



**REVISED**  
Attachment A Only  
Nov 8/22

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

**Item No. 12.1**  
**Halifax Regional Council**  
**September 27, 2022**  
**September 29, 2022**  
**November 8, 2022**  
**North West Community Council**  
**October 3, 2022**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:**

Original Signed by 

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Jacques Dubé, Chief Administrative Officer

**DATE:** September 21, 2022

**SUBJECT:** **Case 21460: Amendment to the Municipal Planning Strategy for Planning Districts 14 & 17 and a Development Agreement for Opportunity Site C off Ingram Drive, Fall River**

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**ORIGIN**

- Application by KWR Approvals; and
- February 27, 2018, Regional Council initiation of the Municipal Planning Strategy Plan Amendment process.

**LEGISLATIVE AUTHORITY**

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

**RECOMMENDATION**

It is recommended that Regional Council:

1. Give First Reading to consider the proposed amendment to the Municipal Planning Strategy for Planning Districts 14 and 17, as set out in Attachment A of this report, and schedule a public hearing;
2. Adopt the proposed amendment to the MPS for Planning Districts 14 and 17, as set out in Attachment A of this report.

**It is recommended that North West Community Council:**

3. Give Notice of Motion to consider the proposed development agreement, as set out in Attachment B of this report, to permit three (3) Multiple Unit Dwellings each containing 40 dwelling units for a total of 120 dwelling units off Ingram Drive on Opportunity Site C within Planning Districts 14 and 17. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.
4. Provisionally approve the proposed development agreement to permit three (3) multiple unit dwellings each containing 40 dwelling units at the base of Ingram Drive on Opportunity Site C within Planning Districts 14 and 17, which shall be substantially of the same form as contained in Attachment B of this report; and
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**

KWR Approvals on behalf of Perry Lakes Developments is applying to enable multiple unit residential development on Opportunity Site C, located at the end of Ingram Drive in Fall River. Current policy enables consideration of the proposed 120-multiple-unit residential development; however, the policy requires that a direct road connection be provided over the active CN Rail line from Ingram Drive to Cobequid Road. CN Rail has expressed that an at-grade crossing at this location cannot be supported due to safety concerns. Since this crossing cannot be included in the development of Opportunity Site C, removal of this requirement for the connection from the Municipal Planning Strategy is being requested.

<b>Subject Site</b>	North of CN Rail Line: PID's 40844375, 40551277, 00472910, and 40844417 South of CN Rail Line: PID's 00472902 and 40551558
<b>Location</b>	South end of Fall River Village, at the end of Ingram Drive, Fall River
<b>Regional Plan Designation</b>	Rural Commuter
<b>Community Plan Designation (Map 1)</b>	Residential (Opportunity Site C)
<b>Zoning (Map 2)</b>	Residential Comprehensive Development District (RCDD)
<b>Size of Site</b>	12.35 ha (30.52 acres)
<b>Street Frontage</b>	Connects to the termination of Ingram Drive
<b>Current Land Use(s)</b>	Vacant
<b>Surrounding Use(s)</b>	North – Canterbury Lane Park Northeast – Highway 102 South – CN railway and Cobequid Road West – Single unit dwellings

**Proposal Details**

The applicant proposes to amend the Municipal Planning Strategy (MPS) for Planning Districts 14 and 17 (River Lakes Secondary Plan) to remove the requirement for direct road access from Ingram Drive to Cobequid Road in order for Council to consider a 120 unit residential development on Opportunity Site C. The major aspects of the proposal are as follows:

- An amendment to Policy RL-14 of the MPS to remove the requirement for a road connection from Ingram Drive to Cobequid Road over the CN Rail Line for Opportunity Site C;
- A proposed Development Agreement which would allow three (3) multiple unit dwellings, each three (3) storeys in height and each containing 40 dwelling units for a total of 120 dwelling units; and

- Permissions within the proposed development agreement to allow the development to be serviced with municipal water, with wastewater managed by an on-site septic system.

## **MPS and LUB Context**

### History

River-Lakes/Fall River is identified under the Regional Municipal Planning Strategy (Regional Plan) as a Rural District Growth Centre where low and medium density residential uses are envisioned. The subject site is located within the River-Lakes Secondary Plan Area under the MPS for Planning Districts 14 and 17. The River-Lakes Secondary Plan (RLSP) was adopted by Council in October 2012. Under the RLSP the subject site is designated Residential which is intended to support and protect the area's predominantly low-density residential environment while allowing for alternative housing types to accommodate the various needs of the community. Locations for alternative housing sites were selected and are identified as Opportunity Sites in the Plan Area (Map 3).

The subject lands, zoned I-3 (Light Industrial) prior to adoption of the RLSP, permitted a range of industrial uses such as warehousing, transportation terminals, building material outlets and manufacturing uses on the site. Through the planning process for the RLSP (which included community visioning) industrial zoning was recognized as inappropriate, as the property was located within close proximity to low density residential development. Further, a need for alternative housing forms such as low-rise multiple unit dwellings and townhouses to accommodate the diverse needs of the community was established. Upon adoption of the RLSP, the subject properties were rezoned to the RCDD (Residential Comprehensive Development District) Zone and designated as Opportunity Site C in the MPS as a means of supporting alternative housing forms at this location.

### Existing Policy

Development of Site C can only be considered by development agreement under Policy RL-14 of the MPS. Approval of a development agreement by Council is required prior to receiving permits for any of the uses permitted under the RCDD Zone. Approval is conditional on meeting MPS Policy criteria as outlined below:

- Maximum gross density is limited to 4.0 units per acre;
- Maximum number of permitted multiple unit dwellings is 3;
- Maximum storeys per multiple unit building is 3;
- Maximum number of units per multiple unit building is 40;
- Minimum of 60% of the site is retained as non disturbance area;
- Controls on lighting;
- Provisions for a future connector trail to the MacDonald Sports Park;
- Direct vehicular access to the Cobequid Road from Ingram Drive; and
- Traffic and Phosphorus Net Loading Assessment studies verifying:
  - the impacts of development on the Fall River Road and Highway 2 Intersection, the Highway 102 / Highway 118 interchanges and the Lockview Road and MacPherson Road intersection; and
  - a no net increase in phosphorus as the performance standard.

The RCDD Zone (Attachment D) permits a range of residential and lower intensity commercial land uses including but not limited to the following:

- single, two-unit dwellings and townhouses,
- low rise multiple unit dwellings,
- variety stores,
- restaurants,
- food stores,
- offices,
- medical and dental clinics; and self storage facility.

## **Application History**

A previous planning application (Case 20672) was submitted for three multiple unit dwellings, a commercial building and self-storage facility by development agreement. It was through the detailed review of this application that it was determined by CN Rail that an at grade rail crossing to connect Ingram Drive to Cobequid Road was not possible. Given this connection is required under current policy for any development proposal on Site C, the developer withdrew that application.

Subsequently, a new planning application (Case 21460) was made with the request to amend the policy to enable development to occur without a connection from Ingram Drive to Cobequid Road. In addition to the request for removal of the connection to Cobequid Road requirement, the February 2018 staff initiation report also noted that amendments were being requested to increase the permitted residential density from 4 to 5 units per acre and increase the number of units from 40 to 60 per multiple unit building. These two amendment requests (increase in density and the number of units per building) have since been withdrawn in response to the comments received by the community and staff throughout the planning application process.

It should be noted that a flag lot fronting Ingram Drive (PID 40823866) abutting the development area to the north also contains the RCDD Zone and appears on Map RL-3 - Alternative Housing Opportunity Sites. This lot has been excluded from the proposed development plan as it was deemed unnecessary for purposes of being included into the development proposal. This lot can be developed with a single detached dwelling which is also consistent with the list of permitted uses in the RCDD Zone.

### **Approval Process**

The approval process for this application has two components. One, the consideration of the proposed amendments to the MPS (Attachment A) and two, the consideration of the proposed development agreement (Attachment B). Given the recent *HRM Charter* changes enacted through *Bill 137*, North West Community Council now has the authority to provisionally approve a development agreement after Regional Council makes a decision on the MPS amendment. A decision on the proposed MPS amendment 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, a public information meeting (PIM) (Attachment E contains a copy of a summary from the meeting) and an on-line survey (see link below).

#### **Public Information Meeting: June 13, 2018**

Approximately 225 people attended the Public Information Meeting and many were not in support of the proposal development (Case 21460). After the PIM, staff also received 56 emails from 43 different residents offering feedback on the proposal. The public comments received included the following concerns and are also summarized in Attachment E:

- potential traffic impacts;
- the proposal's compatibility with the neighbourhood over the mix of land uses including townhouses and multiple unit dwellings;
- the introduction of multiple unit dwellings on the development site;
- impacts to property values;
- potential environmental impacts; and,
- lack of infrastructure, local services and amenities.

#### **On-Line Survey: Spring 2022**



In the spring of 2020, a revised development proposal was submitted and posted on the HRM website. This version removed previously proposed townhouse dwellings in favour of 3 multiple unit dwellings, each containing 40 dwelling units. In the spring of 2022, this concept was further refined to include revised building facades and landscaping. Based on the public feedback received in 2018 (PIM and subsequent email submissions), it became clear that residents in the community were looking for substantial changes to the development plan that did not include townhouses or multiple unit dwellings. However, the developer chose to move forward with a development plan that proposed only multiple unit buildings (as reflected in the revisions posted to the HRM website in 2020 and again as refined in 2022).

A mail-out with a request to complete an on-line survey was conducted in March 2022. Based on community feedback, staff expanded the mailout beyond what is shown on Map 2 and extended the survey response deadline an additional four weeks allowing for more time to complete the survey (approximately 7 weeks in total). Approximately 230 residents were circulated in the expanded mail out. Staff received 711 completed surveys as a result of this initiative. Staff reviewed the survey results and noted frequently occurring themes in these responses. While some residents supported the proposal, a large majority of respondents did not. It should be noted that results of this survey were generally consistent with earlier community responses, inclusive of the 2018 community feedback with a summary of the prevailing themes as listed below:

- **Pedestrian and Vehicular Traffic**

Traffic related concerns dominated the survey results with residents expressing concerns over safety due to the lack of adequate road and pedestrian infrastructure including:

- the means of access to Cobequid Road from Ingram Drive should be included;
- sidewalks; and,
- public transit.

- **Concerns of Compatibility with Neighbourhood**

The introduction of multiple unit dwellings/ apartment buildings into a community that is predominantly low density single detached dwellings.

- **Environmental Impacts**

Concerns were raised over the adequacy of the onsite septic infrastructure and potential impacts to:

- wildlife
- existing wetland areas; and
- nearby watercourses.

- **Lack of Local Services and Amenities**

In a general the lack of available doctors, dentists and other services were also expressed.

The report with all the survey responses was posted to the HRM website in May of 2022. The link to that report is available as follows:

<https://cdn.halifax.ca/sites/default/files/documents/business/planning-development/applications/survey-responses-report-case-21460-edited.pdf>

It should be noted that between April 10, 2018 and June 13, 2022 there were 5,341 unique views of the planning webpage having an average of 4:24 minutes.

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the published advertisements to the HRM website, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

The proposal will potentially impact residents and property owners of the Fall River South neighbourhood, Ingram Drive and to a lesser extent, Bolton Drive.

## **DISCUSSION**

### **Proposed MPS Amendment**

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. Currently, the MPS requires that a direct road connection from the development site to Cobequid Road form part of the proposed development plan. MPS policies also permit the development of local commercial uses and a self-storage facility. At the time of adoption, the MPS envisioned that the road connection would be utilized to manage commercial and self storage traffic and direct it to Cobequid Road. However, staff advise that the requirement to establish a vehicular connection from the development site on Ingram Drive over the CN Rail line to Cobequid Road cannot be realized.

Accordingly, staff advise that it should be removed as a criterion for development, as:

1. The criterion is unimplementable due to established safety concerns as expressed by CN Rail; and
2. A traffic study has determined that local road system could adequately absorb the additional traffic generated from the proposed development irrespective of the removal of the road connection from Ingram Drive to Cobequid Road.

It should be noted that, notwithstanding the road connection requirement, in all other respects, the proposed development is consistent with MPS policy. Attachments A contains the proposed MPS amendment.

As the road connection would not meet Transport Canada's Grade Crossing Regulations, CN Rail has declined the request for an at-grade vehicle crossing from the Ingram Drive extension to Cobequid Road over the CN rail line. As this is a key MPS policy criterion that cannot be implemented, the applicant is seeking its removal and acknowledges that the development will occur entirely north of the CN rail line. In considering this issue, staff required a traffic analysis to demonstrate that the existing road network servicing the development would not be unduly impacted and that the existing traffic network could manage the additional traffic flows. Accordingly, a traffic study was completed reflecting the proposed development and its impacts to lands located north of the CN Rail line with Ingram Drive being *the sole point* of access to the proposed development. It was determined by the study that the local road system could adequately absorb the additional traffic generated from the proposed development. On this basis staff recommends that Council remove the requirement for road connection from Ingram Drive to Cobequid Road over the CN Rail Line in accordance with MPS Policy RL-14 (f) (under Site Impact Controls/Assessments).

### **Other Matters of Policy Consideration**

Of the other matters addressed in MPS Policy, the following have been identified for detailed discussion. A full policy evaluation is provided in Attachment C.

#### ***1. Proposed Housing Type - Multiple Unit Buildings - MPS RL-14 (a) & (d)- (Built Form, Architecture and Use)***

Low-rise multiple unit dwellings on the subject site are reasonably consistent with Policy RL-14 (a). The proposed development meets the height and density requirements set out in RL-14 at 3 storeys in height and 4 units per acre (total of 120 units proposed on 30 acres of land). The configuration of the buildings is clustered and located within close proximity of one another with principal accesses and amenity activity areas located internal to the site. The buildings meet the architectural requirements of the LUB for the River-Lakes Secondary Planning area. The footprints of each of the structures with surface parking, designated amenity areas and driveway access/ circulation areas are contained within the permitted development envelopes in order to retain 60% of the site as non-disturbance area. The concentrated form of the development on the site and difference in elevation provides a visual integration that meets the intent of RL-14(d). Multiple unit dwellings have been contemplated as appropriate alternative housing types and are supported by policy as suitable land uses for Opportunity Site C.

#### ***2. Public Trail Connections Over Private Lands - MPS RL-14 (c) (Site Development Criteria)***

The MPS requires the retention of a cultural feature by way of a trail connection to the future MacDonald Sports Park Connector Trail. However, within the development agreement process, HRM has no ability to

take lands from the development for a public purpose. The process of parkland dedication for the purpose of creating a feature such as a trail connection for public access is typically only permitted through the subdivision process. Consequentially, public access cannot typically be achieved over private lands. However, a provision has been included within the proposed agreement to permit a trail connection over the subject property to the Macdonald Sports Park should the Municipality be able to acquire lands from this site for a public trail at some time in the future.

### *3. Phosphorus Net Loading - MPS RL-22*

In accordance with Policy RL-22, a phosphorous net loading study (PLNS) was completed as a component of this planning application. The PLNS determines if the proposed development will export any greater amount of phosphorus from the subject land area during or after the construction of the proposed development than the amount of phosphorus determined to be leaving the site prior to the development taking place. The PLNS revealed that the phosphorus levels predicted to be exported from the proposed development will exceed the phosphorus levels currently exported from the site. Therefore, in accordance with RL-22, methods to reduce phosphorus export levels to those current have been incorporated into the recommendations for stormwater management, grading and drainage plan, erosion and sedimentation control as well as the on-site septic system which are established in the Development Agreement (Attachment B).

### *4. Fall River/Waverley/Wellington Transportation Study - MPS RL-25*

CBCL prepared a transportation study for the Fall River/Waverley/Wellington areas of the River-Lakes Secondary Planning process. The study found that particular intersections within the area were heavily congested and recommended the development of a new interchange to reduce traffic on Highway 2 and take pressure off the existing Highway 102 and 118 interchanges. The study noted that a combination of the Burnside Connector and a new 102 interchange presented an option to reduce traffic volumes along Fall River Road and Highway 2. Without a new connection, the impact of the Burnside Connector on traffic volumes along Highway 2 was deemed negligible. Five locations for a new interchange were explored including a new connection at Cobequid Road from Ingram Drive (named the Cobequid Connector) and a connection from Highway 2 to the existing Aerotech interchange at Exit 5a (named the Wellington Connector).

The study concluded that a new connection at Cobequid Road was most advantageous to alleviate traffic on Highway 2 but noted the primary access would be through the residential neighbourhood of Fall River Village. In 2018, NS Transportation and Infrastructure Renewal announced plans to construct the Wellington Connector. When combined with the Burnside expressway, the CBCL study estimated that traffic volumes along Highway 2 could reduce by up to 15%. As a result, the Cobequid Connector is no longer needed and therefore a connection from Ingram Drive to Cobequid Road has been deemed not significant for traffic operations.

### *5. Wetland - MPS P-155 (d)*

The site is low lying and is wet in certain locations on the northern portion of the development site. A portion of these lands contain a small area of designated wetland (as part of a wetland in excess of 2,000 square metres) as shown on Schedule D Map – Wetlands in the LUB. Given the distance from the actual development area to the location of the wetland, staff do not anticipate a conflict with this area.

## **Proposed Development Agreement**

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

1. The siting and sizing of three (3) multiple unit residential buildings, each:
  - a. three (3) storeys in height
  - b. containing a maximum of 40 dwelling units
  - c. containing a minimum 50% of two bedrooms plus
2. A minimum of 60% non-disturbance area to be retained

3. Environmental Protections against stormwater runoff and phosphorous loading to the nearby watercourse
4. Landscaping features inclusive of:
  - a. Parking
  - b. Lighting
  - c. Recreation areas inclusive of outdoor amenity areas and pedestrian recreational pathways
5. The site will be serviced with municipal potable water. Wastewater will be treated by an onsite septic system.
6. A Phosphorus Net Loading Plan is attached a schedule and works in conjunction stormwater management, grading and drainage plan and erosion and sedimentation control plans to contain a phosphorous runoff on the site. All plans require a detailed final submission at the permit stage and are attached to the DA as preliminary plans. All preliminary plans have undergone an initial round of review.
7. Non-substantive amendments such as changes to landscaping and architectural details and construction timeframes.

The attached development agreement will permit three (3) multiple unit residential buildings on the lands, subject to the controls identified above. Of the matters addressed by the proposed development agreement to satisfy the MPS criteria as shown in Attachment C, the following have been identified for more detailed discussion.

#### Non-Disturbance area, Buffering and Impact Mitigation

As stated, a 60% non-disturbance area of the site is proposed to be retained and is identified on Schedule C of the DA. The non-disturbance area and additional landscaping buffering are proposed to mitigate undue impacts to adjacent residential properties. The development site is located downgrade from the low-density single family residential development which may serve to mitigate visual impacts of the proposed three storey buildings. Excepting for a minor non disturbance and bio retention area separating the buildings from the CN Rail line, the proposed multi unit buildings, located in a clustered formation, lie adjacent to the CN rail line at the southern most extent of the property, furthest from the low-density development. Buffering provided in the DA along the property boundary between low density residential.

#### **Conclusion**

Staff have reviewed the application and the existing policy context and advise that the MPS should be amended to remove MPS Policy RL-14(f) requiring that the development site to have direct road access to the Cobequid Road. If this policy requirement is removed, North West Community Council may consider the DA for three (3) multiple unit buildings of three storeys containing a maximum of 40 units in each building. With the removal of clause (f) of Policy RL-14, the proposed development would be consistent in all other aspects with the intent of MPS policy. Therefore, staff recommend that Regional Council approve the proposed amendments to the Municipal Planning Strategy for Planning Districts 14 and 17. Should Regional Council approve the MPS amendment, Community Council may render a decision on the proposed 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 in order to satisfy the terms of this Development Agreement. The administration of the development agreement can be carried out within the approved 2022-2023 operating budget for Planning and Development.

## **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 additional concerns were identified beyond those raised in this report.

## **ALTERNATIVES**

Regional Council may choose to:

1. Modify the proposed amendments to the MPS for Planning Districts 14 and 17, as set out in Attachments A 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 MPS for Planning Districts 14 and 17. 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*.

North West Community Council may choose to:

3. Approve the proposed 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 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 and Notification Area
Map 3:	RL-3 - Alternative Housing Opportunity Sites
Attachment A:	Proposed Amendment to the MPS for Planning Districts 14 and 17
Attachment B:	Proposed Development Agreement
Attachment C:	Review for Relevant Policies – Opportunity Site C
Attachment D:	Excerpts from the Planning Districts 14 and 17 -- MPS and LUB
Attachment E:	Public Information Meeting (PIM) Notes (2018)
Attachment F:	Summary of Survey Results (2022)

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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: Shayne Vipond, Planner III, 902.237.5395

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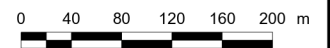


**Map 1 - Generalized Future Land Use**

**HALIFAX**

 Subject Properties

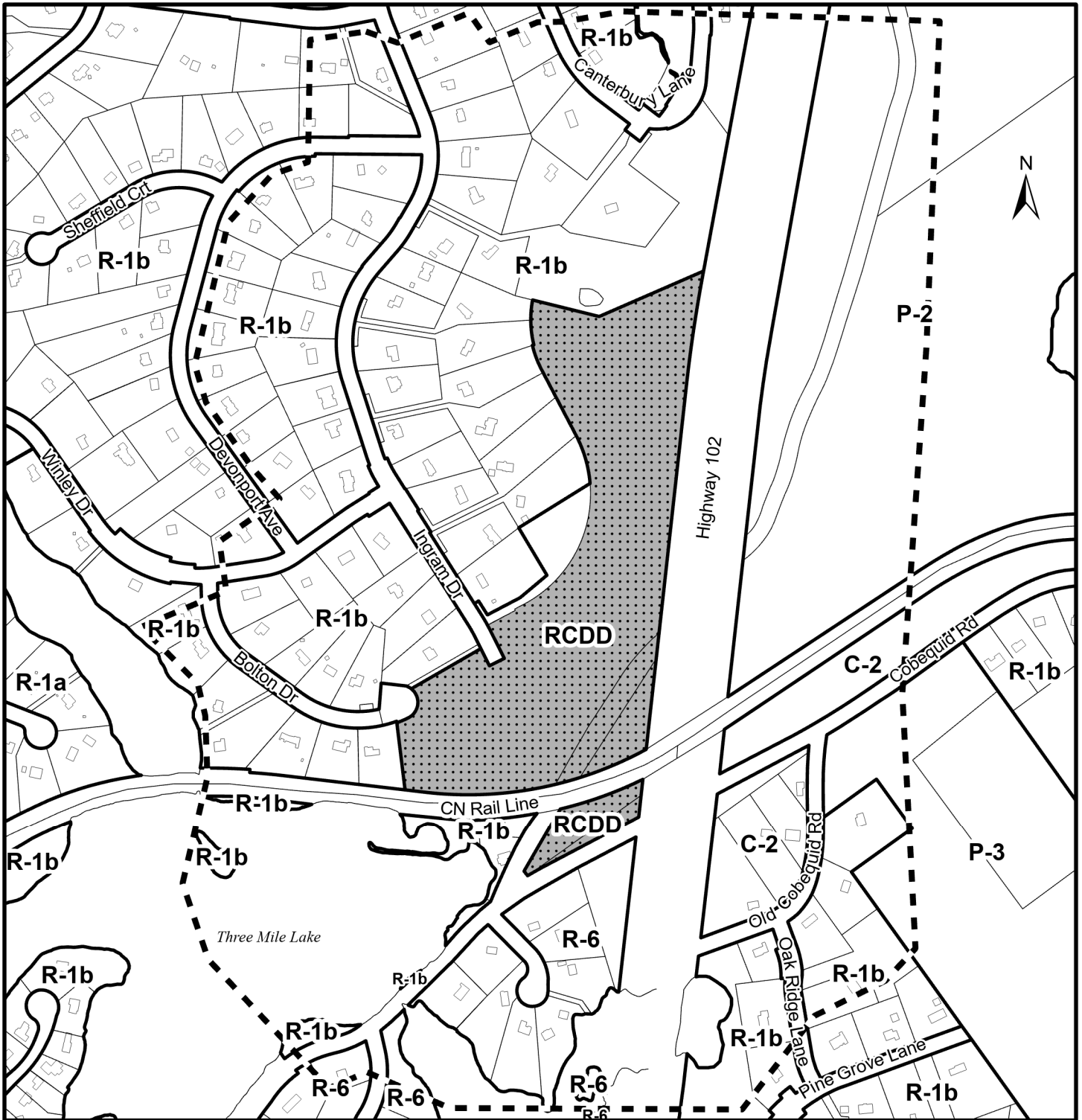
**Designation**  
R Residential



Planning Districts 14 & 17  
(Shubenacadie Lakes) 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.

