



July 24, 2024

Megan Backos
Planner III
Halifax Regional Municipality
By email: backosm@halifax.ca

RE: PLANAPP 2024-00990 – Opal Ridge - Team Review Reply #1

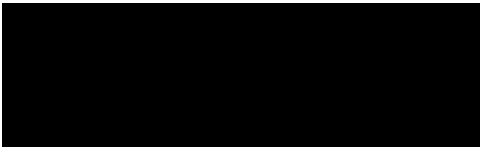
Dear Megan,

On behalf of Opal Ridge Suites GP Limited, please find attached our detailed reply to the Team Review Letter of July 17h. We have replied in a similar table format as the original letter and added a column with our responses (Attachment A). Further to Attachment A, a revised site plan has been provided which outlines the removal of the east-west walkway connection from Blocks C and G to Park P-2.

Once you have reviewed the reply, please contact me if you have any questions or concern. We anticipate that our replies will satisfy your review requirement and that we can quickly move to public consultation, drafting of development agreement amendments and proceeding to the Housing Panel for review.

Thank you for your attention to this matter, and we look forward to hearing from you soon.

Regards



Andrew Bone, MCIP, LPP
Director of Planning and Development
Clayton Developments

Attachments:

Attachment A – Team Review Responses
Attachment B – Block G and C Site Plan

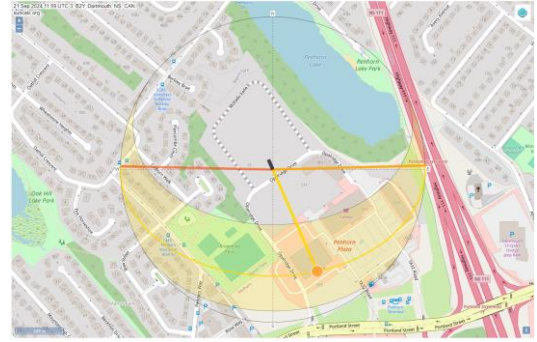
CC: Kevin Neat, Vice President Planning and Development, Clayton Developments
Jared Dalziel, Senior Planner, Clayton Developments

Prior to Community Engagement Requirements

The following issues must be addressed by the Applicant through a written submission and changes to you plans prior to the application being presented at a public engagement meeting. Applicants are encouraged to contact the planner for clarification on any comments contained below or to request a meeting with members of the Review Team.

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| <p>Planning / Project Lead</p> | <p>1) No comments for this section.</p> | |
| <p>Land Development & Subdivision</p> | <p>2) No comments for this section.</p> | |
| <p>Parkland Planning</p> | <p>3) The Regional Centre Secondary Municipal Planning Strategy, Part 2.9.1.2 Penhorn Mall Lands, Policy F-9 states:</p> <p>“When considering a development agreement for the Penhorn Lands Future Growth Node, Council shall consider Policy F-6 and the following:</p> <p style="padding-left: 40px;">ii) transitioning the height of new development down to existing low-rise residential buildings and public parks,”</p> <p>Reducing the building setback from the shared property from 6.0 m to 3.0 m will significantly alter this transition to the adjacent parkland by placing the public and private uses in closer proximity increasing</p> | <p>3) While the reduction in the setback is technically significant specifically in that it is a 50 percent reduction in the proposed setback, in terms of impact there will not be a significant change on the impacts to the building residents or the functionality of the park. The policy, in relation to other policies, requires the consideration of the uniqueness of the site and design, and with that consideration, our original discussion regarding the reduced setback provides a balanced and appropriate discussion of the issue.</p> <p>As discussed in our submission, the useability of the park is not anticipated to be impacted in any significant way as the solar orientation of the park allows solar access for the majority of the day with the sun rising on the Penhorn Lake side and setting on the Brownlow Park side with the path of the sun running to the south of the building.</p> |

reciprocal impacts (i.e. noise, emissions).



Further, the reciprocal impacts of a reduced setback are minimal. Parkland planning outlined that noise and emissions were examples of a concern. With regard to emissions, we do not understand this concern. Neither the proposed multi-unit dwelling or the multiple use trail are a significant source of emissions.

From a noise perspective, we do not anticipate that either land use will be a significant source of noise. Noise emitted from the building are similar to any other multiple unit residential building and multi-unit dwellings facing the park are not significant and mostly resident related noise from units or balconies and typical of the urban environment. Noise emitted from park users would be similar.

As previously indicated impacts are expected to be minor at best. Further when the proposal is looked at with all policies, the proposed design and building relationships provide a better implementation of the overall intent of policy (tight urban form). Further from a functional perspective the two uses complement each other.

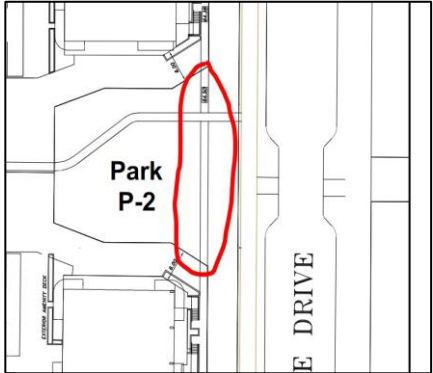
- 4) The rendering of the building proposed on Block C, mirroring the building under construction on Block G previously permitted by variance, places primary

4) We have removed the east-west connection from the walkway to the public park (P-2). A new illustration is attached.

