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Item No. 14.1.1
North West Community Council
January 13, 2025

TO: Chair and Members of North West Community Council

FROM: Jacqueline Hamilton, Executive Director of Planning and Development

DATE: November 5, 2024

SUBJECT: **PLANAPP-2023-00368: Development Agreement for 70-80 First Lake Drive, Lower Sackville**

ORIGIN

Application by Upland Urban Planning and Design Inc., on behalf of the property owner First Mutal Properties Ltd.

EXECUTIVE SUMMARY

This report recommends approval of a development agreement to permit a new multiple unit building that consists of two 6-storey towers on a shared podium and a new commercial building at 70-80 First Lake Drive in Lower Sackville. The proposed development would create up to 154 residential units in addition to the existing commercial uses located on the property, and is reasonably consistent with the intent of policies CC-3 and CC-6 of the Sackville Municipal Planning Strategy. There are no budgetary implications as the applicant will bear all costs, expenses, liabilities, and obligations necessary to fulfill the terms of this proposed development agreement.

RECOMMENDATION

It is recommended that North West Community Council:

1. Give notice of motion to consider the proposed development agreement, as set out in Attachment A, to allow for a new multiple unit residential building and a new commercial building on the lands, and schedule a public hearing;
2. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; and
3. 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

Upland Urban Planning and Desing Inc. is requesting to construct a new 6-storey multiple unit dwelling and a new commercial building at 70-80 First Lake Drive in Lower Sackville.

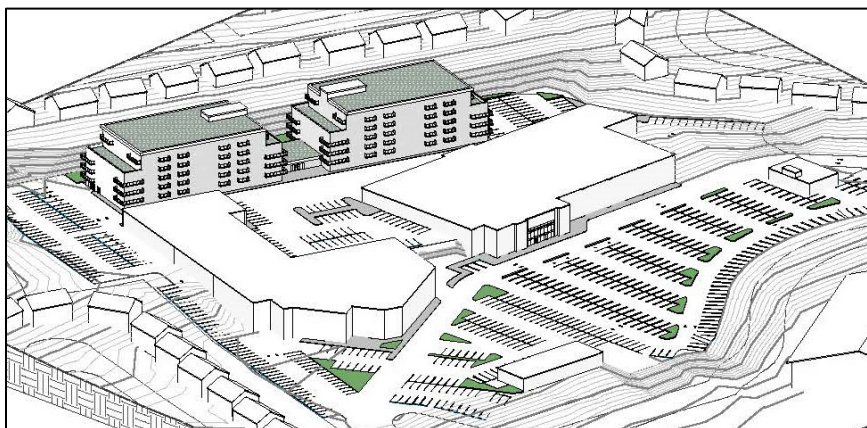
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| Subject Site | 70, 72, 78, and 80 First Lake Drive, Lower Sackville (PID 00362442) |
| Location | Across from Kinsman Park, near the corner of First Lake Drive and Metropolitan Avenue |
| Regional Plan Designation | Urban Settlement (US) |
| Community Plan Designation (Map 1) | Community Commercial (CC) and Urban Residential (UR) |
| Zoning (Map 2) | C-2 (Community Commercial) and R-1 (Single Unit Dwelling) |
| Size of Site | ~5.3 Ha (13.25 acres) |
| Street Frontage | ~340 metres (1,116 ft.) |
| Current Land Use(s) | Commercial |
| Surrounding Use(s) | Residential, Institutional, Recreation |

Proposal Details

The subject site is the Sackville Town Centre shopping mall which was developed in the 1970's. The site currently contains three buildings: a commercial building near First Lake Drive which houses a Tim Hortons restaurant; a building that previously housed a Staples call center; and a third building with a Sobeys grocery store and Nova Scotia Liquor Commission outlet in the front, while the rear is occupied by several commercial businesses.

The applicant is considering various redevelopment options for the site, with the proposal subject of this report being the first phase. This proposal includes construction of a 6-storey multiple unit building and a new commercial building on the property. While the three existing buildings on the property will remain, the current structure attached to the rear of the Sobeys building will be demolished. The major aspects of the proposal are as follows:

- Maintaining the current permitted uses, which are those listed within the existing C-2 (Community Commercial) Zone of the Sackville Land Use By-law, except for entertainment uses;
- Three buildings to remain as they are: the Sobeys building, the former Staples building, and the Tim Hortons building;
- The demolition of the commercial space at the rear of the Sobeys building;
- A new multiple unit building that consists of two 6-storey towers on a shared podium, containing 154 units; and
- A new commercial building located in front of the Sobeys building.



History and Existing Development Agreement

The Sackville Town Centre shopping mall was developed in the 1970's under the planning regulations of that time. In the early 1990's, the Sackville Municipal Planning Strategy was adopted, replacing the site's previous commercial zoning with the current C-2 (Community Commercial) zoning. Under the C-2 zoning commercial uses are limited to a total gross floor area (GFA) of 929 square metres (10,000 square feet) per lot. Commercial uses exceeding the permitted GFA, can be considered through the development agreement process.

On May 26, 2011, North West Community Council approved a development agreement to allow for commercial expansion at the Sackville Town Centre property (70 First Lake Drive). As a result, the Sobeys food store and Tim Hortons buildings were constructed. On June 13, 2016, North West Community Council approved an amendment to the development agreement to permit liquor sales within the Sobeys food store.

Discharge Existing Development Agreement

Due to the significant changes proposed for the site, and the corresponding need for substantive amendments to the existing development agreement, the current development agreement is proposed to be discharged and replaced with the proposed development agreement. A separate request to discharge the existing development agreement has been submitted to the Chief Administrative Officer, pending the decision of the Community Council on this new development agreement.

Enabling Policy and LUB Context

The subject property is predominantly designated Community Commercial (CC) under the Sackville Municipal Planning Strategy (MPS) and is zoned C-2 (Community Commercial) under the Sackville Land Use By-law (LUB). There is a small portion of the site that contains a footpath from Polara Drive that is designated Urban Residential (UR) and R-1 (Single Unit Dwelling). The C-2 zone permits a wide range of commercial uses (up to a total gross floor area of 929 square metres or 10,000 square feet on a lot), open space uses, institutional uses, shared housing use, and existing residential uses.

This proposal is being considered under policies CC-3 and CC-6 of the Sackville MPS. Policies CC-3 and CC-6 enable Council to consider, through the development agreement process, multiple unit dwellings and the expansion of existing uses and the establishment of new commercial uses in excess of 929 square metres, respectively. Both policies CC-3 and CC-6 require the provisions of Policy IM-13 be considered regarding the general appropriateness of the proposal.

DISCUSSION

Staff have reviewed the proposal relative to all relevant policies and advise that it is consistent with the intent of the MPS. Attachment B provides an evaluation of the proposed development agreement in relation to the relevant MPS policies.

Proposed Development Agreement

Attachment A 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:

- Maintains the current permitted uses, which are those permitted within the C-2 (Community Commercial) Zone of the Sackville Land Use By-law, except for entertainment uses;
- Allows for the continuation of 7,264 square metres of office space;
- Allows for three existing buildings to remain as they are;
- Allows for a new commercial building to be located near the existing Sobeys building;
- Allows for the construction of a 6-storey, 154 unit, multiple unit residential building;
- Height, siting, massing, and exterior design controls of proposed and existing buildings;
- Controls the subdivision of the lands;
- Requires indoor and outdoor amenity space and its location;

- Controls the site access location and requirements for vehicular parking;
- Landscaping, pedestrian circulation, and lighting controls;
- Requirements for a Stormwater Management Plan, an Erosion and Sediment Control Plan, and a Site Disturbance Plan that meet municipal and provincial standards and directly address the sensitivity of First Lake; and
- Non-substantive amendments permitted within the agreement including:
 - Changes to allow minor changes in layout and footprints of the buildings which do not result in additional floor area or units;
 - Changes to allow increased landscaping requirements;
 - Changes to allow a reduction in parking;
 - Changes to the signage requirements; and
 - Changes to text of the agreement to enable the subdivision of the lands as shown on Schedule B; and
 - Extension to the dates of commencement and completion of development.

The attached development agreement allows for the continuation of the existing buildings and permitted uses, as well as the addition of the 6-storey residential building and a new commercial building on the site, subject to the controls outlined above. Of the matters addressed by the proposed development agreement to satisfy the MPS criteria as shown in Attachment B, the following have been identified for detailed discussion.

Compatibility

Policies CC-3(e) and CC-6(a) of the MPS require proposed buildings to be compatible with surrounding uses in aspects such as height and bulk. The design of the multiple unit residential building takes advantage of the site topography to distribute massing in a way that minimizes its impact on nearby land uses. The grade difference between Polara Drive and the property helps achieve this compatibility, as the upper floors of the multiple unit building will align roughly with the ground floor elevation of the single unit dwellings on Polara Drive, reducing the perceived height. With an 8-meter elevation difference between the properties and about 32 meters separating the building from the single-family homes on Polara Drive, the building will appear from the backyards of these homes as a three-storey structure. In terms of bulk, the building's massing is reduced by splitting it into two "towers" connected by a shared podium, which lessens the perceived scale when viewed from the surrounding single family homes. Additionally, the top two storeys have smaller floor plates, further decreasing the visible bulk.

For the commercial buildings, the design is similar to structures to the south, like the Sackville Arena and the Sackville Leisure Centre. To ensure compatibility with the nearby low density residential areas, the agreement limits the height of commercial buildings to 10.7 metres, keeping them consistent with neighboring structures. The proposed lot coverage, along with natural screening provided by the topography and vegetation, helps reduce the visual bulk of the buildings relative to the surrounding homes.

Stormwater

Policies CC-3(f) and CC-6(d) of the MPS require that appropriate measures be implemented to address environmental concerns, including stormwater management. Notably, there are environmental concerns surrounding First Lake. Due to consistently high levels of fecal bacteria, which resulted in the closure of Kinsmen Beach at First Lake, a microbial source-tracking study was conducted in 2022. The study revealed that the primary source of E. coli in the lake was human, likely stemming from damaged or improperly connected sanitary sewer pipes leaking into the stormwater system. Additionally, E. coli from birds and dogs was also detected in the lake.

Currently, stormwater flow from the site through affected downstream pipes could potentially mobilize stagnant, pathogen-laden water or influence contaminant transport. To reduce this risk and to protect the water quality of First Lake, the development agreement mandates the submission of a stormwater management plan, an erosion and sediment control plan, and a site disturbance plan before any site work begins. The proposed development is not anticipated to directly contribute to human fecal contamination,

as all new sanitary pipes will be correctly connected to the sanitary sewer system on First Lake Drive. These plans will ensure compliance with municipal and provincial standards at the permitting stage. The agreement also requires the applicant to consider First Lake's sensitivity in the stormwater management design to minimize further negative impacts on water quality. This includes reducing stormwater discharge through outfalls into the lake and incorporating enhanced vegetated swales to capture, manage, and infiltrate stormwater, preventing contaminants from reaching the lake. These measures will help bring the property up to current standards, including reducing stormwater flow through outfalls that discharge into the lake, thus minimizing the potential for contaminant transport into the water.

Sanitary Services

Policies CC-3(c), CC-6(c), and IM-13(b) require that municipal central services be investigated to ensure they are capable of supporting the development. The applicant has completed studies confirming that there is sufficient capacity to accommodate the development, including an assessment of the First Lake Drive Pump Station. It was determined that further analysis beyond the pump station, extending to Mill Cove Wastewater Treatment Facility, was unnecessary. This is because the flow downstream of the station discharges into a trunk sewer running through Sackville River Linear Park, which is part of the regional infrastructure. In 2018, the pipe downstream of Rankin Drive was upgraded to 750mm, connecting to the trunk sewer and ensuring adequate capacity downstream of the pump station. Halifax Water has reviewed and accepted the report, confirming that there is sufficient capacity to support the development at this time.

Traffic

Policies CC-3(g), CC-6(e), and IM-17(b) of the MPS require the impact on traffic circulation from the proposed development be considered. The applicant submitted a traffic impact analysis that evaluated the current transportation conditions, anticipated changes, potential impacts, and if improvements to the network would be necessary. The analysis concluded that the traffic volumes generated by the development fall within acceptable limits for the local road network, with site-generated trips expected to have only a minimal impact during peak travel periods. All study intersections are projected to operate within HRM's acceptable limits during both morning and afternoon peak hours. HRM Traffic Management and HRM Engineering have reviewed and accepted the findings of the analysis.

School Capacity

The site falls within the Sackville High Family of Schools catchment area. According to the Halifax Regional Centre for Education (HRCE), all schools within this catchment are expected to remain under capacity for the next 10 years. HRCE has also indicated that the child yield per apartment unit in HRM is 0.16, a low ratio suggesting minimal impact on enrollment. Additionally, the Education Act mandates that every person over the age of five and under 21 has the right to attend a public school in their region of residence. While there may be some operational challenges, HRCE has advised they will work to ensure that all students have access.

Priorities Plans

In accordance with Policy G-14A of the Halifax Regional Plan, staff considered the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027 in making its recommendation to Council. In this case, the following policies were identified to be most relevant to this application, and as such were used to inform the recommendation within this report:

- 1) Integrating climate change implications into land use planning policies and process by reducing sprawl and efficiently using transportation systems (Action 23 HalifACT); and
- 2) Increasing housing stock to accommodate the growing population in Halifax (Strategic Objective 1.6 Halifax's Inclusive Economic Strategy 2022-2027).

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the MPS. The site and building design results in a development that can be considered compatible with the surrounding uses in the area while also adding infill residential density in an area where the Regional Plan calls for increasing density. The agreement establishes controls to address environmental concerns by upgrading the property to meet current standards and reducing stormwater flow through outfalls discharging into the lake. The proposed development is located on the perimeter of a low-density residential area and within a small mixed-use zone along a transit route, with convenient access to both commercial and recreational amenities. Therefore, staff recommend that the North West Community Council approve the proposed development agreement.

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 proposed development agreement. The administration of the proposed development agreement can be carried out within the approved 2024-2025 operating budget for Planning and Development.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed development agreement are contained within the Discussion section of this report.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the Public Participation Administrative Order (2023-002-ADM). 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, an online survey, online information video, and two public information meetings held on November 1 and 2, 2023. Attachment C contains a summary of the community engagement, inclusive of the survey responses and minutes from the public information meetings.

A total of 1,329 letters were mailed to property owners and tenants within the notification area (Map 2). The HRM website received a total of 7,681 unique pageviews from March 2023 until September 2024. In addition, staff received 426 survey responses, approximately 12 email and phone responses from the public, and approximately 70 people attended the public information meetings. The public comments received include the following themes:

- Health of First Lake;
- Traffic safety;
- Flooding;
- Privacy concerns;
- Affordable housing; and
- Impact on Community Services.

A public hearing must be held by North West Community Council before they can consider approval of the proposed development agreement. Should Community Council decide to proceed with a public hearing on this application, in addition to the advertisement on the HRM webpage, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

ENVIRONMENTAL IMPLICATIONS

No additional concerns were identified beyond those raised in this report.