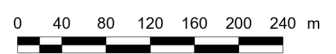


**Map 2 - Zoning and Notification**

**HALIFAX**

-  Subject Properties
-  Area of Notification

Zone	
R-1b	Suburban Residential
R-6	Rural Residential
RCDD	Residential Comprehensive Development District
P-2	Community Facility
P-3	Park
C-2	Community Commercial



Planning Districts 14 & 17  
(Shubenacadie Lakes) Plan Area

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.

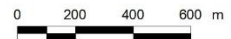


**Map 3 RL-3 - Alternative Housing Opportunity Sites – Site C**



**Map RL-3 - Alternative Housing Opportunity Sites**

-  Opportunity Sites for Lowrise-Multiple Unit and Townhouse Developments
-  General Location for Townhouse Development



HRM does not guarantee the accuracy of any representation on this plan.

# REVISED

## ATTACHMENT A

### Proposed Amendment to the Municipal Planning Strategy for Planning Districts 14 and 17

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 14 and 17 is hereby further amended as follows:

1. Within the River-Lakes Secondary Planning Strategy, amend the preamble to Policy RL-14 by deleting the text shown in strikethrough and add a "." after and and captialize "there" as shown in bold as follows:

The property will be zoned Residential Comprehensive Development District under this Secondary Planning Strategy to allow the development of low-rise multiple-units, townhouses, single unit dwellings, and two unit dwellings up to a maximum of 4 units per acre. This zone will allow consideration of a small scale local commercial convenience store and self storage buildings in association with the residential development. Like Site B, this site will require special siting and design consideration to minimize any impacts on the surrounding low density residential development. A minimum of 60% of the site shall be retained as common open space and can be used to buffer the development from lower density types of housing. ~~Direct access to the Cobequid Road shall also be required to minimize traffic impact on Fall River Village and.~~ **There shall be a** maximum of three multiple-unit dwellings with a maximum of 40 units per building.

2. Within the River-Lakes Secondary Planning Strategy, amend Policy RL-14 by deleting the text shown in strikethrough and adding the text shown in bold as follows:

RL-14

#### Site Impact Controls/Assessments

- (d) that the lighting on the site is designed to prevent light pollution impacts on residential units within the site and on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (e) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;
- (f) ~~Deleted the site has direct road access to the Cobequid Road;~~
- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;
- (h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted amendment was passed at a meeting of the Regional Council held on [DATE], 2022.

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Iain MacLean  
Municipal Clerk

**ATTACHMENT B**

**Proposed Development Agreement**

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

BETWEEN:

\_\_\_\_\_ **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 PIDs 40844375, 40551277, 00472910, 40844417, 00472902, and 40551558, near Ingram Drive, Fall River and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** the Developer has requested that the Municipality enter into a Development Agreement to allow for three (3) Multiple Unit Buildings, each containing forty (40) dwelling units for a total of 120 dwelling units on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and Policy RL-14 of the Municipal Planning Strategy for Planning Districts 14 and 17;

**AND WHEREAS** the Halifax Regional Council approved this request at a meeting held on **[Insert - Date]**, referenced as Municipal Case Number 21460;

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

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## **PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION**

### **1.1 Applicability of Agreement**

- 1.1.1 The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

### **1.2 Applicability of Land Use By-law and Subdivision By-law**

- 1.2.1 Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the Land Use By-law for Planning Districts 14 and 17 and the Regional Subdivision By-law, as may be amended from time to time.

### **1.3 Applicability of Other By-laws, Statutes and Regulations**

- 1.3.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.
- 1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

### **1.4 Conflict**

- 1.4.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.
- 1.4.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

### **1.5 Costs, Expenses, Liabilities and Obligations**

- 1.5.1 The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial and Municipal laws, by-laws, regulations and codes applicable to the Lands.

### **1.6 Provisions Severable**

- 1.6.1 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

### **1.7 Lands**

- 1.7.1 The Developer hereby represents and warrants to the Municipality that the Developer is the owner of the Lands and that all owners of the Lands have entered into this Agreement.

## **PART 2: DEFINITIONS**

### **2.1 Words Not Defined under this Agreement**

- 2.1.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law, if not defined in these documents their customary meaning shall apply.

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

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

- (a) **Landscape Architect** means a professional full member in good standing with the Atlantic Provinces Association of Landscape Architects.

## **PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS**

### **3.1 Schedules**

- 3.1.1 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 21460:

Schedule A	Legal Description of the Lands
Schedule B	Concept Plan
Schedule C	Preliminary Landscaping Master Plan
Schedule D	Preliminary Landscaping Detailed Plan
Schedule E	Preliminary Landscaping Amenity Detail #1
Schedule F	Preliminary Landscaping Amenity Detail #2
Schedule G	Preliminary Landscaping Amenity Detail #3
Schedule H	Preliminary Landscaping Amenity Detail #4
Schedule I	Building Typical Front Elevation
Schedule J	Building Typical Garage Entry Side Elevation
Schedule K	Building Typical Rear Elevation
Schedule L	Building Typical Opposite Side without Garage Entrance Elevation
Schedule M	Building Typical Roof Elevation
Schedule N	Preliminary Phosphorous Loading Net Assessment Plan
Schedule O	Preliminary Stormwater Management Plan
Schedule P	Preliminary Erosion and Sedimentation Control Plan

### **3.2 Requirements Prior to Approval**

- 3.2.1 Prior to the issuance of any site work on the Lands, in accordance with G-200, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer:

- (a) a detailed Site Disturbance Plan prepared by a Professional Engineer in accordance with this Agreement; and

- (b) a detailed Site Grading Plan, Erosion and Sedimentation Control Plan and Stormwater Management Plan for the Lands, in accordance with this Agreement. The detailed plans shall comply with the Phosphorus Net Loading Assessment which was prepared and reviewed as part of Planning Case 21460.
- 3.2.2 Prior to the issuance of a Development Permit, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer:
  - (a) a detailed Landscape Plan prepared by a Landscape Architect in accordance with the Schedules of this Agreement; and
  - (b) a detailed plan of the privately owned and operated sewer systems and treatment facilities.
- 3.2.3 Prior to the issuance of the first the Occupancy Permit for any building, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer written confirmation from a qualified professional which the Development Officer may accept as sufficient record of compliance with the Landscape Plan and the Lighting Plan.
- 3.2.4 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

### **3.3 General Description of Land Use**

- 3.3.1 The use(s) of the Lands permitted by this Agreement are the following:
  - (a) Three (3) multi-unit residential buildings with each building containing a maximum of forty (40) residential dwelling units and accessory buildings and structures as specified in the Land Use By-law.
- 3.3.2 The Development Officer may permit unenclosed structures attached to a main building such as verandas, decks, porches, steps, and mobility disabled ramps to be located within the required minimum front, side and rear yards.

### **3.4 Building Siting**

- 3.4.1 The buildings' siting, bulk and scale shall be designed and detailed as generally shown on the Schedules of this Agreement.

### **3.5 Architectural Requirements**

- 3.5.1 The buildings facades shall be designed, detailed and described as generally shown on the Schedules of this Agreement.
- 3.5.2 The main entrances to the buildings shall be emphasized by detailing, changes in materials, and other architectural devices such as but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, cornerboards, fascia boards or an acceptable equivalent approved by the Development Officer. Main entries are shown on the Schedules. Service entrances may be integrated into the design of each building and shall not be a predominate feature.

- 3.5.3 The façades established as main entries shall be designed and detailed as primary façades. Further, architectural treatment shall be continued around all sides of each building as identified on the Schedules.
- 3.5.4 Large blank or unadorned walls shall not be permitted. The scale of large walls shall be tempered by the introduction of artwork, such as murals, textural plantings and trellises, and architectural detail to create shadow lines (implied windows, cornice lines, or offsets in the vertical plane) as identified on the Schedules.
- 3.5.5 Any exposed foundation in excess of 0.15m in height and 1.0 square metres in total area shall be architecturally detailed, veneered with stone or brick or treated in an equivalent manner acceptable to the Development Officer.
- 3.5.6 Exterior building materials shall not include vinyl siding.
- 3.5.7 All vents, down spouts, flashing, electrical conduits, metres, service connections, and other functional elements shall be treated as integral parts of the design. Where appropriate these elements shall be painted to match the colour of the adjacent surface, except where used expressly as an accent.
- 3.5.8 Buildings shall be designed such that the mechanical systems (HVAC, exhaust fans, etc.) are not visible from Ingram Drive or abutting residential properties. Furthermore, no mechanical equipment or exhaust fans shall be located between the building and the adjacent residential properties unless screened as an integral part of the building design and noise reduction measures are implemented. This shall exclude individual residential mechanical systems.
- 3.5.9 Fixed or retractable awnings are permitted at ground floor levels provided the awnings are designed as an integral part of the building façade.
- 3.5.10 All roof mounted mechanical or telecommunication equipment shall be visually integrated into the roof design or screened from public view.

### **3.6 Subdivision of the Lands**

- 3.6.1 Prior to the issuance of any municipal permits, a final subdivision application for the proposed public road shall be approved by the Development Officer in accordance with the Regional Subdivision By-law.
- 3.6.2 Prior to the issuance of any municipal permits, PIDs 40844375, 40551277, 40844417, and 00472910 may be consolidated and no building shall be located on more than one lot.
- 3.6.3 Subdivision for the purpose of achieving a Condominium shall be permitted on the Lands.
- 3.6.4 Lots created through the subdivision of lands will require a minimum of:
  - (a) 6.1 metres (20 feet) of frontage; and
  - (b) 3716 square metres (40,000 sq ft) of lot area.

### **3.7 Parking, Circulation and Access**

- 3.7.1 The parking area shall be sited as generally shown on Schedules B and C.
- 3.7.2 The parking areas shall provide a minimum of 180 parking spaces which will be assigned to each building as follows:
  - (a) Building A:
    - i. Exterior: a minimum of 30 spaces



- ii. Interior: a minimum of 32 spaces
- (b) Buildings B and C:
  - i. Exterior: a minimum of 27 spaces per building
  - ii. Interior: a minimum of 32 spaces per building

3.7.3 The limits of the parking areas shall be defined by fencing or landscaping or curb.

3.7.4 It is the responsibility of the Developer to convey all required rights-of-way over the properties as shown on the Schedules of this Agreement.

### **3.8 Outdoor Lighting**

3.8.1 Lighting shall be directed to driveways, parking areas, loading area, building entrances and walkways and shall be arranged so as to divert the light away from streets, adjacent lots and buildings.

### **3.9 Landscaping**

3.9.1 All plant material shall conform to the Canadian Nursery Landscape Association's Canadian Nursery Stock Standard (ninth edition).

3.9.2 Prior to the issuance of a Development Permit, the Developer agrees to provide Landscape Plan which comply with the provisions of this section and generally conforms with the overall intentions of the Preliminary Landscape Plan shown on the Schedules. The Landscape Plan shall be prepared by a Landscape Architect and comply with all provisions of this section.

3.9.3 Prior to issuance of the first Occupancy Permit for Buildings A, B or C, the Developer shall submit to the Development Officer a letter prepared by a Landscape Architect certifying that landscaping has been completed as follows:

- (a) For Building A, Amenity Areas 1 and 2 inclusive;
- (b) For Building B, Amenity Area 3; and
- (c) For Building C, Amenity Area 4.

3.9.4 Where the weather and time of year do not allow the completion of the outstanding landscape work prior to the issuance of the Occupancy Permit, the Developer may supply a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The cost estimate is to be prepared by a Landscape Architect. The security shall be in favour of the Municipality and shall be in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of the work as described herein and illustrated on the Schedules, and as approved by the Development Officer. Should the Developer not complete the landscaping within twelve months of issuance of the Occupancy Permit, the Municipality may use the deposit to complete the landscaping as set out in this section of the Agreement. The Developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the Developer upon completion of the work and its certification.

3.9.5 All landscaped areas designed to be installed upon any portion of the building must be supported by documentation from a Structural Engineer indicating that the building design is able to support any required drainage or additional weight caused by the landscaped area.

3.9.6 The MacDonald Sports Park Connector Trail as generally illustrated on Map RL-4 may be permitted on the Lands.

- 3.9.7 All elements identified in Subsection 3.9 are private and are to be built and maintained by the Developer.
- 3.9.8 In addition to the Schedules, buffers located along the property boundaries at Bolton Drive shall be:
- (a) a minimum of 6 feet in height
  - (b) comprised of material to sufficiently screen the proposed development from properties on Bolton Drive and may be:
    - i. naturally planted materials in accordance with section 3.9.1 or,
    - ii. an opaque fence.

### **3.10 Maintenance**

3.10.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the exterior of the building, fencing, walkways, recreational amenities, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow and ice control, salting of walkways and driveways.

3.10.2 All disturbed areas of the Lands shall be reinstated to original condition or better.

### **3.11 Signs**

3.11.1 The sign requirements shall be in accordance with the Land Use By-law for Planning Districts 14 and 17 as amended from time to time.

3.11.2 Signs depicting the name or corporate logo of the Developer shall be permitted while a sales office is located on the site. Ornamental plants shall be planted and maintained around the entire base of the sign as part of the required landscaping.

3.11.3 Signs shall only be externally illuminated.

3.11.4 A maximum of one ground sign may be permitted at the entrance to the development at Ingram Drive. The location of the sign shall require the approval of the Development Officer and Development Engineer. The maximum height of any such sign inclusive of support structures shall not exceed 10 feet (3.05 m) and the face area of any sign shall not exceed 50 square feet (4.65 sq. m.). All such signs shall be constructed of natural materials such as wood, stone, brick, enhanced concrete or masonry. The only illumination permitted shall be low wattage, shielded exterior fixtures. Notwithstanding this section, the construction of decorative entrance gates shall be permitted outside of the public street right of way.

3.11.5 A maximum of one fascia sign may be permitted on each of Buildings A, B and C. The location of the sign shall require the approval of the Development Officer. The sign dimensions shall be in accordance with the Land Use By-law for District 14 and 17.

### **3.12 Temporary Construction Building**

3.12.1 A building shall be permitted on the Lands for the purpose of housing equipment, materials and office related matters relating to the construction and sale of the development in accordance with this Agreement. The construction building shall be removed from the Lands prior to the issuance of the last Occupancy Permit.

### **3.13 Screening**

- 3.13.1 Where refuse containers are located outside the building they shall be fully screened from adjacent properties and from streets by means of opaque fencing or masonry walls with suitable landscaping.
- 3.13.2 Propane tanks and electrical transformers shall be located on the site in such a way to ensure minimal visual impact from Ingram Drive and residential properties along Ingram Drive at property line. These facilities shall be secured in accordance with the applicable approval agencies and screened by means of opaque fencing or masonry walls with suitable landscaping.
- 3.13.3 Mechanical equipment shall be permitted on the roof provided the equipment is screened and not visible from Ingram Drive or incorporated into the architectural treatments and roof structure.
- 3.13.4 Any mechanical equipment shall be screened from view from Ingram Drive.

### **3.14 Reinstatement**

- 3.14.1 All disturbed areas shall be reinstated to original condition or better.

## **PART 4: STREETS AND MUNICIPAL SERVICES**

### **4.1 General Provisions**

- 4.1.1 All design and construction of primary and secondary service systems shall satisfy the most current edition of the Municipal Design Guidelines and Halifax Water Design and Construction Specifications unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineering prior to undertaking the work.

### **4.2 Off-Site Disturbance**

- 4.2.1 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

### **4.3 Undergrounding Services**

- 4.3.1 All secondary or primary (as applicable) electrical, telephone and cable service to all multiple residential buildings shall be underground installation.

### **4.4 Outstanding Site Work**

- 4.4.1 For Buildings A, B and C as generally shown on Schedule C and D, securities for the completion of outstanding on-site paving and landscaping work (at the time of issuance of the first Occupancy Permit) may be permitted. Such securities shall consist of a security deposit in the amount of 110 percent of the estimated cost to complete the work. The security shall be in favour of the Municipality and may be in the form of a certified cheque or irrevocable automatically renewing letter of credit issued by a chartered bank. The security shall be returned to the Developer by the Development Officer when all outstanding work is satisfactorily completed.

- (a) Securities shall be posted in accordance with Schedule D as follows:
  - i. Building A – landscaping around Building A and Amenity Areas 1 and 2 inclusive;
  - ii. Building B – landscaping around Building B and Amenity Area 3; and
  - iii. Building C – landscaping around Building C and Amenity Area 4.

#### **4.5 On-Site Sanitary System**

- 4.5.1 The Lands shall be serviced through privately owned and operated sewer systems and treatment facilities. The Developer agrees to have prepared by a qualified professional and submitted to the Municipality, the Nova Scotia Environment and Climate Change and any other relevant agency, a design for all private sewer systems. In accordance with this Agreement, no Development Permit shall be issued prior to receiving a copy of all permits, licences, and approvals required by the Nova Scotia Department of the Environment and Climate Change respecting the design, installation, construction of the on-site sewer system.

#### **4.6 Solid Waste Facilities**

- 4.6.1 The building shall include designated space for five stream commercial waste containers (1. Garbage, 2. Blue Bag Recyclables, 3. Paper, 4. Corrugated Cardboard, and 5. Organics) to accommodate source separation program in accordance with By-law S-600 as amended from time to time. This designated space for five (5) waste containers shall be shown on the building plans and approved by the Development Officer and Building Official in consultation with HRM Solid Waste Resources.
- 4.6.2 Refuse containers and waste compactors shall be confined to the loading areas of each building and shall be screened from public view where necessary by means of opaque fencing or masonry walls with suitable landscaping.
- 4.6.3 All refuse and recycling materials shall be contained within a building, or within suitable containers which are fully screened from view from any street or sidewalk. Further, consideration shall be given to locating of all refuse and recycling material to ensure minimal effect on abutting property owners by means of opaque fencing or masonry walls with suitable landscaping.

### **PART 5: ENVIRONMENTAL PROTECTION MEASURES**

#### **5.1 Private Storm Water Facilities**

- 5.1.1 All private storm water facilities shall be maintained in good order in order to maintain full storage capacity by the owner of the lot on which they are situated.

#### **5.2 Stormwater Management Plans and Erosion and Sedimentation Control Plan**

- 5.2.1 Prior to the commencement of any site work on the Lands, in accordance with G-200, including earth movement or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall:
- (a) Submit to the Development Officer a detailed Site Disturbance Plan, prepared by a Professional Engineer indicating the sequence and phasing of construction and the areas to be disturbed or undisturbed; and
  - (b) Submit to the Development Officer a detailed Erosion and Sedimentation Control Plan in accordance with the Schedules of this Agreement prepared by a Professional Engineer in accordance with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by Nova Scotia Environment and Climate Change. Notwithstanding other sections of this Agreement, no work is permitted on the Lands until the requirements of this clause have been met and implemented. The Erosion and Sedimentation Control Plan shall indicate the sequence of construction, all proposed detailed erosion and sedimentation control measures and interim stormwater management measures to be put in

place prior to and during construction. The detailed Erosion and Sedimentation Control Plan shall comply with the Schedules of this Agreement and Phosphorus Net Loading Assessment which was prepared and reviewed as part of Planning Case 21460; and,

- (c) Submit to the Development Officer a detailed Site Grading and Stormwater Management Plan in accordance with the Schedules of this Agreement prepared by a Professional Engineer which shall include an appropriate stormwater collection and treatment system. The Site Grading Plan and Stormwater Management Plan shall identify structural and vegetative stormwater management measures, which may include infiltration, retention, and detention controls, wetlands, vegetative swales, filter strips, and buffers that will minimize adverse impacts on receiving watercourses during and after construction. The detailed Site Grading and Stormwater Management Plan shall comply with the Schedules of this Agreement and Phosphorus Net Loading Assessment which was prepared and reviewed as part of Planning Case 21460.

### **5.3 Archaeological Monitoring and Protection**

- 5.3.1 The Lands fall within the High Potential Zone for Archaeological Sites identified by the Province of Nova Scotia. The Developer shall contact the Coordinator of Special Places of the Nova Scotia Department of Communities, Culture and Heritage prior to any disturbance of the Lands and the Developer shall comply with the requirements set forth by the Province of Nova Scotia in this regard.

### **5.4 Sulphide Bearing Materials**

- 5.4.1 The Developer agrees to comply with the legislation and regulations of the Province of Nova Scotia with regards to the handling, removal, and disposal of sulphide bearing materials, which may be found on the Lands.

## **PART 6: AMENDMENTS**

### **6.1 Non-Substantive Amendments**

- 6.1.1 The following items are considered by both parties to be not substantive and may be amended in accordance with the *Halifax Regional Municipality Charter*.
  - (a) Changes to the Landscaping details in this Agreement which, in the opinion of the Development Officer, do not conform with the Schedules of this Agreement provided such changes comply with the detailed Site Grading, Erosion and Sedimentation Control, Stormwater Management and the Phosphorus Net Loading Assessment Plans;
  - (b) Changes to the Architectural details in this Agreement which, in the opinion of the Development Officer, do not conform with the Schedules of this Agreement, provided such changes are consistent with the Land Use By-law for Districts 14 and 17;
  - (c) The granting of an extension to the date of commencement of development as identified in this Agreement; and,
  - (d) The length of time for the completion of the development as identified in this Agreement.

### **6.2 Substantive Amendments**

- 6.2.1 Amendments to any matters not identified under Section 6.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

## **PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE**

### **7.1 Registration**

- 7.1.1 A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

### **7.2 Subsequent Owners**

- 7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged by the Municipality.
- 7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

### **7.3 Commencement of Development**

- 7.3.1 In the event that development on the Lands has not commenced within five (5) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the Land Use By-law.
- 7.3.2 For the purpose of this section, commencement of development shall mean issuance of a Development Permit.

### **7.4 Completion of Development**

- 7.4.1 Upon the completion of the whole development or completed phases of the development, the Municipality may review this Agreement, in whole or in part, and may:
- (a) retain the Agreement in its present form;
  - (b) negotiate a new Agreement;
  - (c) discharge this Agreement; or
  - (d) for those portions of the development which have been completed, discharge this Agreement and apply appropriate zoning pursuant to the Planning Districts 14 and 17 Land Use By-law, as may be amended from time to time
- 7.4.2 For the purpose of this section, completion of development shall mean the issuance of an Occupancy Permit for all three (3) buildings.
- (a) .
- 7.4.3 In the event that development on the Lands has not been completed within ten (10) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the Land Use By-law.

