

April 24, 2023

Maggie Holm
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Halifax Regional Municipality
Halifax, NS B3J 3A5
Via Online Application Portal

RE: Development Agreement Application for Portions of PIDs 40074544, 40074551, and 40075087 - Coveside Walk - Herring Cove

Dear Maggie,

4343314 Nova Scotia Ltd. is applying for a development agreement on portions of PIDs 40074544, 40074551, and 40075087 located on Herring Cove Road within the community of Herring Cove to allow for a development (Coveside Walk) of 56 low density dwelling units on 41 lots. We have considered the following policies to facilitate the creation of this development:

- Residential Designation Policy RES-2C allows Council to consider subdivisions which include new or extended public streets by development agreement.
- Residential Designation Policy RES-2D which encourages certain design objectives for development under Policy RES-2C.
- Residential Designation Policy RES-2E establishes a set of mandatory development criteria to be considered for a development agreement proposal under Policies RES-2C and RES-2D.
- Implementation Policy IM-10 establishes general criteria for all development agreements for Council's consideration.

This letter serves to outline the proposed development, provide analysis of relevant policy, and describe how the Coveside Walk development will create a variety of housing opportunities for the community while remaining sensitive both to the existing community context and natural environment.

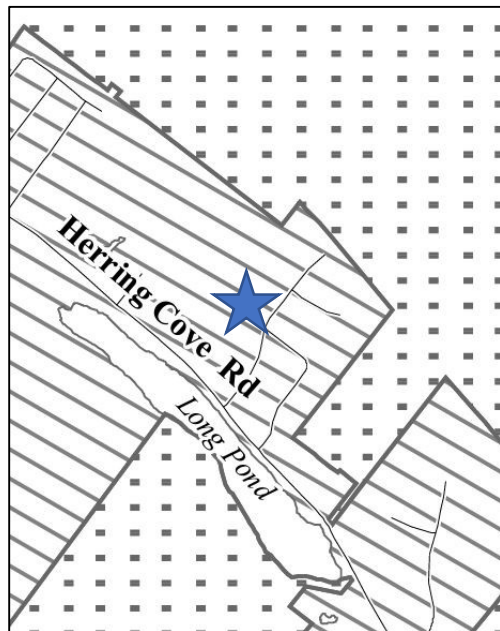
Please find attached to this application, the following documents:

- Policy Review;
- Concept and Schematic Plans;
- Architectural Concepts;
- Traffic Impact Study;
- Legal Description of Property;
- Development Agreement Application Form; and
- Letter of Authorization from Property Owner for 40074544;

1 Designation and Zone

Regional Municipal Planning Strategy Designation	Urban Settlement
Planning District 5 (Chebucto Peninsula) MPS Designation	Residential
Zone	Herring Cove Residential (HCR)
Adjacent Zones to Subject Property	Herring Cove Residential (HCR); PA (Protected Area)

The Subject Property is designated Urban Settlement in the Regional Municipal Planning Strategy and Residential in the Planning District 5 (Chebucto Peninsula) Municipal Planning Strategy (Figure 1). The Subject Property is zoned Herring Cove Residential (HCR) (Figure 2).





 Conservation  Residential

Figure 1 - Land Use Designation Map (Star denotes approximate project area)



Figure 2 – Zoning Map (Star denotes project area)

2 Proposed Future Use

The applicant intends to build an attractive compact residential development which is sensitive to the area's low density residential environment while maintaining portions of existing land cover. The proposed development features a variety of three housing formats, single detached, duplex, and duplex with an accessory dwelling unit. Coveside Walk will be designed to exemplify the best of urban and rural development with fully serviced lots near the regional centre while having access to the McIntosh Run trails system.