LEGISLATIVE AUTHORITY

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

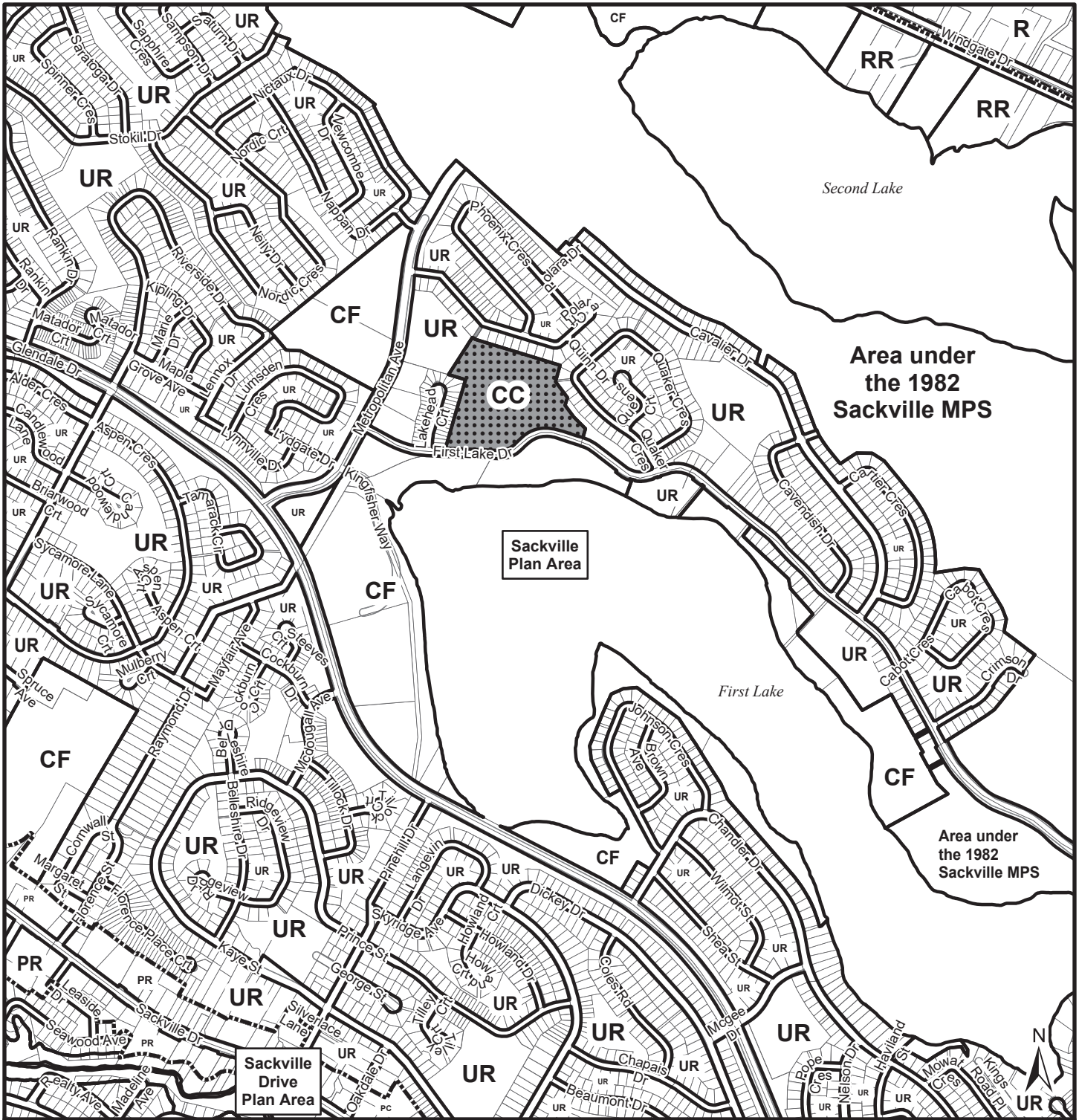
ALTERNATIVES

1. North West Community Council may choose to 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*.
2. North West Community Council may choose to 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 |
| Attachment A: | Proposed Development Agreement |
| Attachment B: | Review of Relevant MPS Policies |
| Attachment C: | Community Engagement Summary Report |

Report Prepared by: Dean MacDougall, Planner III - 902.240.7085



Map 1 - Generalized Future Land Use

70-80 First Lake Drive,
Lower Sackville

 Subject Property

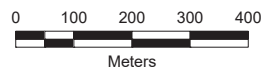
Sackville

Sackville Drive

Designation

- CC Community Commercial
- CF Community Facility
- RR Rural Residential
- UR Urban Residential
- PC Pinehill/Cobequid
- PR Pedestrian Retail

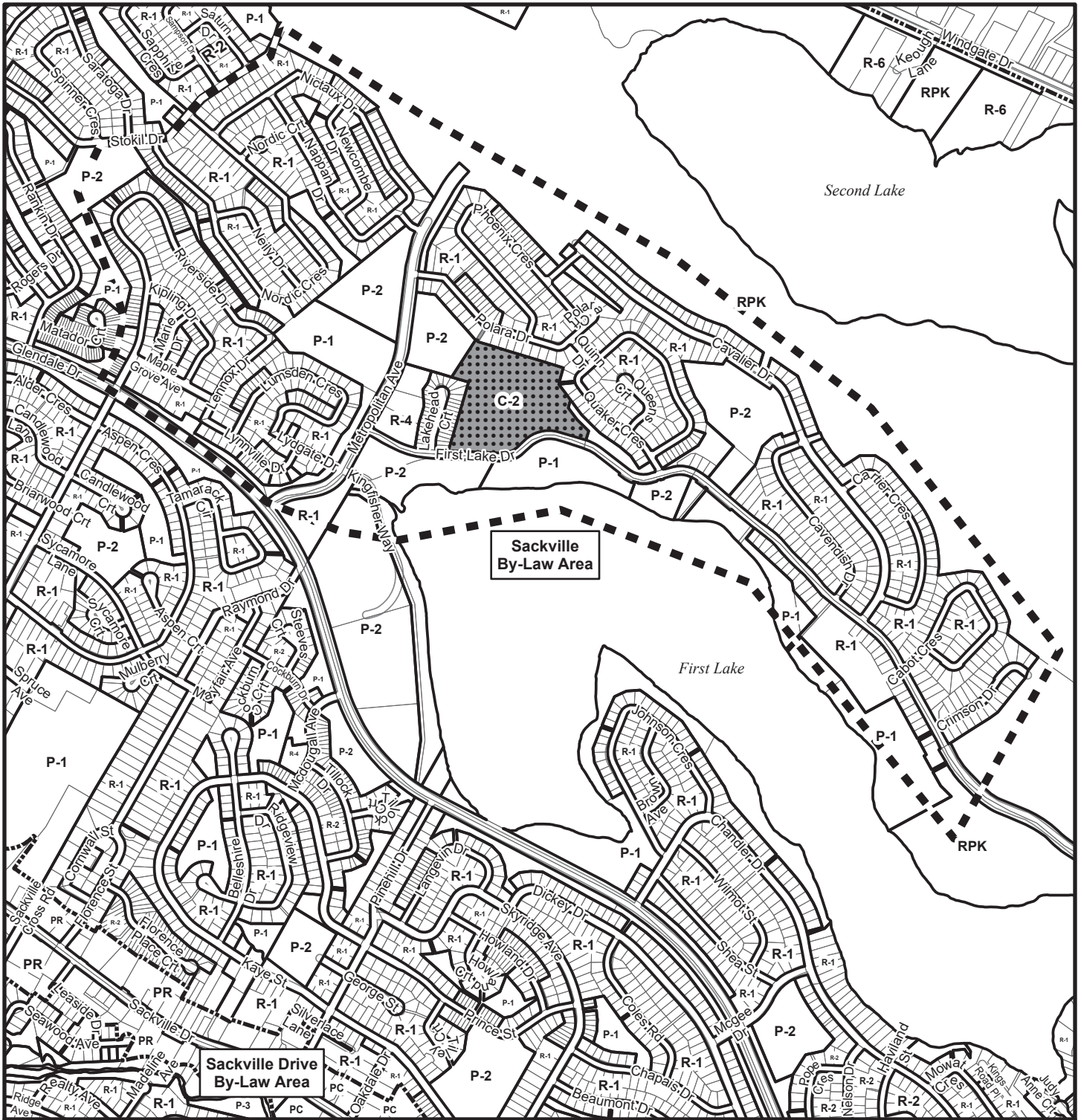
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This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.



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

Sackville Plan Area



Map 2 - Zoning and Notification Area

70-80 First Lake Drive,
Lower Sackville

-  Subject Property
-  Area of Notification

Sackville By-Law Area

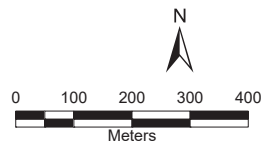
Zone

- C2 Community Commercial
- P-1 Open Space
- P-2 Community Facility
- R-1 Single Unit Dwelling
- R-2 Two Unit Dwelling
- R-4 Multiple Unit Dwelling
- R-6 Rural Residential
- RPK Regional Park
- PC Pinehill/Cobequid
- PR Pedestrian Retail

Sackville

Sackville Drive

HALIFAX



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

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

Attachment A
Proposed Development Agreement

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

BETWEEN:

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

OF THE FIRST PART

- and -

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

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 70-80 First Lake Drive, Lower Sackville and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS on May 26, 2011, North West Community Council of the Halifax Regional Municipality approved an application to enter into a development agreement to allow for the establishment of new commercial uses in excess of the maximum size permitted in the community commercial zone on the Lands (Case 16418), and which said development agreement was registered at the Land Registration Office in Halifax on August 8, 2011, as Document Number 98862858 (hereinafter called the "Original Agreement");

AND WHEREAS on June 13, 2016, North West Community Council approved an application to amend the Original Agreement to allow for liquor sales on the Lands (municipal case 20290), which said Development Agreement was registered at the Halifax County Land Registration Office on August 15, 2016 as Document Number 109417171 (hereinafter called the "First Amending Agreement"), and which does apply to the Lands;

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

AND WHEREAS the Developer has requested that the Municipality discharge the Existing Agreement and enter into a new Development Agreement on the Lands to allow for residential and commercial development on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policies CC-3 and CC-6 of the Sackville Municipal Planning Strategy and Section 3.6(a)(xviii) and Section 3.6(a)(xx) of the Sackville Land Use By-law;

AND WHEREAS the Chief Administrative Officer of the Municipality approved the request to discharge the Existing Agreement and which was registered at the Land Registry Office in Halifax (hereinafter called the "Discharging Agreement");

AND WHEREAS the North West Community Council approved this request at a meeting held on **[Insert - Date]**, referenced as PLANAPP 2023-00368;

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

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 applicable Land Use By-law and the Regional Subdivision By-law, as amended from time to time.

- 1.2.2 Variances to the requirements of the applicable Land Use By-law shall not be permitted.

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 and Subdivision 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 and Subdivision 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:

Hard Landscaping means an outdoor surface covered by solid or impermeable material, such as outdoor furniture, water fountains, planters, decorative concrete, stonework, bricks, gravel, tiles, pavers, boardwalks, wood decking, trees in soil cells, and trees in planters, but excludes parking areas and driving aisles.

Height means the vertical distance between the ground floor and the roof slab, and shall exclude roof top features like parapets, hand railings, rooftop landscaping, mechanical penthouses, elevator and stair enclosures, heating, ventilation, and air conditioning equipment and enclosures. Such features shall have a maximum height of 4.5 metres.

Indoor Amenity means common amenity spaces for residents of the development located within the building, including but not limited to, exercise facilities and multi-purpose rooms with associated kitchen facilities.

Outdoor Amenity means common amenity spaces for residents of the development located outside or on the building, including but not limited to a shared courtyard, resident garden and seating area, recreation and sport courts, but not individual unit balconies.

Soft Landscaping means covered by water-permeable material or vegetation, such as trees, hedges, shrubs, flowers, grass, mulch, fruit and vegetable plants, sod, planter boxes, or another vegetative groundcover. A permeable vegetated grid system and a water feature, excluding a swimming pool, hot tub, or a water fountain, are considered soft landscaping.

Underground Parking means a parking garage located below finished grade, excluding access.

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 PLANAPP 2023-00368:

| | |
|------------|----------------------------------|
| Schedule A | Legal Description of the Land(s) |
| Schedule B | Preliminary Subdivision Plan |
| Schedule C | Site Plan |

| | |
|------------|-----------------------------------|
| Schedule D | Preliminary Landscape Plan |
| Schedule E | Pedestrian Walkways |
| Schedule F | Multiple Unit Building Elevations |

3.2 Requirements Prior to Approval

3.2.1 Prior to the commencement of any site work on the Lands, including earth movement or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall:

- (a) Obtain a Grade Alteration Permit in accordance with By-law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development, as amended from time to time; and
- (b) Submit to the Development Officer stormwater management plans that:
 - i. meet the standards of Administrative Order 2020-010-OP, which requires the retention of on-site stormwater runoff from the first 10mm of a rainfall event and the removal of at least 80% of Total Suspended Solids (TSS); and
 - ii. address the sensitivity of First Lake in stormwater management design to mitigate further negative impacts on water quality, by reducing stormwater flow through outfalls into First Lake. This includes consideration of enhanced vegetated swales for stormwater capture, management, and infiltration, to prevent contaminants from reaching the lake.

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) Lighting Plan in accordance with Section 3.9 of this Agreement;
- (b) Landscape Plan in accordance with Section 3.10 of this Agreement; and
- (c) Written confirmation from a Structural Engineer that all landscape areas designed to be installed upon any portion on any rooftop level of the building is able to support any required drainage or additional weight caused by the landscaped area.

3.2.3 Prior to the issuance of the first the Occupancy Permit for the building, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer:

- (a) Written confirmation from a qualified professional which the Development Officer may accept as sufficient record of compliance with the Lighting Plan; and
- (b) Written confirmation from a qualified professional which the Development Officer may accept as sufficient record of compliance with the Landscape 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) multiple unit dwelling use, containing a maximum of 154 dwelling units, of which at least 15% shall contain two or more bedrooms;

- (b) office use up to a maximum of 7,246 sq. metres in gross floor area;
- (c) any uses permitted within the C-2 (Community Commercial) Zone subject to the provisions contained within the Land Use By-law for Sackville, as amended from time to time, except for entertainment uses; and
- (d) temporary uses, as per Section 3.15 of this Agreement.

3.4 Subdivision of the Lands

- 3.4.1 The lands may be subdivided, as generally shown on Schedule B, and in accordance with the Sackville Land Use By-law and Regional Subdivision By-Law, except as varied by this Agreement.
- 3.4.2 Notwithstanding Section 4.5 of the Sackville Land Use By-law, more than one building is permitted on a lot.
- 3.4.3 Notwithstanding Section 15.2 of the Sackville Land Use By-law, the minimum front, side, and rear setbacks shall comply with Schedule B.

3.5 Building Form

- 3.5.1 The building's siting, bulk, and scale shall comply to the following:
 - (a) all buildings shall be as sited as generally shown on Schedule C;
 - (b) lot coverage shall not exceed:
 - i. 30% of Lot 1;
 - ii. 4% of Lot 2; and
 - iii. 33% of Lot 3;
 - (c) the maximum height of any commercial building shall not exceed 10.7 metres;
 - (d) the maximum height of the multiple unit dwelling building shall not exceed 18.5 metres;
 - (e) the closest building wall of the multiple unit dwelling above grade shall be a minimum of 16 metres from the rear property line abutting properties on Polara Drive; and
 - (f) portions of the multiple unit dwelling above the 4th floor shall be stepped back from the lower portions by a minimum of 5.7 metres on the east and west elevations of both towers, as shown on the Schedules.

3.6 Architectural Requirements

- 3.6.1 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. Service entrances shall be integrated into the design of the building and shall not be a predominate feature.
- 3.6.2 Architectural treatment of all facades of all buildings shall be continued around all building facades.
- 3.6.3 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).
- 3.6.4 Any exposed foundation in excess of 1.8 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.
- 3.6.5 Exterior building materials shall not include vinyl siding and must include a minimum of three of the following options:
 - clay masonry;

- non-combustible cladding;
 - preformed metal cladding
 - concrete split face masonry;
 - concrete tilt up panels;
 - brick masonry
 - cut stone masonry;
 - random stone masonry; or
 - acceptable equivalent in the opinion of the Development Officer.
- 3.6.6 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.
- 3.6.7 Buildings shall be designed such that the mechanical systems (HVAC, exhaust fans, etc.) are not visible from First Lake 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.
- 3.6.8 Barriers that serve to reduce noise levels associated with the operation of mechanical equipment shall be installed on all units. The design shall be prepared by a professional engineer and certification of the installation of such barriers shall be provided to the Development Officer prior to an Occupancy Permit.
- 3.6.9 Fixed or retractable awnings are permitted at ground floor levels.
- 3.6.10 All roof mounted mechanical, or telecommunication equipment shall be effectively screened to ensure it is not visible from any public vantage points.
- 3.6.11 Multiple storefronts shall be visually unified through the use of complementary architectural forms, similar materials and colours. Covered walkways, arcades, awnings, open colonnades and similar devices shall be permitted along long facades to provide shelter and encourage pedestrian movement.
- 3.6.12 The multiple unit dwelling building shall have a minimum 3-colour scheme and a combination of a minimum of 3 building materials, as contained in Section 3.6.5.
- 3.6.13 Notwithstanding the requirements above, the arrangement of window, balconies, rooflines and exterior features may be altered to accommodate the interior layout of the building, and exterior building materials may be altered, provided that the arrangement is consistent with the general architectural intent of the Schedules, and under no circumstances shall the arrangement create a condition which results in large blank or unadorned walls.
- 3.6.14 The requirements of this section shall not apply to any temporary building or structure permitted under Section 3.15

3.7 Amenity Space

- 3.7.1 A minimum of 200 square metres of indoor amenity space shall be provided.
- 3.7.2 A minimum of 4,000 square metres of outdoor amenity space shall be provided.
- 3.7.3 No area dedicated as indoor amenity space shall be less than 50 square metres and less than 3 metres wide.

- 3.7.4 All outdoor amenity space shall be designed to have both soft and hard landscaping elements.
- 3.7.5 All landscape 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.