### **7.5 Discharge of Agreement**

- 7.5.1 If the Developer fails to complete the development after five (5) years from the date of execution of this Agreement, the Municipality may review this Agreement, in whole or in part, *and may*:
- (a) retain the Agreement in its present form;
  - (b) negotiate a new Agreement; or
  - (c) discharge this Agreement.

## **PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT**

### **8.1 Enforcement**

8.1.1 The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within twenty-four hours of receiving such a request.

### **8.2 Failure to Comply**

8.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer thirty days written notice of the failure or default, then in each such case:

- (a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
- (b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the *Assessment Act*;
- (c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or
- (d) In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with 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: \_\_\_\_\_

**HALIFAX REGIONAL MUNICIPALITY**

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

\_\_\_\_\_  
Witness

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

**MAYOR**

\_\_\_\_\_  
Witness

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

**MUNICIPAL CLERK**



PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX

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

---

A Commissioner of the Supreme Court  
of Nova Scotia

PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX

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

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A Commissioner of the Supreme Court  
of Nova Scotia

## **SCHEDULE 'A'**

### **Lot 1 – PID: 00472910**

**ALL** those certain parcels of land situated west of Highway No. 102 in the district of Fall River, County of Halifax, Province of Nova Scotia shown on registered plan 30572 as Lot 1, Plan of survey of Block A, Lots 1, 2 & 3. Subdivision of Lands Conveyed to Tri-Lake Developments Ltd., signed by Granville Leopold, N.S.L.S., dated August 24, 1994 and being more particularly described as follows:

**BEGINNING** at a survey marker being the intersection of the western boundary of Highway No. 102 with the curved northwestern boundary of lands of Canadian National Railways. Said survey marker being referred to as the point of beginning;

**THENCE** westerly on a curve to the right which has a radius of 1478.16 feet for a distance of 284.29 feet along the curved northern boundary of said lands of Canadian National Railways to a point at the southeastern boundary of the former Old Cobiquid Road;

**THENCE** N 32° 34' 00" E, 558.51 feet along the southeastern boundary of said Lot 1 to the western boundary of Highway No. 102;

**THENCE** S 06° 18' 24" W, 361.20 feet along the western boundary of Route No. 102 to a survey marker. Said survey marker being the point of beginning.

**CONTAINING** an area of 45,921 square feet, more or less.

**ALL** bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64° 30' West.

**SUBJECT** to rights in favour of Halifax Regional Water Commission by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6930, Page 36 with respect to an Easement over lands identified as a portion of Parcel ID-8 Service Easement and being mathematically delineated on registered plan 34906.

## **SCHEDULE 'A'**

### **Lot 2 – PID: 00472902**

**ALL** those certain parcels of land situated west of Highway No. 102 in the district of Fall River, County of Halifax, Province of Nova Scotia shown on registered plan 30572 as Lot 2, Plan of survey of Block A, Lots 1, 2 & 3. Subdivision of Lands Conveyed to Tri-Lake Developments Ltd., signed by Granville Leopold, N.S.L.S., dated August 24, 1994 and being more particularly described as follows:

**BEGINNING** at a survey marker the intersection of the northeastern boundary of Lot 3 with the western boundary of Route No. 102. Said survey marker being referred to as the point of beginning;

**THENCE** S 54° 24' 37" W, 557.96 feet along the northwestern boundary of said Lot 3 to a survey marker;

**THENCE** N 34° 19' 32" W, 23.22 feet to a survey marker on the southeastern boundary of Old Cobequid Road;

**THENCE** N 30° 04' 21" E, 289.23 feet to a survey marker along the curved southern boundary of lands of the Canadian National Railways;

**THENCE** northeasterly on a curve to the left which has a radius of 1,578.16 feet for a distance of 350.26 feet along the curved southeastern boundary of said lands of Canadian National Railways to its intersection with the western boundary of Route No. 102;

**THENCE** S 06° 18' 24" W, 151.95 feet to a survey marker along the western boundary of Route No. 102. Said survey marker being the point of beginning.

**CONTAINING** an area of 50,431 square feet.

**ALL** bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64° 30' West.

**SUBJECT** to rights in favour of Halifax Regional Water Commission by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6930, Page 36 with respect to an Easement over lands identified as a portion of Parcel ID-10 Service Easement and being mathematically delineated on registered plan 34906.

## **SCHEDULE 'A'**

### **Lot 3 – PID: 40551558**

**ALL** those certain parcels of land situated west of Highway No. 102 in the district of Fall River, County of Halifax, Province of Nova Scotia shown on registered plan 30572 as Lot 3, Plan of survey of Block A, Lots 1, 2 & 3. Subdivision of Lands Conveyed to Tri-Lake Developments Ltd., signed by Granville Leopold, N.S.L.S., dated August 24, 1994 and being more particularly described as follows:

**BEGINNING** at a survey marker being the intersection of the northwestern boundary of Cobequid Road with the western boundary of Route No. 102. Said survey marker being referred to as the point of beginning;

**THENCE** S 62° 09' 52" W, 426.94 feet along the northwestern boundary of said Cobequid Road to a point of curvature thereof;

**THENCE** southwesterly on a curve to the left which has a radius of 1373.00 feet for a distance of 76.34 feet along the curved northwestern boundary of said Cobequid Road to its intersection with the southern boundary of Lot 2;

**THENCE** N 54° 24' 37" E, 557.96 feet along the southeastern boundary of said Lot 2 to its intersection with the western boundary of Route No. 102;

**THENCE** S 06° 18' 24" W, 88.40 feet along the western boundary of Route No. 102 to a survey marker. Said survey marker being the point of beginning.

**CONTAINING** an area of 17,876 square feet, more or less.

**ALL** bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64° 30' West.

**SUBJECT** to rights in favour of Halifax Regional Water Commission by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6930, Page 36 with respect to an Easement over lands identified as a portion of Parcel ID-10 Service Easement and being mathematically delineated on registered plan 34906.

## **SCHEDULE 'A'**

### **Old Cobequid Road – PID: 40551277**

**ALL** those certain parcels of land situated west of Highway No. 102 in the district of Fall River, County of Halifax, Province of Nova Scotia shown on registered plan 30572 as Old Cobequid Road, Plan of survey of Block A, Lots 1, 2 & 3. Subdivision of Lands Conveyed to Tri-Lake Developments Ltd., signed by Granville Leopold, N.S.L.S., dated August 24, 1994 and being more particularly described as follows:

**BEGINNING** at a point being the intersection of the western boundary of Highway No. 102 and the northeastern corner of Lot 1. Said point being referred to as the point of beginning;

**THENCE** S 32° 34' 00" W, 558.51 feet along the northern boundary of Lot 1 to a point on the northern boundary of lands of Canadian National Railways;

**THENCE** westerly on a curve to the right which has a radius of 1,478.16 feet for a distance of 99.24 feet along the curved northern boundary of said lands of Canadian National Railways to a point of curvature;

**THENCE** S 32° 34' 00" W, 766.37 feet to a point on the western boundary of Highway No. 102;

**THENCE** S 06° 18' 24" W, 149.17 feet along the western boundary of Highway No. 102 to a point. Said point being the point of beginning.

**CONTAINING** an area of 49,218 square feet, more or less.

**ALL** bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64° 30' West.

**SUBJECT** to rights in favour of Halifax Regional Water Commission by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6930, Page 36 with respect to an Easement over lands identified as a portion of Parcel ID-8 Service Easement and being mathematically delineated on registered plan 34906.

## **SCHEDULE 'A'**

### **Parcel 1 – PID: 40844375**

**ALL** those certain parcels of land situated west of Highway No. 102 in the district of Fall River, County of Halifax, Province of Nova Scotia shown on registered plan 32922 of survey of Lots 290 to 321 incl., & 322 (Park) and Parcels BD-2, BD-3, ID-2, ID-3, ID-4, ID-5 & WD-1, Fall River Village Phase 12, Subdivision of Lands Conveyed to Tri-Lake Developments Ltd., signed by Granville Leopold, N.S.L.S., dated September 30, 1998, revised October 28, 1998 and being more particularly described as follows:

**BEGINNING** at a point being the intersection of the northwestern boundary of the Old Cobiquid Road with the curved northwestern boundary of lands of Canadian National Railways. Said point being referred to as the point of beginning;

**THENCE** westerly on a curve to the right which has a radius of 1,478.16 feet for a distance of 528.57 feet along the curved northern boundary of said lands of Canadian National Railways to a point of curvature;

**THENCE** N 83° 18' 29" W, 80.66 feet along the northern boundary of said lands of Canadian National Railways to the southeastern corner of Lot 160;

**THENCE** N 06° 59' 16" W, 269.39 feet along the eastern boundary of said Lot 160 to its intersection with the curved southern boundary of Bolton Drive;

**THENCE** northeasterly on a curve to the left which has a radius of 449.00 feet for a distance of 49.66 feet along the curved southeastern boundary of Bolton Drive to a point of compound curvature;

**THENCE** northeasterly and northwesterly on a curve to the left which has a radius of 69.00 feet for a distance of 138.77 feet along the curved southeastern and northeastern boundary of Bolton Drive to the southwestern corner of Parcel BD-3 (Walkway & Easement);

**THENCE** N 60° 00' 00" E, 320.16 feet along the southeastern boundary of said Parcel BD-3 to its intersection with the southwestern boundary of Ingram Drive,

**THENCE** S 26° 40' 00" E, 76.71 feet along the southwestern boundary of Ingram Drive to the southern corner thereof;

**THENCE** N 63° 20' 00" E, 66.00 feet along the southeastern boundary of Ingram Drive to the eastern corner thereof;

**THENCE** N 26° 40' 00" W, 131.15 feet along the northeastern boundary of Ingram Drive to a point of curvature;

**THENCE** northwesterly on a curve to the left which has a radius of 605.88 feet for a distance of 17.60 feet along the curved northeastern boundary of Ingram Drive to the southern corner of Lot 303;

**THENCE** N 62° 17' 00" E, 125.23 feet along the southeastern boundary of said Lot 303 to an angle therein;

**THENCE** N 27° 43' 00" W, 6.00 feet along the northeastern boundary of said Lot 303 to an angle therein;

**THENCE** N 62° 17' 00" E, 41.00 feet along the southeastern boundary of said Lot 303 to a point of curvature:

**THENCE** northeasterly and northerly on a curve to the left which has a radius of 498.00 feet for a distance of 782.26 feet along the curved southeastern boundary of Lot 303 and the curved eastern boundary of Lot 306 to a point of curvature at the northern corner of Lot 306;

**THENCE** N 27° 43' 00" W, 295.38 feet along the northeastern boundary of Lot 307, Lot 311 and Lot 312 to a point of curvature in the northeastern boundary of said Lot 312;

**THENCE** northerly on a curve to the right which has a radius of 432.00 feet for a distance of 105.17 feet along the curved eastern boundary of Lot 312 to the northeastern corner thereof;

**THENCE** N 76° 13' 55" E, 6.00 feet along the southern boundary of Lot 315 to the southeast corner thereof;

**THENCE** northerly on a curve to the right which has a radius of 426.00 feet for a distance of 180.58 feet along the curved eastern boundary of said Lot 315 and Lot 316 to its intersection with the southern boundary of Lot 322 (Park);

**THENCE** S 76° 05' 14" E, 273.58 feet along the southern boundary of said Lot 322 (Park) to an angle therein;

**THENCE** N 66° 28' 41" E, 453.83 feet along the southeastern boundary of said Lot 322 (Park) to its intersection with the western boundary of Highway No. 102;

**THENCE** S 10° 28' 58" W, 26.64 feet along the western boundary of Highway No. 102 to a point of curvature;

**THENCE** southerly on a curve to the left which has a radius of 6,005.70 feet for a distance of 437.74 feet along the curved western boundary of Highway No. 102 to a point of curvature:

**THENCE** S 06° 18' 24" W, 945.16 feet along the western boundary of Highway No. 102 to the northeastern boundary of the Old Cobiquid Road;

**THENCE** S 32° 34' 00" W, 766.37 feet along the northeastern boundary of the Old Cobiquid Road to a point on the northern boundary of lands of Canadian National Railways, said point being the point of beginning.

**CONTAINING** an area of 24.6 acres, more or less.

**ALL** bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64° 30' West.

**SUBJECT** to rights in favour of Halifax Regional Municipality by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6305, Page 810 with respect to an Easement over a temporary turning easement identified as ID-3 and an Easement for a temporary retention pond identified as Parcel ID-4; said easements containing 6,045 square feet and 16,600 square feet respectively and being mathematically delineated on the above referred to Plan 32922.

**SUBJECT** to rights in favour of Halifax Regional Water Commission by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6930, Page 39 with respect to an Easement over lands identified as a portion of ID-8 Service Easement being mathematically delineated on registered plan 34906.



**THENCE** northwesterly on a curve to the left which has a radius of 605.88 feet for a distance of 17.60 feet along the curved northeastern boundary of Ingram Drive to the southern corner of Lot 303;

**THENCE** N 62° 17' 00" E, 125.23 feet along the southeastern boundary of said Lot 303 to an angle therein;

**THENCE** N 27° 43' 00" W, 6.00 feet along the northeastern boundary of said Lot 303 to an angle therein;

**THENCE** N 62° 17' 00" E, 41.00 feet along the southeastern boundary of said Lot 303 to a point of curvature:

**THENCE** northeasterly and northerly on a curve to the left which has a radius of 498.00 feet for a distance of 782.26 feet along the curved southeastern boundary of Lot 303 and the curved eastern boundary of Lot 306 to a point of curvature at the northern corner of Lot 306;

**THENCE** N 27° 43' 00" W, 295.38 feet along the northeastern boundary of Lot 307, Lot 311 and Lot 312 to a point of curvature in the northeastern boundary of said Lot 312;

**THENCE** northerly on a curve to the right which has a radius of 432.00 feet for a distance of 105.17 feet along the curved eastern boundary of Lot 312 to the northeastern corner thereof; **THENCE** N 76° 13' 55" E, 6.00 feet along the southern boundary of Lot 315 to the southeast corner thereof;

**THENCE** northerly on a curve to the right which has a radius of 426.00 feet for a distance of 180.58 feet along the curved eastern boundary of said Lot 315 and Lot 316 to its intersection with the southern boundary of Lot 322 (Park);

**THENCE** S 76° 05' 14" E, 273.58 feet along the southern boundary of said Lot 322 (Park) to an angle therein;

**THENCE** N 66° 28' 41" E, 453.83 feet along the southeastern boundary of said Lot 322 (Park) to its intersection with the western boundary of Highway No. 102;

**THENCE** S 10° 28' 58" W, 26.64 feet along the western boundary of Highway No. 102 to a point of curvature;

**THENCE** southerly on a curve to the left which has a radius of 6,005.70 feet for a distance of 437.74 feet along the curved western boundary of Highway No. 102 to a point of curvature:

**THENCE** S 06° 18' 24" W, 945.16 feet along the western boundary of Highway No. 102 to the northeastern boundary of the Old Cobiquid Road;

**THENCE** S 32° 34' 00" W, 766.37 feet along the northeastern boundary of the Old Cobiquid Road to a point on the northern boundary of lands of Canadian National Railways, said point being the point of beginning.

**CONTAINING** an area of 24.6 acres, more or less.

**ALL** bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64° 30' West.

**SUBJECT** to rights in favour of Halifax Regional Municipality by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6305, Page 810 with respect to an Easement over a temporary turning easement identified as ID-3 and an Easement for a temporary retention pond identified as Parcel ID-4; said easements containing 6,045 square feet and 16,600 square feet respectively and being mathematically delineated on the above referred to Plan 32922.

**SUBJECT** to rights in favour of Halifax Regional Water Commission by virtue of an Indenture recorded at the Registry of Deeds for the County of Halifax in Book 6930, Page 39 with respect to an Easement over lands identified as a portion of ID-8 Service Easement being mathematically delineated on registered plan 34906.

PARCEL BD-2

BOLTON DRIVE

FALL RIVER, HALIFAX COUNTY, NOVA SCOTIA

ALL that certain parcel of land situated on the eastern side of Bolton Drive in the district of Fall River, County of Halifax, Province of Nova Scotia shown as Parcel BD-2 on a plan (Servant, Dunbrack, McKenzie & MacDonald Ltd. Plan No. 70-406-3B) of survey of Lots 290 to 321 incl., & 322 (Park) and Parcels BD-2, BD-3, ID-2, ID-3, ID-4, ID-5 & WD-1, Fall River Village Phase 12, Subdivision of Lands Conveyed to Tri-Lake Developments Ltd., signed by Granville Leopold, N.S.L.S., dated September 30, 1998, revised October 28, 1998 and being more particularly described as follows:

BEGINNING on the eastern boundary of Bolton Drive at the southeastern corner of Lot 159;

THENCE N 04° 30' 44" E, 104.50 feet along the eastern boundary of Lot 159 to the southwestern corner of Lot 302;

THENCE S 83° 26' 56" E, 100.13 feet along the southern boundary of Lot 302 to the southeastern corner thereof;

THENCE southeasterly and southwesterly on a curve to the right which has a radius of 69.00 feet for a distance of 162.34 feet to a point of compound curvature;

THENCE southwesterly on a curve to the right which has a radius of 449.00 feet for a distance of 49.66 feet to the eastern boundary of Lot 160;

THENCE N 06° 59' 16" W, 6.16 feet along the eastern boundary of Lot 160 to the northeastern corner thereof;

THENCE southwesterly on a curve to the right which has a radius of 443.00 feet for a distance of 57.73 feet along the curved northwestern boundary of Lot 160 to the eastern corner of Bolton Drive;

THENCE N 12° 51' 05" W, 66.00 feet along the eastern boundary of that portion of Bolton Drive to the place of beginning.

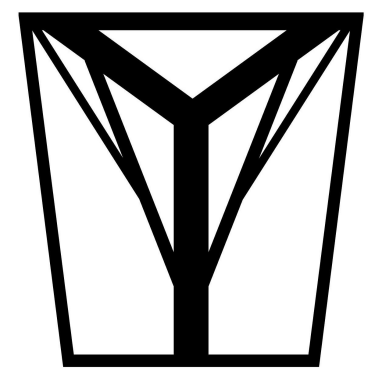
CONTAINING 20,072 square feet.

ALL bearings are Nova Scotia Coordinate Survey System Grid Bearings and are referred to Central Meridian, 64° 30' West.

THE above described Parcel BD-2 being a portion of lands conveyed to Tri-Lake Developments Ltd. by Indenture recorded at the Registry of Deeds for the County of Halifax in Book 4995, Page 825.

Robert A. Daniels, N.S.L.S.  
Halifax, Nova Scotia  
February 26, 2004





**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION



**DENSITY INFORMATION & COMPARISON:**  
PLANNING APPLICATION REVIEW #5 (DATED 2021.12.16) - CASE 21460 INDICATES MAX. 4.2 UNITS / ACRE (MATCHING THE LUB DENSITY REQUIREMENT). THE REVIEW COMMENTS NOTE 120 UNITS OVER 30 ACRES FOR THIS DEVELOPMENT.

LOT	UNITS	UNITS / ACRE	LOT COVERAGE (%)
PROPOSED DEVELOPMENT: @ 30.521 ACRE SITE:	120	4.0	0.047
CONTEXTUAL AVG.: (20 ADJ. LOTS)	1 EA	0.93	0.040

**OFF-STREET PARKING**  
1.5 SPACES PER DWELLING UNIT  
120 UNITS (3 BUILDINGS EACH 40 UNITS) X 1.5 = 180 OFF-STREET PARKING SPACES REQUIRED.  
**BUILDING A EXTERIOR PARKING:** 33 SPACES  
**BUILDING A UNDERGROUND PARKING:** 32 SPACES  
**BUILDINGS B+C EXTERIOR PARKING:** 29 SPACES FOR EACH BUILDING  
**BUILDINGS B+C UNDERGROUND PARKING:** 32 SPACES FOR EACH BUILDING  
**TOTAL OFF-STREET PARKING SPACES: 187 SPACES**

**BICYCLE PARKING**  
EXTERIOR BICYCLE PARKING - CLASS B: EACH BUILDING TO INCLUDE 6 "INVERTED U" RACKS.  
INTERIOR BICYCLE PARKING - CLASS A: EACH BUILDING TO INCLUDE 11 "WALL MOUNTED" RACKS.

