



P.O. Box 1749  
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**Item No. 13.1.1**  
**Halifax and West Community Council**  
**April 19, 2022**  
**December 15, 2021**

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

**SUBMITTED BY:** *Original Signed*  
Denise Schofield, Acting Chief Administrative Officer

**DATE:** November 29, 2021

**SUBJECT:** **Cases 23746 & 22896: MPS and Development Agreement Amendments for Seton Ridge - Bedford Highway, Seton Road & Lacewood Drive, Halifax**

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**ORIGIN**

- Application by Fathom Studio on behalf of Seton Ridge Holdings Limited
- October 19, 2021 Regional Council initiation of MPS and development agreement 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) for the Seton Ridge neighbourhood, as set out in Attachment A of this report, to allow for the elimination of a required walkway connection to Bayview Road, Halifax, and schedule a public hearing; and
2. Approve the proposed amendments to the Halifax MPS for the Seton Ridge neighbourhood, as set out in Attachment A of this report.
3. Give Notice of Motion to consider the proposed amending development agreements, as set out in Attachments B1 and B2 of this report, to allow changes to the Seton Ridge mixed-use neighbourhood at Bedford Highway, Seton Road and Lacewood Drive, Halifax. The public hearing for the proposed amending development agreements shall be held concurrently with the public hearing referenced in Recommendation 1.

**RECOMMENDATION CONTINUED ON PAGE 2**

Contingent upon the amendments to the Halifax Municipal Planning Strategy 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 agreements for the Seton Ridge mixed-use neighbourhood at Bedford Highway, Seton Road and Lacewood Drive, Halifax, which shall be substantially of the same form as set out in Attachments B1 and B2 of this report.
5. Require the amending development agreement be signed by the property owner within 240 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**

Fathom Studio, on behalf of Southwest Properties (Seton Ridge Holdings Ltd.), have applied to amend the Halifax Municipal Planning Strategy (MPS) (Case 23746) to allow for the elimination of a walkway connection currently required between the Seton Ridge development and Bayview Road, Halifax (Maps 1 and 2, Attachment A).

The applicant also has an ongoing planning application (Case 22896) requesting amendments to other aspects of the two Seton Ridge development agreements. This application has undergone a separate community engagement process and is intended to be considered at the same time as this MPS amendment via a joint public hearing of Regional Council and Halifax and West Community Council. Southwest Properties have concurrently proceeded with conceptual and final subdivision applications.

<b>Subject Site</b>	Seton Ridge neighbourhood (formerly called 'Motherhouse lands') PID's 00137802 and 41282724
<b>Location</b>	Between Bedford Highway and Lacewood Drive, Halifax
<b>Regional Plan Designation</b>	Urban Settlement
<b>Community Plan Designation (Map 1)</b>	Seton Ridge Neighbourhood Plan (SRNP) and the Bedford Highway Secondary Planning Strategy in the Halifax Municipal Planning Strategy
<b>Zoning (Map 2)</b>	Seton Ridge Comprehensive Development District (SRCDD)
<b>Size of Site</b>	29.5 hectares (73 acres)
<b>Street Frontage</b>	Approx. 31 m (102 ft.) on both Bedford Highway and Lacewood Drive
<b>Current Land Use(s)</b>	Undeveloped land
<b>Surrounding Use(s)</b>	<u>North</u> : Low density residential development on Canary Crescent & Melody Drive <u>East</u> : Mount St. Vincent University and low density residential on Sherbrooke Drive <u>South</u> : Residential development on Bayview Road & Briarwood Crescent, a church on Lacewood Drive <u>West</u> : Low density residential development on Chessvale Close & Chartwell Lane

## **Proposal Details**

The proposed amendments to the Halifax MPS and to the development agreement to eliminate the walkway connection (Case 23746) are as follows (Attachment A and Schedule A):

- Amend the Halifax MPS, specifically Map 9Df: Seton Ridge Neighbourhood Plan (Attachment A), to remove the walkway linking Bayview Road to the Seton Ridge lands, which is one of four walkway links required in the MPS to the surrounding residential neighbourhoods; and

- Amend Schedule C2 of the development agreement to remove the subject walkway linking to Bayview Road. While the existing HRM-owned parcel located on Bayview Road, between civic numbers 77 and 79, was intended as a future walkway, it is too narrow and too steep to allow for the construction of a walkway to HRM specifications. The proposal to omit this walkway on Bayview Drive cannot be considered without an amendment to the Halifax MPS noted above, as the proposed walkways are shown on Map 9Df. However, the land parcel may be necessary for water service purposes, which will be confirmed through the final subdivision process.

The other proposed amendments to the development agreement for Seton Ridge (Case 22896) which are to be considered concurrently by the Halifax and West Community Council are as follows (Attachments B1 and B2):

- To delete a clause in the agreements and, thereby, apply the HRM Municipal Design Guidelines street standard of 500 metres as the maximum distance between local street intersections, instead of 200 m in the existing agreement. This is to clarify the original intent that one local street, located in the northwest portion of the site, would wrap around the existing pond and not necessarily be intersected by another local street within the 200 m distance. In addition, a clause is proposed to be amended so that one local street ("Local Street 1") would be permitted to end in a cul-de-sac, in the vicinity of the abutting lands owned by Shannex SC Limited;
- To allow portions of buildings with underground parking or partly above-ground parking garages to be located within 20 m of the road right-of-way with conditions, by deleting a clause which was originally intended for a stand-alone parking structure which is no longer proposed;
- Proposed clarification of requirements for landscaping between paired driveways for low-density residential uses;
- Proposed allowance for height exemptions for rooftop mechanical elements, habitable penthouses, and other building features and clarification of building height calculation with sloping conditions;
- The addition of definitions into the agreement, including existing terminology from the Land Use By-law and new definitions, for clarification purposes; and
- A "housekeeping" amendment to a schedule in one of the agreements (Attachment B2) to correct erroneous references to two other schedules.

The following previously requested amendments to the development agreements for Seton Ridge (case 22896) have been withdrawn and are NOT included:

- To have a stand-alone heat plant as the heat source for a portion of Seton Road, instead of the heat source being from Mount St. Vincent University's heat plant;
- To allow the developer to commence clearing, excavation and blasting activities prior to the Developer receiving full subdivision design approval;
- To allow up to three multi-unit buildings to be constructed within the Neighbourhood Centre prior to final subdivision approval; and
- To allow for a slight increase in the Active Transportation trail grade – this is proposed to be dealt with through the subdivision review process.

### **History**

In July of 2018, Regional Council approved amendments to the Bedford Highway Secondary Planning Strategy (Section VIII of the Halifax MPS) and the Halifax Mainland Land Use By-law to enable the development of a new 'Seton Ridge' neighbourhood, formerly referred to as the 'Motherhouse' lands. Seton Ridge encompasses approximately 73 acres, with the existing development agreement enabling a total of 3,000 residential and assisted living units proposed within a mix of multi-unit and low-density buildings together with a range of commercial and institutional uses. At full build out, the proposed neighbourhood is expected to contain approximately 7,000 residents within a 'neighbourhood centre', 'low-density residential neighbourhoods' and a 'residential care campus'.

Some of the key objectives and components of the Seton Ridge transportation network include a collector road (Seton Road) and an emphasis on transit and active transportation. The development includes an active transportation (AT) pathway alongside the collector road, a walkable street grid of sidewalks and pedestrian easements which link to the internal parks, and four proposed walkways which connect to the abutting residential neighbourhood on Bayview Road, Sherbrooke Drive, Chessvale Close, and Canary Crescent.

### **Existing Development Agreement**

On August 7, 2018, Halifax and West Community Council approved two separate development agreements for the Seton Ridge lands, one for each landowner as follows (case 19514):

- Sisters of Charity for approximately 47 acres of the site; link to original DA: [https://www.halifax.ca/sites/default/files/documents/business/planning-development/applications/19514-OriginalDA-SistersOfCharity-SetonRidge\\_Redacted.pdf](https://www.halifax.ca/sites/default/files/documents/business/planning-development/applications/19514-OriginalDA-SistersOfCharity-SetonRidge_Redacted.pdf)
- and
- Shannex SC Limited for approximately 26 acres of the site; link to original DA: [https://www.halifax.ca/sites/default/files/documents/business/planning-development/applications/19514-OriginalDA-ShannexAndHRM-2018\\_Redacted.pdf](https://www.halifax.ca/sites/default/files/documents/business/planning-development/applications/19514-OriginalDA-ShannexAndHRM-2018_Redacted.pdf)

Southwest Properties had an agreement with the Sisters of Charity for the design and development of their lands. Following Community Council's approval, Southwest Properties (under Seton Ridge Holdings Ltd.) purchased the Sisters of Charity lands as well as a portion of the Shannex SC Ltd. lands, for a total of 63 of the original 73 acres.

### **MPS and LUB Context**

The subject site is located within the Bedford Highway Secondary Planning Strategy (Section VIII) of the Halifax MPS and is designated Seton Ridge Neighbourhood Plan (SRNP) (Map 1 & Attachment C). The Seton Ridge designation encourages the development of a new high density, mixed-use neighbourhood in a comprehensive manner through the development agreement process. The site is zoned Seton Ridge Comprehensive Development District (SRCDD) pursuant to the Halifax Mainland Land Use By-law (Map 2).

