development continues to include a mix of residential, recreational, commercial and open space uses. The residential mix includes single family, townhouse and multi-unit (apartment) uses. With regard to apartment unit types, the proposed policy 1.5.8 clarifies the intent to provide predominantly one apartment unit type.</p>
<p><i>1.5.1 Pursuant to Policy 1.5, the Land Use By-law shall provide a new zone, the Residential Development District, within which "Low-Density Residential" development and public community facilities shall be permitted and other development shall be permitted only under the contract development provisions of the Planning Act and the requirements in Schedule I.</i></p>	<p>The Long Lake Village properties are zoned RDD and are subject to an existing development agreement.</p>

<p><i>1.5.8 (Proposed) The area designated as "Residential Development District" known as Long Lake Village, at Cowie Hill Road and North West Arm Drive, contains a compact form of mixed-use development containing single-family, townhouse, multiple-unit residential and commercial uses combined with open space, which includes parkland and conservation land. Notwithstanding Schedule I (RDD guidelines), which calls for a maximum of 15% of the land area being used for apartment uses, the Municipality may amend the existing development agreement to permit multiple-unit residential (apartment) uses with ground floor commercial uses on Lot N3A (PID #41394024), Cowie Hill Road, in addition to those permitted on Lots N1 and N2 (PID #41352022, 41352030), with lots N1, N2 and N3A encompassing up to 17.5% of the land area covered by the development agreement. Adequate controls shall be placed on the building height and location on lot N3A in order to reduce impacts on surrounding residential uses. Furthermore, notwithstanding Policy 1.5 which calls for a mix of dwelling unit types, the development agreement may allow for a single unit type (bachelor-type unit counting as 1 person per unit) on Lot N3A, in addition to those permitted on Lots N1 and N2.</i></p>	<p>Lots N1, N2 and N3A together account for 17.5% of the total land area covered by the development agreement, which is a minor increase in the current 15% limitation. As such, the proposed increase allows Lot N3A to also be used for multi-unit residential units. No additional lands in Long Lake Village beyond Lot N3A will be permitted to be used for multi-unit residential uses.</p> <p>The draft amending agreement (Attachment C) requires that the building on lot N3A be limited to 6 storeys in height, be located at least 60 feet from the northeast property line in common with a neighbouring townhouse and requires a privacy fence/ screening structure and tree planting along or near the property line, above a retaining wall structure, for screening purposes.</p> <p>The existing Long Lake Village development includes single family and townhouse dwellings, which, when combined with the proposed multi-unit residential uses, provides an acceptable mix of unit types overall. The proposed smaller unit type with modern amenities within the multi-unit buildings provides an alternative to medium size and larger units in the current suburban market. These smaller unit types are currently permitted on Lots N1 and N2 through a previous amendment to the agreement in 2010 and the issuance of municipal permits. Proposed policy 1.5.8 is partly meant to clarify that all apartment units, including those proposed for Lot N3A, are permitted to be small, bachelor-type units.</p>
<p><u>Schedule I – Guidelines for Residential Development District</u></p> <p><i>Pursuant to Policy 1.5.1, contract development in any area designated "Residential Development District" on the Generalized Future Land Use Map must conform with the following guidelines:</i></p> <p><u>Uses Which May be Permitted</u></p> <ol style="list-style-type: none"> <i>1. Residential Uses</i> <i>2. Community Facilities</i> <i>3. Institutional Uses</i> <i>4. Neighbourhood Commercial Uses</i> <i>5. Commercial Convenience Centres.</i> 	<p>The following uses are permitted by the development agreement:</p> <p>Residential, community facility (parks and conservation land), neighbourhood commercial and commercial convenience centre (ground-floor commercial uses).</p>