**SITE LEGEND**

	EXISTING BUILDING		CANADIAN RAIL
	ROADWAY		NON-DISTURBANCE AREA (WALKWAY)
	WATER BODY		DEVELOPMENT PROPERTY
	SITE CONTOURS		PROPERTY LINE
	1 LANDSCAPED AREA		6 CONSTRUCTION DISTURBANCE EXTENTS / NEW SODDING
	2 BIORETENTION AREA		7 RUMBLE STRIP
	3 RAIN GARDEN		8 SAND FILTER
	4 NEW LANDSCAPE BUFFER		9 VEGETATIVE SWALE
	5 EXISTING DENSELY WOODED AREA (NON-DISTURBANCE)		10 DETENTION BASIN

TOTAL PROPERTY AREA	121,226 SQ.M.
TOTAL PROPOSED DEVELOPMENT AREA	44,529 SQ.M.
DEVELOPED AREA	37%
EXISTING REMAINING TREED AREA (NON-DISTURBANCE)	63%

No.	Description	Date
5.	ISSUED FOR DA REVIEW	2022.06.11
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

**Issue Schedule**

No.	Description	Date
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**Revision Schedule**

**Fall River South  
Ingram Drive  
Development**

**Schedule C**

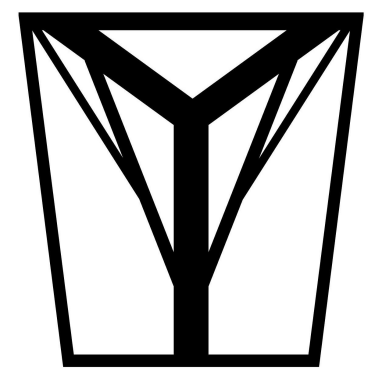
**Preliminary  
Landscaping  
Master Plan**

Project Number	21-030
Date	2022.06.11
Drawn By	KKB
Checked By	TAS

**A-101.1**

Scale As indicated





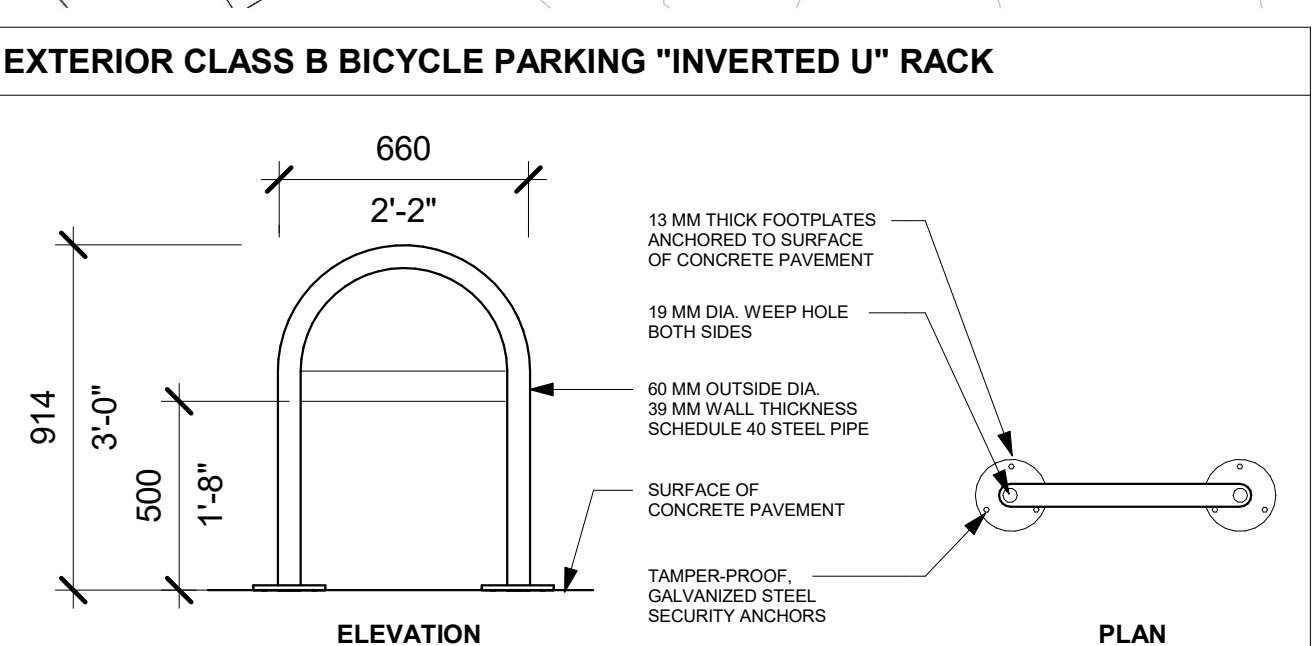
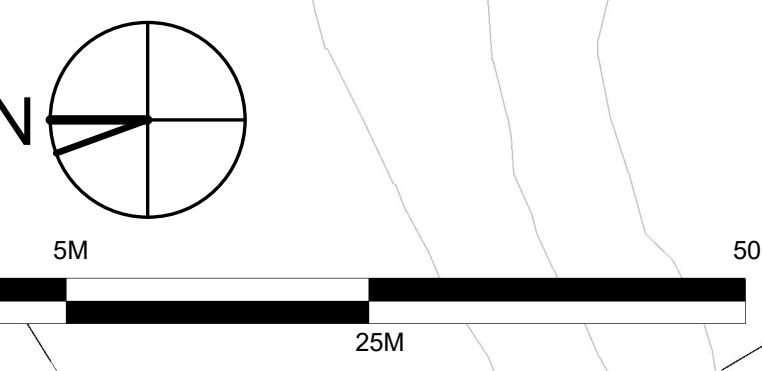
**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION

NON-DISTURBANCE AREA

NON-DISTURBANCE AREA

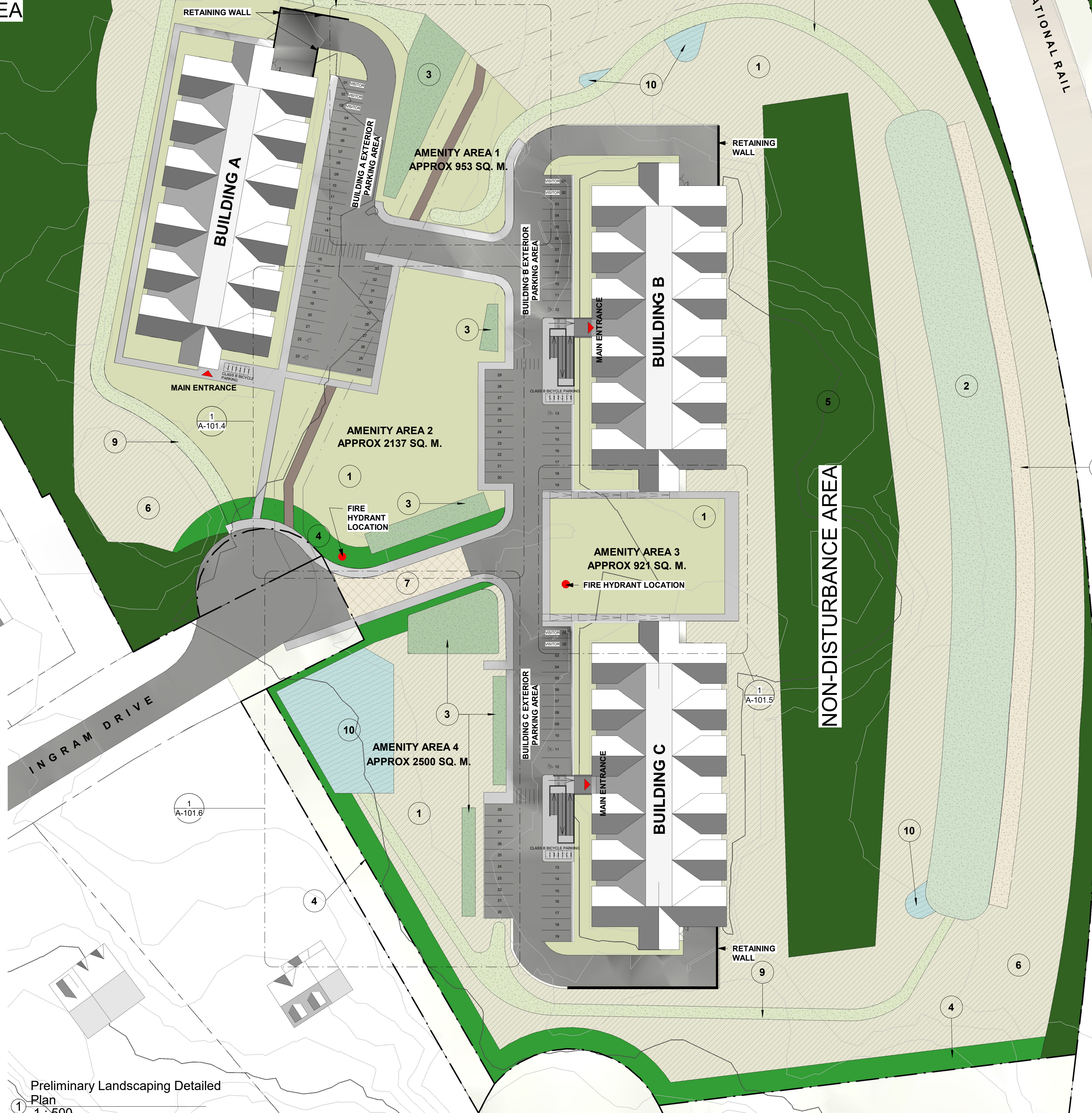
CANADIAN NATIONAL RAIL

NON-DISTURBANCE AREA



SITE LEGEND			
	EXISTING BUILDING		CANADIAN RAIL
	ROADWAY		NON-DISTURBANCE AREA (WALKWAY)
	WATER BODY		DEVELOPMENT PROPERTY
	SITE CONTOURS		PROPERTY LINE
	1 LANDSCAPED AREA		6 CONSTRUCTION DISTURBANCE EXTENTS / NEW SODDING
	2 BIORETENTION AREA		7 RUMBLE STRIP
	3 RAIN GARDEN		8 SAND FILTER
	4 NEW LANDSCAPE BUFFER		9 VEGETATIVE SWALE
	5 EXISTING DENSELY WOODED AREA (NON-DISTURBANCE)		10 DETENTION BASIN

TOTAL PROPERTY AREA	121,226 SQ.M.
TOTAL PROPOSED DEVELOPMENT AREA	44,529 SQ.M.
DEVELOPED AREA	37%
EXISTING REMAINING TREED AREA (NON-DISTURBANCE)	63%



Preliminary Landscaping Detailed Plan  
1:500

No.	Description	Date
5.	ISSUED FOR DA REVIEW	2022.06.11
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

Issue Schedule

No.	Description	Date

Revision Schedule

Fall River South  
Ingram Drive  
Development

Schedule D

Preliminary  
Landscaping  
Detailed Plan

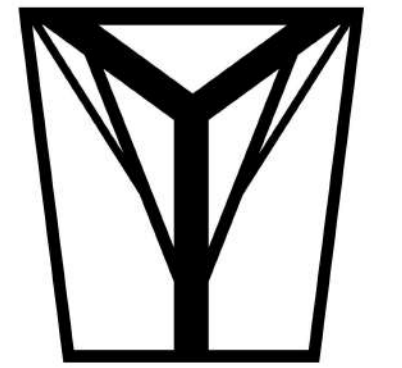
Project Number	21-030
Date	2022.06.11
Drawn By	HA/KKB
Checked By	TAS

**A-101.2**  
Scale As indicated









**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION



AMENITY AREA 2  
APPROX 2728 SQ. M.

Preliminary Landscaping Amenity  
Detail #2  
1 : 125

**LANDSCAPE LEGEND**

	CONCRETE SIDEWALK		CANADIAN RAIL
	ASPHALT PAVING		NON-DISTURBANCE AREA (WALKWAY)
	WATER BODY		DECORATIVE POLE MOUNT LIGHTING
	SITE CONTOURS		PLANTERS / FLOWER BEDS
	HYDRO SEEDED GRASS / SEDUM MAT		PRECAST CONCRETE UNIT PAVING
	<b>SHRUB PLANTING:</b> CORAL BEAUTY COTONEASTER SARCOXIE EUONYMUS ANTHONY WATERER SPIREA		<b>ORNAMENTAL GRASS:</b> FEATHER REED GRASS HURON SUNRISE MAIDEN GRASS
	WHITE SPRUCE WHITE FIR		CRANESBILL
	IVORY SILK TREE LILAC		<b>PERENNIAL FLOWER PLANTING:</b> IRIS LILY MILKWEED DAINTHUS
	SEATING		FIRE HYDRANT

**PLANTING DISTRIBUTION**

**LANDSCAPE BUFFER ZONE:**

TO INCLUDE THE FOLLOWING TREES/PLANTS:

- DECIDUOUS & CONIFEROUS TREE PLANTING. SUCH AS WHITE SPRUCE & WHITE FIR TREES.
- SHRUB PLANTING. SUCH AS CORAL BEAUTY COTONEASTER, SARCOXIE EUONYMUS, & ANTHONY WATERER SPIREA.

**RAIN GARDEN ZONE:**

TO INCLUDE THE FOLLOWING PLANTS:

- ORNAMENTAL GRASS PLANTING. SUCH AS FEATHER REED GRASS & HURON SUNRISE MAIDEN GRASS.
- PERENNIAL FLOWER PLANTING. SUCH AS IRISES, LILIES, MILKWEEDS, & DAINTHUS.

**VEGETATIVE SWALE ZONE:**

TO INCLUDE THE FOLLOWING PLANTS:

- HYDRO SEEDED GRASS
- PERENNIAL WILD FLOWER PLANTING.

NOTE WELL: PROVIDE NEW SOD SEEDING FINISH OVER NEW 6" TOP SOIL GRADED AND PREPPED TO RECEIVE SOD. STAKE SOD ON SLOPE SURFACES WITH G SHAPED STAPLES FOR EROSION CONTROL. WATER SOD FOR 3 MONTHS. ALLOW TO MEDIATE FOR GEOTECHNICAL AREA. DOWNED TREES TO BE REMOVED.

No.	Description	Date
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

Issue Schedule

No.	Description	Date

Revision Schedule

Fall River South  
Ingram Drive  
Development

**Schedule F**

Preliminary  
Landscaping  
Amenity Detail #2

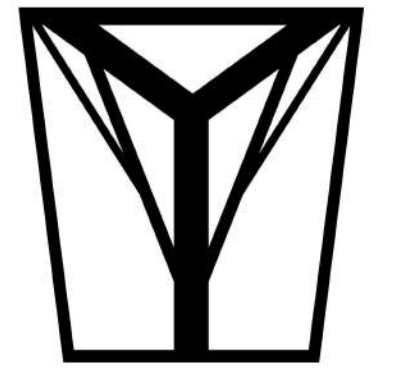
Project Number	21-030
Date	2022.02.10
Drawn By	HA/KKB
Checked By	TAS

**A-101.4**  
Scale As indicated









**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION



AMENITY AREA 4  
APPROX 2106 SQ. M.

Preliminary Landscaping Amenity  
Detail #4  
1 : 150

**LANDSCAPE LEGEND**

	CONCRETE SIDEWALK		CANADIAN RAIL
	ASPHALT PAVING		NON-DISTURBANCE AREA (WALKWAY)
	WATER BODY		DECORATIVE POLE MOUNT LIGHTING
	SITE CONTOURS		PLANTERS / FLOWER BEDS
	HYDRO SEEDED GRASS / SEDUM MAT		PRECAST CONCRETE UNIT PAVING
	<b>SHRUB PLANTING:</b> CORAL BEAUTY COTONEASTER SARCOXIE EUONYMUS ANTHONY WATERER SPIREA		<b>ORNAMENTAL GRASS:</b> FEATHER REED GRASS HURON SUNRISE MAIDEN GRASS
	WHITE SPRUCE WHITE FIR		CRANESBILL
	IVORY SILK TREE LILAC		<b>PERENNIAL FLOWER PLANTING:</b> IRIS LILY MILKWEED DAINTHUS
	SEATING		FIRE HYDRANT

**PLANTING DISTRIBUTION**

**LANDSCAPE BUFFER ZONE:**

TO INCLUDE THE FOLLOWING TREES/PLANTS:  
- DECIDUOUS & CONIFEROUS TREE PLANTING. SUCH AS WHITE SPRUCE & WHITE FIR TREES.  
- SHRUB PLANTING. SUCH AS CORAL BEAUTY COTONEASTER, SARCOXIE EUONYMUS, & ANTHONY WATERER SPIREA.

**RAIN GARDEN ZONE:**

TO INCLUDE THE FOLLOWING PLANTS:  
- ORNAMENTAL GRASS PLANTING. SUCH AS FEATHER REED GRASS & HURON SUNRISE MAIDEN GRASS.  
- PERENNIAL FLOWER PLANTING. SUCH AS IRISES, LILIES, MILKWEEDS, & DAINTHUS.

**VEGETATIVE SWALE ZONE:**

TO INCLUDE THE FOLLOWING PLANTS:  
- HYDRO SEEDED GRASS  
- PERENNIAL WILD FLOWER PLANTING.

NOTE WELL: PROVIDE NEW SOD SEEDING FINISH OVER NEW 6" TOP SOIL GRADED AND PREPPED TO RECEIVE SOD. STAKE SOD ON SLOPE SURFACES WITH G SHAPED STAPLES FOR EROSION CONTROL. WATER SOD FOR 3 MONTHS. ALLOW TO MEDIATE FOR GEOTECHNICAL AREA. DOWNED TREES TO BE REMOVED.

No.	Description	Date
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

No.	Description	Date
Issue Schedule		

Fall River South  
Ingram Drive  
Development

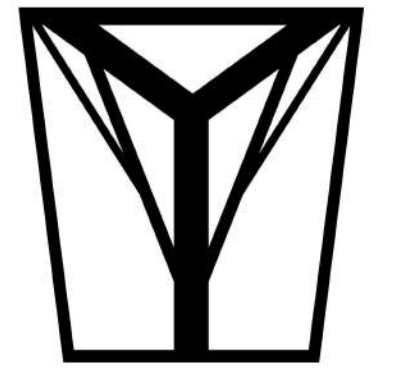
**Schedule H**

Preliminary  
Landscaping  
Amenity Detail #4

Project Number	21-030
Date	2022.02.10
Drawn By	HA/KKB
Checked By	TAS

**A-101.6**  
Scale As indicated





**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION

**EXTERIOR FINISHES LEGEND:**

	BRICK		NON-REFLECTIVE, NON-COMBUSTIBLE SIDING
	NON-REFLECTIVE, NON-COMBUSTIBLE SIDING		NON-REFLECTIVE, NON-COMBUSTIBLE SIDING INDICATING RECESSED, DIFFERENTIATED ACCESS TO BUILDING
	NON-REFLECTIVE, NON-COMBUSTIBLE SIDING		
	NON-REFLECTIVE GLASS		
	NON-REFLECTIVE GLASS SPANDREL PANEL		

**NOTES:**

**ARCHITECTURE REQUIREMENTS:**

- NO BUILDING SHALL HAVE LESS THAN ONE CLEARLY DEFINED ENTRANCE FACING A STREET WHICH IS UNOBSTRUCTED FOR PEDESTRIANS.

**WINDOWS AND DOORS:**

- ALL WINDOWS SHALL:  
- MIN. HEIGHT-TO-WIDTH RATIO OF 1.8 TO 1 AND MAX. HEIGHT-TO-WIDTH RATIO OF 2 TO 1.  
- PLACED VERTICALLY IN THE WALL SPACE  
- ACCENTUATED BY DESIGN DETAILS, SUCH AS ARCHES, HOODS, MOULDINGS, DECORATIVE LINTELS  
- ALL DOORS AND CORNERS SHALL BE ACCENTUATED BY DESIGN DETAILS (SEE ABOVE EXAMPLES)

**ROOF LINES:**

- ROOF STYLES SHALL BE GABLE, GAMBREL, MANSARD OR HIPPED  
- FLAT ROOFS SHALL BE PERMITTED WHERE THE BUILDING FOOTPRINT IS LESS THAN 2,500 SF (232.2m<sup>2</sup>), PROVIDED THE FLAT ROOF PORTION IS NOT VISIBLE FROM ANY STREET  
- MIN. ROOF PITCH 4:12, EXCEPT FLAT ROOFS OR GAMBREL ROOFS  
- BUILDINGS FIFTY (50) FEET LONG OR GREATER SHALL HAVE MULTIPLE ROOF PLANES, CORNICES, CROSS GABLES, CUPOLAS, BELVEDERES, DORMERS OR OTHER ARCHITECTURAL TREATMENT INCORPORATED INTO THE ROOF.

**CLADDING AND ROOF MATERIALS:**

- EXTERIOR CLADDING FOR...MULTIPLE UNIT BUILDINGS SHALL CONSIST OF BRICKS, STONE, WOOD SHINGLES, WOOD SIDING, WOOD CLAPBOARD, VINYL SIDING OR A COMBINATION THEREOF OR OTHERACCEPTED EQUIVALENT.

**PROHIBITED MATERIALS:**

- SHEET METAL, PLASTIC, BRUSHED ALUMINUM, REFLECTIVE GLASS, CMU, UNTREATED PLYWOOD, PARTICLE BOARD, TILT-UP CONCRETE, PAINTED BRICKS.  
- EXPOSED FOUNDATION IN EXCESS OF TWENTY (20) SF, INCLUDING ANY PARKING GARAGE OR ENTRANCE SHALL BE DETAILED OR VENEERED WITH STONE OR BRICK.

**RTU EQUIPMENT:**

- ALL ROOFTOP EQUIPMENT SHALL BE VISUALLY SCREENED FROM THE STREET BY THE ROOF STRUCTURE.

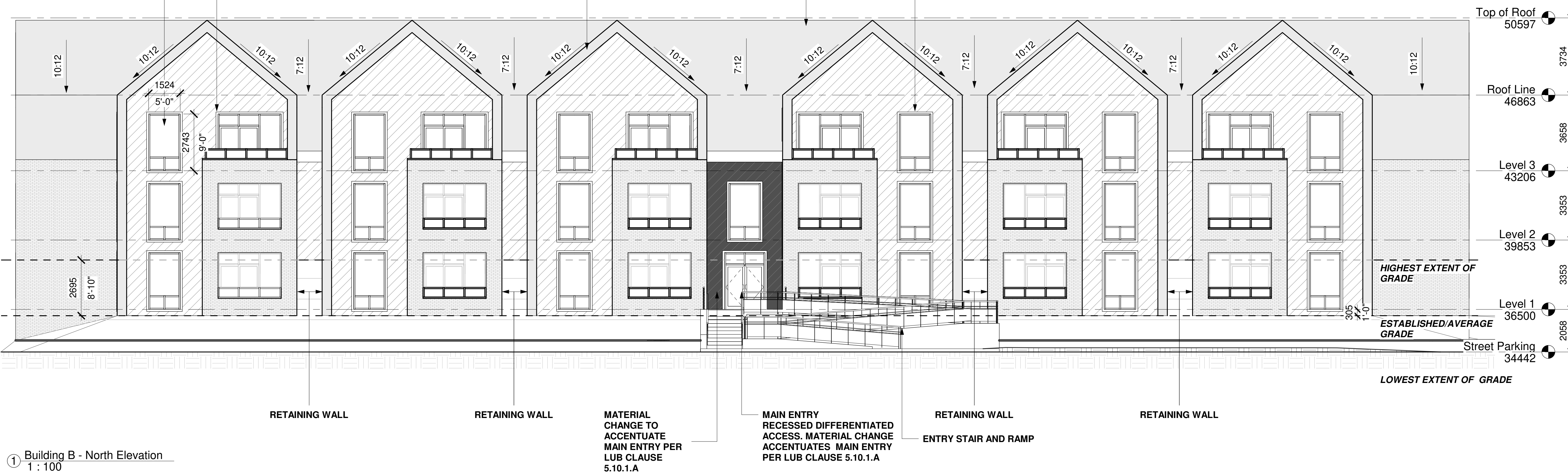
TYP. WINDOW IS DIMENSIONED TO 1:1.8 RATIO PER LUB CLAUSE 5.10.2.A.i

TYP. DOOR ACCENTUATED BY MOULDING PER LUB CLAUSE 5.10.2.A.iii

GABLE-END ROOF SLOPE EXCEEDS PRESCRIBED MINIMUM 4:12 SLOPE AS PER LUB CLAUSE 5.10.3.C

GAMBREL ROOF SLOPE EXCEEDS PRESCRIBED MINIMUM 4:12 SLOPE AS PER LUB CLAUSE 5.10.3.C

TYP. WINDOW ACCENTUATED BY MOULDING PER LUB CLAUSE 5.10.2.A.iii



① Building B - North Elevation  
1 : 100

No.	Description	Date
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

**Issue Schedule**

No.	Description	Date

**Revision Schedule**

Fall River South  
Ingram Drive  
Development

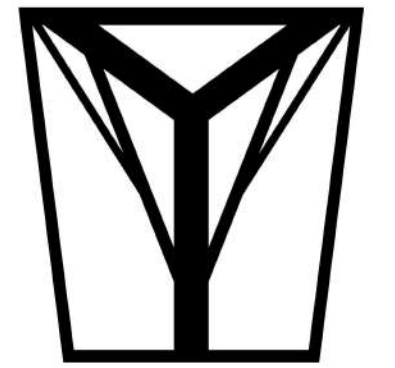
**Schedule N**

**Building B - North Elevation**

Project Number	21-030
Date	2022.02.10
Drawn By	HA/KKB
Checked By	TAS

**A-204**

Scale As indicated



**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION

**EXTERIOR FINISHES LEGEND:**

	<b>BRICK</b>		<b>NON-REFLECTIVE, NON-COMBUSTIBLE SIDING</b>
	<b>NON-REFLECTIVE, NON-COMBUSTIBLE SIDING</b>		<b>NON-REFLECTIVE, NON-COMBUSTIBLE SIDING INDICATING RECESSED, DIFFERENTIATED ACCESS TO BUILDING</b>
	<b>NON-REFLECTIVE, NON-COMBUSTIBLE SIDING</b>		
	<b>NON-REFLECTIVE GLASS</b>		
	<b>NON-REFLECTIVE GLASS SPANDREL PANEL</b>		

**NOTES:**

**ARCHITECTURE REQUIREMENTS:**

- NO BUILDING SHALL HAVE LESS THAN ONE CLEARLY DEFINED ENTRANCE FACING A STREET WHICH IS UNOBSTRUCTED FOR PEDESTRIANS.