### **Approval Process**

The approval process for this application involves two steps:

- a) First, Regional Council must consider and, if deemed appropriate, approve the proposed amendments to the Halifax MPS; and
- b) Secondly, Halifax and West Community Council must consider and, if deemed appropriate, approve the proposed amending development agreements once the MPS 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 amendments and the proposed amending development agreements. In the event that Regional Council approves the MPS amendments, Halifax and West Community Council may only make a decision on the proposed amending development agreements following the amendments to the MPS coming into effect. A decision on proposed MPS amendments is not appealable to the Nova Scotia Utility and Review Board (the Board), however, the decision on the proposed amending development agreements 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 as outlined in the

staff report dated September 20, 2021. 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/ fact sheet mailed to 542 property owners within the notification area as shown on Map 2 (for Case 23746), and a virtual public information meeting held on June 10, 2021 (Case 22896).

Comments received from the fact sheet mailout in October 2021 (Case 23746) regarding the removal of the (proposed) Bayview Road walkway were as follows:

- Two emails in favour of removing the proposed walkway; and
- Seven emails opposed to removing the proposed walkway.

The virtual Public Information meeting held on June 10, 2021 (for Case 22896) regarding the requested amendments to the development agreement was attended by 44 members of the public. While the request to remove one of the pedestrian walkways was not specifically introduced to attendees of the meeting, the topic of encouraging pedestrian travel and cycling was discussed. Attachment D contains a summary of the comments from the meeting. The public comments received include the following topics, many of which were related to and considered at the time of the original approval of the agreements in 2018:

- Comments re: traffic impacts of the Seton Ridge development on existing streets and overall neighbourhood. Specific traffic concerns on Briarwood Crescent may be dealt with separately;
- Grading, drainage and the provision of berms near the Lacewood Dr./Seton Rd. intersection;
- Concern re: any additional tree removal, protection of the pond, and design of the parks;
- Questions and concerns related to blasting activities and noise;
- Whether the provision of a new school or impact on existing schools was taken into consideration;
- Questions regarding water pressure and the burying of electrical utilities;
- Impact of density on existing neighbourhood and clarification of proposed population/ units;
- Whether affordable housing will be provided; and
- Questions/ comments over funding and costs related to a stand-alone heat plant.

A public hearing must be held by Regional Council and Community Council before consideration can be given to the approval of the proposed MPS and development agreement 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 2 will be notified of the hearing by regular mail. Amendments to the Halifax MPS will potentially impact the following stakeholders: residents, landowners, and businesses.

## **DISCUSSION**

The MPS is a strategic policy document which sets out HRM's goals, objectives and direction for long term growth and development. While the MPS provides broad direction, Regional Council may consider amendments to permit development proposals that are generally consistent with its policies. Amendments to an MPS are significant undertakings and Council is under no obligation to consider such requests. When considering amendments, Council should consider the broader planning context. Council should only make amendments when there has been a change in circumstance since the MPS was adopted or last reviewed, or if there may have been an oversight when drafting policies.

In this case, staff advise that there is merit in considering the proposed MPS amendments. The following paragraphs review the rationale and content of the proposed MPS amendments, as well as the amending development agreements.

### Proposed MPS Amendments

Staff considered the existing MPS policy context when drafting the proposed MPS amendments (Attachment A and Schedule A). Of the matters addressed by the proposed MPS amendments, the following has been identified for detailed discussion.

#### Elimination of walkway linking Bayview Road with Seton Ridge development

Staff have reviewed the submitted rationale, in the context of site circumstances and surrounding land uses, and advise that there is merit to the request, for the following reasons:

- Two of the four existing walkway parcels are currently only 12 feet or 3.66 m wide (Bayview Road and Canary Crescent) while the HRM requirement for a walkway parcel is 20 feet (6 metres). However, unlike Canary Crescent, the Bayview Road parcel includes some very significant grade changes that would require large retaining walls along the length of the walkway;
- Upon detailed review, it has been determined that a walkway is not feasible in the location of the existing HRM-owned parcel on Bayview Road, due to both excessive grades and the narrow width of the existing parcel as noted above. A walkway cannot physically be built to meet HRM standards in this location and the large retaining walls required would be detrimental to the abutting residential properties on either side;
- The only other option identified would be for the applicant to purchase and likely demolish an existing dwelling in another location on Bayview Road or Briarwood Crescent to make way for a new walkway, and then re-build on the narrower lot;
- If the Bayview Road walkway is eliminated, there will still be three walkway connections to existing neighbourhoods, and pedestrians will still be able to take an alternate, albeit somewhat longer, walking route from the Bayview Road area to the 'Neighbourhood Centre' within Seton Ridge. However, the retention of the Bayview Road land parcel may be necessary for water service purposes, which will be confirmed through the final subdivision process; and
- The walkability aspect of the development will be retained by the AT trail which will run the full length of Seton Road, and by internal sidewalks, walkways and pedestrian easements within the Seton Ridge neighbourhood. It is felt that these features meet the intent of MPS policies in this regard.

### Proposed Development Agreement

Attachments B1 and B2 contain the proposed amending development agreements for the subject site. Of the matters addressed by the proposed amending development agreements to satisfy the MPS criteria as shown in Attachment C, the following have been identified for detailed discussion.

#### Distance between local street intersections and culs-de-sac

As described above, the existing Seton Ridge agreement requires that the distance between local street intersections be no greater than 200 m and that there be no culs-de-sac. The 200 m maximum intersection distance, which was intended to promote a walkable street grid and which differs from municipal guidelines that indicate 500 m, may pose an issue in the northwest portion of the site. In that area, a new park is to surround an existing pond and there is no resulting room for intersecting streets and no allowance for cul-de-sacs. In addition, a short local street connection was required as an access to the Shannex-owned land parcel. Originally, it was thought that this particular street may eventually continue through the Shannex land and link to another local street, however, that is no longer the case. The applicant is now proceeding through final subdivision approval and no further changes to the street network are proposed. As a result, the proposal to allow the municipal guidelines of 500 m between intersections and allow one cul-de-sac for Local Street 1 is a reasonable solution to these unintended issues.

#### Parking structures within 20 m of the road right-of-way

The existing agreements prohibit above-grade parking structures from being located within 20 m of a collector road (proposed Seton Road). This clause was originally intended for a stand-alone parking structure which was considered in early discussions, but which is no longer proposed and was not included in the approved agreements. Due to a concern that this clause may be applied to portions of buildings containing internal parking the applicant has requested that the clauses be deleted from each agreement. This is a reasonable request which will clarify that those portions of buildings with underground parking or partly above-ground parking garages may be located within 20 m of the road right-of-way. All other requirements related to the building design, including the streetwall design, will remain in place.

#### Landscaping and driveways for Low-Density Residential Uses

The existing agreements contain a clause that indicates that, "Where possible, driveways shall be paired with a decorative strip between driveways that are a minimum of 30 cm (1 foot) in width to a maximum width of 1.5 m (4.92 feet)". This was originally intended to apply to townhouses and semi-detached dwellings, whereby driveways are traditionally paired together due to the dwelling units being attached. Therefore, the proposed amendments are intended to clarify this so that the clause is not mistakenly applied to single detached dwelling units. Also, the 1-foot minimum width of the decorative strip is retained, but the maximum width is not as relevant and is proposed to be deleted. In the event that townhouses or semi-detached dwellings are constructed in Seton Ridge, then the clause regarding landscaping between paired driveways would apply only to those units.

#### Building height definitions, calculations and rooftop exemptions

The applicant has requested that allowances be given, within the Neighbourhood Centre area, for building height exemptions for rooftop mechanical elements, habitable penthouses, and other building features, as well as a clarification of building height and streetwall height calculations when sloping conditions are present. These allowances have been common in the Centre Plan area and in the Dutch Village Road area of the Halifax Mainland Land Use By-law and are reasonable to include in Seton Ridge due to the highly sloping site conditions. The following amendments have been included:

- a variation of the LUB definition of "Height" was included, in which the roof height is calculated as the top of roof slab;
- a table was inserted, similar to that in Centre Plan, which lists rooftop features that are exempted from the height calculation, subject to conditions as set out in the table;
- a definition of "Penthouse" was added, which clarifies that penthouses may be used for habitable space, shared amenity space, stairwells, or elevator and mechanical purposes; and
- added definitions from the Land Use By-law, including "Street Line", "Streetline Grade", "Streetwall" and "Streetwall Height".

#### Timelines for Signing of Agreements

The COVID-19 pandemic has resulted in difficulties in having legal agreements signed by multiple parties in short periods of time. To recognize this difficulty these unusual circumstances present staff are recommending extending the signing period for agreements following a Council approval and completion of the required appeal period. While normally agreements are required to be signed within 120 days, staff recommend doubling this time period to 240 days. This extension would have no impact on the development rights held within the agreement, and the agreement could be executed in a shorter period of time if the situation permits.