The proposed development will incorporate the following characteristics:

- 56 dwelling units
- Parking provided at 2 spaces per unit for single detached dwellings (60 parking spaces) plus 1 space per duplex and accessory dwelling units (26 units) for 86 spaces in total
- Walkability within the development, with a proposed trail connection to McIntosh Run Trails (discussion with HRM Parks Planner and McIntosh Run Watershed Association initiated)
- Close to Halifax Transit bus stops on Herring Cove Road (~500m)
- Preservation of ~30% of natural spaces
- Fully serviced lots

2.1 Project Summary Chart:

Total Number Lots	41
Total Number Dwelling Units	56
Project Area	56,998 m ² (14.1 ac)
Average Density	3.97 units per acre
Building Form	Single detached, Duplex, Accessory Dwelling Unit
Number of Parking Spaces	86
Road Frontage	Extension from Angler Drive
Water and Wastewater Servicing	Municipally serviced

3 Background and Current Condition

The proposed development is located on portions of PIDs 40074544, 40074551, and 40075087, a previously undeveloped area which currently wooded and generally slopes southwest to northeast towards the McIntosh Run Watershed Area (Figure 3). Two small wetlands have been identified (Site Plan - Appendix B). A wetland alteration permit will be required for the southern wetland while the northern wetland will remain undisturbed.

As part of the clustered development design, three sections will be preserved in their current undisturbed state. Lot P1 (5,064 m²) is in the northwestern area of the site and Lot P3 (1,482 m²) in the northeast will effectively add to the McIntosh Run conservation area. The third section, Lot P2 (10,566 m²) is in the southern portion of the development area and will help provide an effective buffer to help screen existing residents along Herring Cove Road and portions of Angler Drive.



Figure 3 – Development Area Context Map

4 Policy Review

4.1 The Regional Plan Policies

The Regional Plan designates the Subject Property as 'Urban Settlement', which describes areas where municipal water and wastewater systems are available. Herring Cove is also designated as an Urban Local Growth Centre with an established set of design characteristics for land use, transit, open space, and cultural heritage.

4.2 Planning District 5 (Chebucto Peninsula) MPS and LUB

The Subject Property is designated 'Residential' in the Chebucto Peninsula MPS, and zoned HCR (Herring Cove Residential) in the Land Use Bylaw. 4341442 Nova Scotia Ltd. is seeking a development agreement, as enabled by policies RES-2C, RES-2D, RES-2E, and IM-10.

Residential Designation Policy RES-2C establishes the requirement to use the development agreement process for the extension of a public street.

RES-2C Subdivisions which include new or extended public streets may only be considered by development agreement, where:

- (a) municipal sewer and water services are to be provided;*
- (b) sewage treatment facilities are available, and*
- (c) a public street is to be constructed.*

Residential Designation Policy RES-2D establishes a set of design objectives for all new development proposed under RES-2C.

RES-2D It shall be the intention of Council to encourage all new development under Policy RES-2C to meet certain basic design objectives as follows:

- a. to reproduce the pre-development hydrological conditions;*
- b. confine development and construction activities to the least critical areas of the site and consider cluster development to minimize land disturbance; and that the subdivision design minimizes change to the existing landscape by matching new streets, services and lot grading to the existing topography as closely as possible;*
- c. allocate permitted density to those areas most suitable for development;*
- d. minimize changes to the existing topography;*
- e. preserve and utilize the natural drainage system to the greatest possible extent,*

- f. attempt to retain a minimum of 30% of the natural vegetation on the site in an undisturbed state; and
- g. all shorelines shall be protected by a 100 foot wide buffer zone within which no vegetation or soil should be removed or altered except as required for utilities, trails or water access.

Residential Designation Policy RES-2E mandates a set of specific development criteria for development agreement proposals under Policies RES-2C and RES-2D.

RES-2E In considering a development agreement proposal pursuant to Policies RES-2C and RES-2D, the following development criteria shall be addressed:

- a) *That the maximum permissible density is 4 units per net developable acre based on HCR and F-1 zone requirements. The net developable area shall be calculated based on the gross land area less any designated wetland areas;*
- b) *That only single unit dwellings, two unit dwellings and auxiliary dwellings may be considered. Individual lot frontages per dwelling may be reduced to 60 feet, and lot areas to 6,000 square feet provided that an area equivalent to the amount of lot area reduction for each lot is provided as contiguous common open space which shall be maintained permanently in a substantially natural state, in addition to the minimum 10 percent public parkland dedication as required by Policy REC-10;*