3.8 Parking, Circulation, and Access

- 3.8.1 Underground parking will be required for the multiple unit dwelling and shall consist of a minimum of 60 parking spaces.
- 3.8.2 The above ground surface parking area shall be sited as generally shown on Schedule C. For greater clarity, Section 15.6 of the Sackville Land Use By-law shall not apply.
- 3.8.3 A reduction in the number of parking spaces shown on Schedule C is permitted. For clarity, above-ground surface parking may include up to a maximum of 487 combined parking spaces across all three proposed lots.
- 3.8.4 The parking area shall be hard surfaced, and the limits of the parking area shall be defined by landscaping and concrete curb.
- 3.8.5 Hard surfaced material walkways shall be required on the Lands as follows:
 - (a) walkways shall be provided from both entrances/exits from First Lake Drive to all buildings on Lot 1 and Lot 3 and to Polara Drive, as shown on Schedule E, to encourage safe and comfortable pedestrian internal site movement;
 - (b) walkways shall be provided around the perimeter of the buildings to encourage safe pedestrian movement and separation between the buildings and parking areas; and
 - (c) hard surfaced materials may be composed of any combination of poured in placed concrete, decorative interlocking precast concrete paver stones, or acceptable equivalent in the opinion of the Development Officer. Walkways shall not be surfaced or accentuated with asphalt or paint striping.
- 3.8.6 It is the responsibility of the Developer to provide and maintain pedestrian walkways over the lots as shown on Schedule E.

3.9 Outdoor Lighting

- 3.9.1 The Developer shall prepare an exterior lighting plan for all lands subject to this Agreement. The lighting plan shall contain, but shall not be limited to, the following:
 - (a) Plans indicating the location on the premises and the type of illuminating devices, fixtures, lamps, supports, other devices;
 - (b) Description of the illuminating devices, fixtures, lamps supports and other devices. This description may include, but is not limited to, manufacturers' catalogue cuts and drawings including sections where required; and
 - (c) Should the applicant desire to substitute outdoor light fixtures or lamps and install them on the Lands after a permit has been issued, the Developer shall submit all changes to the Development Officer for approval, with adequate information to assure compliance with this clause.
- 3.9.2 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.

3.9.3 Buildings shall not be illuminated for visual effect above the 3rd floor. Illumination for visual effect on the 3rd floor and below is permitted, provided such illumination is directed away from streets, adjacent residential lots and buildings, and does not flash, move, or vary in intensity such that it creates a hazard to public safety.

3.9.4 All lighting fixtures shall be fully shielded.

3.10 Landscaping

3.10.1 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 Schedule D. The Landscape Plan shall prepared by a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) and shall be accompanied by a letter a Landscape Architect confirming this plan complies with all provisions of this section.

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

3.10.3 All landscaped areas, not including areas identified as Non-Disturbance, as shown on Schedule D, shall be designed to have soft landscaping elements.

3.10.4 Order boards with an intercom shall be landscaped to minimize noise impact on adjacent residential areas. Landscaping shall consist of evergreen planting material.

3.10.5 The existing fence located along the property line shall be maintained in good condition.

3.10.6 The existing retaining wall systems are to be identified on the Landscape Plan. The Developer shall maintain and keep in good repair all portions of the existing retaining wall systems on the Lands.

3.10.7 All landscape 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.

3.10.8 Prior to issuance of the first Occupancy Permit the Developer shall submit to the Development Officer a letter prepared by a member in good standing of the Canadian Society of Landscape Architects certifying that all landscaping has been completed according to the terms of this Development Agreement.

3.10.9 Notwithstanding Section 3.10.8 where the weather and time of year do not allow the completion of the outstanding landscape works 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 member in good standing of the Canadian Society of Landscape Architects. 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.

3.11 Maintenance

3.11.1 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.

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

3.12 Signs

3.12.1 Signs shall be permitted as per the requirements of the Sackville Land Use By-law with the exception of:

- (a) No more than two (2) signs shall be erected on any commercial premises. Where a multiple tenancy commercial building is occupied by more than one business, each business shall be considered to be a separate premises;
- (b) Landscaping shall be provided at the base of any ground sign. Landscaping shall consist of either planter boxes, shrubs and/or flower beds or a combination thereof. If landscape planters are utilized, the planters shall be constructed of a natural material and shall be a minimum of 0.6 metres wide and 0.9 metres high.
- (c) One ground sign shall be permitted on the lands. The ground sign shall not:
 - (i) exceed a height of 6.1 metres;
 - (ii) exceed a sign face width of eight 2.4 metres, and;
 - (iii) be internally illuminated.
- (d) No projecting sign shall project above the eaves, parapet or roof line of the buildings; and
- (e) No facial sign shall have an area which exceeds ten (10) percent of the area of the wall on which it is attached.

3.12.2 Signs depicting the name or corporate logo of the Developer shall be permitted while a sales office is located on the site.

3.12.3 Signs shall only be externally illuminated.

3.13 Screening

3.13.1 Propane tanks and electrical transformers shall be located on the site in such a way to ensure minimal visual impact from First Lake Drive. 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.

3.13.2 Mechanical equipment shall be permitted on the roof provided the equipment is screened from view from residential properties and incorporated into the architectural treatments and roof structure.

3.14 Hours of Operation

3.14.1 Uses located on Lot 3, as shown on Schedule B, shall be permitted to operate between the hours of 7:00 am and 11:00 pm Monday to Sunday.

3.14.2 Uses located on Lot 2, as shown on Schedule B, shall be permitted to operate between the hours of 7:00 am and 11:00 pm Monday to Sunday.

3.14.3 Commercial Uses located on Lot 1, as shown on Schedule B, shall be permitted to operate between the hours of 7:00 am and 11:00 pm Monday to Sunday.

- 3.14.4 Hours of operation shall conform with all relevant Municipal and Provincial legislation and regulations, as may be amended from time to time.
- 3.14.5 Deliveries to any building, and the collection of refuse and recyclables, shall occur only between the hours of 7:00 am and 9:30 pm.

3.15 Temporary Uses

- 3.15.1 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.
- 3.15.2 A seasonal garden centre shall be permitted on Lot 3. The centre shall be for the display and sale of plants, shrubs, trees, fertilizers, manure, mulch and topsoil may be permitted where these products are packaged or otherwise fully contained.

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 (if applicable) services, such as electrical, telephone and cable, shall be provided to all buildings as underground installation.

4.4 Site Preparation in a Subdivision

- 4.4.1 Subject to 3.2.1 and 5.2, the Developer shall not commence clearing, excavation or blasting activities required for the installation of primary or secondary services in association with a subdivision prior to receiving final approval of the subdivision design unless otherwise permitted by the Development Officer.

4.5 Solid Waste Facilities

- 4.5.1 The multiple unit dwelling 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.

- 4.5.2 Refuse containers and waste compactors shall be confined to the loading areas of each commercial building and shall be screened from public view where necessary by means of opaque fencing or masonry walls with suitable landscaping.
- 4.5.3 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

- (a) Subject to 3.2.1, prior to the commencement of any site work on the Lands, including earth movement or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall have been issued a Grade Alteration Permit in accordance with By-law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development, as amended from time to time.

5.3 Non-Disturbance Areas

- 5.3.1 Non-disturbance areas shall be provided along the eastern portion and most of the perimeter of the Lands as shown on Schedule "D".
- 5.3.2 All grading plans shall indicate areas where existing vegetation is to be maintained, areas to be protected from disturbance during the installation of services, construction of streets, construction of buildings, landscaping and any future activity on an individual lot unless otherwise specified in this Agreement. The non-disturbance areas shall be clearly delineated on the Site Plan and Grading Plan for each lot and in the field prior to and during construction.
- 5.3.3 The non-disturbance area identified on Schedule "D" shall be delineated on all final survey plans prior to final approval.
- 5.3.4 Non-disturbance areas shall be identified by the Developer with a snow fence, or other appropriate continuous physical barrier or delineation, and signage in the field prior to any site preparation (i.e. tree cutting and excavation activity). The snow fence, or other appropriate continuous physical barrier or delineation, and signage shall be maintained by the Developer for the duration of the construction.
- 5.3.5 If trees are removed or tree habitat damaged beyond repair in the non-disturbance areas, the Developer or the land owner shall replace the trees, two new trees of 1 ½ inch (38mm) caliper for every one removed or damaged, as directed by the Development Officer.

5.4 Archaeological Monitoring and Protection

- 5.4.1 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.

5.5 Sulphide Bearing Materials

- 5.5.1 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 a matter consistent with the *Halifax Regional Municipality Charter*:
- (a) Changes to the Agreement to allow for minor changes in layout and footprints of the buildings which does not result in additional floor area or units.
 - (b) Changes to the Agreement to allow for an increase in landscaping measures as detailed in Section 3.10 which, in the opinion of the Development Officer, do not conform with Schedule D;
 - (c) Changes to the Agreement to allow a reduction in above ground surface parking standards as detailed in Section 3.8;
 - (d) Changes to the Agreement to enable the subdivision of the lands as intended on Schedule B;
 - (e) Changes to the signage requirements as detailed in Section 3.12;
 - (f) The granting of an extension to the date of commencement of development as identified in Section 7.3.1 of this Agreement, and;
 - (g) The length of time for the completion of the development as identified in Section 7.4.3 of 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 Chief Administrative Officer for 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 three (3) 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 Building Permit.
- 7.3.3 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Section 6.1, if the Municipality receives a written request from the Developer.

7.4 Completion of Development

- 7.4.1 Upon the completion of the whole 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) discharge this Agreement and apply appropriate zoning pursuant to the applicable Municipal Planning Strategy and 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 issuance of an Occupancy Permit for all buildings.

- 7.4.3 In the event that development on the Lands has not been completed within six (6) 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 ten (10) 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.

ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

7.6 Enforcement

- 7.6.1 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.

7.7 Failure to Comply

7.7.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer 30 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: _____

Print Name: _____

Position: _____

Date Signed: _____

=====

=====

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

HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____
MAYOR

Date signed: _____

Witness

Per: _____
MUNICIPAL CLERK

Date signed: _____

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.

A Commissioner of the Supreme Court
of Nova Scotia

UPLAND

1489 Hollis Street, Level 2,
Halifax, Nova Scotia B3J 3M0
Halifax, NS B3J 3M0
902.423.0649
uplandstudio.ca

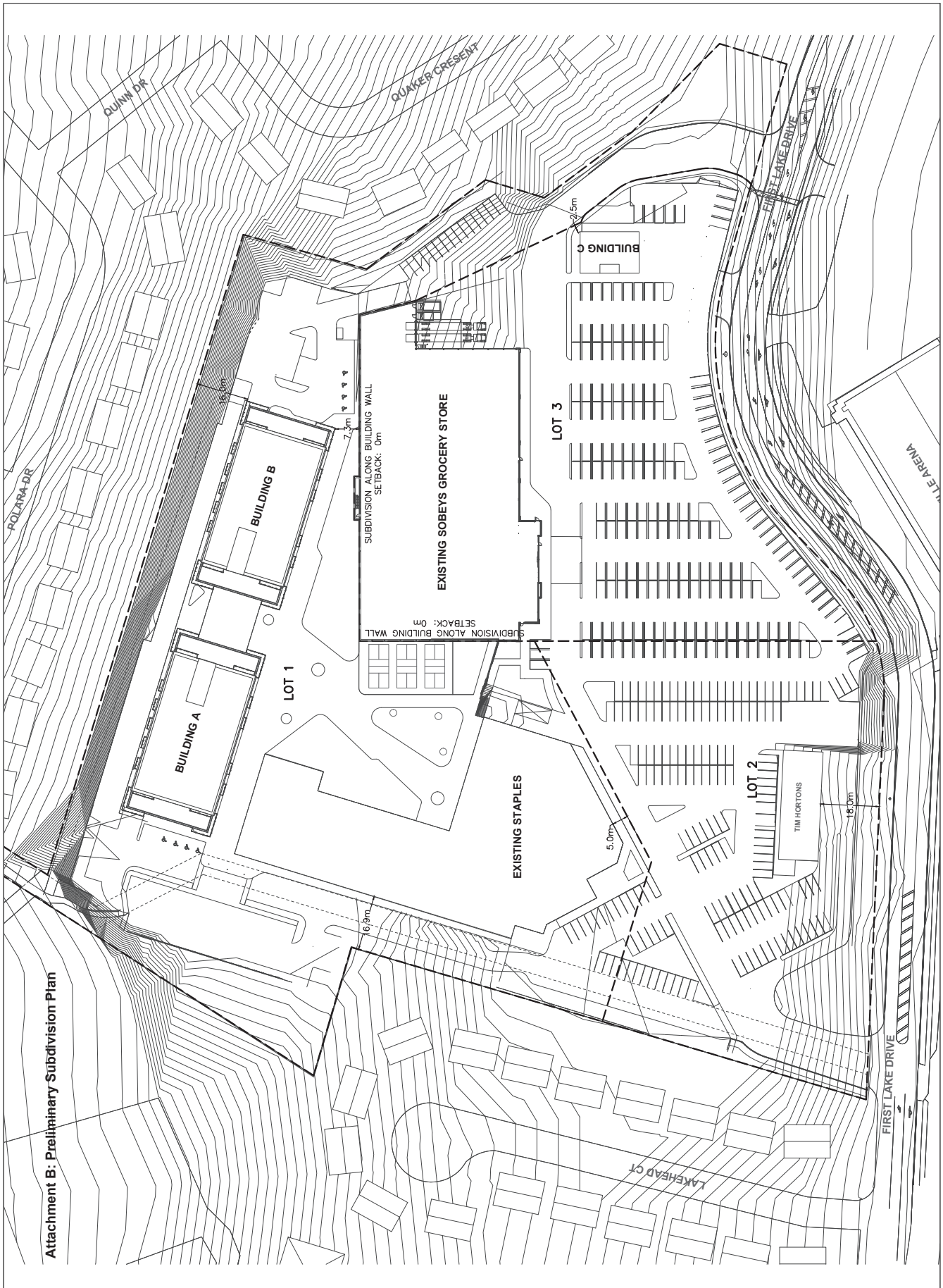
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PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT
70 FIRST LAKE DR

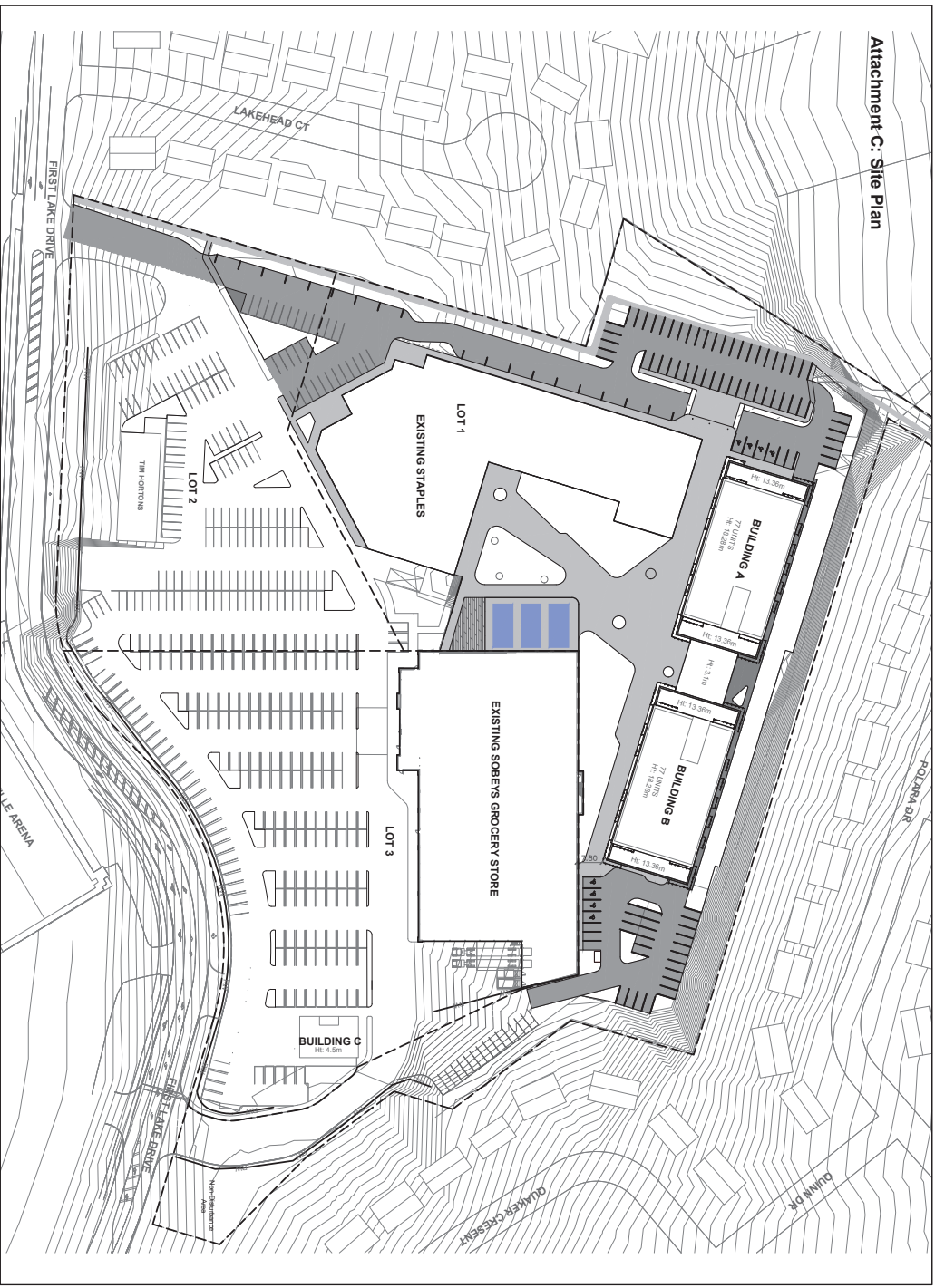
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SCHEDULE B