#### **Conclusion**

Staff have reviewed the proposal and the existing policy context and advise that it is reasonable to amend the MPS to allow for the elimination of the walkway connection currently required between the Seton Ridge development and Bayview Road, Halifax, and to allow for the proposed amendments to the Seton Ridge development agreements at Bedford Highway, Seton Road and Lacewood Drive, Halifax. The proposed amendments are reasonably consistent with the intent of the Halifax MPS. Therefore, staff recommend that Halifax and West Community Council recommend that Regional Council approve the proposed MPS

amendments. Should Regional Council approve the MPS amendments, Halifax and West Community Council may render a decision on the proposed amending development agreements.

### **FINANCIAL IMPLICATIONS**

There are no financial implications. The HRM costs associated with processing this planning application can be accommodated within the approved 2021-2022 operating budget for C310 Urban and Rural Planning Applications.

### **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 were 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. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility and 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 agreements 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 the development agreements is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
4. Refuse the proposed amending development agreements, and in doing so, must provide reasons why the proposed agreements does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed development agreements is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

**ATTACHMENTS**

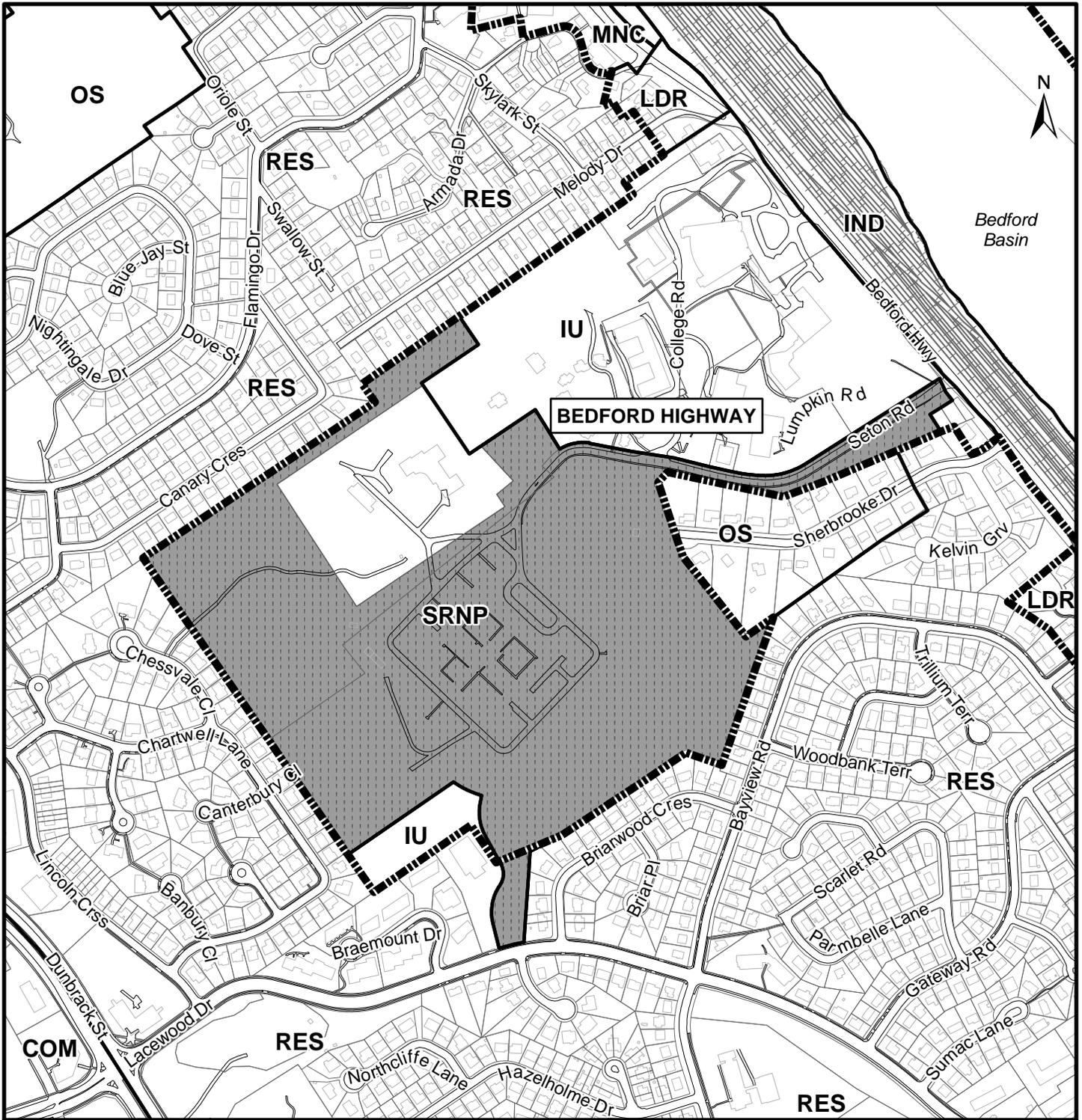
Map 1:	Generalized Future Land Use
Map 2:	Zoning
Attachment A:	Proposed Amendments to the Halifax Municipal Planning Strategy (Schedule A: Proposed Amendments to Map 9Df of the Halifax MPS)
Attachment B1:	Proposed Amending Development Agreement (Sisters of Charity) (Schedule C2A: Proposed Amendment to Schedule C2)
Attachment B2:	Proposed Amending Development Agreement (Shannex SC Ltd.)
Attachment C:	Review of Relevant Sections of the Halifax Municipal Planning Strategy
Attachment D:	Public Information Meeting Summary (case 22896)

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Paul Sampson, Planner II, 902.717.8125

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**Map 1 - Generalized Future Land Use**

**HALIFAX**

Seton Road,  
Bedford Highway

**Designation - Bedford Highway**

- LDR Low Density Residential
- MNC Minor Commercial
- IND Industrial
- IU Institutional - University
- SRNP Seton Ridge Neighbourhood Plan

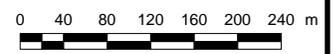
 Subject Property

 Bedford Highway Secondary  
Plan Area Boundary

**Designation - Halifax**

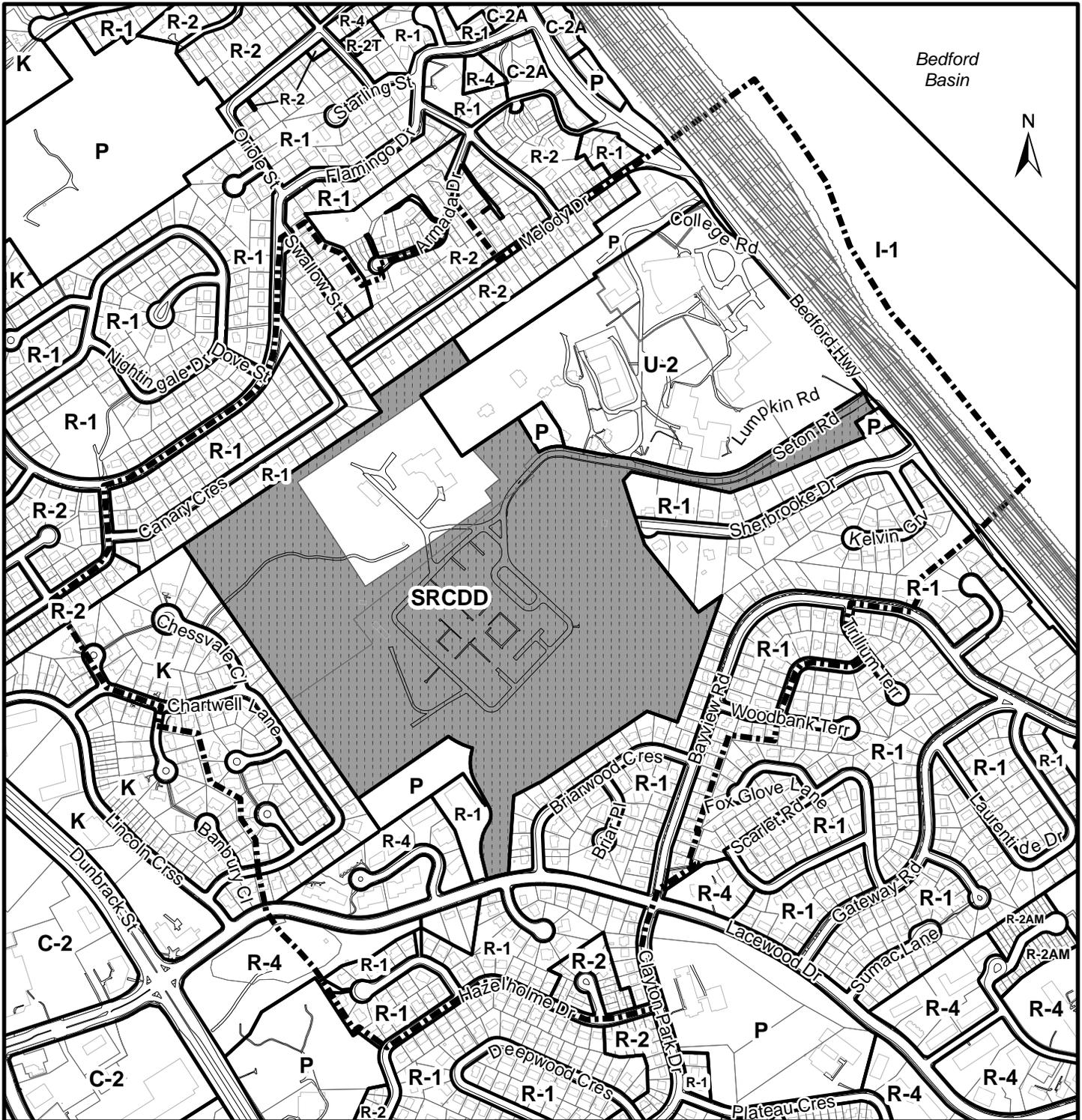
- RES Residential Environments
- COM Commercial
- OS Major Community Open Spaces

Halifax Plan Area  
Bedford Highway Secondary Plan Area



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.