**WINDOWS AND DOORS:**

- ALL WINDOWS SHALL:  
- MIN. HEIGHT-TO-WIDTH RATIO OF 1.8 TO 1 AND MAX. HEIGHT-TO-WIDTH RATIO OF 2 TO 1.  
- PLACED VERTICALLY IN THE WALL SPACE  
- ACCENTUATED BY DESIGN DETAILS, SUCH AS ARCHES, HOODS, MOULDINGS, DECORATIVE LINTELS  
- ALL DOORS AND CORNERS SHALL BE ACCENTUATED BY DESIGN DETAILS (SEE ABOVE EXAMPLES)

**ROOF LINES:**

- ROOF STYLES SHALL BE GABLE, GAMBREL, MANSARD OR HIPPED  
- FLAT ROOFS SHALL BE PERMITTED WHERE THE BUILDING FOOTPRINT IS LESS THAN 2,500 SF (232.2m<sup>2</sup>). PROVIDED THE FLAT ROOF PORTION IS NOT VISIBLE FROM ANY STREET  
- MIN. ROOF PITCH 4:12, EXCEPT FLAT ROOFS OR GAMBREL ROOFS  
- BUILDINGS FIFTY (50) FEET LONG OR GREATER SHALL HAVE MULTIPLE ROOF PLANES, CORNICES, CROSS GABLES, CUPOLAS, BELVEDERES, DORMERS OR OTHER ARCHITECTURAL TREATMENT INCORPORATED INTO THE ROOF.

**CLADDING AND ROOF MATERIALS:**

- EXTERIOR CLADDING FOR...MULTIPLE UNIT BUILDINGS SHALL CONSIST OF BRICKS, STONE, WOOD SHINGLES, WOOD SIDING, WOOD CLAPBOARD, VINYL SIDING OR A COMBINATION THEREOF OR OTHERACCEPTED EQUIVALENT.

**PROHIBITED MATERIALS:**

- SHEET METAL, PLASTIC, BRUSHED ALUMINUM, REFLECTIVE GLASS, CMU, UNTREATED PLYWOOD, PARTICLE BOARD, TILT-UP CONCRETE, PAINTED BRICKS.  
- EXPOSED FOUNDATION IN EXCESS OF TWENTY (20) SF, INCLUDING ANY PARKING GARAGE OR ENTRANCE SHALL BE DETAILED OR VENEERED WITH STONE OR BRICK.

**RTU EQUIPMENT:**

- ALL ROOFTOP EQUIPMENT SHALL BE VISUALLY SCREENED FROM THE STREET BY THE ROOF STRUCTURE.

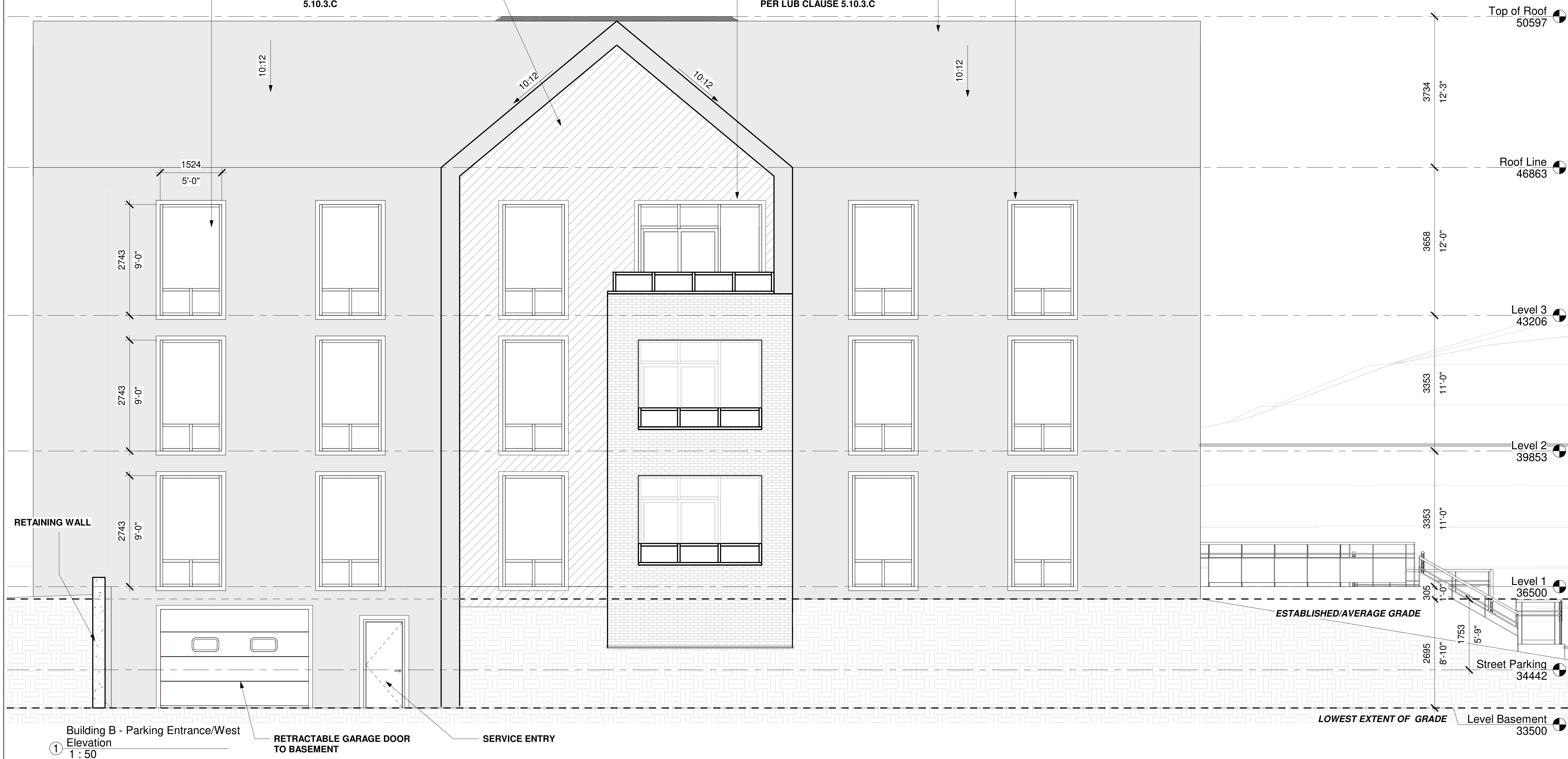
TYP. WINDOW IS DIMENSIONED TO 1:1.8 RATIO PER LUB CLAUSE 5.10.2.A.i

GABLE-END ROOF SLOPE EXCEEDS PRESCRIBED MINIMUM 4:12 SLOPE AS PER LUB CLAUSE 5.10.3.C

TYP. DOOR ACCENTUATED BY MOULDING PER LUB CLAUSE 5.10.2.A.iii

GAMBREL ROOF SLOPE EXCEEDS PRESCRIBED MINIMUM 4:12 SLOPE AS PER LUB CLAUSE 5.10.3.C

TYP. WINDOW ACCENTUATED BY MOULDING PER LUB CLAUSE 5.10.2.A.iii



No.	Description	Date
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

No.	Description	Date
Revision Schedule		

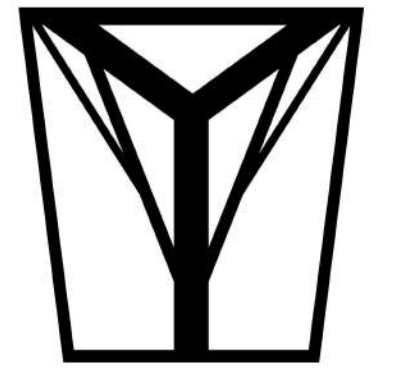
**Fall River South  
Ingram Drive  
Development**

**Schedule O**  
**Building B - West  
Elevation**

Project Number	21-030
Date	2022.02.10
Drawn By	HA/KKB
Checked By	TAS

**A-205**  
Scale As indicated





**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION

**EXTERIOR FINISHES LEGEND:**

	BRICK		NON-REFLECTIVE, NON-COMBUSTIBLE SIDING
	NON-REFLECTIVE, NON-COMBUSTIBLE SIDING		NON-REFLECTIVE, NON-COMBUSTIBLE SIDING INDICATING RECESSED, DIFFERENTIATED ACCESS TO BUILDING
	NON-REFLECTIVE, NON-COMBUSTIBLE SIDING		
	NON-REFLECTIVE GLASS		
	NON-REFLECTIVE GLASS SPANDREL PANEL		

**NOTES:**

**ARCHITECTURE REQUIREMENTS:**

- NO BUILDING SHALL HAVE LESS THAN ONE CLEARLY DEFINED ENTRANCE FACING A STREET WHICH IS UNOBSTRUCTED FOR PEDESTRIANS.

**WINDOWS AND DOORS:**

- ALL WINDOWS SHALL:
  - MIN. HEIGHT-TO-WIDTH RATIO OF 1.8 TO 1 AND MAX. HEIGHT-TO-WIDTH RATIO OF 2 TO 1.
  - PLACED VERTICALLY IN THE WALL SPACE
  - ACCENTUATED BY DESIGN DETAILS, SUCH AS ARCHES, HOODS, MOULDINGS, DECORATIVE LINTELS
- ALL DOORS AND CORNERS SHALL BE ACCENTUATED BY DESIGN DETAILS (SEE ABOVE EXAMPLES)

**ROOF LINES:**

- ROOF STYLES SHALL BE GABLE, GAMBREL, MANSARD OR HIPPED
- FLAT ROOFS SHALL BE PERMITTED WHERE THE BUILDING FOOTPRINT IS LESS THAN 2,500 SF (232.2m<sup>2</sup>), PROVIDED THE FLAT ROOF PORTION IS NOT VISIBLE FROM ANY STREET
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- BUILDINGS FIFTY (50) FEET LONG OR GREATER SHALL HAVE MULTIPLE ROOF PLANES, CORNICES, CROSS GABLES, CUPOLAS, BELVEDERES, DORMERS OR OTHER ARCHITECTURAL TREATMENT INCORPORATED INTO THE ROOF.

**CLADDING AND ROOF MATERIALS:**

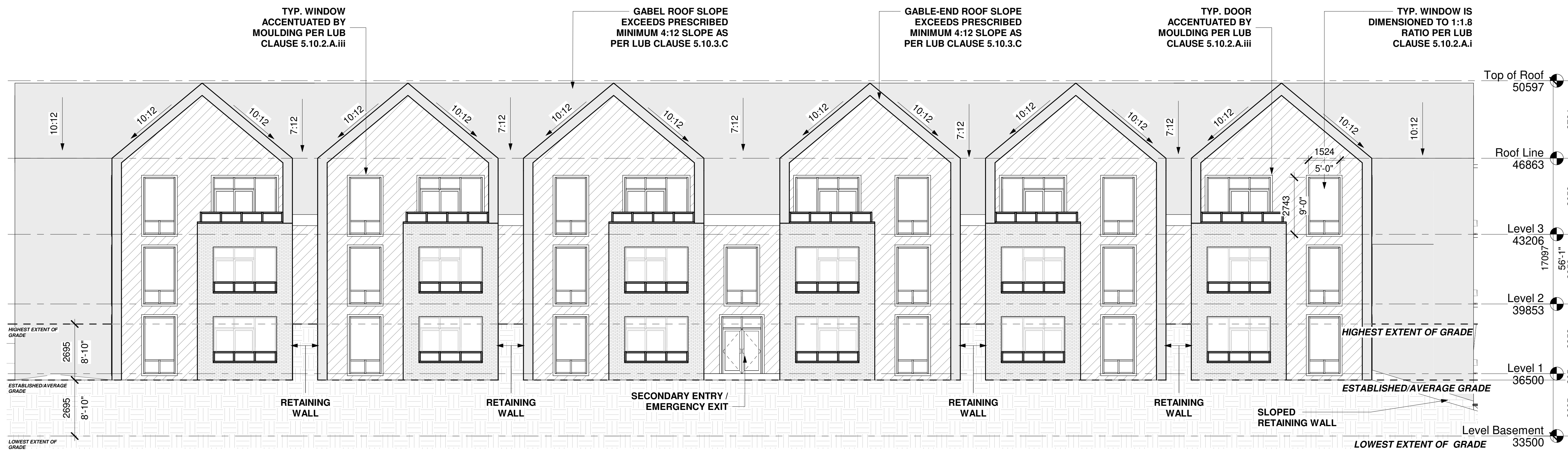
- EXTERIOR CLADDING FOR...MULTIPLE UNIT BUILDINGS SHALL CONSIST OF BRICKS, STONE, WOOD SHINGLES, WOOD SIDING, WOOD CLAPBOARD, VINYL SIDING OR A COMBINATION THEREOF OR OTHERACCEPTED EQUIVALENT.

**PROHIBITED MATERIALS:**

- SHEET METAL, PLASTIC, BRUSHED ALUMINUM, REFLECTIVE GLASS, CMU, UNTREATED PLYWOOD, PARTICLE BOARD, TILT-UP CONCRETE, PAINTED BRICKS.
- EXPOSED FOUNDATION IN EXCESS OF TWENTY (20) SF, INCLUDING ANY PARKING GARAGE OR ENTRANCE SHALL BE DETAILED OR VENEERED WITH STONE OR BRICK.

**RTU EQUIPMENT:**

- ALL ROOFTOP EQUIPMENT SHALL BE VISUALLY SCREENED FROM THE STREET BY THE ROOF STRUCTURE.



① Building B - South Elevation  
1 : 100

No.	Description	Date
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

**Issue Schedule**

No.	Description	Date
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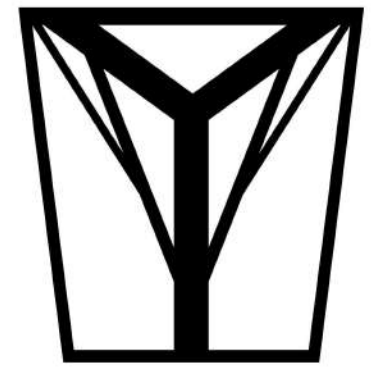
**Revision Schedule**

Fall River South  
Ingram Drive  
Development

**Schedule Q**  
Building B - South  
Elevation

Project Number	21-030
Date	2022.02.10
Drawn By	HA/KKB
Checked By	TAS

**A-207**  
Scale As indicated



**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION

**EXTERIOR FINISHES LEGEND:**

	BRICK		NON-REFLECTIVE, NON-COMBUSTIBLE SIDING
	NON-REFLECTIVE, NON-COMBUSTIBLE SIDING		NON-REFLECTIVE, NON-COMBUSTIBLE SIDING INDICATING RECESSED, DIFFERENTIATED ACCESS TO BUILDING
	NON-REFLECTIVE, NON-COMBUSTIBLE SIDING		NON-REFLECTIVE GLASS
	NON-REFLECTIVE GLASS		NON-REFLECTIVE GLASS SPANDREL PANEL

**NOTES:**

**ARCHITECTURE REQUIREMENTS:**

- NO BUILDING SHALL HAVE LESS THAN ONE CLEARLY DEFINED ENTRANCE FACING A STREET WHICH IS UNOBSTRUCTED FOR PEDESTRIANS.

**WINDOWS AND DOORS:**

- ALL WINDOWS SHALL:
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  - ACCENTUATED BY DESIGN DETAILS, SUCH AS ARCHES, HOODS, MOULDINGS, DECORATIVE LINTELS
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**CLADDING AND ROOF MATERIALS:**

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**PROHIBITED MATERIALS:**

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**RTU EQUIPMENT:**

- ALL ROOFTOP EQUIPMENT SHALL BE VISUALLY SCREENED FROM THE STREET BY THE ROOF STRUCTURE.

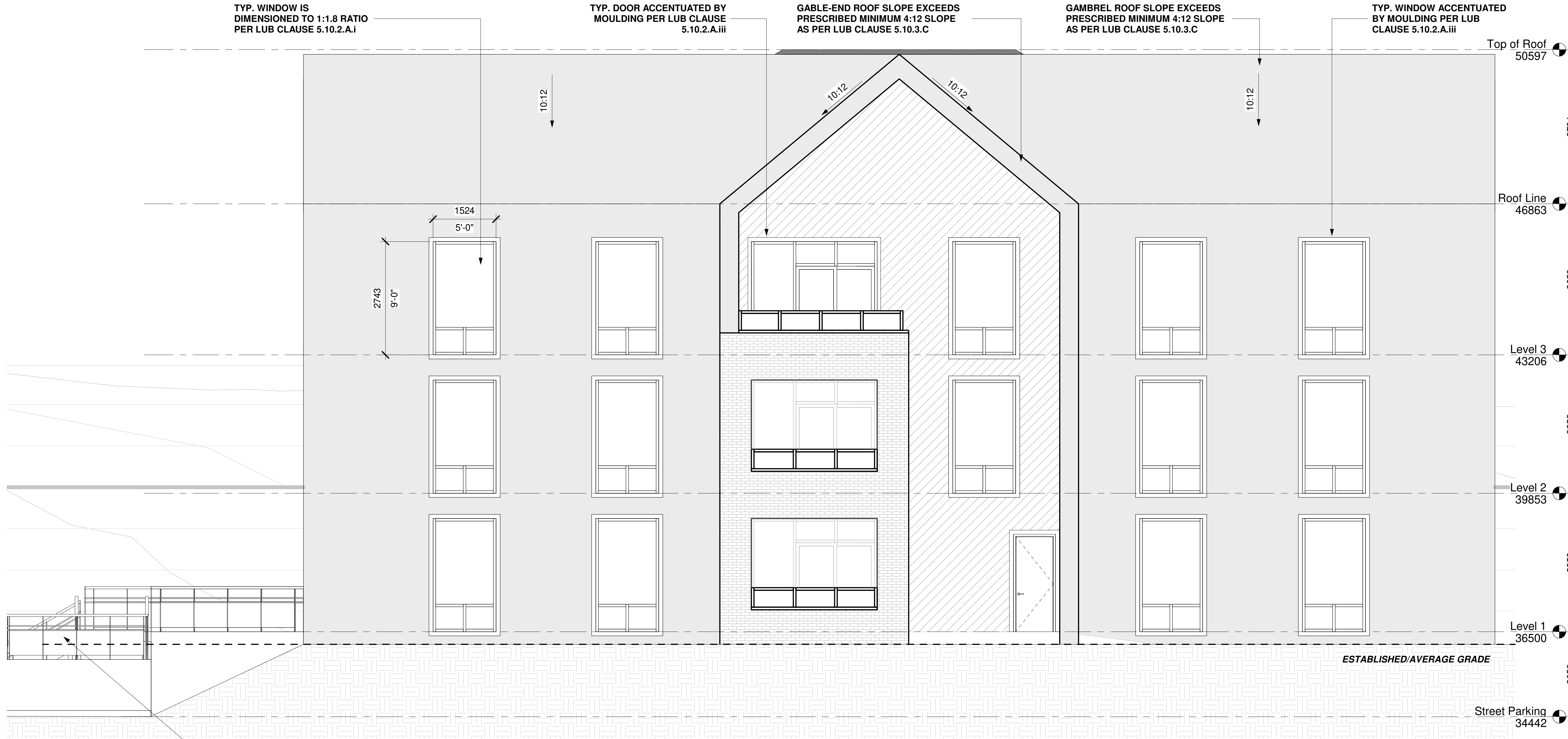
TYP. WINDOW IS DIMENSIONED TO 1:1.8 RATIO PER LUB CLAUSE 5.10.2.A.i

TYP. DOOR ACCENTUATED BY MOULDING PER LUB CLAUSE 5.10.2.A.iii

GABLE-END ROOF SLOPE EXCEEDS PRESCRIBED MINIMUM 4:12 SLOPE AS PER LUB CLAUSE 5.10.3.C

GAMBREL ROOF SLOPE EXCEEDS PRESCRIBED MINIMUM 4:12 SLOPE AS PER LUB CLAUSE 5.10.3.C

TYP. WINDOW ACCENTUATED BY MOULDING PER LUB CLAUSE 5.10.2.A.iii



No.	Description	Date
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

**Issue Schedule**

No.	Description	Date

**Revision Schedule**

Fall River South  
Ingram Drive  
Development

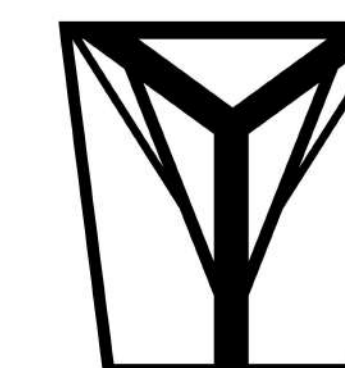
**Schedule P**  
Building B - East  
Elevation

Project Number 21-030  
Date 2022.02.10  
Drawn By HA/KKB  
Checked By TAS

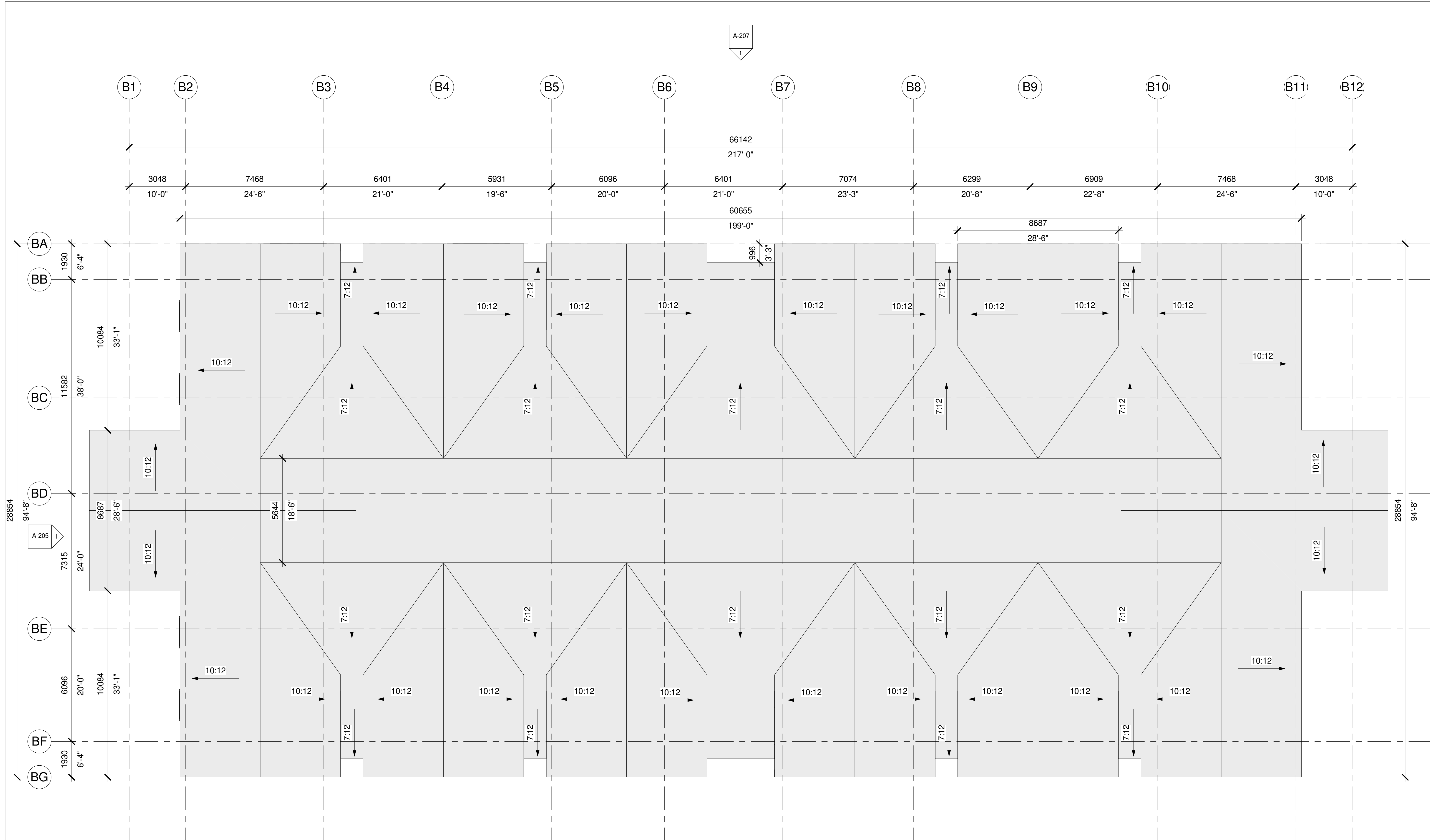
**A-206**  
Scale As indicated

① Building B - East Elevation  
1 : 50

ENTRY RAMP AND  
STAIR



**T.A. SCOTT**  
ARCHITECTURE + DESIGN  
DRAWING INSPIRATION



No.	Description	Date
4.	ISSUED FOR DA REVIEW	2022.02.10
3.	ISSUED FOR DA REVIEW	2021.12.24
2.	ISSUED FOR DA REVIEW	2021.11.01
1.	ISSUED FOR DA REVIEW	2021.06.08