NORTH
SCALE
1:500
DRAWING #
1
1500BARCHD

Attachment B: Preliminary Subdivision Plan



Attachment C: Site Plan



UPLAND
 1480 Judd Street, Unit 2
 Irvine, CA 92614
 Tel: 949.261.1400
 www.uplandca.com

STAMP
 PRELIMINARY
 NOT FOR CONSTRUCTION

PROJECT
 70FIRSTLAKE DRIVE

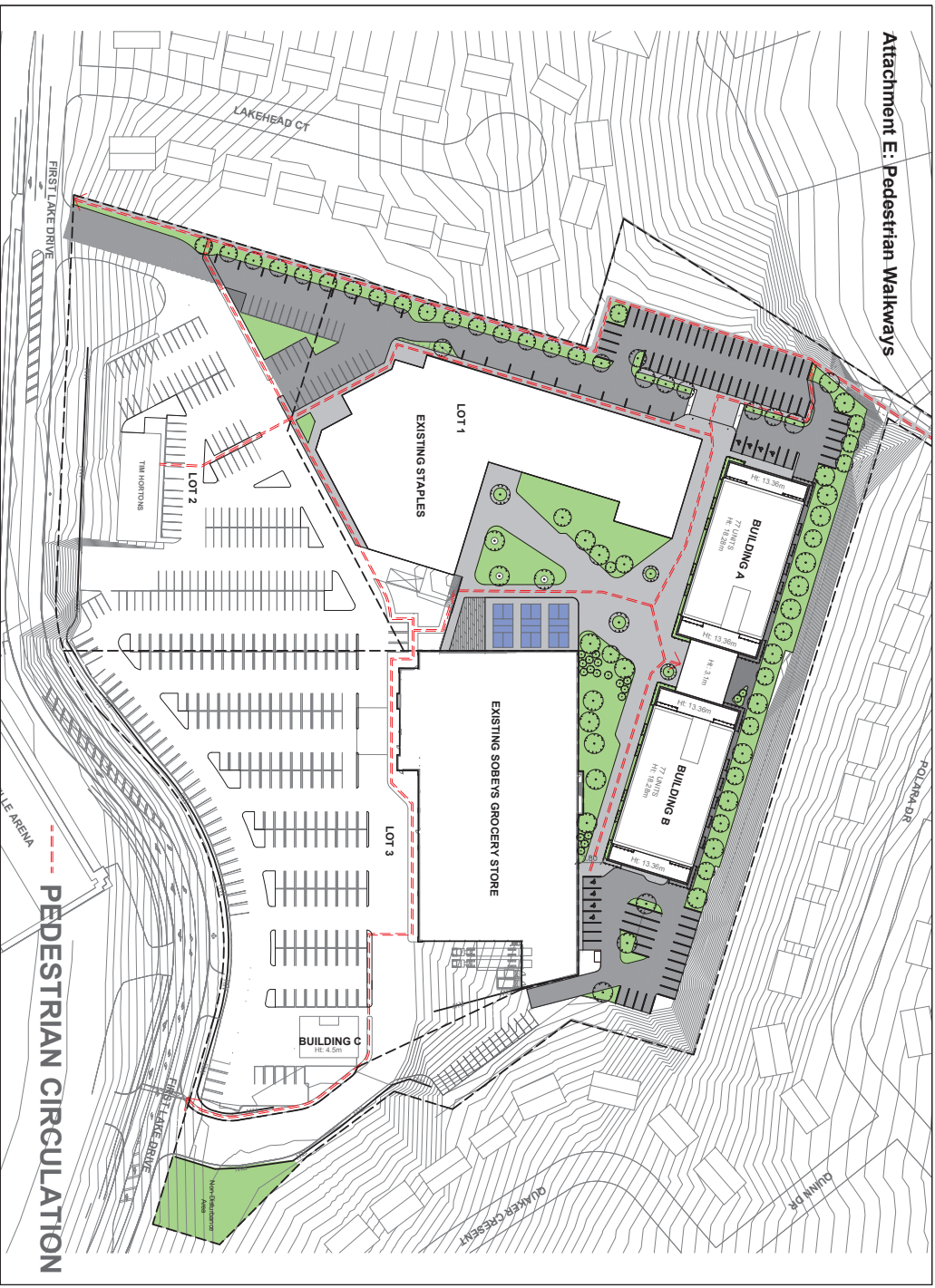
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NORTH
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DRAWING #

Attachment E: Pedestrian Walkways



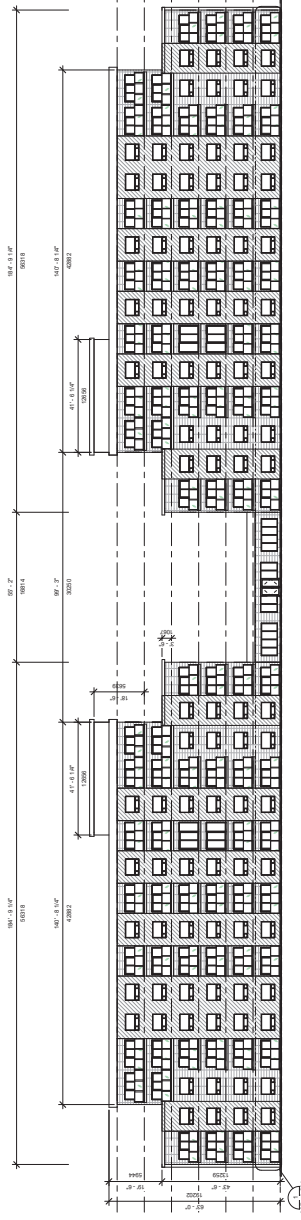
UPLAND
 1480 14th Street, Level 2
 Vancouver, British Columbia V6J 4K9
 www.uplandco.com
 upland@uplandco.com

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| STAMP | |
| PRELIMINARY NOT FOR CONSTRUCTION | |
| PROJECT 70FIRSTLAKE DRIVE | |
| DRAWING TITLE SCHEDULE E | |
| NORTH | ① |
| SCALE 1:5000000 | |
| DRAWING # | |



T.A. SCOTT
ARCHITECTURE + DESIGN
DRAWING INSPIRATION

- Building A&B - Roof - 27433
- Buildings A&B - Level 6 - 24285
- Buildings A&B - Level 5 - 21257
- Buildings A&B - Level 4 - 18289
- Buildings A&B - Level 3 - 15241
- Buildings A&B - Level 2 - 12193
- Buildings A&B - Level 1 - 9145



① Bldg A&B - Front Elev.
1:200

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| No. | Description | Date |
|-----|-------------------|------------|
| 1 | ISSUED FOR REVIEW | 2024.01.27 |
| 2 | ISSUED FOR REVIEW | 2024.02.22 |
| 3 | ISSUED FOR REVIEW | 2024.03.28 |
| 4 | ISSUED FOR REVIEW | 2024.03.28 |
| 5 | ISSUED FOR REVIEW | 2024.03.28 |
| 6 | ISSUED FOR REVIEW | 2024.03.28 |

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| 5 | ISSUED FOR REVIEW | 2024.03.28 |
| 6 | ISSUED FOR REVIEW | 2024.03.28 |

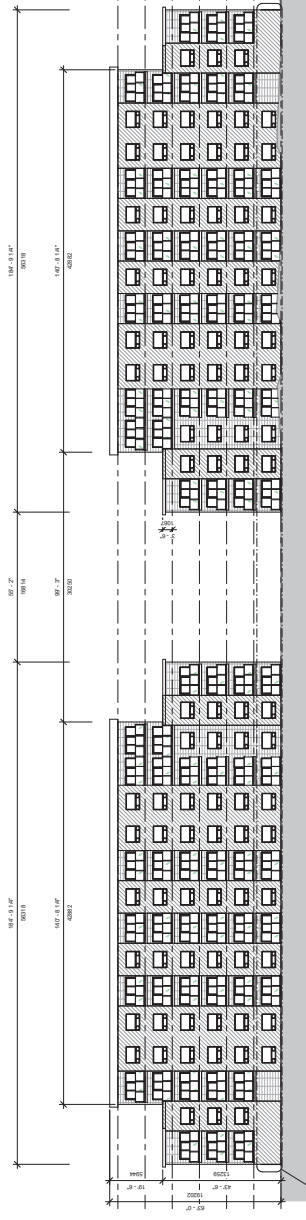
| No. | Description | Date |
|-----|-------------------|------------|
| 1 | ISSUED FOR REVIEW | 2024.01.27 |
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| 4 | ISSUED FOR REVIEW | 2024.03.28 |
| 5 | ISSUED FOR REVIEW | 2024.03.28 |
| 6 | ISSUED FOR REVIEW | 2024.03.28 |

Project Address: 100 FIRST LANE EAST
SACONVILLE, NOVA SCOTIA
FIRST MUTUAL PROPERTIES

Schedule F

| No. | Description | Date |
|-----|-------------------|------------|
| 1 | ISSUED FOR REVIEW | 2024.01.27 |
| 2 | ISSUED FOR REVIEW | 2024.02.22 |
| 3 | ISSUED FOR REVIEW | 2024.03.28 |
| 4 | ISSUED FOR REVIEW | 2024.03.28 |
| 5 | ISSUED FOR REVIEW | 2024.03.28 |
| 6 | ISSUED FOR REVIEW | 2024.03.28 |

Project Number: 17-016
Date: 2024.02.28
Drawn By: HA
Checked By: TAS
A&B - A-200
Scale: 1:200



② Bldg A&B - Rear Elev.
1:200



③ Bldg A&B - Side Elev. (3)
1:200

② Bldg A&B - Side Elev. (2)
1:200

① Bldg A&B - Side Elev. (1)
1:200

Buildings A&B - Roof - 27433
Buildings A&B - Level 6 - 24285
Buildings A&B - Level 5 - 21257
Buildings A&B - Level 4 - 18289
Buildings A&B - Level 3 - 15241
Buildings A&B - Level 2 - 12193
Buildings A&B - Level 1 - 9145
Buildings A&B - Underground Parking - 6087

**Attachment B:
Review of Relevant MPS Policies**

| Sackville Municipal Planning Strategy | |
|--|---|
| COMMUNITY COMMERCIAL DESIGNATION | |
| Policy | Staff Comments |
| <p>Policy CC-6 <i>CC-6 Notwithstanding Policy CC-2, within the Community Commercial Designation, Council may consider the expansion of existing multiple unit dwellings and the development of new multiple unit dwellings according to the development agreement provisions of the Planning Act. In considering any such development agreement, Council shall have regard to the following:</i></p> | |
| <p><i>(a) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;</i></p> | <p>The proposal includes two 6-storey multi-unit dwellings on a shared podium. From a building standards perspective, this is considered a single multi-unit dwelling. Staff advise that the proposed building is compatible with adjacent land uses in the following ways:</p> <p><u>Height</u> The six storeys coupled with the grade change between the site and abutting single unit dwellings will result in a reduced perceived height of the multi-unit dwellings. Taking into consideration the ~32 metre separation distance and the ~8 metre elevation difference between the single unit dwellings on Polara Drive and the multiple unit dwelling, the perceived height of the building will be approximately three stories.</p> <p><u>Bulk</u> A reduction in bulk is achieved by separating the multi-unit into two separate “towers” on a shared podium. This will result in a reduction of perceived mass and presence of the multiple unit buildings on the abutting single unit dwellings. Further, the top two storeys have reduced floor plates which will further reduce the massing visible to the single unit dwellings abutting the site.</p> <p><u>Lot Coverage</u> The total site is ~5.3 hectares (13.25 acres). Total lot coverage, including all proposed and existing buildings on the existing lot, would be ~30%. Future lot coverage of the multiple unit dwelling and existing building (Staples) will be ~30% on proposed Lot 1. Future lot coverage of the new commercial building and the existing building (Sobeys) will be ~33% on proposed Lot 3. The lot coverage is considered compatible with adjacent land uses and controls on</p> |

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| | <p>height and bulk will have a greater effect to ensure compatibility.</p> <p><u>Appearance</u> The development agreement regulates certain aspects of building materials and will require screening of mechanical equipment. The agreement also places controls placed on lighting to ensure compatibility with abutting uses.</p> <p>The building's compatibility is achieved by utilizing the site's topography and distributing the massing to minimize impacts on neighboring land uses.</p> |
| <p><i>(b) that site design features, including landscaping, amenity areas, parking areas and driveways, are of an adequate size and design to address potential impacts on adjacent development and to provide for the needs of residents of the development;</i></p> | <p>It is understood that the development is considered a redevelopment of only a portion of the existing lands and that portions of the site not proposed for redevelopment under this application will be regulated as per the existing development agreement. However, some site design features have been included for the entire site as they ensure that the needs of future residents are adequately served, and potential impacts are addressed.</p> <p><u>Amenity Space</u> The agreement requires a minimum of 200 square metres of indoor amenity space and a minimum of 4,000 square meters of outdoor amenity space. Individual unit balconies do not count as outdoor amenity space. The agreement allows flexibility in defining indoor and outdoor amenity spaces, enabling the developer to adapt to market demands. However, the space must be common and accessible to all residents, with dimension requirements to ensure it is adequately sized. Outdoor amenity areas must include a mix of soft and hard landscaping elements, as outlined in Schedule D of the proposed development agreement.</p> <p><u>Landscaping</u> The development agreement specifies landscaping locations and standards aimed at buffering the development from adjacent land uses, minimizing impacts, and enhancing the site's functionality, aesthetics, and environmental quality. All landscaped areas must incorporate soft landscaping elements, as defined in the development agreement. These include water-permeable materials or vegetation such as trees, hedges, shrubs, flowers, grass, mulch, fruit and vegetable plants, sod, planter boxes, or other types of vegetative ground cover.</p> <p><u>Parking Areas and Driveways</u> The driveway access points, vehicle paths, and surface parking areas currently exist and were developed in accordance with the regulations of the</p> |

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| | <p>existing development agreement. Modifications to the parking areas are proposed to accommodate additional buildings and provide enhanced landscaping and amenity spaces under the new development agreement.</p> <p>A minimum of 60 underground parking spaces will be required for the multi-unit dwelling, and up to 487 surface parking spaces will be available across the entire site. The driveways and parking areas are designed to ensure safe vehicular movement for both residential tenants and commercial users. Since the existing access points remain unchanged, no additional impact on adjacent developments is expected.</p> <p>Improved pedestrian pathways, as mandated by the agreement and its Schedules, will be provided throughout the site for residents, visitors, and pedestrians passing through to the neighboring community.</p> |
| <p><i>(c) that municipal central services are available and capable of supporting the development;</i></p> | <p>The development is located within the Urban Service Boundary and is serviced by the Mill Cove Wastewater Treatment Facility (WWTF) and the J. Douglas Kline (Pockwock) Water Supply Plant. The applicant has completed studies demonstrating that sufficient capacity exists to support the development. This analysis included an assessment of the First Lake Drive Pump Station.</p> <p>It was determined that the analysis does not need to extend to Mill Cove WWTF as the flow downstream of the pumping station discharges into a trunk sewer running through the Sackville River Linear Park, which is part of the regional infrastructure. In 2018, the pipe downstream of Rankin Drive was upsized to 750mm, leading into the trunk sewer, ensuring that capacity downstream of the pumping station is adequate. Halifax Water has reviewed the report and accepted its findings, confirming that capacity exists to support the development at this time.</p> <p>At the building permit stage, the developer will be required to provide further evidence that the local wastewater system has sufficient capacity.</p> |

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| <p><i>(d) that appropriate controls are established to address environmental concerns, including stormwater controls;</i></p> | <p>Due to persistently high levels of fecal bacteria, which led to the closure of Kinsmen Beach on First Lake, a microbial source tracking study was conducted in 2022. This study found that the primary source of E. coli in First Lake was human, likely due to damaged or improperly cross-connected sanitary sewer pipes leaking into the stormwater system. Bird and dog sources of E. coli were also detected in the lake.</p> <p>The proposed development is not expected to directly contribute to human fecal contamination, as all new sanitary pipes are to be properly connected to the sanitary sewer pipes on First Lake Drive. However, stormwater flow through the affected pipes downstream could potentially mobilize stagnant, pathogen-bearing water or otherwise influence contaminant transport. Additionally, bird and dog-related E. coli contamination can be exacerbated by heavy overland stormwater flow.</p> <p>To prevent further negative impacts on water quality in First Lake, the development agreement requires the submission of a stormwater management plan, an erosion and sediment control plan, and a site disturbance plan before any site work begins. These plans will ensure compliance with all municipal and provincial standards at the permitting stage. The agreement also requires the applicant to address the sensitivity of First Lake in the stormwater management design to minimize further negative impacts on water quality. This includes reducing stormwater flow through outfalls into First Lake and considering enhanced vegetated swales for stormwater capture, management, and infiltration to prevent contaminants from reaching the lake.</p> <p>These controls will help upgrade the property to meet current standards, including reducing stormwater flow through outfalls discharging into the lake, thereby minimizing the potential for contaminant transport into the water. A preliminary stormwater management plan was submitted and deemed conceptually acceptable, though additional details will be needed during the permitting process once the detailed design and final grades are established.</p> |
| <p><i>(e) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site;</i></p> | <p>The development will utilize two existing access points off First Lake Drive. The applicant submitted a traffic impact analysis that examined the existing transportation conditions, anticipated changes, potential impacts, and any required improvements to the road network. The analysis took current turning movement counts during morning (7-9am), midday (11:30am-1:30pm) and afternoon (4-6pm) peak periods (collected on February 2, 2022 and January 9,</p> |