Lot Number	Proposed Lot Size (m ²)	Reduction in Lot Size (m ²)	Lot Number	Proposed Lot Size (m ²)	Reduction in Lot Size (m ²)
1	691	238	21	701	228
2	691	238	22	706	223
3	649	280	23	710	219
4	662	267	24	558	371
5	633	296	25	582	347
6	661	268	26	573	356
7	600	329	27	563	366
8	606	323	28	558	371
9	577	352	29	815	114
10	578	351	30	815	114
11	578	351	31	805	124
12	578	351	32	566	363
13	578	351	33	741	188
14	578	351	34	781	148
15	821	108	35	864	65
16	872	57	36	699	230
17	784	145	37	573	356
18	842	87	38	574	355
19	627	302	39	574	355
20	829	100	40	574	355
			41	573	356
Overall Lot Area Reduction					10749

- c) *That adequate erosion and sediment control plans and stormwater management plans are prepared;*
- d) *That full consideration is given to use of a public road standard in keeping with that identified in Policy TR-18;*
- e) *That there is adequate provision of public access to traditional trails and recreation areas and that adequate open space areas are provided, including substantial parkland areas and frontages on any lake to serve appropriate parkland functions; and*
- f) *The provisions of Policy IM-10. (RC-Feb 13/01;E-May 5/01).*

Each of the criterion listed above will be discussed in Appendix A to demonstrate how this proposal meets the policies of the MPS.

4.3 Development Concept

The vision for this subdivision is to create a cohesive and connected community. The proximity to nature, recreational areas and trails will encourage its residents to get out and be active. The concept intends to connect this new subdivision to the trail system of the Macintosh Run Watershed Area by proposing a connection through new parkland. Lot P4 (1,687 m²) is dedicated to community parkland.

The design intent of the homes is to be modern but with a village touch. We would like to inset the garages and parking areas as well as adding landscaping to hide the parked cars from view. The community will have a mix of housing options from single detached to duplexes and duplexes with secondary units. This will allow single, multi-generational, and families of varying income levels to find housing opportunities in this community.

From a sustainability perspective we aim to provide options for Net-Zero Ready Homes. Net Zero Homes produce as much clean energy as they consume. They are extremely well built with extra insulation, high-performance windows, and excellent airtightness. Appliances, lighting, and mechanical systems are all as energy efficient as possible. And to offset the remaining energy needed for the home's annual consumption, Net Zero Homes use renewable energy systems - commonly solar - to generate electricity. Working together with the consumer and providing sustainable options will significantly minimize our environmental footprint.

Portions of the development will be landscaped however over 30% of the site will be left in its natural state with every effort made to protect existing tree cover. The slope of the land and preservation of tree cover will allow for better integration of the design into the existing neighbourhood by providing additional opportunities for screening.

Architectural concept plans have also been included in this application (Appendix C) to give a sense of how the built environment will be integrated into the natural environment.

4.4 About the Developer

Lands and Yards and its partners have been developing and building residential units for the last 20 years throughout Ontario and Nova Scotia. We are passionate and committed to building quality homes that address the needs of today and the future. We partner with local trades and builders to bring projects to life and believe in collaboration.

4.5 Traffic and Access

A Traffic Impact Study (Appendix D) was completed based on the addition of a 57-unit residential development. Access to the site is proposed from Angler Drive.

The report concludes that, “The development is expected to add 40 vehicle trips to Herring Cove Road during the AM peak hour and 54 vehicle trips during the PM peak hour. This volume of traffic does not warrant auxiliary lanes and is anticipated to have a negligible impact on the roadway and surrounding network.

Primary access to the site is via Angler Drive at Herring Cove Road. Sight distance criteria is met in both directions for the existing intersection based on a design speed of 60 kph.

No upgrades to Herring Cove are needed to accommodate the proposed development.”¹

4.6 Environmental Factors

Wetlands and Watercourses

The proposed cluster development has been designed to be sensitive to the site characteristics. The initial wetlands review determined that site contains three smaller wetlands. The site design has considered the wetland delineation and preserves two of the three wetlands undisturbed. However, a wetland alteration permit is anticipated to accommodate the proposed site design in the area of Lot 18.

Stormwater

An initial stormwater design has been provided (see Schematic Plan, Appendix B) to demonstrate the intention to manage pre- and post-development flows through the creation of a storm pond in the northeast corner of the site.

¹ DesignPoint Engineering & Surveying in report dated April 11, 2023.