No.	Description	Date
Issue Schedule		

No.	Description	Date
Revision Schedule		

**Fall River South  
Ingram Drive  
Development**

## Schedule V

**Buildings A, B, C -  
Typical Roof  
Elevation**

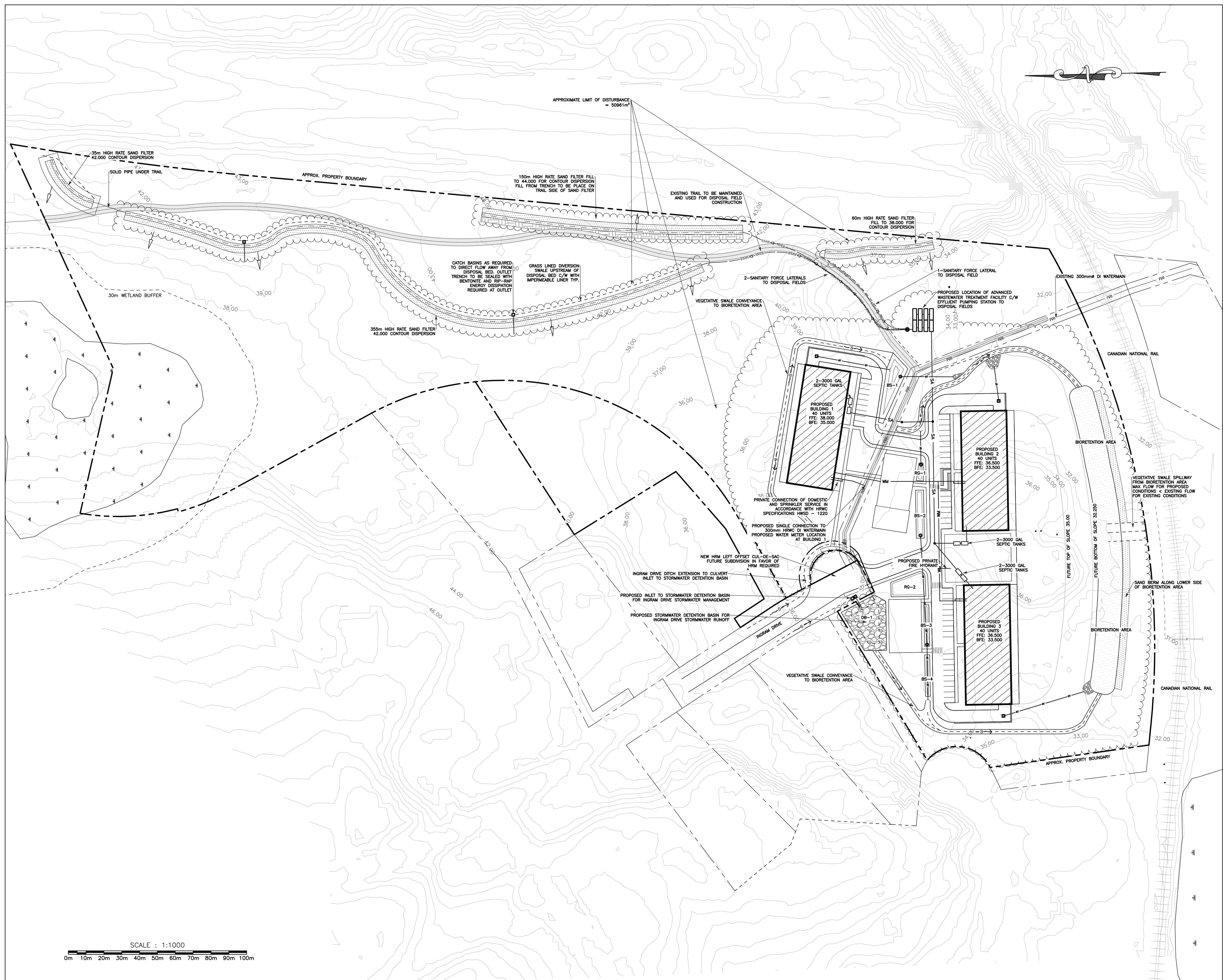
Project Number	21-030
Date	2022.02.10
Drawn By	HA/KKB
Checked By	TAS

A-400

Scale 1 : 100

Buildings A, B, C - Typical Roof  
Elevation  
1 : 100





**LEGEND**

EXISTING		PROPOSED
⊙	GATE/BUTTERFLY VALVE	⊙
▽	STREET SIGN	▽
○/○	POWER POLE/LIGHT POLE	○/○
⊠	CATCHBASIN	⊠
⊤	CULVERT	⊤
158.5	ELEVATION	158.5
○	HYDRANT	○
---	PROPERTY BOUNDARY	---
---	OVERHEAD LINE	---
SA- SA	SANITARY MANHOLE & PIPE	SA- SA
ST- ST	STORM MAINHOLE & PIPE	ST- ST
WM- WM	WATERMAIN	WM- WM
WM	WATER SERVICE	WM
FM- FM	FORCEMAIN	FM- FM
C- C	UNDERGROUND CONDUIT	C- C
□	CONCRETE THRUST BLOCK	□
---	CURB AND DRIVEWAY CUT	---
---	SIDEWALK	---
---	STREET LINE	---
→	DRAINAGE DIRECTION	→
S→	SWALE FLOW	S→
346	CONTOUR LINES	346
GAS- GAS	GAS LINE	GAS- GAS
○	TREE	○
---	BOTTOM OF SLOPE	---
---	TOP OF SLOPE	---
---	GUARD RAIL	---
---	SILT FENCE	---

**NOTES:**

- TOPOGRAPHIC SURVEY DATA SHOWN HAS BEEN PRODUCED BY ABLE ENGINEERING SERVICES INC. VALUES SHOWN ARE OBTAINED FROM THE NOVA SCOTIA LIDAR POINT CLOUD (RAW LIDAR) AND THE NOVA SCOTIA ELEVATION DATASET REFERENCED TO THE COORDINATE SYSTEM NAD83 CSRS 2010 CGVD2013.
- THIS IS NOT A LEGAL BOUNDARY SURVEY. BOUNDARIES SHOWN HERE ARE APPROXIMATE. DERIVED FROM PROPERTY ONLINE MAPPING/PLAN OF SURVEY AND FIELD RECONNAISSANCE BY CIVIL ENGINEERING TECHNICIAN. BOUNDARIES ARE SUBJECT TO A LEGAL FIELD SURVEY BY A LICENSED NSLS, AND A LEGAL SURVEY MAY CAUSE OFFSETS AND BOUNDARIES TO DIFFER FROM WHAT IS SHOWN HEREIN.
- PLAN TO BE READ IN CONJUNCTION WITH PHOSPHORUS NET LOADING ASSESSMENT REPORT.

**LOW IMPACT DEVELOPMENT PRIMARY CONTROLS**

BS - BIOSWALE  
 RG - RAIN GARDEN  
 DB - DETENTION BASIN  
 VS - VEGETATIVE SWALE  
 FS - FILTER STRIP

**LOW IMPACT DEVELOPMENT SECONDARY CONTROLS**

BR - BIORETENTION AREA

NOT FOR CONSTRUCTION

No.	Date	Revision	Description	Appr'd
2	09/04/2020	ISSUED FOR REVIEW		
1	03/04/2020	ISSUED FOR REVIEW		

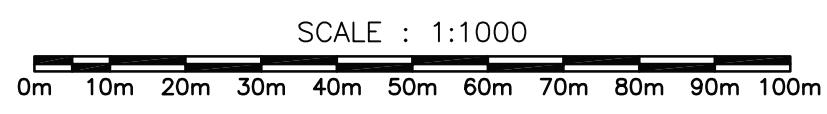
Seal:

**ABLE**  
**ENGINEERING SERVICES INC**  
 5209 ST. MARGARET'S BAY RD., SUITE 201  
 UPPER TANTALLON, NOVA SCOTIA  
 TEL. 902-273-3050 FAX. 902-273-3072  
 civil@ableinc.ca www.ableinc.ca

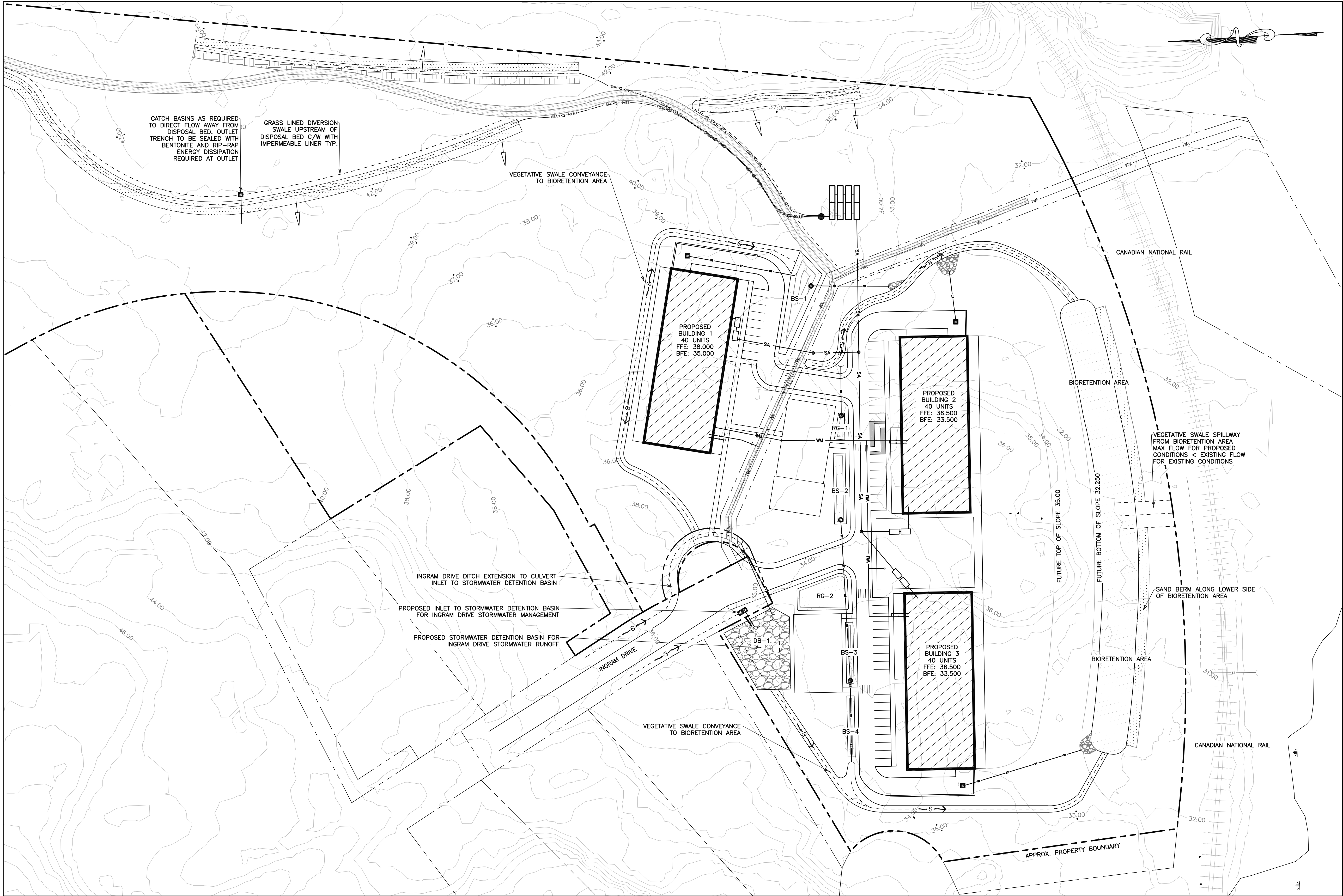
**FALL RIVER SITE C**  
 PROPOSED INGRAM DRIVE DEVELOPMENT

**PHOSPHORUS NET LOADING ASSESSMENT PLAN**

Date	MARCH 13, 2020	Drawn	J.HENMAN	Project No.	
Scale	1:1000	Engineer	M.VESINTIN	Plan No.	C-99







**LEGEND**

EXISTING		PROPOSED
⊙	GATE/BUTTERFLY VALVE	⊙
▽	STREET SIGN	▽
○/○→	POWER POLE/LIGHT POLE	○/○→
⊙/■	CATCHBASIN	⊙/■
⊂	CULVERT	⊂
158.5	ELEVATION	158.5
○	HYDRANT	○
---	PROPERTY BOUNDARY	---
---	OVERHEAD LINE	---
SA- SA	SANITARY MANHOLE & PIPE	SA- SA
ST- ST	STORM MANHOLE & PIPE	ST- ST
WM- WM	WATERMAIN	WM- WM
WM- WM	WATER SERVICE	WM- WM
FM- FM	FORCEMAIN	FM- FM
C- C	UNDERGROUND CONDUIT	C- C
□	CONCRETE THRUST BLOCK	□
---	CURB AND DRIVEWAY CUT	---
---	SIDEWALK	---
---	STREET LINE	---
→	DRAINAGE DIRECTION	→
→	SWALE FLOW	→
346	CONTOUR LINES	346
GAS- GAS	GAS LINE	GAS- GAS
○	TREE	○
---	BOTTOM OF SLOPE	---
---	TOP OF SLOPE	---
---	GUARD RAIL	---
---	SILT FENCE	---

**NOTES:**

- TOPOGRAPHIC SURVEY DATA SHOWN HAS BEEN PRODUCED BY ABLE ENGINEERING SERVICES INC., VALUES SHOWN ARE OBTAINED FROM THE NOVA SCOTIA LIDAR POINT CLOUD (RAW LIDAR) AND THE NOVA SCOTIA ELEVATION DATASET REFERENCED TO THE COORDINATE SYSTEM NAD83 CSRS 2010 CGVD2013.
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- THE PROPOSED STORMWATER MANAGEMENT FOR THE SITE WILL FOLLOW A LOW IMPACT DEVELOPMENT APPROACH. DETAILED DESIGN OF STORMWATER MANAGEMENT WILL BE IN ACCORDANCE WITH HRWC SPECIFICATIONS AND PHOSPHORUS NET LOADING ASSESSMENT.

**LOW IMPACT DEVELOPMENT PRIMARY CONTROLS**  
 BS - BIOSWALE  
 RG - RAIN GARDEN  
 DB - DETENTION BASIN  
 VS - VEGETATIVE SWALE  
 FS - FILTER STRIP

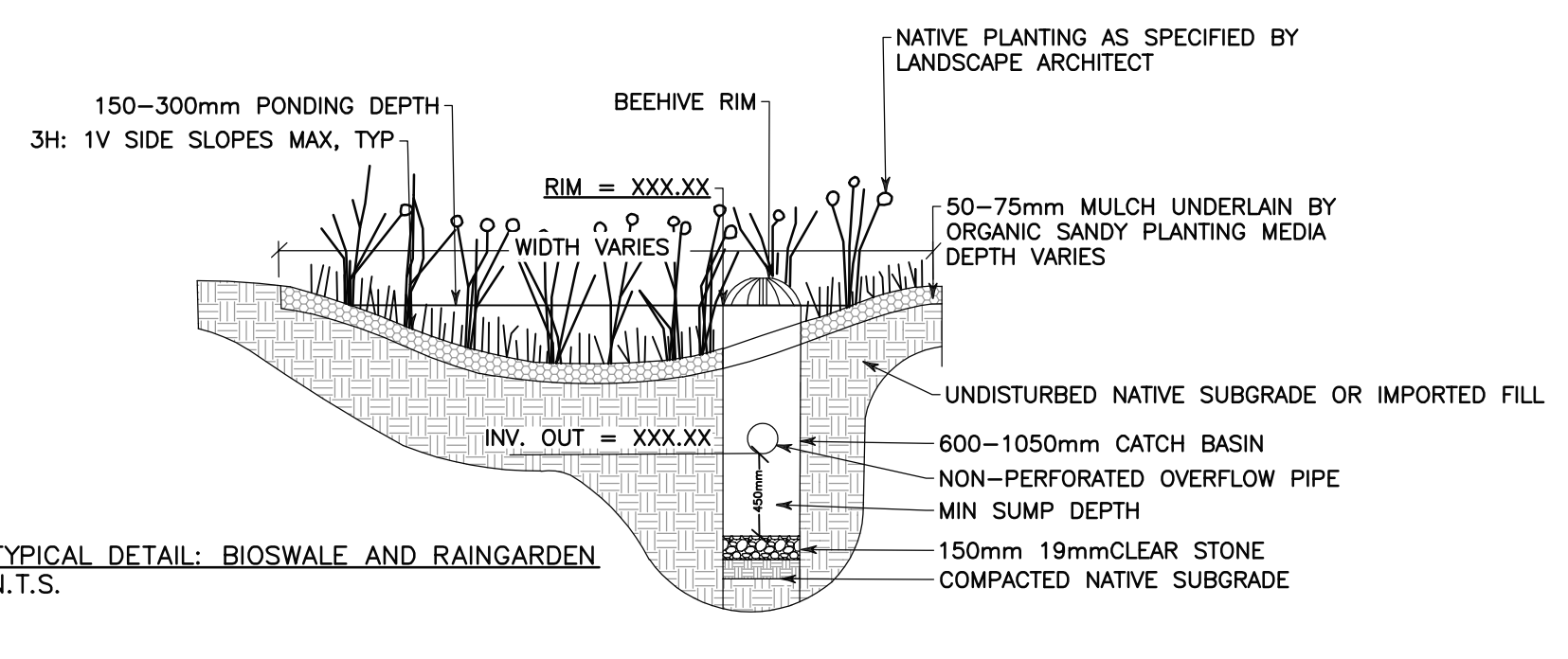
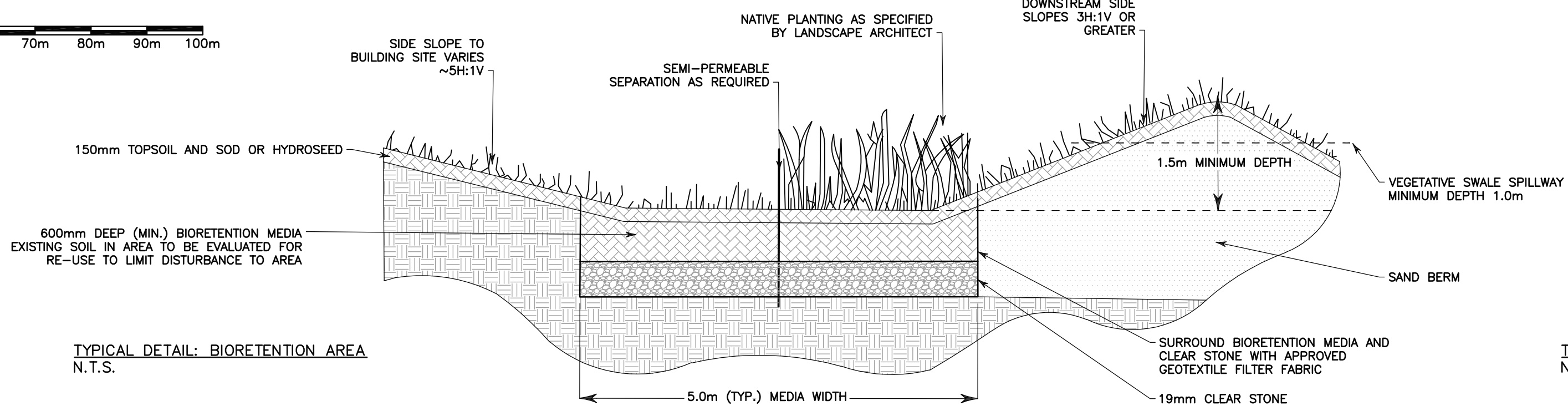
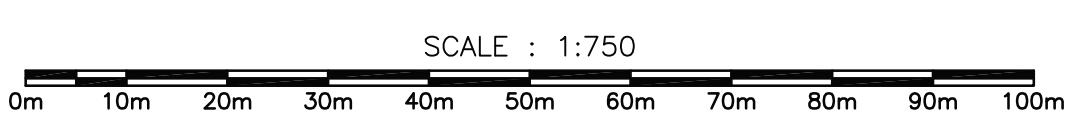
**LOW IMPACT DEVELOPMENT SECONDARY CONTROLS**  
 BR - BIORETENTION AREA

NOT FOR CONSTRUCTION

No.	Date	Revision	Description	Appr'd
2	09/04/2020	ISSUED FOR REVIEW		
1	03/04/2020	ISSUED FOR REVIEW		

Seal

**ABLE**  
 ENGINEERING SERVICES INC  
 5209 ST. MARGARET'S BAY RD., SUITE 201  
 UPPER TANTALLON, NOVA SCOTIA  
 TEL. 902-273-3050 FAX. 902-273-3072  
 civil@ableinc.ca www.ableinc.ca



**FALL RIVER SITE C**  
 PROPOSED INGRAM DRIVE DEVELOPMENT

**PROPOSED STORMWATER MANAGEMENT CONCEPT PLAN**

Date	MARCH 13, 2020	Drawn	J.HENMAN	Project No.	
Scale	1:750	Engineer	M.VESINTIN	Plan No.	C-103