Bedford Basin



**Map 2 - Zoning and Notification**

Seton Road,  
Bedford Highway

Subject Area

Area of Notification

Halifax Mainland  
Land Use By-Law Area

**Zone**

- R-1 Single Family Dwelling
- R-2 Two Family Dwelling
- R-2AM General Residential Conversion
- R-4 Multiple Dwelling
- C-2A Minor Commercial
- C-2 General Business
- I-1 General Industrial
- P Park and Institutional
- U-2 High Density University
- SRCDD Seton Ridge Comprehensive Development District
- K Schedule K

**HALIFAX**



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

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

**ATTACHMENT A**

**Proposed Amendments to the Halifax Municipal Planning Strategy**

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. Map 9Df of Section VIII (Bedford Highway Secondary Planning Strategy) shall be amended by deleting the arrow which denotes the walkway connection between the Seton Ridge lands and Bayview Road, Halifax, as shown on Schedule A attached hereto.

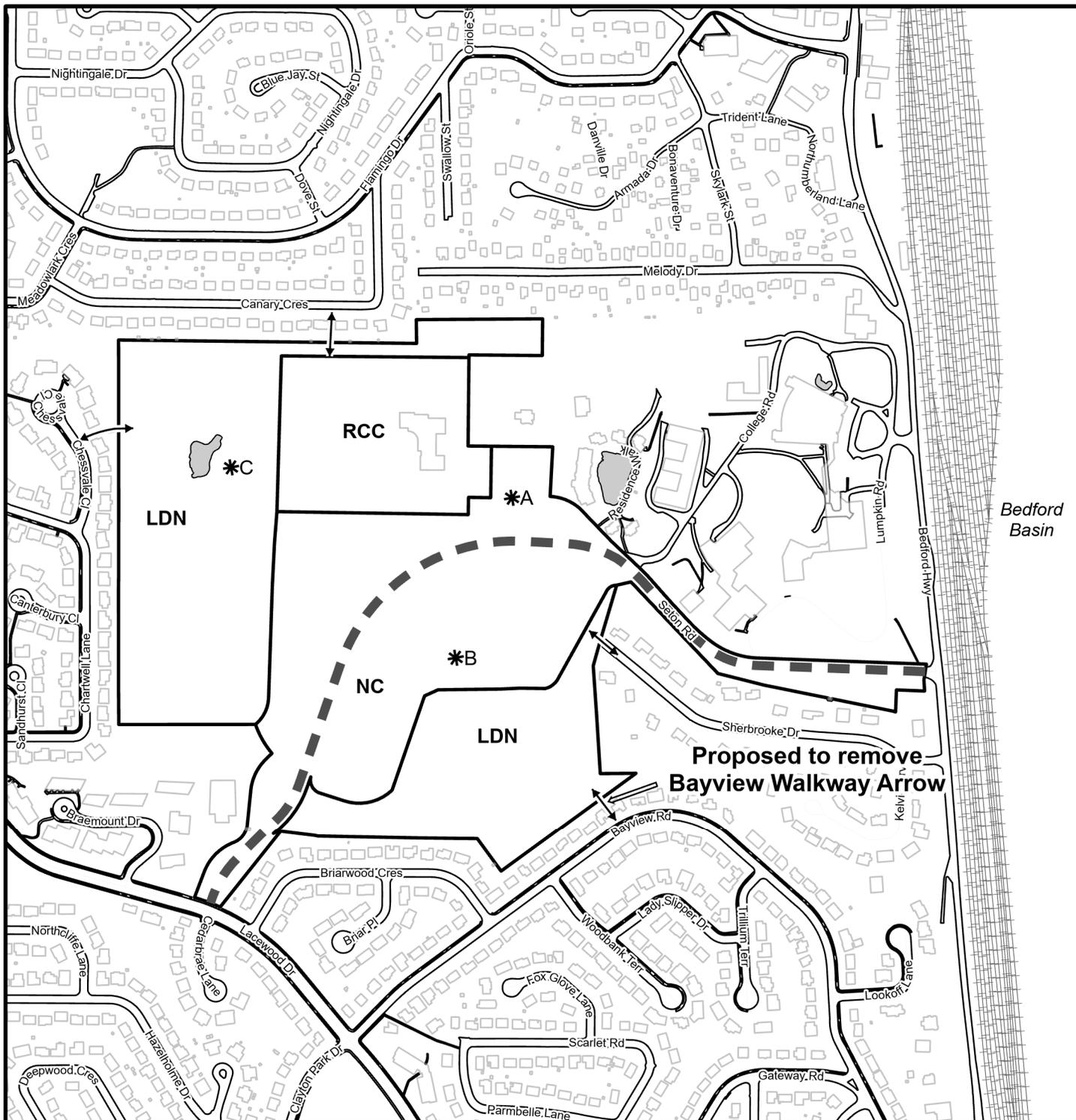
THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Regional Council of Halifax Regional Municipality held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Iain MacLean, Municipal Clerk

# Schedule A



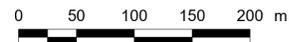
Bedford Highway Secondary Planning Strategy  
**Map 9Df – Seton Ridge Neighbourhood Plan**

**HALIFAX**

-  Proposed Collector Road
-  Walkways
-  Public Park Location (Approx.)

**Land Uses**

- NC Neighbourhood Centre
- LDN Low Density Neighbourhood
- RCC Residential Care Campus



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

Effective:

**Attachment B1: Proposed Amending Development Agreement (Sisters of Charity)**

THIS FIRST AMENDING DEVELOPMENT AGREEMENT made this      day of      ,  
2022,

BETWEEN:

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

OF THE FIRST PART

- and -

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

OF THE SECOND PART

**WHEREAS** the Developer is the registered owner of certain lands located at Bedford Highway, Seton Road and Lacewood Drive, Halifax (PID# 00137802), and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** on August 7, 2018 the Halifax and West Community Council approved an application by the Sisters of Charity to enter into a development agreement (case 19514) to allow for the development of the Seton Ridge mixed-use neighbourhood, pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to policy 8A.11 of the Halifax Municipal Planning Strategy and subsection 62AE(2) of the Halifax Mainland Land Use By-law, and which said development agreement was registered at the Registry of Deeds in Halifax as Document Number 113520820 on November 2, 2018 (hereinafter called the "Original Agreement");

**AND WHEREAS** by Warranty Deed dated May 30, 2019 the Lands were conveyed by the Sisters of Charity to the Developer;

**AND WHEREAS** the Developer has requested amendments to the Original Agreement on the Lands, pursuant to the provisions of the *Halifax Regional Municipal Charter* and pursuant to Policies 8A.1 through 8A.12 of the Bedford Highway Secondary Planning Strategy (Section VIII of the Halifax Municipal Planning Strategy) and Section 62AE(2) of the Halifax Mainland Land Use By-law;

**AND WHEREAS** the Halifax and West Community Council approved this request at a meeting held on **[INSERT DATE]**, referenced as case **No. 23746 and 22896**;

**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 First Amending Agreement, all other conditions and provisions of the Existing Agreement 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 First Amending Agreement, and the Original Agreement.
3. The Original Agreement shall be amended by adding the following definitions as Section 2.2 immediately following section 2.1, as shown in bold below:

## **2.2 Definitions Specific to this Agreement**

The following words used in this Agreement shall be defined as follows:

- (a) **"Height" when applied to a building, means the vertical distance of the highest point of the roof above the mean grade of the surface of all the streets adjoining the building or the mean grade of the natural ground so adjoining if such grade is not below the grade of the surface.**
  - (b) **"Height – NC Area" shall mean the building height calculation for buildings within the Neighbourhood Centre area shown on Schedules C3 and C6. When applied to a building, "Height – NC Area" shall mean the vertical distance of the top of the roof slab above the mean grade of the surface of all the streets adjoining the building, or the mean grade of the natural ground adjoining the building if such grade is not below the mean grade of the surface of all the streets adjoining the building. "Height – NC Area" shall exempt any rooftop elements listed in Section 28 of Schedule C4 from the maximum building height calculation.**
  - (c) **"Penthouse" means an enclosed structure located above the roof slab of a building which may be used for habitable space, shared amenity space, stairwells, or mechanical purposes that may include elevator, heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection or similar equipment.**
  - (d) **"Streetline" means the boundary of the street.**
  - (e) **"Streetline Grade" means the elevation of a streetline at a point that is perpendicular to the horizontal midpoint of the streetwall. Separate streetline grades shall be determined for each streetwall segment that is greater than 8 metres in width or part thereof.**
  - (f) **"Streetwall" means the wall of a building or portion of a wall facing a streetline that is below the height of a specified setback, which does not include minor recesses for elements such as doorways or intrusions such as bay windows.**
  - (g) **"Streetwall Height" means the vertical distance between the top of the streetwall and the streetline grade, extending across the width of the streetwall.**
4. Section 3.1 of the Original Agreement shall be amended by deleting the text shown in ~~strikeout~~ and inserting the text shown in bold, as follows:

~~Schedule C2~~ Site Plan

**Schedule C2A            Site Plan**

5. The Original Agreement shall be amended by deleting the following Schedule:

Schedule C2            Site Plan

And inserting the following Schedule:

Schedule C2A            Site Plan (attached)

6. The Original Agreement shall be amended by deleting all text references to Schedule C2 of the Original Agreement shall be amended by replacing them with the respective references to Schedule C2A.