5 Summary

The applicant intends to build an attractive clustered residential development which is sensitive to the area's rural character in a variety of styles and formats that provide much needed housing for the community of Herring Cove. The Coveside Walk development will focus on the utilization of amenities, both onsite and nearby, to provide the best mix of urban and rural experiences and opportunities.

This proposal is consistent with the policies of the Municipal Planning Strategy and will provide benefit to the community by:

- Providing much needed housing in a variety of formats and styles in a thoughtfully designed clustered neighbourhood.
- Promoting active living and active transportation.
- Retaining the maximum amount of existing tree coverage to preserve both the natural character of the area and respecting the existing residences.
- Preserving large areas of green space and amenity space within the development and providing connectivity to nearby area amenities.
- Supporting an existing public transit route.

If you have any questions, please contact Darren Shupe at darren@brighterplanning.ca or by phone at 902-719-8289.

Sincerely,

Original Signed

Chrystal Fuller, LPP, MCIP

Brighter Community Planning & Consulting



Enclosures:

- Appendix A - Policy Review
- Appendix B - Concept and Schematic Plans
- Appendix C - Architectural Concepts
- Appendix D - Traffic Impact Statement
- Appendix F - Legal Description of Property
- Appendix G - Letter of Authorization from Property Owner
- Development Agreement Application Form

Appendix A – Policy Review

Planning District 5 (Chebucto Peninsula) MPS Policy RES-2C	
Subdivisions which include new or extended public streets may only be considered by development agreement, where:	
(a) municipal sewer and water services are to be provided;	The proposed development is in a serviced area of Herring Cove, and it is anticipated that it will be serviced with municipal water, wastewater, and stormwater infrastructure.
(b) sewage treatment facilities are available, and	The proposed development is adjacent to existing sewer lines, part of the Herring Cove Wastewater Treatment Facility sewer area.
(c) a public street is to be constructed.	The street right-of-way shown on the lot plan is 16 metres wide in accordance with municipal engineering standards. The street network will be an extension from Angler Drive.
Planning District 5 (Chebucto Peninsula) MPS Policy RES-2D	
It shall be the intention of Council to encourage all new development under Policy RES-2C to meet certain basic design objectives as follows:	
(a) to reproduce the pre-development hydrological conditions;	As shown on the Servicing Schematic in Appendix B, storm water run-off will be directed to a retention pond, which will allow for stormwater run-off from hardscaped terrain to be controllably released, therefore reducing the impact on downstream hydrological features. All pre- and post-development flows will be balanced.
(b) confine development and construction activities to the least critical areas of the site and consider cluster development to minimize land disturbance; and that the subdivision design minimizes change to the existing landscape by matching new streets, services and lot grading to the existing topography as closely as possible.	The irregular shape of the project area makes it necessary to concentrate development towards the centre to accommodate the road network. Road network is matched to the existing road reserve from the northeastern side of the proposed development.

<p>(c) allocate permitted density to those areas most suitable for development;</p>	<p>As mentioned in RES-2D(b), the connection to the existing road reserve and the irregular site configuration shapes the allocation of density to the northeastern area.</p>
<p>(d) minimize changes to the existing topography;</p>	<p>The proposal concentrates development in the gently sloped, top part of the property. The road ends just before the steepest drop of the property, which is situated about half-way through the site.</p>
<p>(e) preserve and utilize the natural drainage system to the greatest possible extent,</p>	<p>The proposal slopes generally southwest to northeast. The stormwater system is designed to convey stormwater to a stormwater management pond in the northeastern corner as per the Site Schematic plan in Appendix B. This approximates the natural drainage system.</p>
<p>(f) attempt to retain a minimum of 30% of the natural vegetation on the site in an undisturbed state; and</p>	<p>The fulfillment of this requirement is achieved through the dedication of common open space lands.</p> <p>Project Area: 56,998 m² Undisturbed Area: 17,101 m² Percent Undisturbed Retained: 30%</p>
<p>(g) all shorelines shall be protected by a 100 foot wide buffer zone within which no vegetation or soil should be removed or altered except as required for utilities, trails or water access.</p>	<p>N/A</p>
<p>Planning District 5 (Chebucto Peninsula) MPS Policy RES-2E</p>	
<p>In considering a development agreement proposal pursuant to Policies RES-2C and RES-2D, the following development criteria shall be addressed:</p>	
<p>(a) That the maximum permissible density is 4 units per net developable acre based on HCR and F-1 zone requirements. The net developable area shall be calculated based on the gross land area less any designated wetland areas;</p>	<p>56 units/14.1 acres = 3.97 units/acre</p> <p>3 small wetlands, 2 will be retained</p>