<p><u>Site Development Guidelines</u> 5. Residential</p> <p>- a density of twenty-two persons per gross acre shall be permitted. Proposals in excess of twenty-two persons per gross acre may be considered provided that no development shall exceed the capacity of existing or proposed sewers. In calculating the permissible density of any project, the capacities available to the drainage area shall be considered.</p>	<p>The overall permitted residential population density is 28.1 persons per acre. This was approved through an amendment to the agreement in 2016 and was a 1% increase over the original density allocation of 27.1 ppa. A capacity analysis was carried out by the applicant and reviewed and deemed acceptable by Halifax Water. The current proposal does not seek to alter the existing overall residential population density.</p>
<p>5. Residential (continued)</p> <p>- no more than 15 percent of any area covered by a development agreement may be developed for apartment uses including the building(s), ancillary parking, open space, and landscaping.</p>	<p>The proposal is to increase the land area devoted to apartment uses from 15% to 17.5% to allow for multi-unit development of Lot N3A. This is proposed to be enabled by draft Policy 1.5.8 (Attachment A), which the applicant has requested be adopted by Council.</p>
<p>- the design and layout of the portion of new residential developments abutting existing residential areas shall endeavour to protect the character and scale of these areas by attention to such matters as use of open space, landscaping, and ensuring adequate transition between areas of differing building forms and densities.</p>	<p>The draft amending agreement (Attachment C) require that the proposed building on lot N3A be set back a minimum of 60 feet from the NE property line in common with the abutting townhouse property at 652 Cowie Hill Road and that a combination of fencing and trees be provided along the NE property line for screening purposes.</p>
<p>6. Commercial</p> <p>- neighbourhood commercial uses are permitted at or near the intersection of local streets, and on the ground floor of high-density residential buildings. In addition, consideration may be given for a commercial convenience centre, except in the RDD areas generally west of the Herring Cove Road and south of Leiblin Drive. The amount of gross leasable space may be limited to ensure that the development primarily serves the adjacent neighbourhoods. The intent is to provide for a range of uses such as retail, rental and personal service, household repair shops, service stations, restaurants and office uses. The additional matters to be considered are found in the guidelines of Policy 3.7 of Section II.</p>	<p>The proposal now includes commercial uses on the ground-floor levels of lots N1, N2 and N3A, totaling no more than 15,000 sq.ft., instead of one commercial building on lot N3A, up to 2 storeys (35 feet) in height and 4,000 sq. ft. in floor area. The ground-floor commercial uses in the three multi-unit buildings can be considered a commercial convenience centre, similar to the commercial uses found in the Stoneridge and Stanley Park developments to the northwest. In this case, the agreement limits the amount of commercial floor area and limits the uses to neighbourhood or minor commercial uses, similar to those found in the R-4 zone of the Land Use By-law.</p>
<p><u>Landscaping and Open Space</u></p> <p>7. At least 5 percent of the area of the district development must be useable, landscaped, open space</p>	<p>The landscaped and open space components of the development include the public parkland parcels on Hadley Crescent and Darjeeling Drive as well as equivalent value in the form of park site design and development (play set, benches, trees, plantings, etc). There will also be some open space on each of the multi-unit sites. In addition, the conservation land will include a walkway and some undisturbed land. Overall, the open space requirements are exceeded.</p>

<p>8. No residential or accessory building shall be constructed within 50 feet of any lake, watercourse, or water body. No commercial or accessory structure shall be constructed within 100 feet of any lake, watercourse, or water body.</p>	<p>This requirement is met by the proposal.</p>
<p>9. Any proposal to construct a community facility or institutional use within 100 feet of the water's edge should ensure, through the use of landscaping or other means, that adverse effects on water quality will be avoided or ameliorated during and after construction.</p>	<p>N/A</p>
<p>10. A landscape plan shall be submitted as part of the approval process and the preservation of natural amenities, including rock outcroppings, groves of trees, mature trees, ponds, streams, shores, and wetlands should be preserved whenever possible.</p>	<p>The original development proposal included a review of the natural elements on the site, which resulted in the conservation land being left undeveloped. The current proposal involves only lots N1, N2 and N3A, which were sites identified for development purposes.</p>
<p><i>Circulation</i></p> <p>11. Access to arterial or collector streets should be such that additional traffic along local streets in residential neighbourhoods adjacent to the development is minimized.</p>	<p>An addendum to the original Traffic Impact Statements from 2009 and 2010 was prepared for this proposal. It concluded that the proposed changes to the development will not affect the level of performance of the adjacent streets, including the signalized intersection at NW Arm Drive and Cowie Hill Road (arterial/ collector). The addendum has been reviewed by HRM staff and Nova Scotia Transportation and Infrastructure Renewal and has been deemed acceptable.</p>
<p>12. Where common parking areas are provided, they should be so aligned as to restrict through traffic.</p>	<p>The proposal complies with this policy.</p>
<p><i>General</i></p> <p>13. The minimum required site size for a contract within this area shall be three acres.</p>	<p>The overall site is approximately 35 acres.</p>
<p>14. Municipal infrastructure must be adequate to service any proposed development.</p>	<p>The sewer capacity issue was reviewed by Halifax Water during a previous amendment in 2015 to increase the population density from 27.1 to 28.1 persons per acre (Case #20113). Revised sewage flow calculations have been submitted for the current proposal and reviewed by Halifax Water. No concerns were raised, and a capacity analysis will be required at the permitting stage.</p>