7. Section 3.4 (h), clause i of the Original Agreement shall be deleted in its entirety by deleting the text shown in ~~strikeout~~, and inserting the following text as shown in bold:

i. **Intentionally Deleted** ~~the maximum length of any local street between intersections is no greater than two hundred (200) metres as measured from street centre line to centre line;~~

8. Section 3.4 (h), clause iii of the Original Agreement shall be amended by inserting the following text as shown in bold:

iii. no cul-de-sacs are permitted, **with the exception that Local Street 1 may be a cul-de-sac.**

9. Schedule C4, section 28 of the Original Agreement shall be deleted in its entirety and replaced with the following text and table shown in bold below:

**28. The following rooftop features shall be permitted and shall be exempted from the calculation of “Height – NC Area”, subject to the requirements of the table below.**

**Building Rooftop Features Exempt From Maximum Height Requirements**

**(All features identified with a black dot in Column 2 of the table below shall not, in total, occupy more than 30% of the building rooftop area on which they are located)**

Feature	Column 1: Maximum height above roof	Column 2: 30% coverage restriction	Column 3: Minimum setback from roof edge
Antenna	Unlimited	●	3.0 metres
Chimney	Unlimited	●	
Clear, uncoloured glass guard and railing system	2.0 metres	●	
Clock tower or bell tower	Unlimited	●	
Communication tower required to support uses and activities in the building	Unlimited	●	3.0 metres
Cooling tower	Unlimited	●	3.0 metres
Elevator enclosure	5.5 metres	●	3.0 metres
Flag pole	Unlimited	●	
Heating, ventilation and air conditioning equipment and enclosure	5.5 metres	●	3.0 metres
High-plume laboratory exhaust fan	Unlimited	●	3.0 metres
Landscaping	4.5 metres		
Lightning rod	Unlimited	●	
Penthouse	4.5 metres	●	3.0 metres
Parapet	2.0 metres		
Rooftop cupola	4.5 metres	●	
Rooftop greenhouse	6.0 metres		3.0 metres
Skylight	2.5 metres		
Solar collector	4.5 metres		
Spire, steeple, minaret, and similar features	Unlimited	●	
Staircase or staircase enclosure	4.5 metres	●	2.5 metres
Windscreen	4.5 metres	●	

10. Schedule C4, section 6 (d) of the Original Agreement shall be deleted in its entirety by deleting the text shown in ~~strikeout~~, and inserting the text shown in **bold**, as follows:

(d) **Intentionally Deleted** ~~parking structures located above grade shall not be located within 20 metres of a collector road.~~

11. Schedule C5, section 15 of the Original Agreement shall be amended by inserting the text shown in **bold**, as follows:

15. Where possible, driveways **for townhouses and semi-detached dwellings** shall be paired with a decorative strip between driveways that are a minimum of 30 cm (1 foot) in width ~~to a maximum width of 1.5 metres (4.92 feet).~~

12. Schedule C5, section 17 of the Original Agreement shall be deleted in its entirety by deleting the text shown in ~~strikeout~~, and inserting the text shown in **bold**, as follows:

17. ~~**Intentionally Deleted**~~ ~~The maximum width of any driveway between the curb and the front property line shall be 3.66 metres (12 feet) per dwelling, and shall not exceed 4.27 metres (14 feet) in width in the front yard.~~

**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

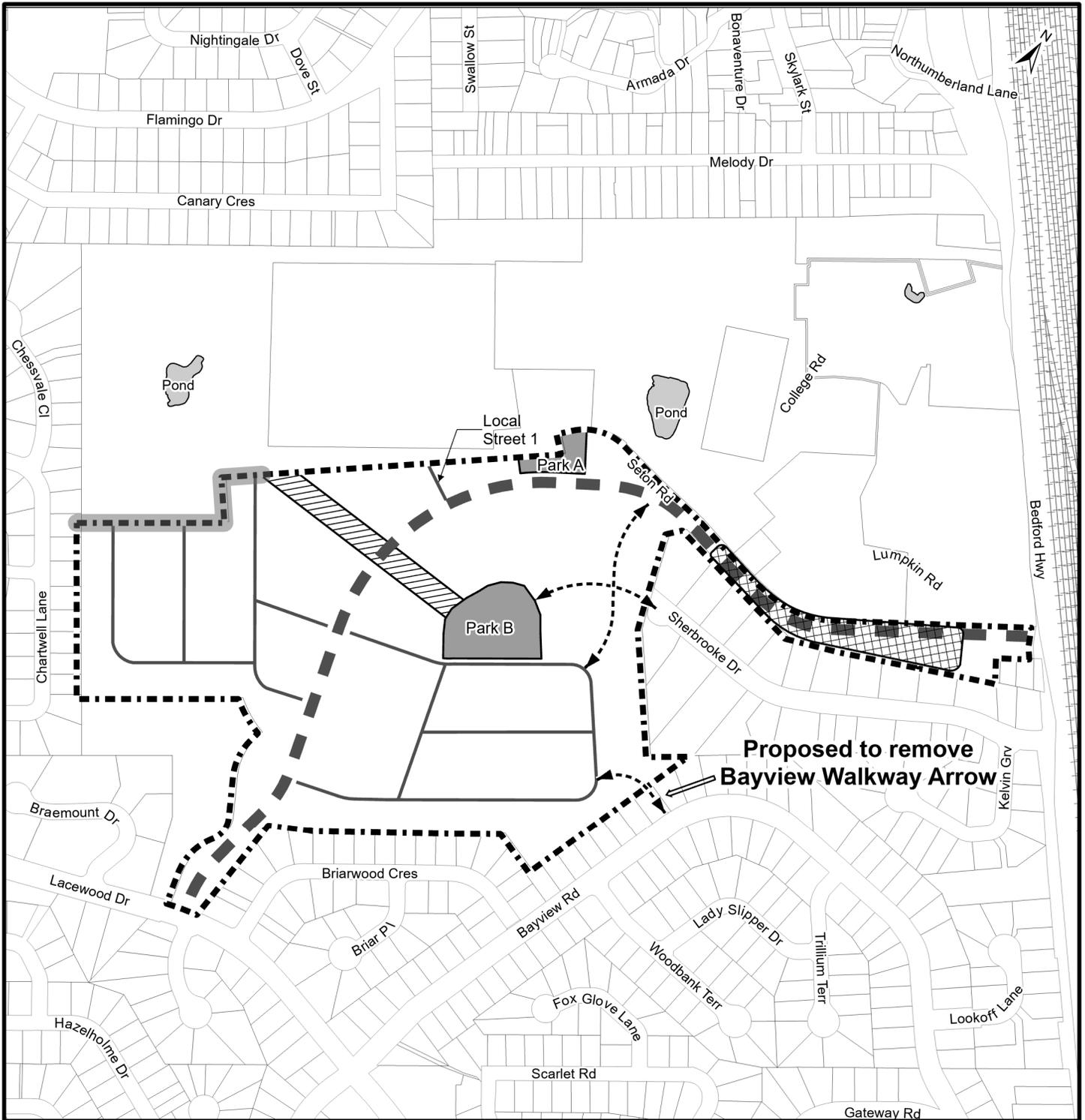
\_\_\_\_\_  
Witness

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

—

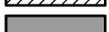
MUNICIPAL CLERK

# Schedule C2A - Site Plan



## Schedule C2A

**HALIFAX**

-  Subject Lands
-  Walkways
-  Local Road Proposed
-  Collector Road Proposed
-  Pedestrian Easement Proposed
-  Park Proposed (Approx.)
-  Potential Steep Grades
-  Local Street Connections



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

Halifax Plan Area

Effective:

Case 23746

IAHG/HT

**Attachment B2: Proposed Amending Development Agreement (Shannex SC Limited)**

THIS FIRST AMENDING DEVELOPMENT AGREEMENT made this      day of      ,  
2022,

BETWEEN:

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

OF THE FIRST PART

- and -

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

OF THE SECOND PART

**WHEREAS** the Developer is the registered owner of certain lands located at Bedford Highway, Seton Road and Lacewood Drive, Halifax (PID# 41282724), and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** on August 7, 2018 the Halifax and West Community Council approved an application by the Shannex SC Limited to enter into a development agreement (case 19514) to allow for the development of the Seton Ridge mixed-use neighbourhood, pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to policy 8A.11 of the Halifax Municipal Planning Strategy and subsection 62AE(2) of the Halifax Mainland Land Use By-law, and which said development agreement was registered at the Registry of Deeds in Halifax as Document Number 113520796 on November 2, 2018 (hereinafter called the "Original Agreement");

**AND WHEREAS** by Warranty Deed dated April 24, 2019 the Lands were conveyed by Shannex SC Limited to the Sisters of Charity

**AND WHEREAS** by Warranty Deed dated May 30, 2019 the Lands were conveyed by the Sisters of Charity to the Developer;

**AND WHEREAS** the Developer has requested amendments to the Original Agreement pursuant to the provisions of the *Halifax Regional Municipal Charter* and pursuant to Policies 8A.1 through 8A.12 of the Bedford Highway Secondary Planning Strategy (Section VIII of the Halifax Municipal Planning Strategy) and Section 62AE(2) of the Halifax Mainland Land Use By-law;

**AND WHEREAS** the Halifax and West Community Council approved this request at a meeting held on **[INSERT DATE]**, referenced as case **No. 23746 and 22896**;

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

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1. Except where specifically varied by this First Amending Agreement, all other conditions

and provisions of the Original Agreement 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 First Amending Agreement, and the Original Agreement.
3. Section 2.2 of the Original Agreement shall be amended by inserting the following text immediately following subsection (d) ("Shared Housing Unit"), as shown in bold below:

**(e) "Height" when applied to a building, means the vertical distance of the highest point of the roof above the mean grade of the surface of all the streets adjoining the building or the mean grade of the natural ground so adjoining if such grade is not below the grade of the surface.**

4. The Original Agreement shall be amended by inserting the following text immediately following Section 2.2 as shown in bold below:

**2.3 The following words, when used in Schedule D4 and the Neighbourhood Centre Area shown on Schedule D2, shall be defined as follows:**

- (a) **"Height – NC Area" shall mean the building height calculation for buildings within the Neighbourhood Centre area shown on Schedules D2 and D6. When applied to a building, "Height – NC Area" shall mean the vertical distance of the top of the roof slab above the mean grade of the surface of all the streets adjoining the building, or the mean grade of the natural ground adjoining the building if such grade is not below the mean grade of the surface of all the streets adjoining the building. "Height – NC Area" shall exempt any rooftop elements listed in Section 28A of Schedule D4 from the maximum building height calculation.**
- (b) **"Penthouse" means an enclosed structure located above the roof slab of a building which may be used for habitable space, shared amenity space, stairwells, or mechanical purposes that may include elevator, heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection or similar equipment.**
- (c) **"Streetline" means the boundary of the street.**
- (d) **"Streetline Grade" means the elevation of a streetline at a point that is perpendicular to the horizontal midpoint of the streetwall. Separate streetline grades shall be determined for each streetwall segment that is greater than 8 metres in width or part thereof.**
- (e) **"Streetwall" means the wall of a building or portion of a wall facing a streetline that is below the height of a specified setback, which does not include minor recesses for elements such as doorways or intrusions such as bay windows.**
- (f) **"Streetwall Height" means the vertical distance between the top of the streetwall and the streetline grade, extending across the width of the streetwall.**

5. Section 3.4(e) of the Original Agreement shall be amended by deleting the text shown in strikeout, and inserting the text shown in bold as follows:

~~(e) The maximum length of any local street between intersections shall be no greater than two hundred (200) metres, as measured from street centre line to centre line, and no cul-de-sacs are permitted,~~ **with the exception that Local Street 1 may be a cul-de-sac.**

6. Schedule D2 of the Original Agreement shall be amended by deleting the text shown in strikeout, and inserting the text shown in bold as follows:

~~Lands Subject to Schedule D4 – Seton Ridge Low Density (SRLD)  
Lands Subject to Schedule D5 – Neighbourhood Centre (NC)~~

**Lands Subject to Schedule D4 – Neighbourhood Centre (NC)  
Lands Subject to Schedule D5 – Seton Ridge Low Density (SRLD)**

7. Schedule D4 of the Original Agreement shall be amended, immediately following Section 28, by inserting a new Section 28A (text and table) as shown in bold below:

**28A. Notwithstanding Section 28, the following rooftop features shall be permitted and shall be exempted from the calculation of “Height – NC Area”, subject to the requirements of the table below.**

**Building Rooftop Features Exempt From Maximum Height Requirements**

**(All features identified with a black dot in Column 2 of the table below shall not, in total, occupy more than 30% of the building rooftop area on which they are located)**

Feature	Column 1: Maximum height above roof	Column 2: 30% coverage restriction	Column 3: Minimum setback from roof edge
Antenna	Unlimited	●	3.0 metres
Chimney	Unlimited	●	
Clear, uncoloured glass guard and railing system	2.0 metres	●	
Clock tower or bell tower	Unlimited	●	
Communication tower required to support uses and activities in the building	Unlimited	●	3.0 metres
Cooling tower	Unlimited	●	3.0 metres
Elevator enclosure	5.5 metres	●	3.0 metres
Flag pole	Unlimited	●	
Heating, ventilation and air conditioning equipment and enclosure	5.5 metres	●	3.0 metres
High-plume laboratory exhaust fan	Unlimited	●	3.0 metres
Landscaping	4.5 metres		
Lightning rod	Unlimited	●	
Penthouse	4.5 metres	●	3.0 metres
Parapet	2.0 metres		
Rooftop cupola	4.5 metres	●	
Rooftop greenhouse	6.0 metres		3.0 metres
Skylight	2.5 metres		
Solar collector	4.5 metres		
Spire, steeple, minaret, and similar features	Unlimited	●	
Staircase or staircase enclosure	4.5 metres	●	2.5 metres
Windscreen	4.5 metres	●	

8. Schedule D4 of the Original Agreement shall be amended by deleting section 6(d) in its entirety as shown in strikeout and, and inserting text shown in bold, as follows:

(d) **Intentionally Deleted** ~~parking structures located above grade shall not be located within 20 metres of a collector road.~~

9. Schedule D5, Section 15 of the Original Agreement shall be amended by inserting the text shown in bold, as follows:

15. Where possible, driveways **for townhouses and semi-detached dwellings** shall be paired with a decorative strip between driveways that are a minimum of 30 cm (1 foot) in width ~~to a maximum width of 1.5 metres (4.92 feet).~~

10. Schedule D5 of the Original Agreement shall amended be deleting section 17 in its entirety as shown in strikeout, and inserting text shown in bold, as follows:

17. **Intentionally Deleted** ~~The maximum width of any driveway between the curb~~

~~and the front property line shall be 3.66 metres (12 feet) per dwelling, and shall not exceed 4.27 metres (14 feet) in width in the front yard.~~

**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

## Attachment C: Review of Relevant Sections of the Halifax Municipal Planning Strategy

<b>SECTION VIII - BEDFORD HIGHWAY SECONDARY PLANNING STRATEGY</b>	
<b>8A. SETON RIDGE NEIGHBOURHOOD PLAN</b>	
<b>Objective / Policy</b>	<b>Staff Comment</b>
<p><b>Objective 1</b>  <i>The objectives for this plan support the development of a compact mixed-use neighbourhood that:</i>  1. <i>provides a variety of housing options that are integrated with supporting services within walking distance;</i></p>	<p>The application is to amend the MPS and the existing development agreements for Seton Ridge. The proposed amendments do not affect the intentions of this objective.</p>
<p><b>Objective 2</b>  2. <i>contains streets that allow walking and cycling to be a pleasant and safe experiences, and supports efficient transit service;</i></p>	<p>The amendments to the development agreement (DA) involve the elimination of the proposed walkway link from Bayview Road into the Seton Ridge development. Due to the excessive slope, the walkway, if constructed, may be neither safe nor pleasant and would not meet accessibility standards.</p>
<p><b>Objective 3</b>  3. <i>includes mixed use buildings on a central street with an architectural style that is pedestrian friendly and contains visual variation;</i></p>	<p>The proposed amendments do not affect the intentions of this objective.</p>
<p><b>Objective 4</b>  4. <i>contains public and semi-public spaces that provide the neighbourhood infrastructure needed to offer opportunities for outdoor recreation and social interaction; and</i></p>	<p>New public parkland was approved under the existing agreements.</p>
<p><b>Objective 5</b>  5. <i>integrates with Mount St. Vincent University and the surrounding neighbourhoods through the scale and type of development and by establishing pedestrian connections.</i></p>	<p>The proposal to remove the subject walkway link from Map 9Df of the MPS would still leave three walkway links to the existing neighbourhood (Sherbrooke Drive, Chessvale Close, and Canary Crescent) as well as linkages to MSVU and pedestrian routes via Lacewood Drive and Bedford Highway along the Seton Road AT trail. However, the retention of the Bayview Road land parcel may be necessary for water service purposes, which will be confirmed through the final subdivision process.</p>
<p><b>Neighbourhood Design</b>  8A.1 <i>The Seton Ridge Neighbourhood Plan, presented as Map 9Df, shall form the framework for land use allocation,</i></p>	<p>The proposed change to the Seton Ridge Neighbourhood Plan (Map 9Df) and the corresponding Schedule C2 of the development agreement is the removal of the proposed</p>