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| | <p>2024) and combined it with trip generation estimates from the proposed development along with projected 2032 peak hour future background volumes (which included an 1% annual growth between 2022-2032 of the turning movement counts and assumed retail trips generated by the current unoccupied retail space). The analysis considered two scenarios, scenario 1 represented future 2032 traffic volumes on the existing road network, including the existing traffic control and lane configurations of the Study Intersections <u>without</u> the proposed development. Scenario 2 represented future 2032 traffic volumes on the existing road network, including the existing traffic control and lane configurations of the Study Intersections <u>with</u> the proposed development.</p> <p>The findings of the traffic analysis suggest the traffic volumes generated by the development are considered within the volume guidelines for the local road network and the site-generated trips are expected to have a marginal impact on the operations during peak travel periods. All study intersections are expected to operate within HRM acceptable limits during the AM and PM peak hours. HRM Traffic Management and HRM Engineering have reviewed the analysis and accepted its findings.</p> |
| <p><i>(f) general maintenance of the development; and</i></p> | <p>The development agreement requires the Developer to keep all parts of the development on the property in good condition. This includes maintaining the buildings, fences, walkways, parking lots, driveways, and landscaping. They are also responsible for replacing damaged or dead plants, litter control, garbage removal, and snow and ice management, including salting walkways and driveways.</p> |
| <p><i>(g) the provisions of Policy IM-13.</i></p> | <p>See below.</p> |
| <p>Policy CC-3: <i>CC-3 Notwithstanding Policy CC-2, within the Community Commercial Designation, Council may consider the expansion of existing uses and the establishment of new commercial uses in excess of the maximum size permitted in the community commercial zone, according to the development agreement provisions of the Planning Act. In considering any such development agreement, Council shall have regard to the following:</i></p> | |
| <p><i>(a) an evaluation of the appropriateness of the proposed use in terms of its effect on the development of the Sackville Drive Secondary Plan as the major commercial focus within the plan area;</i></p> | <p>The scope of this evaluation is on the commercial aspects of the proposal.</p> <p>Prior to entering into the existing agreement, it was indicated by the applicant that the existing Sobeys Food Store on Sackville Drive would remain in operation (see Case 16418).</p> |

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| | <p>The proposed new commercial building has a small footprint and is not expected to divert commercial activity away from the Sackville Drive Secondary Plan Area. Additionally, with the removal of the commercial space behind Sobeys to accommodate the construction of the multi-unit building, there will be an overall decrease in commercial space on the property to what currently exists and is permitted.</p> |
| <p><i>(b) that no development agreement for office uses in excess of the maximum size permitted in the community commercial zone be considered;</i></p> | <p>The proposal does not include any additional gross floor area for office uses. The proposed agreement maintains the current limit on office space, which is capped at 7,246 square meters as permitted by the existing agreement.</p> |
| <p><i>(c) that municipal central services are capable of supporting the development;</i></p> | <p>See the analysis under CC-6(c), above.</p> |
| <p><i>(d) that site design features, including landscaping, parking areas and driveways are of an adequate size and design to address potential impacts on adjacent development and to provide for the needs of users of the development;</i></p> | <p>It is understood that the development is considered a redevelopment of only a portion of the existing lands and that portions of the site not proposed for redevelopment under this application will be regulated as per the existing development agreement. However, some site design features have been included for the entire site as they ensure that the needs of future users are adequately served, and potential impacts are addressed. These include:</p> <p><u>Landscaping</u> The agreement specifies landscaping locations and standards aimed at buffering the development from adjacent land uses, minimizing impacts, and enhancing the site's functionality, aesthetics, and environmental quality. In addition, the agreement requires all order boards with an intercom to be landscaped with evergreen planting material to minimize noise impact on adjacent residential areas.</p> <p>All landscaped areas must incorporate soft landscaping elements, as defined in the agreement. These include water-permeable materials or vegetation such as trees, hedges, shrubs, flowers, grass, mulch, fruit and vegetable plants, sod, planter boxes, or other types of vegetative ground cover.</p> <p><u>Parking Areas and Driveways</u> The driveway access points, vehicle paths, and surface parking areas currently exist and were developed in accordance with the regulations of the existing development agreement. Modifications to the parking areas are proposed to accommodate additional buildings and provide enhanced landscaping under the new development agreement. The driveways and parking areas are designed to</p> |

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| | <p>ensure safe vehicular movement for both residential tenants and commercial users. Since the existing access points remain unchanged, no additional impact on adjacent developments is expected. Improved pedestrian pathways, as mandated by the agreement and its Schedules, will be provided throughout the site for users and pedestrians passing through to the neighboring community.</p> |
| <p><i>(e) that the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;</i></p> | <p>The height, bulk, lot coverage, and appearance of the proposed commercial building, along with the existing buildings, are compatible with adjacent land uses. The buildings are of a similar design to those located south of the subject property, such as the Sackville Arena and Leisure Centre. The surrounding areas to the north, east, and west are primarily composed of single- and two-unit dwellings.</p> <p>To ensure compatibility with the neighboring low-density residential areas, the agreement limits the height of commercial buildings to 10.7 meters, which aligns with the height of nearby structures. As noted in Policy CC-6(a), the lot coverage, along with the property's natural screening (topography and vegetation) helps reduce the perceived bulk of the buildings in relation to the adjacent low-density residential homes.</p> <p>The agreement also requires that the building design incorporates a mix of materials, with mechanical equipment screened from view and lighting controls implemented to ensure compatibility with neighboring properties.</p> |
| <p><i>(f) that appropriate controls are established to address environmental concerns, including stormwater controls;</i></p> | <p>See analysis under CC-6(d), above.</p> |
| <p><i>(g) the impact on traffic circulation and, in particular, sighting distances and entrances and exits to the site;</i></p> | <p>See analysis under CC-6(e), above. The traffic analysis also considered the queuing of cars associated with the new commercial building and concluded that there is ample space within the existing lot and parking area, ensuring no impact on the operations of the site driveway or traffic along First Lake Drive.</p> |
| <p><i>(h) general maintenance of the development;</i></p> | <p>The development agreement requires the Developer to keep all parts of the development on the property in good condition. This includes maintaining the buildings, fences, walkways, parking lots, driveways, and landscaping. They are also responsible for replacing damaged or dead plants, litter control, garbage removal, and snow and ice management, including salting walkways and driveways.</p> |

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| <p><i>(i) hours of operation; and</i></p> | <p>Hours of operation will conform with all relevant Municipal and Provincial legislation and regulations.</p> <p>As per requirements of the development agreement the hours of operation will be as follows:</p> <ul style="list-style-type: none"> • Uses located on Lot 3, as shown on Schedule B, shall be permitted to operate between the hours of 7:00 am and 11:00 pm Monday to Sunday. • The seasonal garden centre shall be permitted to operate between the hours of 8:00 am and 9:00 pm Monday to Sunday. • Uses located on Lot 2, as shown on Schedule B, shall be permitted to operate between the hours of 7:00 am and 11:00 pm Monday to Sunday. • Commercial Uses located on Lot 1, as shown on Schedule B, shall be permitted to operate between the hours of 7:00 am and 11:00 pm Monday to Sunday. • Hours of operation shall conform with all relevant Municipal and Provincial legislation and regulations, as may be amended from time to time. • Deliveries to any building, and the collection of refuse and recyclables, shall occur only between the hours of 7:00 am and 9:30 pm. |
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| <p><i>(j) the provisions of Policy IM-13.</i></p> | <p>See below.</p> |
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IMPLEMENTATION

Policy IM-13
In considering amendments to the land use by-law or development agreements, in addition to all other criteria as set out in various policies of this planning strategy, the Sackville Community Council shall have appropriate regard to the following matters:

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| <p><i>(a) that the proposal is in conformity with the intent of this planning strategy and with the requirements of all other municipal by-laws and regulations;</i></p> | <p>The proposed development is in conformance with the requirements of the planning strategy with further controls to be provided in the development agreement to ensure the development meets the intent of applicable policies and other standards.</p> |
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| <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 sewer and water services;</i></p> <p><i>(iii) the adequacy or proximity of school, recreation and other community</i></p> | <p>(i) The Municipality will not be financially responsible for costs associated with this development. The subject site is well served by existing municipal infrastructure. Any cost to upgrade municipal infrastructure, to accommodate the project, will be the responsibility of the developer.</p> <p>(ii) see CC-6(c) and CC-3(c) above. Halifax Water did not identify any significant issues. The developer will be required to provide evidence at the building permit stage that sufficient capacity exists in the local</p> |
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| <p><i>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) the potential for damage to or destruction of designated historic buildings and sites</i></p> | <p>wastewater system. Any necessary upgrades to the wastewater system will be the responsibility of the developer.</p> <p>(iii) The site is located within the Sackville High Family of Schools catchment area. According to HRCE, for the next 10 years all schools within the Sackville High family will be under capacity. According to HRCE, the child yield per apartment unit in HRM is 0.16. This low ratio suggests little impact on the enrolment. Additionally, the Education Act mandates that every person over the age of five years and under the age of 21 years has the right to attend a public school serving the school region in which that person resides. While there may be operational challenges in some cases, the HRCE will work to ensure all students are provided with access. The site is very well serviced by recreation and community facilities located along First Lake Drive and First Lake itself, including, but not limited to, Sackawa Canoe Club, Sackville Leisure Centre, Sackville Community Area, and Kinsmen Recreation Centre and Park.</p> <p>(iv) see CC-6(e) and CC-3(g) above. A traffic impact statement was submitted by the applicant. The findings of the traffic analysis suggest the traffic volumes generated by the development are considered within the volume guidelines for local road network and the site-generated trips are expected to have a marginal impact on the operations during peak travel periods. HRM Traffic Management and HRM Engineering have reviewed the analysis and accepted its findings.</p> <p>(v) There are no heritage resources in proximity to this development. According to the Regional Plan, Map 9, the lands do not appear to be within an area of elevated archeological interest. However, at the recommendation of the Nova Scotia Department of Communities, Culture and Heritage, an archaeological monitoring and protection clause is included in the agreement requiring the developer to contact the Coordinator of Special Places of the Nova Scotia Department of Communities, Culture and Heritage should artefacts be found.</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>Controls for these elements are contained throughout the proposed development agreement, as follow:</p> <ul style="list-style-type: none"> i. Use (Section 3.3) ii. Height, bulk, lot coverage (Section 3.5, 3.6, and the Schedules) iii. Traffic, access/egress, and parking (Sections 3.8 and the Schedules) iv. Open storage (Sections 3.13 and 4.5) v. Signs (Section 3.12) |

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| <p>(iii) traffic generation, access to and egress from the site, and parking;</p> <p>(iv) open storage;</p> <p>(v) signs; and</p> <p>(vi) any other relevant matter of planning concern.</p> | <p>vi. Subdivision, amenity space, lighting, landscaping, hours of operation, and stormwater management, (Section 3.4, 3.7, 3.9, 3.10, 3.14, 3.2.1, 5.2, and the Schedules)</p> <p>Staff believes there are adequate controls to reduce conflict with adjacent or nearby uses.</p> |
| <p>(d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, potable water supplies, marshes or bogs and susceptibility to flooding; and</p> | <p>The proposed site is suitable in terms of the steepness of slope. The subject site is not impacted by any watercourse, marsh, swamp, or bog. Staff is not aware of any soil or geological conditions on the subject site that would negatively impact the proposed development or abutting properties.</p> |
| <p>(e) any other relevant matter of planning concern.</p> | <p>The proposed development is located on the perimeter of a low-density residential area and within a small mixed-use zone along a transit route, with convenient access to both commercial and recreational amenities. According to a 2024 CMHC rental market report, vacancy rates in Sackville are extremely low (0.6%), highlighting the need for additional housing options and alternatives to single-unit dwellings.</p> |
| <p>(f) 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.</p> | <p>Not applicable as these lands are not within a Holding Zone.</p> |

Halifax Regional Municipal Planning Strategy (Regional Plan)

4.2.3 Public Transit

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| <p>T-9 HRM shall require mixed use residential and commercial areas designed to maximize access to public transit (Transit Oriented Development) within the Urban Transit Service Boundary through secondary planning strategies and shall strive to achieve the intent of this policy through land use by-law amendments, development agreements and capital investments.</p> | <p>The subject property is located within the Urban Transit Service Boundary, and the proposal seeks to add residential uses, allowing the site to become mixed-use rather than exclusively commercial.</p> |
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9.6.A PRIORITIES PLANS

Since the adoption of this Plan in 2014, Regional Council has approved several priority plans including the Integrated Mobility Plan, Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic

Strategy 2022-2027. The second review of this Plan began in 2020 and is expected to be readopted by Regional Council in 2023. The review will revise the policies of this Plan to ensure they are consistent with the priorities plans as approved. In the interim, this Plan supports the priorities plans which are actively used by staff to guide ongoing work.

G-14A *In considering development agreements or amendments to development agreements, or any proposed amendments to the Regional Plan, secondary planning strategies, or land use by-laws, in addition to the policies of this Plan, HRM shall consider the objectives, policies and actions of the priorities plans approved by Regional Council since 2014, including:*

- (a) The Integrated Mobility Plan;*
- (b) Halifax Green Network Plan;*
- (c) HalifACT;*
- (d) Halifax's Inclusive Economic Strategy 2022-2027; and*
- (e) any other priority plan approved by Regional Council while this policy is in Effect*

The proposed development aligns with the various priority plans as per the following:

- integrating climate change implications into land use planning policies and process by reducing sprawl and efficiently using transportation systems (Action 23 HalifACT); and
- increasing housing stock to accommodate the growing population in Halifax (Strategic Objective 1.6 Halifax's Inclusive Economic Strategy 2022-2027).

WHAT WE HEARD

Summary of Feedback

PLANAPP-2023-00368

Application by Upland Studios requesting substantive amendments to an existing development agreement for lands at 70 First Lake Drive, Lower Sackville, to allow for two 6-storey residential buildings on a shared podium and new drive-through commercial building.

Engagement

Public Consultation took place from September 11, 2023, until November 22, 2023. The engagement consisted of:

- a mailout notification to nearby residents which highlighted the proposal, identified how to find out more information, and outlined how to provide comments/feedback.
- a web page was created on Shape Your City that housed a video presentation by staff on the planning process and a survey requesting feedback.
- two public information meetings (PIM) held on the evenings of November 1 and November 2, 2023, at the Sackville Highschool.

Methodology

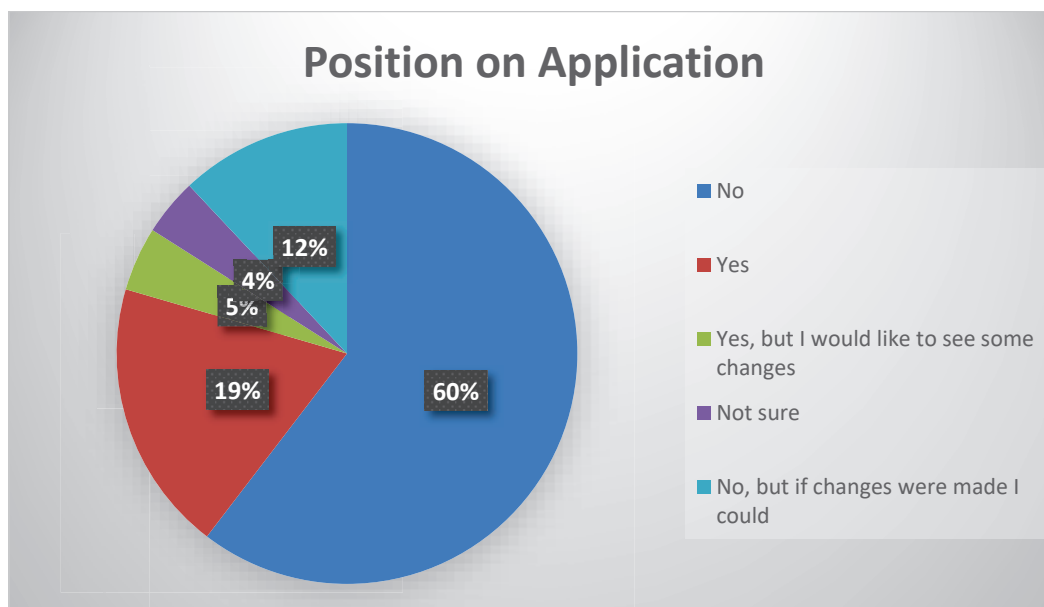
A count of notifications sent, and their response rate is included. Reoccurring comments were grouped into themes and provided below. The survey results and the PIM minutes are attached for reference.