Attachment E – Public Information Meeting Summary

HALIFAX REGIONAL MUNICIPALITY Public Information Meeting Case 20936

The following does not represent a verbatim record of the proceedings of this meeting.

Wednesday, March 7, 2018
7:00 p.m.
Captain William Spry Centre

STAFF IN

ATTENDANCE:

Paul Sampson, Planner, HRM Planning and Development
Iain Grant, Planning Technician, HRM Planning and Development
Cara McFarlane, Planning Controller, HRM Planning and Development

ALSO IN

ATTENDANCE:

Councillor Steve Adams, District 11
Michael Napier, Michael Napier Architects
Peter Polley, Polycorp
David Graham, Atlantic Developments

PUBLIC IN

ATTENDANCE:

Approximately 11

The meeting commenced at approximately 7:00 p.m.

1. Call to order, purpose of meeting – Paul Sampson

Mr. Sampson is the Planner and Facilitator for the application and introduced the area Councillor, the applicant and staff members.

Case 20936 - Application by Polycorp LLV Inc. and RV Atlantic Holdings Ltd. for an amendment to the Halifax Municipal Planning Strategy and amendments to the existing development agreement for Long Lake Village to allow for an increase in the percentage of land area devoted to multi-unit residential uses and changes to the unit mix in order to permit a mixed-use building on Parcel N-3A and changes to the multi-unit residential sites on Parcels N1 and N2, at Cowie Hill Road and Northwest Arm Drive, Halifax.

The purpose of the Public Information Meeting (PIM) is to:

- Identify the proposal site and highlight the proposal;
- Give the applicant an opportunity to present the proposal; and
- Receive public feedback and input regarding the proposal that will be used to prepare the staff report and go forward with this application.

No decisions are made at the PIM or have been made up to this point.

2. Presentation of Proposal – Paul Sampson

Mr. Sampson presented the proposal for Long Lake Village, Cowie Hill Road and Northwest Arm

Drive, Halifax:

- Explained some approved amendments to the existing development agreement (2010, 2011, 2014 and 2016);
- Site context including the current development (various photos);
- Within the Halifax Municipal Planning Strategy and Halifax Mainland Land Use By-law: Designated RDD (Residential Development District) under the Mainland South Secondary Planning Strategy (SPS), and RDD (Residential Development District) Zone;
- Increase multi-unit land area (15% to 17.5%); and
- Primarily “bachelor-type” units.

Presentation of Proposal – David Graham, Atlantic Developments

Mr. Graham presented:

- A slide showing the site that is now Grenoble Court (cul-de-sac; not under the existing development agreement) – anticipate HRM will take road over by Friday (March 9, 2018), Darjeeling Drive (predominantly single family and some townhouses);
- Explained the different phases, housing types, developers (six), built a 5 km trail with parking lot and access to the lake (DNR’s approval) within the Long Lake Village development;
- Described the proposed density transfer;
- Due to market changes, affordable condominiums are being proposed.

Mr. Sampson and Michael Napier described the site plan (two tower components of the building that sit on a shared parking podium) for Lots N-1 (already under construction) and N-2 (have development permits), the proposed site plan for Lot N-3A and some proposed renderings.