## ATTACHMENT C

### Review for Relevant Policies – Opportunity Site C

Policy Number	Policy Provision	Staff Comment
MPS RL-14	<p><i>A Residential Comprehensive Development District Zone shall be created under the Land Use By-law and applied to Site C. The Zone will permit low scale multiple-unit dwellings, townhouses, single unit dwellings or two unit dwellings or local commercial use. The Zone will also permit a self storage facility. The development shall be designed as a Classic Conservation (RC-Jun 25/14;E-Oct 18/14) Development pursuant to Policy S-17 (RC-Jun 25/14;E-Oct 18/14) of the Regional Plan. In considering such an agreement, Council shall have regard to the provisions of Policy S-17 (RC-Jun 25/14;E-Oct 18/14) of the Regional Plan and the following:</i></p>	
	<p><b>Built Form, Architecture and Use</b></p>	
	<p><i>(a) that the maximum gross density is limited to 4 units per acre, the number multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;</i></p>	<p>The subject development site is comprised of five separate properties totaling more than 30 acres. The proposed number of dwelling units is 40-units per multiple unit building. With three buildings proposed this is a total of 120 dwellings proposed. This achieves a maximum of 4.0 units per gross acre which is consistent with MPS policy. The proposed building heights are limited to a maximum height of three stories above average grade. Therefore the proposed density and height for the development is consistent with Policy RL-14(a).</p>
	<p><i>(aa) that a minimum of 60% of the site is retained as open space; (RC-Jun 25/14;E-Oct 18/14)</i></p>	<p>In accordance with the proposed development plan 62% of the property is retained as Open Space. Therefore the proposal is consistent with the 60% open space requirement as set out in Policy RL-14 (aa).</p>
	<p><i>(b) that the local commercial use shall not exceed 371 m<sup>2</sup> (4000 sq.ft.) and the self storage facility shall not exceed ten thousand 929 m<sup>2</sup> (10,000 sq.ft.) of gross floor area;</i></p>	<p>N/A – (The proposed development does not include commercial development or a self-storage facility).</p>
	<p><i>(c) that the self storage units may be sited anywhere on the site provided the visual impacts of the garage door openings are concealed from the travelling public or any adjacent residential uses;</i></p>	<p>N/A (see the reference above).</p>
	<p><i>(d) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;</i></p>	<p>The siting of low-rise multiple unit dwellings at this location is contemplated in MPS Policy in accordance with RL-14 (a). The configuration of the buildings are clustered and located within close proximity, with most principal accesses and amenity activity areas located internal to the site. The footprints of each of the structures are modest with surface parking, designated amenity areas</p>

		and driveway access/ circulation areas all forming within the permitted development envelopes in order to retain a 60% non-disturbance area on the site. The architectural of the proposed buildings is in general conformance with the requirements of the LUB. The concentrated form of development on the site and grade separation provides a sufficient visual integration to meet the intent of RL-14(d).
	<i>(e) that the elevation of any townhouse buildings shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;</i>	N/A (Townhouses are not proposed in the latest submission.)
	<i>(f) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;</i>	N/A (see the reference above).
	<i>(g) that the development generally conforms to the architectural provisions set out under the land use by-law;</i>	The architectural provisions within the proposed development have been reviewed and do conform to the District 14& 17 LUB In accordance with RL-14 (g).
<b>Site Development Criteria</b>		
	<i>(a) that the landscaping is designed to create a visually attractive appearance and reduce stormwater impacts;</i>	A detailed landscaping plan is attached to the development agreement identifying 4 outdoor amenity areas, areas around the buildings and lands to the street that area proposed for landscaping. The final design will be submitted by a landscape architect. Stormwater impact mitigation will be considered at detailed design during the permit phase. Therefore, the proposed landscaping satisfies the intent of Policy RL-14(a).
	<i>(b) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;</i>	Pedestrian walkways are proposed from the site to Ingram Drive to provide pedestrian connectivity. An internal pedestrian walkway system is proposed to connect designated amenity areas and provide access between the buildings through parking lots. Therefore Policy RL-14(b) is satisfied.
	<i>(c) that important cultural features such as trails the MacDonald Sports Park Connector Trail as illustrated on Map RL-4 are incorporated as a feature within the development;</i>	Provision has been made in the Agreement to allow for a future a trail connection over the subject property from Canterbury Lane Park, as illustrated on Map RL-4, to the MacDonald Sports Park should the municipality be able to acquire these lands for the future trail. Therefore, the intent of RL-14(c) is satisfied.
<b>Site Impact Controls/Assessments</b>		
	<i>(d) that the lighting on the site is designed to prevent light pollution impacts on residential units within the site and on</i>	In accordance with RL-14(d), the development agreement requires that lighting be directed to driveways and other common

	<i>adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;</i>	areas and divert light from adjacent lots and buildings. These requirements will provide a unified appearance between buildings and the site.
	<i>(e) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;</i>	The site is proposed to be well screened from adjacent low density residential development. The non-disturbance area and additional landscaping buffering are proposed to mitigate undue impacts to adjacent residential properties. The development site is located downgrade from the low density single family residential development which serves to mitigate visual impacts of a three stories buildings proposed. Excepting for a minor non disturbance and bio retention area separating the buildings from the CN Rail line, the proposed multi unit buildings, located in a clustered formation, lie adjacent to the CN rail line at the southern-most extent of the property, furthest from the low density development. Buffering between low density residential and the proposed development is a requirement in the DA. Therefore, Policy RL-14(e) is satisfied.
	<i>(f) the site has direct road access to the Cobequid Road;</i>	The proposed development cannot achieve direct road access from the site to the Cobequid Road as CN Rail does not support an at grade crossing at this location. Therefore Policy RL-14(f) cannot be satisfied.  It should be noted that the subject of the proposed MPS amendment is to delete this requirement.
	<i>(g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;</i>	A Traffic Study and Phosphorus Net Loading Study were submitted, reviewed and deemed accepted in accordance with the requirements of RL-22 and RL-25.
	<i>(h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.</i>	Approximately 62% of the site is identified as treed area meeting the requirement that the site contain a 60% non-disturbance area as identified on the Master Landscaping Plan. Stormwater management and erosion and sedimentation control plans are also required under the proposed development agreement and are intended to mitigate surface water impacts to the surrounding community. This is consistent with the intent of Policy RL-14 (h). See a review of Policy P-155 below.
MPS RL-22	<i>The River-lakes Secondary Planning Strategy shall establish a no net increase in phosphorus as the performance standard for all large scale developments</i>	A phosphorus study was reviewed and deemed acceptable. The study proposed methods and stormwater facilities to treat phosphorus and control phosphorus leaving

	<p><i>considered through the provisions of policy RL-13 and development agreement (RC-Mar 5/19;E-Apr 6/19) policies RL-4, RL-5, RL-11, RL-12, RL-14 and RL-15 of this Secondary Plan. This Policy shall also apply to proposed developments pursuant to policies S-15 and S-16 of the Regional Municipal Planning Strategy. A study prepared by a qualified person shall be required for any proposed development pursuant to these policies to determine if the proposed development will export any greater amount of phosphorus from the subject land area during or after the construction of the proposed development than the amount of phosphorus determined to be leaving the site prior to the development taking place.</i></p> <p><i>If the study reveals that the phosphorus levels predicted to be exported from the proposed development exceed the phosphorus levels currently exported from the site, then the proposed development will not be permitted to take place unless there are reductions in density or other methods that (RC-Feb 23/16;E-Apr 2/16) to reduce phosphorus export levels to those current before the proposed development. Any stormwater management devices designed to treat phosphorus must be located on the privately-owned land included in the proposed development agreement. (RCFeb 23/16;E-Apr 2/16) The cost of the study shall be borne by the applicant. The study may rely on phosphorus export coefficients derived from existing studies if they can be justified for application to local environmental conditions. All existing and proposed development within the affected area shall be taken into account and the consultant shall undertake Wet Areas Mapping to help define the ecological boundaries associated with the flow channels, accumulation points, and riparian zones to restrict any high impact development in those areas.</i></p>	<p>the site as a result of the development. These features are shown on attached schedules in the proposed development agreement and meet the intent of Policy RL-22.</p>
MPS RL-23	<p><i>The following measures shall be incorporated into the provisions for Opportunity Site B and (RC-Mar 5/19;E-Apr 6/19) all development agreements in the Riverlakes Secondary Planning Strategy Area:</i></p> <p><i>(a) A site non- disturbance area of a minimum of 50% of the site or greater if required pursuant to any other policies within this Secondary Planning Strategy or</i></p>	<p>At least 60% of the site is proposed to be retained as open space. The non-disturbance area has been labelled on the appropriate schedules attached to the DA. This meets the intent of Policy RL-14(a).</p>

	<i>the Regional Municipal Planning Strategy; and</i>	
	<i>(b) Stormwater management and erosion and sedimentation control plans are in place to minimize impact on receiving waters.</i>	A phosphorus study was reviewed and deemed acceptable. The study proposed methods and stormwater facilities to treat phosphorus and mitigate impacts on receiving waters near the site as a result of the development. These features are shown on attached schedules and are required in the proposed development agreement. Therefore Policy RL-22 is satisfied.
MPS RL-25	<i>As an interim measure, HRM shall require the proponents for any large scale residential developments considered through the provisions of Policies RL-11, RL12, RL-13, RL-14 and RL-15 of this Secondary Planning Strategy or commercial development considered pursuant to policies RL-4 and RL-5 or Policy P-68 of the Planning Districts 14/17 Municipal Planning Strategy and polices S-15 and S-16 of the Regional Municipal Planning Strategy, to submit a traffic study to determine the impacts of development on the Fall River Road and Highway 2 Intersection, the Highway 102 / Highway 118 interchanges and the Lockview Road and MacPherson Road intersection. The study shall take into consideration the findings of the Fall River/Waverley/Wellington Transportation Study and the amount of development permitted in areas subject to these development agreements shall be regulated on the basis of the receiving road network capacity and the provisions of Policy RL-22.</i>	<p>Vehicle access to the site is planned from Ingram Drive. A traffic study has been submitted and results have indicated that the existing street network can accommodate the proposal.</p> <p>The previous traffic study commented on the removal of the requirement for a connection to Cobequid Road. This analysis was deemed acceptable to Engineering staff given that the Aerotech Connector is being constructed by the Province, which was an alternative connection to Highway 102 proposed under the Fall River/Waverly/Wellington Transportation Study.</p> <p>This satisfies the requirements of Policy RL-25.</p>
MPS P-155	<i>In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:</i>	
	<i>(a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;</i>	The overall intent of the opportunity sites under the River Lakes Secondary Plan is to provide alternative housing, including multiple unit dwellings to provide for the housing needs of all members of the community. The secondary plan enables consideration of this use provided MPS policy criteria is met. The list of criteria intends to ensure compatibility with the adjacent neighbourhood, protect open space, allow for a visually attractive development, and mitigate impacts to adjacent neighbourhoods and lakes. While the current development proposal provides for alternative housing in Fall River, it does

		<p>not meet all the policy criteria. In recognition of CN Rail's safety concerns a road connection from the site to Cobequid Road cannot be achieved. An ensuing traffic study has indicated that the existing road network can accommodate the proposed development without the road connection from Ingram Drive to Cobequid Road should Council ultimately choose to remove the road connection requirement from the site to Cobequid Road. In all other respects the proposed development plan is in conformity with Policy P-155.</p>
	<p><i>(b) that the proposal is not premature or inappropriate by reason of:</i></p> <p><i>(i) the financial capability of the Municipality to absorb any costs relating to the development;</i></p> <p><i>(ii) the adequacy of central or on-site sewerage and water services;</i></p> <p><i>(iii) the adequacy or proximity of school, recreation or other community facilities;</i></p> <p><i>(iv) the adequacy of road networks leading or adjacent to or within the development; and</i></p> <p><i>(v) potential for damage to or for destruction of designated historic buildings and sites.</i></p>	<p>(i) The municipality is financially capable of absorbing relevant costs associated from the proposed development.</p> <p>(ii) The site is located within the municipal water service boundary. Sufficient capacity exists to service the proposal. Wastewater is proposed to be managed on-site in accordance with Provincial legislation.</p> <p>(iii) The Halifax Regional Center for Education has indicated that the school population generated as a result of the proposed development, can be adequately serviced by the local school system. Local community facilities are available in the Fall River community.</p> <p>(iv) See Policy RL-25 above.</p> <p>(v) The site is vacant and has not been designated a historic site.</p> <p>Therefore Policy P-155 (b) is satisfied.</p>
	<p><i>(c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:</i></p> <p><i>(i) type of use;</i></p> <p><i>(ii) height, bulk and lot coverage of any proposed building;</i></p> <p><i>(iii) traffic generation, access to and egress from the site, and parking;</i></p> <p><i>(iv) open storage;</i></p> <p><i>(v) signs; and</i></p> <p><i>(vi) any other relevant matter of planning concern.</i></p>	<p>The proposed development agreement includes controls on the items listed under this policy in accordance with the following:</p> <p>(i) See RL-14(a) - Built Form, Architecture and Use</p> <p>(ii) See RL-14(d) - Built Form, Architecture and Use</p> <p>(iii) See MPS RL-25</p> <p>(iv) No open storage is permitted</p> <p>(v) Signage requirements are consistent with the District 14&amp;17 LUB</p> <p>(vi) No other matters of a planning concern have been identified.</p> <p>Therefore Policy P-155 (c) is satisfied.</p>

	<i>(d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility or flooding.</i>	NS Environment have indicated that they will provide comment when a permit is submitted under the <i>Environment Act</i> . A small portion of a wetland (most of which is located on lands to the east) exists to the east side of the site, away from the proposed development and is not anticipated to be impacted as a consequence of the development. Preliminary stormwater management plans have been reviewed and accepted. Flooding is not anticipated as a result of the development. Therefore Policy P-155 (d) is satisfied.
	<i>(e) Within any designation, where a holding zone has been established pursuant to Alnrastructure Charges - Policy P-64F@, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the Alnrastructure Charges@ Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)</i>	N/A
RMPS S-17	<i>For any conservation design development application made pursuant to policies S-14, S15 or S-16, HRM shall consider the following criteria:</i>	
	<i>(a) the proposal satisfies the design standards presented in Table 3-4;</i>	N/A - Site is not a conservation design development.
	<i>(b) in addition to the residential uses identified in Table 3-4, publicly or privately owned community facilities, home-based offices, day cares, and small-scale bed and breakfasts may be considered;</i>	N/A - Site is not a conservation design development.
	<i>(c) except for lands required to be retained for on-site non-disturbance area under the Hybrid Conservation Design development, the open space portion of the development may be used for agriculture, passive recreation, conservation-related uses or the placement of wastewater management facilities, community wells or other community facilities designed to service the development;</i>	N/A - Site is not a conservation design development.
	<i>(d) connectivity of open space is given priority over road connections if the development can be sited on the parcel without jeopardizing safety standards or unduly increasing road maintenance costs to HRM;</i>	N/A - Site is not a conservation design development.
	<i>(e) a private driveway shall only provide access to a public street for up to 20 dwelling units;</i>	N/A - Site is not a conservation design development.

<i>(f) the proposed roads and building sites are designed to avoid impact upon any primary conservation area;</i>	N/A - Site is not a conservation design development.
<i>(g) natural drainage systems, wetlands and other natural detention storage areas are retained;</i>	N/A - Site is not a conservation design development.
<i>(h) where the proposed development is to be serviced by a groundwater supply, a hydrogeological assessment conducted by a qualified professional has determined that there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;</i>	N/A - Site is not a conservation design development.
<i>(i) the development shall not rely on cisterns for potable water supply, except in special circumstances as may be authorized under an approved secondary planning strategy;</i>	N/A - Site is not a conservation design development.
<i>(j) secondary conservation areas that capture elements of rural character are retained;</i>	
<i>(k) connectivity of natural networks, including trails, (RC-Sep 24/19;E-Nov 23/19) is maintained with any open space on adjacent parcels as generally illustrated by the Important and Essential Corridors shown on Map 5, Green Network Ecology Map, contained in the Halifax Green Network Plan, as amended from time to time (RC-Sep 24/19;E-Nov 23/19);</i>	See comments under Policy RL-14 Site Development Criteria (b) and (c) of the Planning Districts 14 & 17 MPS.  Site is not a conservation design development.
<i>(l) residential dwellings maintain a minimum separation of 800 metres from any permanent extractive facility;</i>	N/A - Site is not a conservation design development.
<i>(m) parkland dedication may be relaxed to a minimum of 5% for the Lower Density and Higher Density Classic Conservation Design developments; and</i>	N/A - Site is not a conservation design development.
<i>(n) any applicable matter as set out in Policy G-14 of this Plan</i>	N/A - Site is not a conservation design development.



## ATTACHMENT D

### Excerpts from the Planning Districts 14 and 17 -- MPS and LUB

#### Planning District 14 and 17 Municipal Planning Strategy

##### Site C - Fall River Village South Residential Opportunity Site

Site C is situated at the south end of Ingram Drive, in Fall River Village, near the Cobequid Road. It is a 30 acre site that was previously zoned I-3 (Light Industrial) which would have allowed a wide range of incompatible uses with the low density residential uses to the west and north of the site. The site location has the potential to become a new entry point into the Fall River Village and has sufficient land area to buffer the bulk and scale of any low scale multiple-unit dwellings or commercial uses from the low density residential development to the west and north of the site. Portions of the site were also previously zoned R-1b (Suburban Residential) and C-2 (Community Commercial).

The property will be zoned Residential Comprehensive Development District under this Secondary Planning Strategy to allow the development of low-rise multiple-units, townhouses, single unit dwellings, and two unit dwellings up to a maximum of 4 units per acre. This zone will allow consideration of a small scale local commercial convenience store and self storage buildings in association with the residential development. Like Site B, this site will require special siting and design consideration to minimize any impacts on the surrounding low density residential development. A minimum of 60% of the site shall be retained as common open space and can be used to buffer the development from lower density types of housing. Direct access to the Cobequid Road shall also be required to minimize traffic impact on Fall River Village and there shall be a maximum of three multiple-unit dwellings with a maximum of 40 units per building.

RL-14 A Residential Comprehensive Development District Zone shall be created under the Land Use By-law and applied to Site C. The Zone will permit low scale multiple-unit dwellings, townhouses, single unit dwellings or two unit dwellings or local commercial use. The Zone will also permit a self storage facility. The development shall be designed as a *Classic Conservation (RC-Jun 25/14;E-Oct 18/14)* Development pursuant to Policy S-17 (*RC-Jun 25/14;E-Oct 18/14*) of the Regional Plan. In considering such an agreement, Council shall have regard to the provisions of Policy S-17 (*RC-Jun 25/14;E-Oct 18/14*) of the Regional Plan and the following:

##### Built Form, Architecture and Use

- (a) that the maximum gross density is limited to 4 units per acre, the number multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;
- (aa) that a minimum of 60% of the site is retained as open space; (RC-Jun 25/14;E-Oct 18/14)
- (b) that the local commercial use shall not exceed 371 m<sup>2</sup> (4000 sq.ft.) and the self storage facility shall not exceed ten thousand 929 m<sup>2</sup> (10,000 sq.ft.) of gross floor area;
- (c) that the self storage units may be sited anywhere on the site provided the visual impacts of the garage door openings are concealed from the travelling public or any adjacent residential uses;
- (d) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (e) that the elevation of any townhouse buildings shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (f) that there are off-sets or other articulations in the overall roof structure to break up the

- (g) massing of townhouse blocks;  
that the development generally conforms to the architectural provisions set out under the land use by-law;

Site Development Criteria

- (a) that the landscaping is designed to create a visually attractive appearance and reduce stormwater impacts;
- (b) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (c) that important cultural features such as trails the MacDonald Sports Park Connector Trail as illustrated on Map RL-4 are incorporated as a feature within the development;

Site Impact Controls/Assessments

- (d) that the lighting on the site is designed to prevent light pollution impacts on residential units within the site and on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (e) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;
- (f) the site has direct road access to the Cobequid Road;
- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;
- (h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

RL-22 The River-lakes Secondary Planning Strategy shall establish a no net increase in phosphorus as the performance standard for all large scale developments considered through the provisions of policy RL-13 and development agreement (RC-Mar 5/19;E-Apr 6/19) policies RL-4, RL-5, RL-11, RL-12, RL-14 and RL-15 of this Secondary Plan. This Policy shall also apply to proposed developments pursuant to policies S-15 and S-16 of the Regional Municipal Planning Strategy. A study prepared by a qualified person shall be required for any proposed development pursuant to these policies to determine if the proposed development will export any greater amount of phosphorus from the subject land area during or after the construction of the proposed development than the amount of phosphorus determined to be leaving the site prior to the development taking place. If the study reveals that the phosphorus levels predicted to be exported from the proposed development exceed the phosphorus levels currently exported from the site, then the proposed development will not be permitted to take place unless there are reductions in density or *other methods that* (RC-Feb 23/16;E-Apr 2/16) to reduce phosphorus export levels to those current before the proposed development. *Any stormwater management devices designed to treat phosphorus must be located on the privately-owned land included in the proposed development agreement.* (RC-Feb 23/16;E-Apr 2/16) The cost of the study shall be borne by the applicant. The study may rely on phosphorus export coefficients derived from existing studies if they can be justified for application to local environmental conditions. All existing and proposed development within the affected area shall be taken into account and the consultant shall undertake Wet Areas Mapping to help define the ecological boundaries associated with the flow channels, accumulation points, and riparian zones to restrict any high impact development in those areas.

RL-23 The following measures shall be incorporated into the provisions for Opportunity Site B and (RC-Mar 5/19;E-Apr 6/19) all development agreements in the River-lakes Secondary Planning Strategy Area:

- (a) A site non- disturbance area of a minimum of 50% of the site or greater if required pursuant to any other policies within this Secondary Planning Strategy or the Regional Municipal Planning Strategy; and
- (b) Stormwater management and erosion and sedimentation control plans are in place to minimize impact on receiving waters.

RL-25 As an interim measure, HRM shall require the proponents for any large scale residential developments considered through the provisions of Policies RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Planning Strategy or commercial development considered pursuant to policies RL-4 and RL-5 or Policy P-68 of the Planning Districts 14/17 Municipal Planning Strategy and polices S-15 and S-16 of the Regional Municipal Planning Strategy, to submit a traffic study to determine the impacts of development on the Fall River Road and Highway 2 Intersection, the Highway 102 / Highway 118 interchanges and the Lockview Road and MacPherson Road intersection. The study shall take into consideration the findings of the Fall River/Waverley/Wellington Transportation Study and the amount of development permitted in areas subject to these development agreements shall be regulated on the basis of the receiving road network capacity and the provisions of Policy RL-22.

P-155 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
  - (i) the financial capability of the Municipality to absorb any costs relating to the development;
  - (ii) the adequacy of central or on-site sewerage and water services;
  - (iii) the adequacy or proximity of school, recreation or other community facilities;
  - (iv) the adequacy of road networks leading or adjacent to or within the development; and
  - (v) potential for damage to or for destruction of designated historic buildings and sites.
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
  - (i) type of use;
  - (ii) height, bulk and lot coverage of any proposed building;
  - (iii) traffic generation, access to and egress from the site, and parking;
  - (iv) open storage;
  - (v) signs; and
  - (vi) any other relevant matter of planning concern.
- (d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility or flooding.
- (e) Within any designation, where a holding zone has been established pursuant to Alnfastructure Charges - Policy P-64F@, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the Alnfastructure Charges@ Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)

## **Planning District 14 and 17 Land Use By-law**

### **3.6 OTHER USES CONSIDERED BY DEVELOPMENT AGREEMENT**

Notwithstanding Section 3.5 above, certain uses which may not be uses permitted in any zone may be considered in accordance with Sections 55, 66 and 67 of the Planning Act.

As provided for by Policy P-150 of the Municipal Planning Strategy for Planning Districts 14 and 17, such uses are as follows:

- (aa) Low scale multiple unit dwellings, townhouses, single or two unit dwellings up to 4 units per acre or local commercial use and self-storage facility in conjunction with the housing component, within the RCDD Residential Comprehensive Development District Zone, according to Policy RL-14. (RC-Oct 23/12;E-Jan 12/13)

PART 14F: RCDD (RESIDENTIAL COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE (RC-Oct 23/12;E-Jan 12/13)

14F.1 RCDD DEVELOPMENT AGREEMENT REQUIREMENTS

No development permit shall be issued for a development in a RCDD Zone unless the proposed development is in conformance with a development agreement which has been approved by Council.

14F.2 USES PERMITTED

The following uses maybe permitted in any RCDD (Village Core Comprehensive Development District Zone) Zone:

Local Commercial Uses

Variety Stores  
Restaurant - Take-out  
Food Stores  
Offices  
Medical and dental offices and clinics  
Service and Personal Uses  
Craft Shops

Commercial Uses

Self Storage Facility

Residential Uses

Multiple Unit Dwellings  
Townhouses  
Single unit dwellings  
Two unit dwellings

14F.3 RCDD REQUIREMENTS – LOCAL COMMERCIAL FLOOR AREA

The gross floor area of any local commercial floor space on a lot in any RCDD Zone, shall not exceed 371 square metres (4000 ft<sup>2</sup>) and the gross floor area of any self storage facility shall not exceed 929 square metres (10,000 ft<sup>2</sup>)

## ATTACHMENT E

### Public Information Meeting (PIM) Notes (2018) Summary

HALIFAX REGIONAL MUNICIPALITY  
Public Information Meeting  
Case 21460

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

Wednesday, June 13, 2018  
7:00 p.m.