Data (for public consultation period)

| Reponses | |
|-----------------------------|--|
| Total Notification Mailouts | 1329 |
| PIM Attendees | ~70 |
| Surveys Submitted | 424 |
| Emails/Phone Calls Received | ~12 |
| Percent | ~32% survey response rate ~5% PIM attendance rate |

Summary

The survey was distributed ahead of the public information meetings and consisted of six questions. Of the 424 respondents, 60.4% were in opposition of the proposal. A breakdown of the responses is shown in the graphic below.



The remaining questions of the survey did not have a full response rate, but of those that answered the majority believed landscaping (trees act as buffer and visual screen) was the most desired exterior feature, that dedicated walkways through the site should be provided, and that trees and open grassed areas were the most important landscape/amenity feature for future residents.

HRM planning staff has compiled all the public comments and questions provided through both the survey and received correspondence. Broadly, these comments fell into four categories, as summarized below in no particular order:

Health of First Lake

- “The health of First Lake and the Kinsman Beach area should be top priority when considering future development.”
- “Development of this magnitude will have an impact on the water quality of First Lake especially sense the current sources of e coli have not been identified.”
- “First Lake is a real source of enjoyment, and joy to the community. The white sucker fish, people go down and watch them every spring. I would hate for us to lose this...”

Traffic Safety

- “We have far too much congestion as it is on the streets that adding more buildings and increasing traffic makes it even more hazardous and harder to navigate.”
- “Would create too much traffic for the already busy area.”

- “Traffic, speeding, First Lake Drive has become a parking lot. This is going to impact that road even more.”

Flooding

- “I’m concerned with the level of flooding and water run off this area sustains in high rain volume situations and its impacts on the pollution of First Lake.”
- “Flooding issues on First Lake Drive needs to be addressed.”
- “The storm system can’t handle the water now and once this development goes in it will overload the system that much more.”

Privacy Concerns

- “The six stories will tower over the homes of Polara Drive. A severe loss in privacy, enjoyment of the backyard, view of the lake.”
- “We will lose any privacy we have in the yards.”
- “Do not block view or remove privacy from residents on Polara Drive.”

Need for Housing and Affordable Housing

- “More people, more variety, and more density might improve (services and infrastructure)”
- “I would like to see housing that benefits people who truly need affordable housing.”
- “Understand the need for housing, but it’s just not housing it is affordable housing. This may meet the needs of people but not the needs of affordable housing, the market.”

Impact on Community Services

- “All the schools in the area are already almost at capacity.”
- “Very concerned with emergency services and response times that such density would cause – making things worse than they already are.”
- “Where is the increase in police, fire, schools?”



Public Meeting
Case 2023-00368

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

Wednesday, November 1, 2023
7:00 p.m.

Sackville High School (Cafeteria) (1 King Fisher Way, Lower Sackville)

STAFF IN

ATTENDANCE: Dean MacDougall, HRM Planner III, Project Lead, HRM Development Services,
Maggie Holm, Principal Planner, HRM Development Services,
Kelly Greenland, Planner II, HRM Development Services,
Ardalan Shareghi Boroujen, Planner II, HRM Development Services,
Fine-Eni Ogon, Planning Information Analyst HRM Regional Planning,
Shannon England, Planning Information Analyst HRM Regional Planning,
Michelle McNiven, Planning Coordinator, HRM Development Services

ALSO, IN

ATTENDANCE: Upland Urban Planning and Design Inc Team
Councillor Paul Russell, District 15

PUBLIC IN

ATTENDANCE: Approximately 33

1. Call to order / Acknowledgements / Purpose of Meeting – Dean MacDougall at 7:00pm

Case 2023-00368 – Application by Upland Studios requesting substantive amendments to an existing development agreement for lands at 70 First Lake Drive, Lower Sackville, to allow for two six-storey residential buildings on a shared podium and new drive-through commercial building.

Dean MacDougall introduced himself as the Planner for this application.
Acknowledgement that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people and that we are in the decade for people of African Descent.

D. MacDougall outlined the agenda for the meeting.
Introduced Councillor Russell, Councillor for District 15.

Councillor Russell – Thanked everyone who came out to the meeting, thanked the girls' basketball team for setting up the tables for this meeting. Councillor explains why we are here tonight, to hear what you have to say, your feedback, we want to hear your concerns. This application has not made it to any committee, there have not been any decisions made on this application at all.

2. Presentation by HRM Staff – Dean MacDougall



Contact Dean MacDougall, Planner at
maccoude@halifax.ca or 902- 240-7085

D. MacDougall then gave a presentation describing the application and the role of HRM staff was explained through the Planning process. Once the staff presentation was completed Ben Chaisson was introduced with First Mutual Properties Ltd.

3. Presentation by First Mutual Properties Ltd - Ben Chaisson

Ben Chaisson - introduced himself and that the company has been around since 2010 in the community, then gave a brief presentation of the application.

4. Questions and Comments

D. MacDougall invited the community to ask questions to staff and provide their feedback about the proposal.

Greg Publicover, Lower Sackville – Is wondering if the path that goes between Polara Drive to the back of the development is that going to stay in place, or will it be closed? Asked if Sobey's will stay open during the building of this application and the traffic will be exiting through the parking lot on to First Lake Drive?

D. MacDougall – Yes, the path that is there will remain and Sobey's will also remain open. The traffic will be exiting onto First Lake Drive.

Paul Bowden, Sackville – has concerns, yes, we have a need for housing, but we don't have the other piece of the puzzle, where is the increase in police presents, fire, schools, school activity. Where are these things in this presentation. We need to see the whole picture not just part of it. We need to make sure everything is addressed, and we are protected before we say we want or don't want this development.

D. MacDougall – part of that evaluation criteria I spoke about some of the things you mentioned are in that process, so they will have to be evaluated before getting to council. For example, the school board is a part of the review agencies that we send the application to for a comment.

Theresa Scratch, Sackville – submitted a seven-page comment about the development application. T. Scratch is opposed to the development as proposed and finds it offensive that they are being asked for input when it is known that a second development application for 2 additional buildings has been submitted to HRM.

There is a conflict between these applications. The Regional Plan application intends changes to parking and amenity spaces, the staples building remains unchanged but the application states otherwise. Concerned about the compatibility, the September 2022 application suggests Polara Drive lies about 16.4 feet above the floor elevation of the 6-storey building and this application tonight suggests Polar Drive lies about 23 feet above the floor elevation of the 6-storey. What is the correct elevation?

Concerns about traffic. The loading bay location at Sobey's requires the transport trucks to turn in the parking lot, not sure if there is enough room for this. A turn is necessary for the trucks to back into the loading bay. We are going to end up with a drive in at both accesses. The application does not show access and exits routes or a queueing lane and the capacity. I do not believe there is enough parking for the needs of this development. I am convinced that we are not going to end with just 6-storey building to the very back. Read today that maybe the Staples building is closed so maybe this is the better spot for the building.

Wastewater issue, since the study in support of the application was submitted Halifax water has been investigating the source if human e coli found in First Lake. In 2020 Case 21859 Halifax Water submitted that the sanitary and storm sewer infrastructure was an ongoing concern. Halifax Water indicated a reluctance to support any development beyond an equivalent to what would be permitted by-right.

If we are relying on the regional plan for this development, it may not come through for further development on this spot. The regional plan is looking to intensifying development closer to the city core where there are services like rapid transit, maybe more wastewater capacity.

The Mill Cove wastewater treatment centers needs at least a 90-million-dollar upgrade that we require for servicing part of Sackville and Bedford. If we don't get that upgrade, we won't have treatment capacity. October 2021 Halifax Water responded to the study that the end point of the analysis will be

around the First Lake Drive pumping station, and they were looking into certain capacity for the first lake drive pumping station. I wonder what the outcome of that was.

Back to the Regional Plan again, they are looking to intensify closer to the city center there are side walks and bike lanes there that we don't have here, we don't have good service here on First Lake Drive.

This area is mostly single-family homes with 3 to 4-storey apartment buildings that were approved in 1980 and 1985 under the old MPS. These do not set precedent; development is approved based on the MPS and Land Use By laws. What I like to see rather than piecemeal amendments the entire site should be considered for redevelopment for the best possible layout and opportunities. Any potential changes to the Regional Plan policy to negate staff's assessment of the original application, that the Sackville MPS does not contemplate an increase in density and supports deferring this application until both application for this property can be considered at one time.

Greg Morrison- Provided clarification on heights and separation distances.

Resident – How high is the building going to be off that parking lot.

G. Morrison - The full size of the building is 6-storeys, depending on the grading you would see about 3-storey from Polara Drive.

Resident - so we will see 3-storeys from my back yard. What is the height, what does the applicant say? Is it 60 feet?

Andrew Roof – is there a second application? What is the applicant that was being referenced?

D. MacDougall – no there is not a second application this is the only active application on the property. A suburban plan is being written, it's the new community plan. The property owner asked that in that process that the developments be looked a little more closely. The development rights on all properties are going to be reexamined with the suburban plan. That is just one factor that goes into looking at the development of the suburban plan, council, the community, the stakeholders, the priority plans that we have in place, and the Regional Plan all play into factor to see what makes it appropriate for a new development.

T. Scratch, Sackville – is the request for an 11 and 20-storey complex under the suburban plan? It's same plan as they submitted before minus a couple storeys. So that is kind of like an application.

D. MacDougall – the property is going to be reexamined through the suburban plan, but it is not an application like is here tonight. The entire rights of Sackville are being reexamined not just this site.

Louise Plass, Sackville – so is there two applications? L. Plass has been here for 36 years now, my back yard is right on the Stapels parking lot. I have seen the first plan with the 22-storey and the two small ones, knew right off the bat that this area could not handle it and then the new plan came out and I was never so happy to see the two 6-storey buildings. How do you plan to handle the electricity when we lose power every storm we have now? The water in the parking lot is like the Niagara Falls, will this be fixed?

You spoke about the new suburban plan does this mean that they can come back when the laws change and build the 22-storey buildings? So you are saying that they will be able to change this to whatever they want if the law changes.

D. MacDougall – I will try to make the best clarification as I can on that. The rights of some properties could change under the suburban plan, it will all be reexamined under the suburban plan. We do not know what the regulations, rules will be yet, that is why they are still trying to get feedback from the communities to see how people would like to see their community developed. It is important to get in touch with the suburban plan team to make sure you are providing your comments about how you vision this community being developed in the future. Property owners can only change their property to whatever the rules allow.

A. Roof - What is the plan for the drive in? One of my concerns is that we will have two drive ins on both ends of the parking lot and cause traffic issues.

D. MacDougall – it will be commercial use that are allowed with the C2 zone and land use by-laws in mind.

A. Roof – the traffic study report doesn't add up, the exit out of the rink was not even shown, the hockey rink is packed every night. Sewage infrastructure sewage goes directly into the lake when it rains more than 30-40 mils. Halifax Water said it could be years to fix it. Schools have no room for more kids. The safety of pedestrians, kids crossing with no lights, brush not cut back, hopefully we will have better walkways, better ways to contain the water if this is approved.

D. MacDougall – the stormwater management will be examined.

Lorne Piercey, Sackville – concerned about the development we think it is not a great fit for our community. Understand the need for housing, but it's just not housing it is affordable housing. This may meet the needs of people but not the needs of affordable housing, the market. Traffic, speeding, First Lake Drive has become a parking lot. This is going to impact that road even more. Major traffic issues. 150 vehicles moving each morning.

Concerned that the quick and easy fix to accommodate the housing is giving the developers a blank cheque to develop without any oversight. I feel that the 2 buildings are a start to building a much taller building. Unfortunately, any increases that are required for infrastructure will be paid for with our taxes.

Andy Geldart, Sackville – putting buildings like these are going to impact the movement. Traffic impact statement didn't mention too much about the lights on First Lake and Glendale. There use to be a left-hand turning lane, but they took that out because of the trucks going to Sobey's.

School kids use Sobey's each day and they walk there, the traffic from the rink, bingo hall. How this is going to affect the schools, the buses.

Community part of it, not just the infrastructure part of it but the mental health, affordable housing. Having 18 decks looking into my back yard, don't want it. And the stress it will have on schools.

Heather Geldart, Sackville – What about the retaining wall, what are the plans for that. Will it be staying or taking it out. How far is the footprint of that building going to be from that wall? The chain link fence in my backyard that was put in there in now falling down. All these people are going to be in my backyard. If this development goes ahead, will you be talking to us about it. What are you going to do to make our properties beautiful that are now going to have 18 balconies' looking in our yards. Planting trees, hedges, giving us some privacy.

Greg Morrison – The wall will not be touched. Provided clarification on separation distances.

Resident – Context is essential, we are missing the context that is coming with public housing being delivered. to do all this planning and not looking at that I think it is to our detriment and our community's detriment. We are planning for the next few years, but it should be generational planning.

Brenda Piercey, Sackville – First Lake is a real source of enjoyment, and joy to the community. The white sucker fish, people go down and watch them every spring. I would hate for us to lose this and with the paths. There will be an impact with increased traffic, on the sewer system, increase of salt usage and the construction in itself will affect the lake.

Jamie Hughs, Sackville – Chair of the water committee of Friends of First Lake. Concerned about the impact that this will have on the lake that is already suffering with high e coli counts. The increase of the storm water is already overwhelming the system. I am concerned that we are being asked to put our opinions and input out without knowing what that full picture is.

James Green, Sackville - traffic report was done in March of 2022 if you look at the lockdown numbers for covid we were moving from 25 to 50 percent open which meant we were 75% shut down. Don't think those figures are correct.

Bob Pye, Sackville – Concerned about First Lake, this is a residential community this does not belong on first lake in belongs more in the city or Sackville Drive.

We draw people from Bedford, Windsor Junction, Kingswood for activities. Glendale is gridlocked, First Lake Drive is gridlocked This apartment is not appropriate for this community.

The path going from Sobey's to Polara has lights in it and the lights were burnt out, trees need to be cut back. It took 6 weeks for the light be fixed. Two years ago, a sign went up saying no winter maintenance on the path. This path has been there for 50 years.

Resident – Just a question for the applicant, have you considered any other areas in Sackville?

B. Chaisson - this is the only land we own in Sackville. The path that was talked about, HRM has stopped plowing it. We are listening to your comments and concerns that is why this application has changed. The staples building use to have 650 parking spots for cars that were flowing in and out of it daily, so with regards to traffic you have to keep that in mind as well.

We have nothing planned past this application.

Resident – what are the apartment sizes in the buildings?

B. Chaisson – there should be a mix of 1 bedroom, 1 plus den and 2 bedrooms and maybe some 3 bedrooms.

L. Plass – when will you start building.

D. MacDougall – first it has to go in front of community council then they apply for a permit and then once you get the permits, construction could take about 2 years. Part of the permit process is that they have to have a plan for the trucks, that plan lays out detail on how they are going to operate, what routes the trucks will take. That is another public meeting, and the community will be notified on that meeting.

Resident – First Lake Drive is like a speed way, kids racing down, the traffic is a lot, and nothing has been done.

T. Scratch – is there any reason why you picked the back lot to build, if the staples building is being turned into an apartment why would you not start there with building.

Ben Chaisson – there is no intention of turning the staples building into an apartment building. We just found out today that they do not need that big of a space now, they are still under lease and they are still a tenant in that building. Staples is a big part of the community, and we are wanting them to stay and we are trying to work with them.

T. Scratch – the proposal under the suburban plan identifies that building for an 11-storey building and if staples is closing down why haven't you considered starting there?

The traffic on First Lake Drive from the town center and Caviler Drive cars are parked on the roads and you have to cross that center line to get by them. From Crimson to Cobequid Drive there is no sidewalks with hardly any shoulder and ditches, the roads were not built for this traffic.

Resident – you need to present the whole package and let us know what you have looked at as a whole. Will these apartments be affordable housing or just housing.

B. Chaisson – this is still in the early in the stages, and we want your input. We have spent about 18 months trying to come up with a plan, height was an issue, so we had to go back and revise it and now this is our new plan. We understand that is hard when you get a piece here and there, but it is because things have to change. We are trying our best to benefit the community.

It will be market housing not luxury housing, we will be trying to make it cost effective, we still don't know what we are building, nothing has been approved yet and may not be approved.

Resident - we need a plan for affordable housing, the province and city need to come up with something.