3. Questions and Comments

Joey Fitzpatrick, Drumdonald Road – If approved, how much additional blasting will there be and for how long? Blasting is a concern due to property damage. **Peter Polley** – Perhaps in the 10% range of the blasting and rock breaking the previous summer. There is a lot of rubble and 20 feet of old fill on the site to excavate in order to reach the bedrock. Rock breaking is unavoidable but not nearly as much as Lot N-1. Shouldn’t take more than two months. **Mr. Fitzpatrick** – Lots N-1 and N-2 are already approved and going ahead? **Mr. Sampson** – Yes, and Lot N-3A is currently approved for a one or two-storey, 4,000 square foot commercial building. **Mr. Graham** – The same amount of rock breaking and/or blasting would be required for the current or proposed development.

Greg, resident of the Village – The post-blast video assessment done on the house was very bad quality and didn’t pick up the damage that was done. True assessments need to be done. Is there a drive-thru business being proposed on Lot N-3A? **Mr. Polley** – When the drive-thru was mentioned earlier, Mr. Graham was referring to what uses are currently permitted and could fit on that site. The site plan was described. **Greg** asked about the height of the proposed building. **Mr. Polley** – Four floors of residential, primary commercial space on the main floor, flex space on the bottom (commercial/residential/amenity depending on market) with underground parking and a full level of underground parking. Looks like a five-storey with an exposed basement wall on the lower side. **Greg** – What type of building will it be? Are pets allowed? **Mr. Polley** – High end, high quality, super green, environmentally friendly building. Unit sizes range from 600 square feet up to 1,100 or 1,200 square feet. The plan is for a rental building containing 51 units plus the commercial space. Dogs and smoking would not be permitted. **Mr. Sampson** explained that HRM does not regulate types of buildings (rental vs condo).

Ruth Scott, Drumdonald Road – When will these developments be constructed? **Mr. Polley** – Current approved buildings will go up this summer. Lot N-3A will be going through a process that

is many months long. If and when approved and all the administration of legal documents have been done, construction would begin immediately. **Ms. Scott** understood that the original development agreement was for 12-storey buildings on Lot N-1 and four-storeys on Lot N-2. Is that still the case? **Mr. Polley** – Lot N-1 will be two 12-storey buildings but Lot N-2 will not be four. The language in the development agreement is applicable to both lots and depends on how one counts. Gross height on Lot N-1 is 12 but a lot of that is underground (will look like ten). Part of this proposal is to deal with some of the ambiguity of how one counts the number of storeys in the building. **Mr. Sampson** – The original development agreement allows some flexibility on either side of Cowie Hill Road. **Mr. Polley** explained the shared parking common area as a podium for two towers with the same idea on Lot N-2. The proposal will make a nice transition to the townhouses. The density is being transferred between the three lots. If this proposal is not approved, that same density would be built in a larger building on Lot N-2. **Ms. Scott** – Is the unit count still at 202 for the development? **Mr. Polley** – A population density formula is used to calculate the allowable density. The building will be of the same footprint but with smaller units within the same deemed population count that was attributable to the site under the development agreement. **Mr. Sampson** – The 202 number was based on a theoretical type of average unit size (two and three bedroom units).

Ms. Scott asked some questions regarding construction of Grenoble Court/Darjeeling Drive and the walkway to Ridge Valley Road. **Mr. Graham** – Construction should begin any day and it is expected that HRM to take ownership of the street this Friday which will allow developers to apply for permits. This was an as-of-right development; therefore, public consultation was not required. Construction of the two streets was discussed. The walkway is a secondary service requirement that will likely happen in April or end of May. The parks/parkettes are also considered secondary services.

Greg – What is a parkette? **Mr. Graham** sees it as a smaller additional greenspace area about 10,000 square feet. **Greg** – Will the parking entrance to the condos be off Cowie Hill Road? Questioned the commercial space in the two condominiums. **Mr. Graham** said the entrance would be from Cowie Hill Road. **Mr. Polley** – The developer has applied to have up to approximately 3,000 square feet on the main floor of Lots N-1 and N-2 that would accommodate commercial (eg. their own office). The interior layout for the ground floor of Lot N-2 is incomplete but would like to have the flexibility to include other commercial users that would serve the needs of the neighbourhood.