<p>(b) That only single unit dwellings, two unit dwellings and auxiliary dwellings may be considered. Individual lot frontages per dwelling may be reduced to 60 feet, and lot areas to 6,000 square feet provided that an area equivalent to the amount of lot area reduction for each lot is provided as contiguous common open space which shall be maintained permanently in a substantially natural state, in addition to the minimum 10 percent public parkland dedication as required by Policy REC-10;</p>	<p>The proposed development consists of unit dwellings, two unit dwellings and auxiliary dwellings. A community parkland space has also been dedicated at Lot P4.</p> <p>In the HCR Zone the regular lot size requirement is 10,000 ft² or 929 m². This proposal contains 17,101 m² of common space in a natural state, which is required to be larger than the sum of all lot area deductions in order to create compliance with this Policy. As per the table provided on Page 6 of this report, lots have been reduced by 10,749 m².</p> <p>Parkland dedication at 10% equates to 5,699.8 m².</p> <p>Total lot reduction plus parkland dedication equals 16,448.8 m² (< 17,101 m²).</p>
<p>(c) That adequate erosion and sediment control plans and stormwater management plans are prepared;</p>	<p>These plans are typically prepared in a later stage of a development project.</p>
<p>(d) That full consideration is given to use of a public road standard in keeping with that identified in Policy TR-18;</p>	<p>As shown on the Lot Plan and Servicing schematic in Appendix B, the development proposal complies with municipal engineering standards for subdivisions.</p>
<p>(e) That there is adequate provision of public access to traditional trails and recreation areas and that adequate open space areas are provided, including substantial parkland areas and frontages on any lake to serve appropriate parkland functions; and</p>	<p>The proposed parkland (Lot P4) at the northwestern end of the subdivision presents an opportunity to establish a connection to the nearby MacIntosh Run Community Trail system. This realization of this concept will depend on further discussions with HRM and local trail association.</p>
<p>(f) The provisions of Policy IM-10.</p>	<p>Considered below.</p>
<p>Planning District 5 (Chebucto Peninsula) MPS Policy IM-10</p>	
<p>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:</p>	

(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;	The proposal meets the intent of the MPS and all requirements of the LUB.
(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;	All development costs are to be borne by the developer.
(ii) the adequacy of on-site sewerage and water services;	Sewer and water services will be constructed to serve the proposed development.
(iii) the adequacy or proximity of school, recreation or other Community facilities;	The William King Elementary School and Herring Cove Junior High school are both located in the community of Herring Cove, within a walking distance of 17 minutes and 19 minutes respectively. The MacIntosh Community Trail system can be accessed by nearby trailheads at Norawarren Drive and Sarah Drive.
(iv) the adequacy of road networks leading or adjacent to or within the development;	Connecting roads are relatively new and built to HRM standards.
(v) pedestrian safety; and	Internal walkways will connect through those present on Angler Drive.
(vi) the potential for damage to or for destruction of designated historic buildings and sites.	N/A
(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;	The primary use will be low density residential which is in-keeping with area context.
(ii) height, bulk and lot coverage of any proposed building;	The proposed building design characteristics reflect the LUB requirements for the HCR Zone.
(iii) traffic generation, access to and egress from the site, and parking;	<ul style="list-style-type: none"> Traffic Impact Statement (Appendix D) indicated negligible impact and no requirement for street upgrades

	<ul style="list-style-type: none"> • Parking provided at 2 spaces per unit for single detached dwellings (60 parking spaces) plus 1 space per duplex and accessory dwelling units (26 units) for 86 spaces in total
(iv) open storage;	To be included in Development Agreement.
(v) signs; and	To be included in Development Agreement.
(vi) any other relevant matter of planning concern.	To be included in Development Agreement.
(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 of flooding.	Development area clustered to avoid significant development constraints and to protect natural infrastructure.
(e) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", 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 "Infrastructure Charges" Policies of this MPS.	N/A