D. MacDougall – affordable housing is not something we can ask for with our current plan but with the new suburban plan will change that but that is in the future.

5. Closing Comments

D. MacDougall thanked everyone for their participation in the meeting. Explained how they could forward their concerns and comments to HRM and the Councillors.

6. Adjournment

The meeting adjourned at approximately 8:36 p.m.



**Public Information Meeting
Case 2023-00368**

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

Thursday, November 2, 2023

7:00 p.m.

Sackville High School - Cafeteria (1 King Fisher Way, Lower Sackville - NS)

STAFF IN

ATTENDANCE:

Dean MacDougall, Planner, Planner III, HRM Planning
Kelly Greenland, Planner II
Tara Couvrette, Processing Coordinator - Planning, HRM Planning
Emilie Pothier & Lisa Arblaster, Planning Information Analyst, Planning
Information Services

ALSO IN

ATTENDANCE:

Paul Dec – Applicant, Upland Urban Planning + Design Inc.
Ben Chaison – Executive Vice President of First Mutual Properties, Property
owner
Paul Russell - Councillor for Lower Sackville

PUBLIC IN

ATTENDANCE:

Approximately: 37

1. Call to order and Introductions – Dean MacDougall, Planner

Case 2023-00368: Application by Upland Studios requesting substantive amendments to an existing development agreement for lands at 70 First Lake Drive, Lower Sackville, to allow for two six-storey residential buildings on a shared podium and new drive-through commercial building.

Mr. MacDougall introduced himself as the Planner and Facilitator guiding Upland Urban Planning + Design Inc.'s application through the planning process.

Councillor Russell – Thanked everyone for coming out to the meeting.

2. Presentations

2a) Presentation by HRM Staff – Dean MacDougall

Mr. MacDougall's presentation included information on the following:

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

2b) Presentation by Ben Chaison – Property Owner

Mr. Chaison presented details about proposal and how they got to where they are today.

3. Questions and Comments

Mr. MacDougall welcomed attendees to ask questions to staff and the presenters and provide their feedback, including what they liked and disliked about the proposal.

(i) **Jeff Thibeau, First Lake Drive:**

Feels this is greasy because they are just splitting what the originally proposed into two separate proposals and presenting it as an updated request is wrong. It was stated that the second part of this request will probably be going through the Suburban Plan after it is approved. The sewage study that was done was only done for King Fisher Way and don't reflect the impacts for the greater area of Sackville. In 2016 a report came as a result of high-density construction stating that Sackville sewer system needed significant upgrading before high density housing could be constructed. This hasn't happened yet and is concerned about the smells that will come as a result of this proposal. Development of this magnitude will have a impact on the water quality of First Lake especially sense the current sources of e coli have not been identified. The community has worked very hard, on a voluntary basis, to keep this lake clean. The Fire Dept. will require new equipment to deal with a development as large as is being proposed – is the developer prepared to donate this equipment? Or with this be on the taxpayer to pay for that new equipment? The current plan for Cavalier Dr. School is to nix the field and put in portables – this development will put more a strain on an already overloaded school system. Traffic on First Lake Dr. is already an issue that the Councillor is aware of, and this development will exacerbate an already unanswered question. We have speeders and there are no traffic calming measures in place. Transit improvements are only done up to the Mill Cove in Bedford and to develop high density in Sackville and not improve transit in Sackville is wrong. All the plans that have been show have a lack of parking – more units than there are parking spaces, where will the overflow go? It will have people parking on both sides of the road. The commercial portion of this will undermine all of the work that our local entrepreneurs have put into developing Sackville Dr. because that commercial portion isn't really required. Would like to know how they can propose an exit/entrance on St. Elizebeth Seton Property when they do not own it? The infrastructure capabilities were not highlighted in your presentation so they were not looked at as they should have been and that is disappointing.

(ii) **Peggy Hefler, Polara Drive:**

Is against this proposal. Understands affordable housing is an issue everywhere but doesn't believe what is being proposed is affordable housing. Would like to know how many stories the commercial build will be. Didn't like the layout of the survey and would have answered it differently if they could have given feedback. Feels it was a misleading deceptive survey. Concerned about property values – who will pay for my decline in value. I want reimbursement immediately once this development goes in. This development will impinge of the enjoyment of their own property. They will have people looking into their backyard or they will be staring at a cement wall. Concerned about the noise pollution for 2-3 years of building these along with the construction, traffic and chaos that goes with it. Concerned with the refuge collation in these building as well as the smell. Very concerned with emergency services and response times that such density would cause – making things worse than they already are. Phase two of this will impinge it even more. Traffic in Sackville is horrific – this will make it so much worse.

(iii) **Damion Bray, First Lake Drive:**

Stormwater issues – water in basement three times. The storm system can't handle the water now and once this development goes in it will overload the system that much more. This should not even be considered until that system is upgraded to be able to handle what is here now and any increases from further developments. Traffic is a nightmare now – this will make it worse.

(iv) **Wade Marshall, Quaker Cresent:**

Agrees with the last speakers. Can't figure out, when there is a plan in place that limits heights, why would you even consider looking at something like this. You should abide by what is in place. We do not have the capacity in our infrastructure to support what is being proposed. Politicians

are not trustworthy, and the people are finally at the point where they can't believe anybody anymore. Doesn't believe the city is going to put any money into infrastructure in Sackville. If this gets approved, will this pave the way for them to just go ahead and build phase 2? Or will it have to go through this same process again?

Dean MacDougall – It will not pave the way at all. It will have to go through this same process if the Suburban Plan hasn't been made yet.

Traffic is a major issue. Who enforces the development plan? Compliance said there is a noise bylaw. We have been dealing with garbage trucks coming here at 2-3 am on Tue & Thu's and noting is being done.

Dean MacDougall – Compliance enforces it.

(v) Dick deGier, Lower Sackville:

At this time there should be no approved development within the First Lake watershed. HRM has used First Lake as part of their sewer system for decades. A comprehensive study in 2022 demonstrated that 77% of the e coli in the lake is attributed to human waste. The main source is the inflow at Kinsmen beach and second to that is on Pine Hill. The poop from this development is going to run down the hill into the pumping station near that inflow at Kinsmen beach. It periodically overflows because it doesn't have the capacity to handle the sewage that is going into it now. This is going to increase the volume that is going in and it is going to dump into the lake more often. Feels that there are illicit hookups going into the lake. No development should be approved until the Lake is cleaned up and comprehensive testing is done to verify this. Incompetence, neglect, and malicious intent over the years has led to the situation we are in now and I am not seeing it being fixed in a comprehensive way. The lake should first be brought back to a point where it is pristine before any development can be done. The real issue is an over population increase and you can't have this happening without the proper planning. Slow down the increase in population because we can't handle that capacity.

(vi) Nick Davis, Polara Drive:

On board with what has already been said about the watershed. Biggest concern is that we are doing infrastructure backwards. The school are over capacity now. Any sports or activity in the area – you are fighting to get your kids in. My property value will be affected. We have a nice quiet area and this will change that drastically. How can we support our area which is already struggling. This is not the way to do it.

(vii) Steve Annis, Nappan Drive:

Concerned with the traffic on Glendale Dr. The road system in this area is terrible. The road structures need to be looked at and they need to be upgraded. Flooding issues on First Lake Drive needs to be addressed. Sewer system needs to be looked at.

(viii) Public:

What do you do with our concerns?

Dean MacDougall – Advised a staff report is done up and given to council.

(ix) Shayne O'Neil, Candlewood Lane:

One of the founding Directors of the Sackville Rivers Association, Co-Chair the Sackville Lake Parks and Trails Association, and Director of the Friends of First Lake Society. What is a drive-thru commercial building? The proposal is 2 buildings with 154 units but the study that was attached shows 250-unit, 100 unit and another 100 unit building in the map, so why are they not compatible? Surface water issues is only going to get worse as we move forward, not get better. It should be a big part of this plan so that it is not just runoff. If they are connected to storm drainage, there should be that segment and filter traps are installed on all storm drainage to prevent any material getting into First Lake. The Sackville Planning Strategy – we have been frustrated over the years because it wasn't updated. Talking about the Suburban Plan – when are we likely to see a new Sackville Plan? Feels planning shouldn't just about looking at numbers its about looking at the intent of the community and the intent of the plan. With respect to trust, if this proceeds then the next phase will come hot on its heels – this will be a violation of trust from

the community in this process. If you want to engage the community in a way that you will get their trust people need to understand that now that you have the door wedged open in comes the truck.

Dean MacDougall – It is a building that has a drive-thru window. The studies are for the first proposal with the three buildings, and we will require updated studies for this one. The new plan would probably over years not decades – It is being broken into 2 parts – pkg A and pkg B. Advised more info online and you can get info from that team that is working on the project. It will be the same process as the Centre Plan went through.

(x) Andrew Jennings-Lindsay, Lower Sackville:

What are the units being broken down into – size etc. accessible living, active living, the type of residential units inside the building.

Dean MacDougall – We can't regulate the user only the use. The building code would require certain things and that would be applied to the site. 1-2-3 bedrooms units can be broken down in the agreement.

(xi) Wade Marshall, Quaker Crescent:

Glendale was supposed to be upgraded to a 4-lane road and it still hasn't happened and that is why there is greenspace on either side of Glendale. On the small building, the drive-thru building, there is a noise factor that goes with that. Don't want to hear – can I take your order please. Can there be consideration on how the speakers/microphones are placed to mitigate that. Instead of going two 6-story buildings you may have had a better reception with three 3-story buildings. Until the city and the province upgrade the infrastructure a responsible Community Council should put a ban on any development within the First Lake watershed. Trust – really hopes that the city is really listening to what is being said tonight. The trust issue is a major factor. We don't want this in our community – this is a bedroom community and should be just R-1 and R-2 homes.

(xii) Public:

Can Councillor Russell go to council now and say the community doesn't want it – scrap it.

Dean MacDougall – no it must be tabled first at first reading. Right now, it hasn't been tabled.

(xiii) Jason Brison, Millwood area:

Would love it if this was close to me. Agrees the infrastructure needs to be upgraded. Thinks HRM in general need to grow up (height wise). Thinks it is a joke how small Halifax and NS still is. Thinks Sackville is a great place to break that height limit and welcomes new development.

(xiv) Public:

Is this going to help at all? How long before this goes to council?

Dean MacDougall – absolutely. Encouraged to read Policy CC6 to see what this proposal is evaluated against. It should go to council within the next 6 months.

(xv) Tom, Polara Drive:

We keep our son out of the water at the beach at First Lake because of the water quality. Concerns around water management and waste management of this development. Not opposed to the development just want to echo the same concerns that have already been raised. Pathway on Quaker Crescent is in disrepair and keeps getting worse with every storm. Could the Staples building be redeveloped into apartments sense Staples is closing. Would HRM be able to enforce that some units be Social Housing units? Will there be minutes available from this?

Dean MacDougall – we can't enforce that as it is not considered in the Sackville Plan. It is proposed to change under the Suburban Plan. Meeting notes will be available online once completed.

(xvi) Greg, other side of Metropolitan Ave:

Does think development like this is important. Areas like this need to evolve and get an influx of a variety of zoning and density to accommodate better transit and to encourage better hubs and decrease the traffic. The infrastructure stuff is incredibly important, the sewage in the lake is

terrible. It is important that this that does get resolved. Doesn't think stopping all development will resolve the issues that have be tabled. There could be a chicken and the egg problem here; having more people in Sackville could led to better transit and more buses, could led to better infrastructure because there could be more money available for Sackville to be putting into that stuff. People were saying the school system here hasn't had enough improvements – maybe there just isn't enough money to go around for it. More people, more variety, and more density might improve that stuff.

(xvii) Public:

If you clean up the sewer issue that may cleanup the blue-green algae problem along with e coli.

(xviii) Kathy Normar, Cavalier Drive:

The 2022 report that came out to First Lake residents regarding e coli in the sewer system and the lake. Were the developers aware of this before they started their plan? If so, are you going to help clean that up? Now that that study is available should that not make you reconsider your thoughts about the development.

Developer – the study we conducted was pre the 2022 study.

Dean MacDougall – is currently talking with Elizabeth Montgomery about the study. The report is being taken into consideration.

(xix) Peggy Hefler, Polara Drive:

Requested answers to her earlier questions. Issues with big trucks driving around, during construction, while young children area walking around for school etc. – safety concerns. These things need to be considered before the permitting stage. Property values.

Dean MacDougall – 1 story commercial building with possible drive-thru. Noise pollution – there is a city by-law and is one way that is dealt with. Noise pollution from the development – we would look at ways to mitigate it in design. There will be noise as part of the construction. There will be a construction mitigation plan required at the permitting stage if this is approved. Dean has offered to do some research of the impact of development of property values.

(xx) Albert Scott, Cavalier Dr:

Doesn't have a problem with commercial hubs as the city expands but to impose commercial hubs on an existing community is going to create problems – as was already brought up. This will be detracting from the quality of life and property values in the area. This is not the place for it. Developers like to exploit natural amenities and that is what First Lake is – a natural amenity. Does not support congestion and population increase per square mile. This is not the place for it!

4. Closing Comments

Mr. MacDougall thanked everyone for their participation in the meeting.

5. Adjournment

The meeting adjourned at approximately 8:45 p.m.

PLANAPP 2023-00368: 70 First Lake Drive, Lower Sackville

SURVEY RESPONSE REPORT

01 July 2013 - 04 October 2023

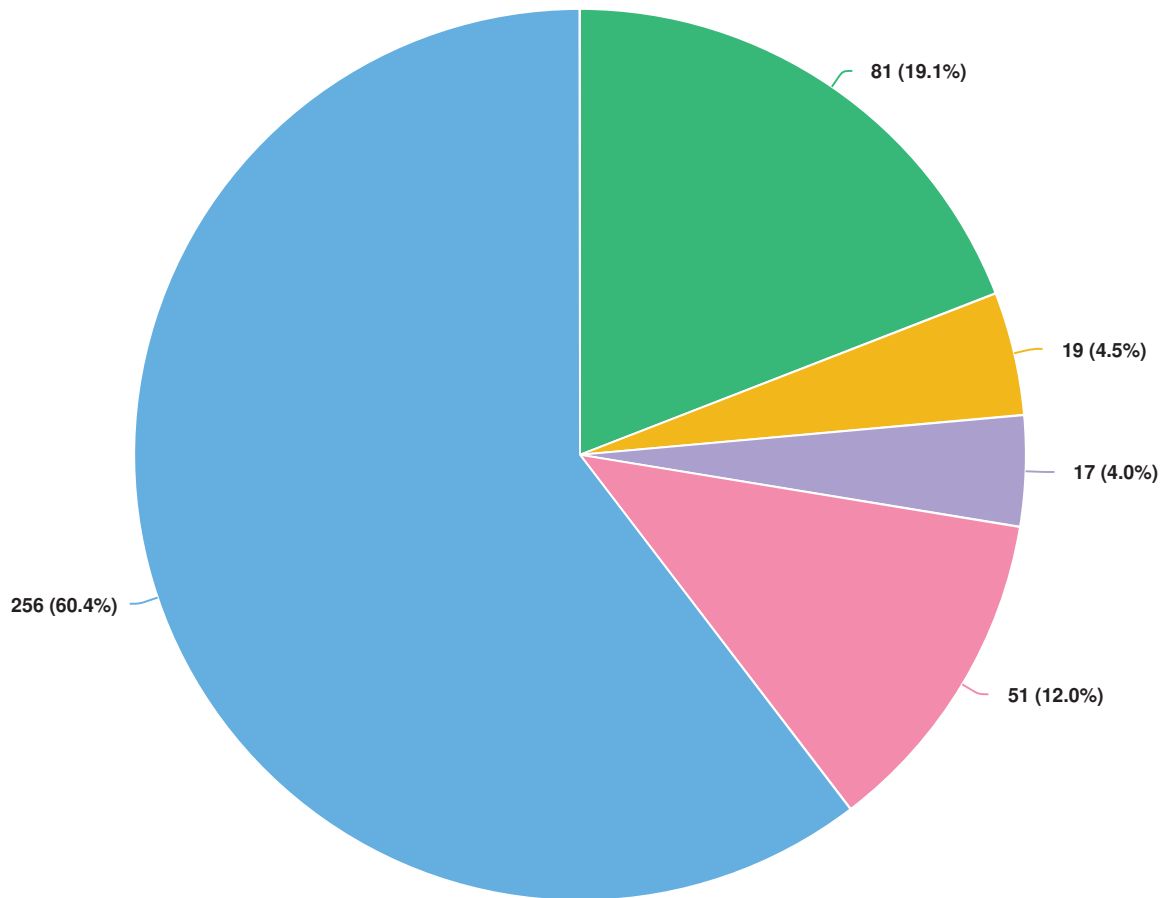
PROJECT NAME:

Planning Applications



SURVEY QUESTIONS

Q1 | Are you in favour of this project?