Mr. Sampson gave the details of the proposal within the staff report: a) the commercial uses on the ground floor of Lot N-1 and N-2; b) reducing the parking space dimensions to accommodate smaller vehicles on all lots; c) the clarification of the building heights; and d) removal of distance from property lines at North West Arm Drive (Province has no setback concerns). **Mr. Polley** mentioned that parking spaces would vary from eight feet to about 10.6 feet. **Mr. Sampson** noted that the LUB requires parking spaces to be 9 x 20 feet even if underground. **Greg** asked if there any outdoor parking and how many spaces per unit are being proposed? On-street parking is at a premium. **Mr. Polley** described the limited outdoor parking, landscaping and various accesses (site and underground parking). The vast majority of parking is underground. The number is abnormally high (approximately 1.2 spaces per unit). **Greg** is disappointed with the construction debris in the area.

Yvonne Macor, Bromley Road likes what is being proposed for Lot N-3A but has a concern for pedestrian/bike access. It would be nice for pedestrians/cyclists to go through the neighbourhoods instead of having to travel on the main streets (Cowie Hill Road). Would like to see a staircase at the end of Grenoble Road. What about public transit? **Mr. Polley** – There is a mandatory detailed requirement to provide bicycle parking and storage. At this time, the plans don't include the fine details. **Mr. Graham** suggested speaking with the local councillor regarding transit. **Mr. Polley** would be supportive and encourage HRM to create another aspect to the transit. **Mr. Sampson** – Halifax Transit would have been sent the original development agreement for review. **Ms.**

Macor would like to see more affordable, family sized units. **Mr. Polley** – Family sized units would be more expensive. Smaller, more affordable units are more practical for the portion of the market the applicant is targeting.

Ashley Morton, Northend Halifax wanted clarification on the how the density would remain the same. The original approval was for two taller (maximum of 12-storeys) and two shorter towers. It's been mentioned, that the four towers will now be 12-storeys plus an additional six-storey building on Lot N-3A. This can't be interpreted as anything other than an increase in density from the previously approved development agreement. Also concerned about the increase in the "bachelor-type" units (needs to be a mix). Liked the ecologically, green foot aspect of the development and would like to make sure that gets included in the development agreement. The bike allowances are great. Noted that the Traffic Impact Statement didn't have any reference to public transit and the statement was based around the idea of no drive-thrus. **Mr. Sampson** explained that here is a certain amount of population density permitted. Staff reviewed various proposals over time in terms of the permitting part of it and looked at the wording as well as drawings in the agreement and issued permits based on a combination of what the agreement allowed. There was some built-in flexibility. **Mr. Polley** – The units are considerably smaller than the typical unit that is being built in the suburban areas of the city. **Mr. Graham** – The development itself was allowed 28.1 person per acres (ppa) in the development agreement. The formula that is used to generate this number was explained. **Mr. Sampson** – Part of the proposal is to allow multi-units on this site. The proposal includes new units, not an increase in density but a density transfer onto Lot N-3A. One of the approved amendments to the development agreement was to allow an extra percentage of population density on the entire development to bring it up to 28.1 ppa which added 35 or 36 theoretical people to the density calculation.

Linda Mason, Drummond Road is concerned about the ongoing noise at night beyond the allowable hours for fueling the equipment. **Mr. Graham** will be more mindful of that in the future. **Ms. Mason** is concerned about blasting and rock breaking damaging homes in the area. Residents needed to wear masks due to the dust.