<p><i>public parkland locations and transportation planning and all policies and actions taken by the Municipality shall conform with the intent of this plan and the policies contained herein.</i></p>	<p>walkway linking Bayview Road to the Seton Ridge lands. This change conforms with the intent of the MPS.</p>
<p><b>Neighbourhood Centre</b>  <i>8A.3 The scale and design of development within the Neighbourhood Centre shall be controlled to support a high-density pedestrian oriented neighbourhood including standards regarding building form, appearance, allowable height, landscaping and amenity areas. Specific controls will ensure that building heights and scale transition to surrounding low density areas and allow sufficient light and air to reach public streets and spaces. Surface parking shall be limited and only permitted to the side or rear of buildings.</i></p>	<p>The proposed DA amendments include the allowance for height exemptions for rooftop mechanical elements, habitable penthouses, and other building features and clarification of building height calculation with sloping conditions, by amending and inserting definitions from the Halifax Mainland Land Use By-law (LUB) and the Centre Plan LUB. These changes are intended as matters of clarification, provide allowances which exist in the Centre Plan areas, and do not significantly impact the overall building heights and impacts to the neighbourhood.</p>
<p><b>Transportation</b>  <i>8A.8 The Seton Ridge Neighbourhood shall prioritize walking, cycling and transit use. The transportation network shall consist of:</i>  <i>(a) a collector road, shown on Map 9Df, that is designed to accommodate cycling and transit service through the site;</i></p>	<p>The proposed amendments do not affect the intentions of Policy 8A.8 (a).</p>
<p><i>(b) short local streets that are arranged in a general grid pattern;</i></p>	<p>This aspect of the existing development agreement is maintained. The proposed allowance for Local Street 1 to end in a cul-de-sac is due to an original understanding that Local Street 1 would continue through the Shannex owned lands, which is no longer the case. With regard to the deletion of the 200 metre maximum requirement between local street intersections, this is to clarify the original intent that one local street, located in the NW portion of the site, would wrap around the existing pond and not necessarily be intersected by another local street within the 200 metre distance. The proposed changes do not impact the original intent of this policy.</p>
<p><i>(c) pedestrian walkways, shown on Map 9Df, that connect the development with surrounding neighbourhoods.</i></p>	<p>As noted above, the removal of the proposed walkway linking Bayview Road to the Seton</p>

	Ridge lands conforms with the intent of the MPS to provide pedestrian linkages.
<p><b>Implementation</b></p> <p>8A.11 <i>In considering a development agreement within the Seton Ridge Neighbourhood Designation Council shall be satisfied that the proposal meets the following criteria:</i></p> <p>(a) <i>the proposal meets the objectives of this neighbourhood plan and is consistent with the policies established for this neighbourhood plan and any other applicable policies established by the Halifax Municipal Planning Strategy and the Regional Planning Strategy;</i></p>	Refer to above objectives and policies, and Policies 7.8 and 9.3 of Section II below (City-Wide policies).

<b>SECTION II – CITY-WIDE OBJECTIVES AND POLICIES</b>	
<b>Objective / Policy</b>	<b>Staff Comment</b>
<p><b>Policy 7.8</b></p> <p>7.8 <i>The City shall develop standards for accepting open space lands whenever legally possible in the processes of subdivision, resubdivision, lot consolidation, rezoning, or development agreements. These standards shall be developed on the basis of criteria including the following: (a) size and shape; (b) quality of land in terms of slope, soil characteristics, drainage and site finishing; (c) suitability of location within the development itself; and (d) accessibility. The City shall assure the legislative force necessary to implement these standards once developed.</i></p>	The proposed walkways denoted in the MPS and development agreements for Seton Ridge can be considered linkages to, and components of, the open space network. The size, shape, excessive grades and lack of accessibility of the Bayview Road parcel for walkway purposes results in the inability of the municipality to accept it for that purpose, due to the standards adopted as intended by this policy.
<p><b>Policy 9.3</b></p> <p>9.3 <i>Design standards for all streets within the City shall pay particular attention to the provision of adequate and safe pedestrian routes.</i></p>	The proposed Bayview Road walkway, if constructed, would <u>not</u> provide an adequate and safe pedestrian route into and out of the proposed development. Due to a lack of detailed design work at the time of the approval of the MPS amendments and DAs for Seton Ridge, it was not known that the proposed Bayview Road walkway was <u>not</u> in keeping with this policy and municipal design guidelines.



**Attachment D: Public Information Meeting Summary**  
**Virtual Public Information Meeting**  
**Case 22896**

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

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Thursday, June 10, 2021  
6:00 p.m.  
Virtual

**STAFF IN**

**ATTENDANCE:** Paul Sampson, Planner, Planner II, HRM Planning & Development  
Maggie Holm, Principal Planner, Urban Applications  
Cara McFarlane, Processing Coordinator - Planning, HRM Planning & Development

**ALSO IN**

**ATTENDANCE:** Rob LeBlanc, Fathom Studios  
Ben Young, Southwest Properties  
Kathryn Morse (District 10) - Councillor for Halifax – Bedford Basin West

**PUBLIC IN**

**ATTENDANCE:** Approximately: 44

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**1. Call to order and Introductions – Paul Sampson, Planner**

Case 22896 - Application by Seton Ridge Holdings Limited requesting amendments to the existing development agreements for lands known as Seton Ridge located on Seton Road, Bedford Highway and Lacewood Drive, Halifax.

P. Sampson is the Planner and Facilitator guiding the above-noted application through the planning process and introduced other staff members, the applicant and presenters for this application and the area Councillor for District 10, Kathryn Morse.

**2. Presentations**

2a) Presentation by HRM Staff – Paul Sampson

P. Sampson's presentation included information on the following:

- (a) the purpose of the meeting including to share information and collect public feedback about the proposal - no decisions were made at this meeting;
- (b) the role of HRM staff through the planning process;
- (c) a brief description of the application including: application proposal, site context, proposal, planning policies, what a development agreement is, policy and by-law overview, policy consideration; and,
- (d) status of the application.

2b) Presentation by Rob Leblanc – Applicant, Fathom Studio

R. Leblanc presented details about Seton Ridge Holdings Limited's proposal including background, the concept plan, requested development agreement amendments, requested development agreement clarification and environmental protection measures.

### 3. Questions and Comments

**P. Sampson** welcomed attendees to ask questions to staff and the presenters and provide their feedback. Attendees that were connected via Teams webcast were called upon to provide their comments and questions.

#### (1) Questions from people connected via MS Teams

**M. Holm** invited the speakers from the public, one at a time, to unmute themselves and provide their comments:

#### (i) **Stuart Su:**

Supports the proposed amendments 1, 3, 5, & 7. Is looking for clarification on the location of the intersections changing from 500 metres to 200 metres. Concerned about traffic pressures to the Bedford Highway and Bayview Road. Feels that the density of 7000 new residents is much higher than the surrounding community and does not support amendment 4 (clearing more land) nor amendment 6 (parking structures). Suggested protecting topography such as the remaining trees, ponds and streams, and reducing the need of earthworks; there should be a playground and park area open to the residential walkways; and would like to see the grades incorporated into the park design.

#### (ii) **Matthew Boudreau, Bayview Road:**

Will pre-blasting surveys of the existing residences be done? Will there be compensation for damages? Asked Councillor Morse – For traffic control and if there is potential with this project, instead of having two through streets so close together maybe close Bayview Road and direct all the traffic down Seton Road. Asked Jim Spatz for clarity around types of retail and commercial for the development

**P. Sampson** – Any blasting throughout HRM has to comply with the Blasting By-law. Plans and information have to be submitted by the developer and reviewed by HRM. The development was approved three years ago with the idea that Seton Road would help alleviate some of the Bayview traffic, but not to close Bayview to traffic altogether.

**R. Leblanc** – Intend to provide a lot of outdoor patio space where commercial development will front on the park areas. The Blasting By-law will be followed and required pre-blast surveys will be completed.

**Jim Spatz** – The developer focusses on mixed use/retail and believes in whole communities where people can walk to the downtown centre to enjoy the outdoor amenities. There will be a great urban grocer, pharmacy, daycare, professional offices, restaurants, etc.

#### (iii) **Joan Mahoney, Canary Crescent**

Is the developer required to do a pre-blast survey and is there a radius of impact? When would development begin? Do the three buildings include affordable housing? Would like to see the location of the intersection that will be affected by the change from 200 to 500 metre.

**P. Sampson** – HRM Engineers would issue the blasting permits but believes a pre-blast survey is required. The process of a project this size can take many months but the earliest would be the Fall in terms of a staff report.

**Glenn Woodford** – There are requirements within the Blasting By-law that the contractor would have to adhere to including the pre-blast survey and ground monitoring. Residents would receive notices regarding the pre-blast survey.