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| | <p>entrances for ground level units directly adjacent and on proposed Park P-2. As well, the June 4, 2024 Site Plan includes a proposed point of primary access to both Blocks G and C on the shared east/and west flanking yards from proposed Park P-2. Parkland does not function to provide public right-of-way access to private property in the manner provided by street right-of-way nor is it subject to similar maintenance and operational requirements for this purpose. Alternate points of access are required to be shown on both drawings in place of those currently shown on both the rendering and site plan.</p> | |
| <p>Nova Scotia Power</p> | <p>5) No comments for this section.</p> | |

Prior to Decision Requirements

The following issues must be addressed by the Applicant through a written submission and changes to your plans prior to the application moving forward to a Public Hearing, the Design Review Committee, or other applicable approving body. Applicants are encouraged to contact the planner for clarification on any comments contained below or to request a meeting with members of the Review Team. Please note that new issues may arise as the result of public consultation taking place. These issues will be identified in subsequent detailed team reviews.

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| <p>Planning / Project Lead</p> | <p>6) The Block G & Block C site plan submitted includes a pathway to provide pedestrian access to the dwelling unit entrances facing Opalridge Drive (shown below). The pathway crosses through the parcel (PID 41537762) required to be conveyed as municipal parkland. This pathway is not shown in the plans approved in the original development agreement and should not be constructed on the parkland parcel. Please revise plans to remove the pathway.</p> <p>If this is a request to HRM Parkland Planning to add a pathway across the lands, please revise your written submission to clarify.</p>  | <p>6) The walkway shown has been removed and a revised illustration provided.</p> |
| <p>Land Development & Subdivision</p> | <p>7) No comments for this section.</p> | |
| <p>Parkland Planning</p> | <p>8) No comments for this section.</p> | |
| <p>Nova Scotia Power</p> | <p>9) No comments for this section.</p> | |

Additional / Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all information which may improve the development or which may impact the development in later processes inclusive of building permitting, or which the review team feels may be beneficial to be known.

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| <p>Planning / Project Lead</p> | <p>10) Please be advised that while this application is being processed, any changes to the boundaries of your lands, transfers of ownership, or construction of new buildings or structures may have negative implications for the registration of any agreement. Prior to considering any such changes to the property, you should communicate with the undersigned in order to allow an assessment of potential impacts. Failure to communicate any changes could result in a requirement for a new Planning Application.</p> | <p>10) Acknowledged.</p> |
| <p>Land Development & Subdivision</p> | <p>11) No comments for this section.</p> | |
| <p>Parkland Planning</p> | <p>12) No comments for this section.</p> | |
| <p>Nova Scotia Power</p> | <p>13) MINIMUM CLEARANCE REQUIREMENTS FOR POWER DISTRIBUTION LINES:</p> <ul style="list-style-type: none"> a. Having energized power lines cross over any building part should be avoided. If this is not possible an absolute minimum of 3 metres vertical clearance must be maintained. The area within 2 metres horizontally from the outermost conductors (in a resting position) on any line is considered to be 'under the line'. b. We recommend a clearance of 5 metres in any direction from power lines. This allows buildings and power lines to exist with minimal interaction/interference. | <p>10) Acknowledged.</p> |

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| | <ul style="list-style-type: none">c. Clearances for construction can usually be accommodated with minimum involvement from Nova Scotia Power.d. Future maintenance of the structure (depending on what is being done) can usually be accommodated with minimum involvement from Nova Scotia Power.e. Maintaining these distances will keep workers on the site safe during construction and allow for the future enjoyment of tenants.f. Structures must be an absolute minimum of 3.5 metres (horizontally) from the closest overhead primary voltage power line.g. No structure can be built above any power lines. | |
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14) General Comments:

- a. All required overhead and underground clearances must be maintained during and after construction. Please contact NSPI for a safe Clearance Report and/or Locate prior to commencing work (902-428-6230)
- b. Inspections of non-utility secondary voltage installations shall comply with the Electrical Installation and Inspection Act, and Electrical Code Requirements
- c. It is the Customer's/Contractor's responsibility to contact the NSPI Planner in advance to arrange the onsite inspections of high voltage duct banks, transformer slabs, manholes, grounding and vaults etc.
- d. The Customer is responsible to consult with the various other utilities as to their requirements and specifications.
- e. Should the customer change the service voltage and/or the capacity requirements or any other electrical parameters of the new service after NSPI has ordered, installed or modified its' facilities to meet the original requirements, then the customer must pay all additional costs associated with reworking the newly installed or modified NSPI plant.
- f. Any proposed work within the Municipality right-of-way requires the Customer to obtain a Work Permit from the applicable Municipality.

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| | <p>g. The customer shall provide, own and maintain the civil structures necessary to support the Medium voltage electrical equipment. When applicable, NSPI may take ownership of duct banks and/or manholes only after the installation has successfully completed all applicable field inspections and reviews.</p> | |
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