Andrea Brown, Cowie Hill Road believed there would be nothing higher than a two-storey commercial (professional services) building beside her and that it would enhance the health benefits of Long Lake. Concerns include: a) blasting and related potential damage. How will damage be rectified?; b) length of time to build a six-storey versus a two-storey; c) the extended construction noise; d) dust affecting air quality and reducing efficiency of equipment (such as heat pumps); e) construction debris damaging vehicles and properties during high winds; f) construction workers personal garbage; g) long-term effects of affordable bachelor apartments; h) personal safety and increased crime; i) decreased property values and limiting marketing interests; j) losing sunlight due to shadowing from a six-storey building; k) noise from central heating systems; l) gas fumes radiating to the backyard as vehicles come and go at all hours (commercial units as well); m) additional white lights; n) smells; and o) increase in rodents. **Mr. Polley** believes a lot of those concerns would be decreased by the proposal (exterior garbage bins, composting facilities, white lights) compared to what is currently permitted for the site.

Lloyd Robbins, Lawyer representing Konrad Baranowski – Client's concerns include: a) the building is too close to the property and privacy will be lost (site plan shows outdoor balconies that whole side); b) the site plan is undecided in terms of where the building/parking will be located. If the building is close the property line, noise and privacy become accentuated – the parking on the side closest to Mr. Baranowski's property would increase noise from cars coming and going all day; and c) property value will decrease. The client asked what would be developed next door before purchasing the property and was assured it would be a two-storey building. The increase in height will increase the population density within the vicinity of the client's property. The population density needs more discussion. The public needs more clarification of what constitutes a storey in a building. If it is decided that the underground parking doesn't count as a storey, two-storeys could be added to the top of the building and then it becomes a shadow issue.

The MPS indicates that there has to be a broad planning purpose to initiate a change. This application should never have been initiated as there is no planning purpose for it here. This is not a nice transition and Mr. Robbins is concerned that there is no discussion of transition or what will happen in the surrounding neighbourhood in the staff report. If density isn't changing, go back to what was originally proposed. The issue of certainty in planning is being broken here in terms of the RDD definition. This is a high-density development. The studies done to date do not take into account the surrounding land use and what happens when a six-storey building is built next to a two-storey building. It was suggested that concerns like blasting, hours of work, etc. can be written into the development agreement.

Linda Kennedy, Drumdonald Road has a health condition that is exasperated by stress (noise and dust last summer). The construction affected the residents' (and pets) quality of life. Ms. Kennedy bought the property because it was private and quiet. A repeat of last summer will begin again when construction starts. An HRM inquiry was placed to inquire about blasting outside regulated hours (hours were given to audience). Ms. Kennedy was told that the residents would not be subjected to blasting again and wanted an explanation for the false statement. How long will the noise last for this new development? **Mr. Graham** apologized. They have lived up to the commitments made in terms of the integrity of the design. If it was known that the workers were breaching noise by-laws, the issue would have been immediately rectified. Not much can do about dust blowing around. There are many different phases to the development and therefore, things would be happening at different times. **Ms. Kennedy** – In the future, will there be a road of any type at the end of Ridge Valley Road? **Mr. Sampson** said there wouldn't be.

Konrad Baranowski, Cowie Hill Road (next to Lot N3-A) inquired about the property next door (Lot N-3A) one month before purchasing the home. On March 24, 2015 Mr. Graham responded to Mr. Baranowski's realtor, in writing (had a copy of the letter), that there would be a commercial building with a maximum of two floors. On September 29, 2017 the same information was confirmed by Patrick White. Why the false statement? **Mr. Graham** explained that the original thought was uses like small coffee shops, maybe a Pete's Frootique, etc. but there is no guarantee who the tenants will be during the construction process. **Mr. Sampson** – Property owners have the right to ask Council for amendments. **Mr. Baranowski's** concerns include: a) security, safety and privacy (would never have bought house with six-storeys of windows next door) - this proposal is a massive change from original plan; b) decrease in property value; c) noise (continuous even after construction as a result of a six-storey building); d) dust; e) blasting (already damage to home from previous blasting on the sites in Long Lake Village and afraid of more); f) shadows and decreased sunlight in the backyard; and e) loss of views from property (original development agreement didn't affect views as much).

4. Closing Comments – Paul Sampson

Mr. Sampson thanked everyone for coming and expressing their comments.

5. Adjournment

The meeting adjourned at approximately 9:25 p.m.