Gordon R. Snow Community Centre - Multipurpose Room - 1359 Fall River Rd, Fall River

#### STAFF IN

**ATTENDANCE:** Stephanie Salloum, Planner, HRM Planning  
Thea Langille, Principle Planner, HRM Planning and Development  
Iain Grant, Planning Technician, HRM Planning  
Tara Couvrette, Planning Controller, HRM Planning  
Councillor, Steve Streach, District 01

#### ALSO IN

**ATTENDANCE:** Cesar Saleh – Applicant, W.M. Fares Group  
Jacob JeBailey – Applicant, W.M. Fares Group

#### PUBLIC IN

**ATTENDANCE:** Approximately: 225

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The meeting commenced at approximately 7:05 p.m.

#### Call to order, purpose of meeting – Stephanie Salloum

Ms. Salloum introduced herself as the Planner and Facilitator for the application. They also introduced; Councillor Steve Streach, Tara Couvrette – Planning Controller, Iain Grant - Planning Technician, and the Applicant – Cesar Saleh and Jacob JeBailey – W.M. Fares Group.

Case 21460 - Application to Amend the Planning Districts 14 & 17 (Shubenacadie Lakes) MPS to enable a Development Agreement for 22 townhouses and 120 Multiple Unit Dwellings in 2 buildings on Site C in Fall River

Ms. Salloum explained; the purpose of the Public Information Meeting (PIM) is: a) to identify that HRM has received a proposal for the site; b) to provide information on the project; c) to explain the Planning Policies and the stages of the Planning Process; d) an opportunity for Staff to receive public feedback regarding the proposal. No decisions are made at this PIM.

#### 1a) Presentation of Proposal – Ms. Salloum

Ms. Salloum provided a brief introduction to the application and then made a presentation to the public outlining the purpose of the meeting, status of the application and the applicants request. Ms. Salloum outlined the context of the subject lands and the relevant planning policies.

#### 1b) Presentation by Jacob JeBailey, Applicant

Mr. JeBailey explained the reason for the application showing the site plan as well as renderings of the proposed development.

## **2. Questions and Comments**

**Jay Cameron – Waterford Crt**, spoke to the planning vision that was created for a handful of density opportunities in the Fall River area. Mr. Cameron stated they were chosen because of their strategic access to main arteries in and out of the LWF area. The planning documents included verbiage to qualify the development on Site C as requiring access to Cobequid Rd. Mr. Cameron stated that; Fares stating that because there will not be a commercial component, the road leading to Cobequid Rd. is not needed, they find that to be an ill-informed speculation. The impact the traffic from this development would have is undeniable. Because that outflow to Cobequid Rd. is not possible, the planning requirements are not met and this proposal only advances against the vision of the community and at the expense of the residents that call the village their home. What benefits will this bring to the people of Fall River? Infrastructure has seen a 30% growth over the last decade. Between this site and the others marked for density, they are looking at almost 1000 new units. Schools are at capacity, roads are full of traffic and the doctors are taking no new patients so how would this benefit current day Fall River? The only viable development for today's LWF area is to complete the cul-de-sac with more single-family dwellings and seek out density somewhere else where it makes sense. They have 400 letters they would like to present to the Councillor to have their petition put in front of council and deliver their sentiment that they are not for this proposal as it stands.

**Terry Maulcahy – Canterbury Lane**, indicated to Councillor Streach that they are opposed to this application. The key problems they have with it are: traffic – the traffic on Ingram makes going for a walk impossible, 142 units multiply that by 1.5 – 2, and the issue of the mailbox on Winley Dr., property values are going to be affected, this doesn't contribute anything to the neighborhood.

**Gordon Wolfe – Ingram Dr.**, Every home in Fall River Village is a single-family dwelling and they would like to keep it that way. The traffic would be a problem, it is a problem now. Ingram Dr. is as straight as an arrow and cars drive up there are 90-100 km/h and it is not safe to walk. With this development it would just be getting worse and worse. If one of these development goes through in our area somebody else will be looking for land to put in another and we don't need that. Fall River Village is a wonderful place and this development will total y change that. Mr. Wolf and his wife are both totally against it.

**Wayne Tamara – Winlake**, HRM and the Councillor need to recognize that this is not a taste of just a few disgruntled home owners. In less than 2 weeks we have assembled almost 400 letters of opposition to this development. This an example of a community coming together to save their neighbourhood from a development that simply makes no sense at any level. Mr. Tamara stated he is going to present Stephanie Salloum with the 400 letters that they would like to form part of the report to council. There concerns are: waiving the requirement for direct access to Cobequid Rd. will create unsafe conditions for motorist and pedestrians, Winley Dr. is a safety concern now and this will make it worse, the negative impact the traffic increase will have on the neighbourhood. The addition of high density, multi-unit apartment buildings and townhouses will fundamentally change the character and makeup of the neighbourhood. The increase in density will create two bottle necks, one at the corner of Winley Dr. and Winsor Junction and the other the other at the corner of Winsor Junction Rd. and Cobequid. These are already bad intersections and if there was ever an accident or during peak traffic hours the traffic will be backed up. There are numerous environmental considerations and potential concerns that have not been addressed by the developer. The impact on existing natural habitats and wetlands. The introduction of the massive sewage disposal system that would be required to service those units. Homeowners are very cautious about what they put down their sinks etc., renters are not going to be as cautious so the chances of that septic field having a failure are very high. If that goes sideways it will destroy the lakes in the area. The proposed development is counter to HRM's own vision of

requiring direct access to Cobequid Rd.

**Fred Grayburn – Foster Ave**, had questions regarding the initiation report that went to Regional Council. Mr. Grayburn questions the logic of some of the statements in it. They feel that HRM is going contrary to the MPS. **Ms. Salloum and Ms. Langille** explained that the initiation report was an ask by the planning department to go out to the community and get their feedback on this proposed development. The report does not have to do with their position on this proposal, at this time they are neither for or against it as it is too early in the process. **Mr. Grayburn** would like to know why staff would recommend this proposal when it didn't even pass the initial criteria of the MPS. **Ms. Langille** stated they had heard back from CN that a crossing was not going to be permitted so they wanted to explore with the community what their options would be for the site and that is why we are here. **Mr. Grayburn** stated that the original proposal was shut down in 2016 with 216 multi housing units (just regarding the apartments) partially because of the road blockage and now you are coming back asking for 142 still with no road, can't follow that logic. Would like to see what the apartments are going to look like other than just the drawings. Would like to know what kind of social economic research/studies have been done to put an apartment building of that size at the end of a street with no buses for miles. On their calculations they estimate that this development will generate 150 thousand liters of effluent per day which is about 5 highway tanker truck loads of poop everyday.

**Jenny Lugar – resident of North end Halifax with the Ecology Action Centre**, is all for density but this is not the right place for density. They are begging for density on the peninsula of Halifax, asking for more development and more infill to be done. That is where it can be supported with transit, business and good walkability. This is not the right place because they physically don't have the means to be able to support this many new people. There would be too many cars being added to the road. If you are thinking about sustainability at all you don't want to be adding that many more cars to the roads. Ms. Lugar is putting her support behind that community. This is not the kind of development that adds wealth to a community, the kind of development that adds wealth to a community is the one that is supporting local business and transit. This kind of development goes in and then the developer moves out and the city pays for it incrementally over the next several years and that is why your taxes keep going up.

**Peter Stocker – Fall River Villiage**, has two logistic questions: 1 – the road on CN, can they absolutely say no to a road pass or is there a higher authority, or government authority, that can override that, and 2 – has it been considered that there is be a bypass road that connects over the highway onto the bridge. Mr. Streach – who has the final authority to block it all, is it CN or another level of government. **Ms. Langille** explained CN is a higher authority than the municipality and they will not permit an at grade crossing at that location which means possibly an above grade. Given the technical challenges in the area that is near impossible to do.

**Davis Nunn – Fall River Villiage**, increase in density equals about 67 people on that site if you were doing single family houses. The density calculation if you get into the multi is about 320. The storm water management system that is going to balance this thing, we would like to see that study. It also mentions a prosperous net loading assessment, and the traffic study for the impact as there may have been a lot of miss information (not really sure) and what is that balance and before that increase the density from 4-5, we would like to see that study. The Halifax Regional Plan that was amended on June 2, map 5 identified to have significant habit endangered species areas and that area, has there been any studies done because there appears to be wetland in that area. Area map 9 has elevated archeological potential and doesn't know if that has been looked at in a study. Remind staff that the master plan for Wentworth any units over 48 units in 2002 require underground parking. There is a lot of added density into this equation and not a lot of balancing. No sports fields or recreation areas, we are increasing this by 320 people but not adding one play field in this development itself. The other option is the trail going over CN's line. We have already heard CN doesn't want car access but are you developing a trail so kids, people

in general, can access that railway line more. I don't think that is an official trail going across CN. How are we protecting the kids and residents from going back and forth across CN lines? These are other consideration points that should be put into an assessment before we make any changes to the plan itself. **Ms. Langille** spoke to the studies, traffic impact statement, phosphorus loading, storm water, and sanitary study stating they are anticipated to come forward once this consolation session was completed.

**Brian Mathison – Winley Dr.**, stated the streets are starting to max out when he comes to traffic. Every 30 seconds there is a car or heavy truck that passes by his home. It is getting out of hand where it is hard to walk along the road, it's not safe to get your mail, the road is crumbling from all the heavy traffic, everything comes off Windsor Junction Rd. down Winley and it is a speed strip. We don't need anything more down there because everything is going to come down Winley Dr. heading for this place. If CN doesn't cooperate they feel this thing should just evaporate. This is unsustainable, there is no infrastructure for this, it is a crazy idea.

**Jennifer Capon – Ingram Dr.**, would like to know how their privacy and property values would be protected. Would also like to know what kind of people would be purchasing the units and what price point would they be looking for, high rent / low rent. **Mr. JeBailey** stated they couldn't comment on market as that isn't his area of expertise's and those things change. **Mr. Salih** also spoke to what the policy allows. Explained it gives opportunities for people that live there to rent in their own community. It will be predominantly families that they are going to be there. **Ms. Capon** stated families are going to have children that are going to be going to the schools that are there now. This is something that should be part of there vision and if it is something that is going to affect us in any way we should know. **Mr. Salih** explained the change in designation of the land and where they are at now. **Ms. Capon** appreciates that the developer is going back to the drawing board and that noting is set in stone but would like them to listen to what they are hearing, and that is that, apartment buildings don't work in Fall River Village.

**Jennifer Ginnions – Fall River Village**, is not opposed to development however, they fee the market has spoken because the old equestrian farm that was developed had not sold one property. The developers mandate comes from there client and they want the most bang for there buck. You can't drive on Ingram with your kids because it is not safe. There are no sidewalks in the existing subdivision. As far as infrastructure, I can't share a septic field with my neighbour however you can have a mass quantity of people sharing one septic field next to a water shed. It is scary. They were permitted to do that at the equestrian farm but again, the market has spoken and nobody is buying those properties. The demographic in Fall River is most of the people that this development is marketed too and they are opposed to it.

**Christine Mirabelli, Regency Court**, is concerned with the traffic issue that already exist in the area and at one of the two exits to Fall River Village and this will only make things worse. If you have a doctor's appointment at the Sobeys mall you can be stuck in traffic there for 20 minutes or more as it is right now. This is urban sprawl; which King's Warf was supposed to eliminate. There are no police in this village, there are no sidewalks in this village. Children stand on the side of the street waiting for buses. Where are the children who are going to live in these new apartments going to go to school, out schools are maxed out. Out whole system here is maxed, we don't have municipal bussing, we don't have bus stops for these kids to wait at to go to school. If anyone went though Winley Dr by the mailbox's, which is 40 km/h, at 80 or 90 where kids get off the school bus and walk on the crumbling road there could be a really bad disaster. People do not care and there are only two exits to this village and there is no possibility of a third. We need to consider where the traffic is going to go and how it is going to feed into the system that exists. There is no way to enlarge the roads because most homes are very close to the edge of the road.

**Patti Gouthro – Ingram Dr.**, questions the decision by staff to bring this forward given it contradicts the access though CN property. People have already indicated their feelings and



emotions and feel that bringing this back out here is a great waste of people's time and energy. No of the things around the environment, looking at the fact that the schools are maxed out and doctors are not taking any new patients, none of those factors seem to be taken into consideration and those are all things that are important for planning. Traffic, the environmental impact as far as septic is concerned is also important for planning. All of these things make me question how much time and energy now has to be spent of this now that you have initiated this process. Can it be stopped at any earlier stage or does it have to go through 10 stages and 20 studies. What has to be done for a decision to be made to halt this process or tell them they have to come up with a substantially different proposal, for example 40 single dwelling houses at the end of Ingram Dr.? **Ms. Salloum** explained where they were in the process and explained unless the applicant chooses to cancel the application, which she doesn't think they are, the process will continue. **Ms. Gouthro** would like to know why the developer has so much control. **Ms. Salloum** explained that the application did go to Regional Council and they made the decision to proceed with this application through the process. **Ms. Gouthro** feels this is just a blame game and it is problematic that it has even got to this level. **Ms. Langille** explained the process and how it works and that they can't make any assumptions on behalf of the community.

**James Dean Moore – Lexington**, wanted to know where the water was coming from for the septic system. Ms. Langille stated the property in question is within the water service boundaries so it would be municipal water. **Mr. Moore**, so chlorinated water in a septic system. Wanted to point out that the elected officials are accountable to the people directly. They would like to know why the decision was made to take this forward because that isn't really clear. They would also like to know where the developer was. There are two representatives from an architectural firm but no developer. They believe it is an act of cowardice not to have put themselves in a position to be here. **Ms. Langille** advised the developer name is Larry Gibson (because members of the public were asking for it)

**Peter Sprum - Ingram Dr**, feels this is a shell game, at the start of the process, the ask is for a 20 storey building, when all they really want is a 3 storey building. Mr. Sprum thinks they knew from the start that CN would not allow the crossing so now they are coming back now with what they want now.

**Anthony Steel - Devonport Ave**, The lady from the Ecology action center spoke about the nimby effect and that is not the case here. The people here made the decision to escape urban density and live where we live. We don't want apartment buildings in our area. Disappointed that Mr. Gibson did not show up at this meeting tonight. Mr. Gibson developed Perry Lake Estates many years ago maintaining the rural charter of the area. Why would he all the sudden want to stick this urban density in their back yard. Their feelings are it just has to do with greed, it's all about money. **Mr. Salih** stated when they go out to do these meetings the owner is never there, they are there to behalf of the owner and also spoke about density and feels it isn't density that they have an issue with they feel it is the form.

**Steve McCoul – Ingram Dr.**, wanted to know where the traffic study was done at. How many PID's are on the development. 2 of the PID's are wetlands. So, you are down to 26.6 which is 5.6 units per archer when they worked out the numbers because they don't feel they are being given the right information. Septic fields, these are going to be 1.5 – 2 archer septic fields which are going to be clear. The Traffic Study will be put on the website for people to review.

**Glenn MacIsaac - Ingram Dr.**, two houses up from this development which will greatly affect the value of their property. They had the opportunity to pick anywhere they wanted to live 20 years ago and this is where they choice to live. The developer at that time said they would never do anything at the bottom of the street to negatively affect the community. They are very disappointed in that and no longer trusts them. I planned to retire in this home, does anybody want to buy my home up from this development, no. What is my house worth, what is my retirement worth, what

has my service been worth when I can't find a place to retire with my family in the community that I wanted to?

**Luke Miller - Lower Sackville**, transparency and trust, in how this process works. Both are very important when it comes to this. Has concerns about what was proposed and what they are coming forward with tonight. Perry Lake Developments also owns a small PID at the end of Bolton so is there any intention that Bolton will be a secondary exit for that, is that in the plans that we will see next month? They have all this land and hugging all the way over to one side, what else should be expect? Are there plans for more apartment buildings. If you want to get anywhere you need to gain some trust from these people and this is not an effective way to go about it.

**Ralph Lazaro** – also lives two houses up from the development. There is a stream that is behind there house and their neighbours house as well as a pond. Is that an environmental problem with the septic fields? **Ms. Langille** spoke with these water features/elements on the site. **Mr. Lazaro** would also like to know if staff knows about the senior's home that they were going to put there and a lot of people were not against that. They got denied because of CN and didn't have the right-of-way. **Ms. Langille** spoke to the property and that it has had its challenges but is not aware of in the past a refusal from CN. It has only been more recently. **Mr. Lazaro** would like to know why would you go through all this when you know the tracks are a problem. You can't put 300 + cars on Ingram Dr. as the main artery Ingram can't take that and feels their guess of 300 cars is probably low. You can't walk on Ingram either because the road is narrow and small. Two exits on a subdivision is a bad design. When you look at high density you look at Bedford, there are lovely big boulevards where all the apartments are, crosswalks, traffic lights etc. Bedford is designed for that. We aren't even designed to support ourselves and you are trying to stick these things in here. **Ms. Langille** explained the planning process and explained that staff is unaware of anything other than what the applicant has come forward with as a request.

**Mike O'Connell – 3 Mile Lake**, is concerned about the lakes and the possibility of the septic failing. Is concerned when you start digging who know what you will find. Believes what Peter said, the ask starts high and you end up low. Feels you should but in 20-30 single family homes which would fit into the community better than what is being proposed. Protect the lake!

**Sandy Sumarah – Winley Dr.**, wanted to know why the notification area for the meeting was only within 500 feet of the development, that would only be 3 houses. They would like the notification area to be larger. **Ms. Langille** explained how the notification area works and agreed to make the notification wider on any future mailouts.

**Nadine Lamontagre – Canterbury Lane**, the look of the of the buildings look like they belong more in Canmore, AB than in Fall River Village. They don't fit with the current design of the neighbourhood. Would like to reiterate the Winley Dr. mailbox issue. Biggest concern is that if the developer leaves here tonight thinking they can get access across the railroad tracks all will be forgiven and everything is ok and that is not the case. The impact to the infrastructure that exists and the traffic trying to get in and out of Fall River during rush hours, it can't take it. This is development in reverse. We need capacity in the infrastructure for these things to happen in a sensible and logical way as apposed to building first and fixing things afterwards. Also has concerns that if there was ever an emergency in Fall River Village, like a forest fire, how will be safely get out, it is next to impossible.

**Cheryl-lee Kerr – Ingram Dr.**, would like to know who is responsible for the studies that are being done and who is paying for them. How do we get access to those studies? At what point in this process will we have access to those studies to review and will that point be well before the joint public hearing with Regional Council? **Ms. Langille** stated it would be available in time to review them and well before the joint public hearing. **Ms. Salloum** explained the applicant does submit those studies (traffic studies, net phosphorous studies) and they are the ones who pay for them.

Those studies with the entire application are then distributed to other departments for a detailed review which helps form our recommendation that comes later. **Ms. Kerr** has major concerns about the school systems that are in place because they are currently at capacity. Who is responsible for taking a look at that, who does an impact study on that? **Ms. Salloum** advised there is no study required for that however, they do circulate information on the development, the proposed density, that will happen to the Halifax Regional Centre of Education and they can provide comment on that. **Ms. Kerr**, so at what point do we say our school can or can't accept or handle more kids. Does that stop it? **Ms. Salloum** stated that could come back as part of their comments and that is something that we would consider in our recommendation. Once the application is on an agenda for first reading the report will be available online.

**Peter Sprum – Ingram Dr.**, Is concerned about the independent studies because they are being paid for by the applicant. Wanted to know why the city wouldn't require the developer to pay them to have the studies preformed. **Ms. Langille** explained that the developer pays to have the studies done by licensed professionals and they provide those studies to HRM who has their own qualified professionals who look at, and give a second opinion on, if that information meets our requirements.

**Brian Gouthro – Ingram Dr.**, wondering what the official response will be from staff to the turnout tonight. Ms. Langille stated they think it is very clear to say that the sense that they are getting in the room is that they community defiantly does not like what is being proposed. Staff will go back to the developer and dialog about this meeting to see how they would like to proceed.

**Councillor Steve Streach** made closing comments

### **3. Closing Comments**

**Ms. Salloum** thanked everyone for coming and expressing their comments.

### **4. Adjournment**

The meeting adjourned at approximately 9:05 p.m.

## ATTACHMENT F Summary of Public Engagement

### **Summary of Feedback for Planning Application #21460: Amendment to the Municipal Planning Strategy for Planning Districts 14 & 17 to enable three Multiple Unit Dwellings by development agreement on Opportunity Site C off Ingram Drive, Fall River**

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Public Engagement was conducted by way of a Public Information Meeting (PIM) (June 13, 2018), email correspondence submissions on subsequent versions of the development plan and ultimately, an online survey (March 1 – April 22, 2022).

In 2018 approximately 225 people attended the PIM. Staff notes that the majority of residents in attendance were not in support of the proposal development (Case 21460). Subsequent to the PIM, staff also received 56 emails from 43 different residents offering feedback on the proposal. The public comments received include the following concerns:

- Potential traffic impacts;
- The proposal's compatibility with the neighbourhood over the mix of land uses including townhouses and multiple unit dwellings;
- The introduction of multiple unit dwellings on the development site;
- Impacts to property values;
- Potential environmental impacts; and,
- Lack of infrastructure, local services and amenities.

#### Online Survey: Spring 2022

Based on the earlier feedback at the 2018 PIM (and the email submissions based on the revised development plan), it was determined that residents were in support of substantial changes to the development plan that did not include townhouses or multiple unit dwellings. However, the Developer chose to move forward with a development plan that proposed only multiple unit buildings (as reflected in subsequent revisions posted to the HRM website in 2020 and again as refined in 2022). Staff understood that irrespective of the community's position, the Developer's intent was to move forward with this version of the proposed development. Since the Developer's vision was considered to be consistent with the intent of MPS Policy an online survey was chosen for the final round of community engagement. The following is a summary of the comments provided in the responses to the online survey. Approximately 220 survey notices were sent out with 711 responses received:

- **Pedestrian and Vehicular Traffic**  
Traffic related concerns dominated the survey results with residents expressing concerns over safety due to the lack of adequate road and pedestrian infrastructure including:
  - The means of access to Cobequid Road from Ingram Drive should be included;
  - sidewalks; and,
  - public transit
- **Concerns of Compatibility with Neighbourhood**  
The introduction of multiple unit dwellings/ apartment buildings into a community that is predominantly low density single detached dwellings
- **Environmental Impacts**  
Concerns were raised over the adequacy of the onsite septic infrastructure and potential impacts to:
  - wildlife
  - existing wetland areas; and,

- nearby watercourses.
- **Lack of infrastructure, Local Services and Amenities**  
In a general the lack of available Doctors, Dentists and other services were also expressed.

The report with all the survey responses was posted to the HRM website in May of 2022. The link to that report can be found as follows:

<https://cdn.halifax.ca/sites/default/files/documents/business/planning-development/applications/survey-responses-report-case-21460-edited.pdf>

In summary, most of the community feedback has been largely negative regarding the proposed development with concerns regarding the potential increase in traffic impacts and the compatibility of building form to be of predominant concern. This proposal will potentially impact residents and property owners of the Fall River South neighbourhood, Ingram Drive and to a lesser extent Bolton Drive.