**Ben Young** – The intention is to start as soon as the approvals are in place. Hopefully by early 2022. A portion of those three buildings would include affordable housing.

**R. Leblanc** – Referring to the map, explained where the intersections are located. Wouldn't want to put another road in and around that park area.

#### (iv) **Tony DiLiberatore, Briarwood Crescent:**

Had concerns about the traffic impact at the main artery (Seton Road and Lacewood) from the beginning of the original application for the project. There was talk and promise about putting in a

berm or a retaining wall to protect the backyards of existing properties. The berm wasn't shown on the plans within the original development agreement. Will there be a berm as these properties will back onto the main road.

**R. Leblanc** – Recalls there will be a berm and the road is lower than the properties.

**G. Woodford** – Met with residents along that stretch of the road. The residents were worried about visibility and drainage problems; therefore, measures were developed to address those issues. The grades are such that a retaining wall is needed and being incorporated into the design.

**T. DiLiberatore** – Will this factor in noise levels from the traffic? Do you know what the height of it will be?

**G. Woodford** – A berm or retaining wall would stop or lessen the noise significantly. The detail design is still being worked out. The earth could be moved higher to create a berm effect.

**T. DiLiberatore** – Would like access to the final design.

**G. Woodford** – The residents will be consulted before moving any earth.

**B. Young** – Asked for T. DiLiberatore's contact information so the developer could meet when the design is finalized.

**T. DiLiberatore** – Asked for clarification on how the proposed traffic lights near Briarwood Crescent as it approaches Lacewood Drive would be managed to avoid accidents.

**P. Sampson** – The original traffic study would have been reviewed prior to the approval of the original development agreement three years ago. The road layout is not being amended with this proposal.

**G. Woodford** – The traffic study was completed, a design is being drafted for that intersection and the issue is being contemplated. The information can be provided along with the final design of that intersection.

**P. Sampson** – Future changes (to Briarwood) would be separate from this process.

**(v) Marie Thompson, Braemount Drive:**

Would like clarification and to hear more about the proposal for the intersection of Seton Road and Lacewood Drive. There is a lot of pedestrian and vehicular traffic especially during the school year. Concerned that at some point, Braemount traffic may be prohibited from turning left onto Lacewood Drive. How much greater density will be associated with the decrease of 500 metres to 200 metres? Would like P. Sampson to send them the links to the various studies and plans.

**P. Sampson** – The density would not increase as a result of the intersection spacing. The development agreement process does not deal with the details of the intersection designs. The applicant has also submitted a final subdivision application which is when these designs would be finalized. It was recommended that signal lights be installed at those intersections (Lacewood & Seton, Bedford Hwy & Seton). The density allowances in the agreement are not changing

**R. Leblanc** – The density will not increase but if another road is required, there may be a decrease in density. In 2018, prior to the approval of the original development agreement, there was a comprehensive traffic impact study that was done and addressed a lot of the traffic issues and is available online.

**G. Woodford** – That intersection is being designed with traffic signals and pedestrian. The plans can be available for viewing when complete. The plans and density are staying the same, only the clause in the development agreement is changing.

**(vi) Jason Tully, Sherbrook Drive:**

Asked about the plans for the large, chain link fence between Sherbrook Drive (on the backyards) and the new development property.

**R. Leblanc** – This level of detail is beyond the development agreement but the plan is for a park on the other side so I would assume there would be a trail connection to this area.

**(vii) Nicole Mosher, Plateau Crescent (a recent resident of Braemont Drive):**

Thanked the developers for including badly needed affordable housing and park spaces within their proposal. Hopes HRM is planning for required school space and that the Province has included this development for forecasting for the increased need of existing schools. Encourages actions to speed up the process and is encouraged to hear construction is ready to begin.

**(viii) Stephen Phillips, Briarwood Crescent:**

What is the plan for schools? There are high volumes of traffic, and will increase, on Bedford Highway and Lacewood Drive. Why are there only two access points and is it possible to have more? Transit systems are already strained as there have been a lot of changes within the last three years. Is the Neighbourhood Centre the entire pink area on the map?

**P. Sampson** – The Neighbourhood Centre is the pink area. Schools and traffic issues would have been looked at with the original development agreement application (approved by Council three years ago) in conceptual form and now the detail design work for the subdivision application is being done. The traffic impact study can be placed on the website if permission is given by the developer. P. Sampson will send contact information for HRM Development staff.

**(ix) Wendy MacDonald:**

Concurs with several of the previous comments so far. Active transportation is important and HRM is encouraging pedestrian travel and cycling. Transit will be very positive. The walking public will make good use of the new neighbourhood. Bedford Highway revisions will bring more traffic up the road. What would be the slope on Seton Road going forward to Lacewood Drive? The other approach will be too steep for the aging population. Disappointed with 11% slope and 8% may be too difficult. There is a pond at the top corner towards Sheffield and there is no suggestion about water on the map. Will the pond be filled in? What is the proposed density? Pleased about affordable housing but the percentage is unknown. Interested in how the daycare centre will be turned into a school? If it's going to be a complete community, a school is needed in the Neighbourhood Centre. Existing schools that border this development are at full or over capacity. There's been no visioning about schools and has to be urgently revisited with the Province. The current Regional Plan looks at complete communities suitable for all ages and abilities. W. MacDonald is excited for what is coming forward but the lack of a school is the biggest gap. When a large, complete community is being planned, parties have to collaborate on issues like schools. Classrooms at MSVU could be used for schooling and training purposes.

**B. Young** – The slope is at 8% or less coming into Lacewood Drive. The pond, along with the surrounding buffer, will be retained in its natural state as parkland. Density in unit count: 163 single family homes and somewhere between 2000 and 2200 apartment units. The final design will determine the final count. Cannot comment on schools.

**J. Spatz** – There will be over 100 affordable housing units.

**P. Sampson** – A school was not a specified use in the original development agreement, which was when the issue of schools would have been looked at.

**Councillor Morse** – HRM currently has a proposal for consideration of a school at Park West which would be within walking distance of this development.

**(x) Michael and Dorothy Leblanc, Briarwood Crescent:**

Concerned about the ingress and egress from Briarwood Crescent to Lacewood Drive.

**(xi) Mike Hartlen:**

Main concern is the Briarwood Crescent entrance to Lacewood Drive. After the last public meeting, a petition in regards to closing one end of the road to allow residents to cross two lanes as opposed to four lanes on Lacewood Drive was presented to Councillor Walker so it could be forwarded to HRM Traffic Services. Residents haven't heard anything. The petition has since been forwarded to Councillor Morse. Could staff follow up? Could there be some warning as to when the blasting would be taking place? Will there be traffic calming implemented close to parks to alleviate speeding? Are there any changes that will affect water pressure and how will the bigger buildings be serviced at the top of Seton Ridge? Worried that the proposed heat plant will be turned over to a home owner's association to fund. M. Hartlen believes HRM should handle that maybe by an area rate. Is the pedestrian entrance into the subdivision off of Bayview still in the proposal?

**P. Sampson** – Any changes to Briarwood Crescent would be separate from this application and be the responsibility of HRM Traffic. The Blasting By-law will need to be followed. An area rate for the heat plant is being contemplated. A petition would be submitted to HRM Traffic separately. The Bayview pedestrian entrance is still being considered; therefore, a definitive answer cannot be given but it is not part of this amendment proposal.

**B. Young** – The heat plant may be the responsibility of HRM through an area rate. The developer would be happy to look at some traffic calming but HRM Engineering would have to look at the final designs and make a recommendation.

**G. Woodford** – There is less water pressure at higher elevations. Explanation was given as to how the three pressure zones in the area would regulate water pressure. The large buildings have their own pumps to maintain their pressures. Briarwood Crescent's water pressure should benefit as there will be more pipe connections.

**B. Young** – There is a connection design for the pedestrian entrance at Bayview providing HRM accepts it.

**(xii) Dennis Boone, Bayview:**

Will the power grid be buried? Are there plans for existing power grid problems on the outskirts of the property? Which buildings are the three that are being escalated in the plan? What will be the height of rooftop mechanisms?

**P. Sampson** – The height allowance is for typical rooftop structures similar to antennas, landscaping, penthouses (mechanical or apartment unit & mechanical), etc.

**B. Young** – The primary and secondary power lines will be buried. Other upgrades in the surrounding area (behind Briarwood and Bayview) need to be updated and the developer will allow NS Power access through the property which will be timed with the approval of this proposal. Construction of the buildings, although not identified, would most likely start at the very centre of the project.

**J. Spatz** – The developer would like to begin with the retail/grocery store parking and critical amenities.

**(xiii) Councillor Morse:**

Thanked staff for hosting and presenting as well as the applicant and their whole team for providing answers to many questions. Thanked everyone for their participation and invited people to reach out if they have questions. Main concerns were noise, blasting, and traffic. Reassured residents that they have already been in touch with HRM Traffic regarding the need for updated studies. There are a number of things that can be done in the next few years to get ready for this upcoming project.

**4. Closing Comments**

**P. Sampson** thanked everyone for their participation in the meeting.

**5. Adjournment**

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