Question options

- Yes
- Yes, but I would like to see some changes.
- Not sure.
- No, but if some changes were made I could support it.
- No

Mandatory Question (424 response(s))
Question type: Dropdown Question

Q2 | If you answered B (Yes, but I would like to see some changes) or D (No, but if some changes were made, I could support it) to the previous question, what changes would you like to see?

Anonymous

9/08/2023 01:55 PM

The infrastructure is not in place to support this increase in population. Cavalier Drive Elementary school is busting at the seams, and First Lake is full of raw sewage due to human waste leaking directly into the lake. I am not ranting, the report was just released by HRM. Fix the sewage problem, address the school need, then consider building new residences.

Anonymous

9/08/2023 03:45 PM

Concerned regarding managing increased sewer demands.
Concerned for traffic flow and congestion.

Anonymous

9/08/2023 03:49 PM

I am not in favour

Anonymous

9/08/2023 04:06 PM

We need affordable housing. Based off this description, this will not be affordable for many already living in our community.

Anonymous

9/08/2023 04:15 PM

At least 25% of units be ear marked for affordable housing units

Anonymous

9/08/2023 04:51 PM

Help the homeless first

Anonymous

9/08/2023 05:31 PM

Clean up Cobequid baseball field before adding more people to our neighborhood!! We don't need another overpriced/ unaffordable eyesore to our community! When will you people ever learn ?? Fix what you have before adding more !!!

Anonymous

9/08/2023 06:55 PM

Currently, the roads cannot adequately handle Bingo/Sports exiting the Sackville Arena onto First Lake dr to metropolitan. Improvements needs to be made before proceeding with a new build / additional traffic. Lake water quality needs to be fixed for swimming. Parking for First Lake water park, lake, playground needs to be expanded. Sidewalks on both sides of the street due to increased foot traffic coming from the new buildings. I worry about the view for the residents on Polara Dr with backyards near the development. There is a risk of pedestrian accidents due to increased foot traffic through

the parking lot area (sobeys, Tim Hortons etc)

Anonymous

9/08/2023 07:01 PM

I would like to see the residential units reflect the current housing crisis. Developers cannot continue to price people out of their homes. Residential properties MUST be realistically affordable.

Anonymous

9/08/2023 07:29 PM

It needs to be clearer how we will address traffic, public transport, school capacity etc. and the impact on the lake.

Anonymous

9/08/2023 08:22 PM

I'm worried a out traffic which is already crazy in that area and around Glendale.

Anonymous

9/09/2023 07:08 AM

If I were making the proposal to build this development, I would build it somewhere that could handle the extra traffic, people, kids in the already strained school system, etc.

Anonymous

9/09/2023 09:31 AM

Far too much traffic now on a residential street and infrastructure will not support it. Would like to see this area developed with single storey retirement garden style homes.

Anonymous

9/09/2023 11:04 AM

Impact on local schools

Anonymous

9/11/2023 08:58 AM

4 floors max

Anonymous

9/11/2023 09:17 AM

I believe any changes to this Development Agreement should be assessed and considered for approval, following MPS and HRM Charter policy for DA amendments, in a holistic approach, enabling the consideration of any cumulative negative impacts and benefits. It is very difficult for the public to reasonably comment on the 2 six storey multi-unit application without taking into consideration the potential impact from the proposed additional development of 11 and 20 storey mixed use multi-unit buildings being considered for the "remainder of the site" under the Suburban Plan process. This survey presupposes approval of this application without consideration of the potential impacts of the site specific application under the Regional Plan. I would like to see all proposed amendments/applications presented for comment as a complete proposed development for the site

Anonymous

9/13/2023 06:25 PM

4 stories

Anonymous

9/13/2023 07:20 PM

Lower height, less density. Inadequate traffic studies have been done. Local schools are already crowded. Glendale/Beaverbank/Coboquid, Metropolitan are already very very busy even on weekends and adding 154 more units without significant road improvements will worsen an already bad situation. This level of density in this neighborhood will cause significant problems.

Anonymous

9/13/2023 08:38 PM

Too large and too many units.

Anonymous

9/14/2023 07:32 AM

I'm concerned with the level of flooding and water run off this area sustains in high rain volume situations and its impacts on the pollution of First Lake. And I'm concerned with the level of traffic this will bring to the area. I would like to see information in the plan for how the access traffic will be handled (I.e. will there be changes to stop signs? Will they become stop lights in the entrance and exit to the Sobeys parking lot? What will the land owner be doing to ensure sewage support is adequate, and if this development will increase the risk to the lake. It's already suffering, I'd like reassurance that this will not add to the problem.

Anonymous

9/14/2023 04:51 PM

Lower the apartment levels to 3 floors MAX

Anonymous

9/14/2023 05:28 PM

I want to see it higher and more apartments at least 10 stories

Anonymous

9/14/2023 05:34 PM

No residential units. The infrastructure in sackville can not continue to handle all the new residential development. New roads need to be explored before more houses/ apartments are added.

Anonymous

9/14/2023 05:50 PM

I would like to see smaller buildings if there's two. 154 units seems like a lot of traffic for that already congested area of road with the daycare/park/splash pad/rink/tasio/sobeys in that little section

Anonymous

9/14/2023 06:27 PM

Upgrades need to be made to the waste water and sewers before any additional buildings are approved

Anonymous

9/14/2023 08:24 PM

Only 4 story buildings with affordable housing rents

Anonymous

9/14/2023 08:33 PM

Additional infrastructure is needed. The schools being overburdened is my biggest concern.

Anonymous

9/14/2023 08:35 PM

Having another huge apartment in this area is a horrible idea. Traffic is already horrible. Not to mention we will lose any privacy we have in the yards. I'll take looking at the Staples call center roof top!! Put it somewhere else

Anonymous

9/14/2023 09:38 PM

diminish to 1 building. As is this is going to add a lot of traffic in one of the nicest residential neighbourhoods in Lower Sackville. I also have concerns about school capacity and traffic. Traffic is already a problem by the school.

Anonymous

9/14/2023 09:44 PM

Have them

Anonymous

9/14/2023 10:13 PM

Not six levels, blocks existing homes from light and view, too much traffic in a high traffic area with several schools in the vicinity.

Anonymous

9/15/2023 07:04 AM

If this was being proposed as airfare housing to help reduce the amount of occupants in the homeless tent community I would be more for it. Also this will impact the metropolitan/Glendale intersection which already at time you sit at for more than one light.

Anonymous

9/15/2023 10:19 AM

Jamming 2 large buildings into this space is ridiculous. WE don't have the infrastructure for roads, road conditions, schools, Ambulance / emergency services etc. in this area. I understand affordable housing in HRM is a concern, but building luxury apartments is not going to solve the issue.

Anonymous

9/15/2023 11:42 AM

The proposed buildings are far too close to the edge of the property and do not respect the current properties residential houses on the street behind the mall. The developers are being greedy. Also, there is a sewage issue currently at that site and First Lake. We do not need a drive thru there either. No taller than 4 stories, no podium.

Anonymous

there will be more traffic in our area and we dont need that.

9/15/2023 01:44 PM

Anonymous

See a plan to deal with vehicle traffic.

9/15/2023 03:19 PM

Anonymous

I have concerns regarding the additional traffic from the multi story apartments rather than from the townhomes

9/15/2023 03:24 PM

Anonymous

The traffic is heavy in this area already. School busses/Bingo/Taiso/Canoe Club/Church/Sobey's delivery trucks and the ARENA. Power outages are common in this area in winter so putting a larger load on the existing faulty grid cannot be good.

9/15/2023 04:07 PM

Anonymous

No not at all leave it alone not the area for this

9/15/2023 07:53 PM

Anonymous

not in support at all even if changes to plan.

9/17/2023 12:01 PM

Anonymous

Part of this development needs to include substantial improvements to the infrastructure of the area, such that it would have a positive impact on the already over-burdened wastewater and drainage systems. What the area does NOT need is even more sewage waste overflowing into First Lake. Fix that before adding to the problem.

9/17/2023 07:17 PM

Anonymous

I would like to see housing that benefits people who truly need affordable housing, and doesn't just line developer's pockets.

9/17/2023 07:22 PM

Anonymous

I haven't seen how adding this number of people to first lake could be sufficiently handled without proper infrastructure. Also how will this affect the lake which is already polluted.

9/17/2023 07:26 PM

Anonymous

100% against the project

9/17/2023 07:34 PM

Anonymous

Do not block view or remove privacy from residents on Polara Drive. These properties have been there for a good number of years and should be taken into consideration when building the apartments

9/17/2023 08:40 PM

Anonymous
9/17/2023 08:43 PM

Complete and total change to infrastructure of Lower Sackville. We cannot handle that influx of people.

Anonymous
9/17/2023 08:43 PM

It needs to be affordable! Whether it be public housing, subsidized housing, senior, housing for all the people out there on fixed incomes who can't afford to pay current rent prices, which, by the way are outrageous

Anonymous
9/17/2023 08:51 PM

No If they stick to the normal 4 storey buildings like the rest of Sackville.

Anonymous
9/17/2023 08:52 PM

First lake is far to busy now

Anonymous
9/17/2023 08:57 PM

I haven't seen a design of it, but will there be a sidewalk going down to First Lake Drive. There currently is a sidewalk on one side. Makes it very hard to get around if you are walking or trying to go over to the park.

Anonymous
9/17/2023 08:57 PM

I am not in favor of this.

Anonymous
9/17/2023 08:58 PM

I don't support this project at all. But you only put in options that were geared like that. And by the looks of it, every question after this is also like that. So whatever we answer, your "survey" will come out with some positive data.

Anonymous
9/17/2023 09:02 PM

Affordable units needed.

Anonymous
9/17/2023 09:03 PM

Make sure schools can support the possible influx of new students. More daycares may be needed. Make sure ALL SERVICES (water power etc.) won't be affected in the short and long term. Make sure the value/quality of the construction will enhance the area in terms of beauty, and the value of near by properties. Make sure the lake won't get more polluted as it is. Traffic should not get worse in peak hours. More public transit options may be needed

Anonymous
9/17/2023 09:20 PM

A smaller apartment building. No commercial space.

Anonymous

9/17/2023 11:41 PM

Not applicable

Anonymous

9/17/2023 11:45 PM

We have far too much congestion as it is on the streets that adding more buildings and increasing traffic makes it even more hazardous and harder to navigate. Consider solutions to manage existing traffic concerns first before adding to the problem.

Anonymous

9/18/2023 06:49 AM

There is not enough infrastructure in this area to support this development. There is no room in our local elementary school, there isn't enough road ways to accommodate how busy this will make the area, and the already struggling first lake will be a thing of the past.

Anonymous

9/18/2023 07:43 AM

I do not want something of this size in a community that already has a lot of traffic and people.

Anonymous

9/18/2023 07:51 AM

We are already over population in the schools.

Anonymous

9/18/2023 07:52 AM

Improved traffic flow. This is already a very busy roadway with a splash pad, day care, canoe club, gymnastic center, and schools. Added traffic will increase the danger to children. Also the additional waste being dumped into First Lake must stop completely

Anonymous

9/18/2023 10:51 AM

Mandatory affordable units. Affordability to be determined by CCPA
NS

Anonymous

9/18/2023 11:20 PM

Add townhouses in lieu of some commercial space. Need more units especially 2+ bedrooms.

Anonymous

9/19/2023 08:09 AM

I am opposed to the project in its entirety.

Anonymous

9/19/2023 09:16 AM

Fix the homeless problem at Cobequid Field before allowing developers to build higher end development.

Anonymous

9/19/2023 10:46 AM

Please no more than 6 stores. We don't want a 20 story monster in our back yard. I suggest you take the ball field on Cobequid road and build your towers there with affordable housing.

Anonymous

9/19/2023 11:15 AM

The buildings are way too tall. Too many people in one area and overshadowing all the original homes nearby. Also fewer apartments! We don't have adequate roads or schools etc

Anonymous

9/19/2023 05:37 PM

If this was a plan for a cooperative housing plan (refer to Crossroads Coop in Milwood) where the rents were based on residents income rather than a for profit developer i would totally support it. Otherwise this is just a tax grab for HRM and another capitalist venture that does NOTHING to provide affordable housign which is what is needed.

Anonymous

9/20/2023 12:29 AM

additional access to the site via Polara Drive. At a minimum, a set of lights will be required at one of the two entrances to the mall/apartment complex site.

Anonymous

9/20/2023 11:53 AM

Where are all these children going to go to school exactly? Why do we need more buildings people can't afford go live in? I work with people who live in a tent community ffs this province could not be more disenchanted.

Anonymous

9/20/2023 12:49 PM

Less in height and more in width.

Anonymous

9/21/2023 02:20 PM

We don't have the infrastructure to support such a large apartment complex. The roads, the schools and if you say that it is in the works I don't believe you.

Anonymous

9/21/2023 09:17 PM

Having grown up in the first lake drive area over the last 50 years. still live in phase 11. There have been many changes over the years in that area. With building the town centre, and rebuilding it a couple more times. But the infrastructure/road ways have not changed. If this gets passed There will be approx 250+ moving into that area with vehicles. How is first lake drive suppose to accommodate all of those vehicle? That area is busy as it is. And during construction it will be a night mare. I hope that the municipality ensures that the company building this complex, consider their neighbours and doesn't disrupt or cause inconvenience to them. I hope that the tenants that move in the building understand the lake is only there to look at, seeing that it is polluted with E. coli. This might be a good time for HRM to clean up the lake.

Anonymous

9/22/2023 07:56 PM

Access to this area is very limited and the proposed units would add substantially to the traffic, noise and pollution on First Lake Drive. Access should be added from another direction so not all the traffic is automatically funnelled onto First Lake

Anonymous

9/25/2023 08:03 AM

Would create too much traffic for the already busy area

Anonymous

9/26/2023 11:14 AM

It would be too much traffic in a small area along with the High School and no lights on Lydgate. Traffic would be a major problem for people living in the L section of Sackville.

Anonymous

9/26/2023 03:56 PM

The current water and sewer infrastructure is inadequate. Until that is addressed it is folly to add an additional 154 units to the area. The health of First Lake and the Kinsman Beach area should be top priority when considering future development. Both are connected to the Sackville Provincial Park Trail system. Another component - traffic. Currently there is an exit via First Lake Drive (residential and school area) to Cobequid or exiting via Metropolitan Drive to Glendale. The future congestion and apparent lack of respect for the current speed limit would create a danger to the neighbourhood.

Anonymous

9/27/2023 04:56 PM

The changes would have to do with existing infrastructure, as we would need additional options for transit, recreation as well as schools and hospitals. These would have to be part of these plans, so as to not disrupt the existing residents of the area.

Anonymous

9/28/2023 08:50 AM

I think the project should be looked at as a whole not subjected to two different development agreements.

Anonymous

9/28/2023 11:17 AM

The power infrastructure in this area is bad at best. Adding more users to it would make it worse for all. Take a historical look at power outages in this area. Also, after the residents use all the existing parking, where would Sobeys shoppers park?

Anonymous

9/28/2023 04:17 PM

The six stories will tower over the homes of Polara Drive. A severe loss in privacy, enjoyment of your backyard, view of the lake.

Anonymous

9/28/2023 04:21 PM

There needs to be adequate parking and possibly a three way stop coming out of the parking lot.

Anonymous

9/28/2023 04:34 PM

the developer seems intent on making the Kinsmen park their personal amenity. On the various plans for this property nowhere did I see plans for a sizeable contribution to the local community group - only how the developer could take advantage of being across the street and all the kinsmen park had to offer. Get your own amenities or contribute accordingly.

Anonymous

9/28/2023 04:42 PM

Strongly against this development. Individuals who have purchased, (invested in) their homes in the area are going to loose value on their land due to blockage of views from our yards. Not to mention the impact on the already stressed infrastructure, the health of the lake (construction run off and added daily commutes will have a negative impact, there is already sewage running into the lake from the stress of the already existing structures. The schools are already overcrowded as well! We bought our house to be in a peaceful area not to packed in like sardines!!!

Anonymous

9/28/2023 04:43 PM

Do not change the zoning! We don't need these structures blocking our lakes and destroying the area! Sackville has enough over priced units!!!!

Anonymous

9/28/2023 04:46 PM

Never

Anonymous

9/28/2023 04:49 PM

Don't want his in our backyard!

Anonymous

9/28/2023 04:58 PM

Affordable housing.

Anonymous

9/28/2023 05:09 PM

Never at that location

Anonymous

9/28/2023 05:10 PM

Fewer stories. We live off Polara and a 6 story building would be our view. Kills the small town feel of the area.

Anonymous

9/28/2023 06:03 PM

No, don't want it! At all no!

Anonymous

9/28/2023 06:18 PM

Need affordable units. Buildings need to be no more than 4 stories height. Fewer units due to traffic concerns.

Anonymous

9/28/2023 06:22 PM

All the schools in the area are already almost at capacity. So changes beyond adding the mobile trailer units would have to be made. The traffic in the area of metropolitan and first lake drive, the exit from sackville high and leasing can be quite dangerous. A lot going on it that curve and have seen multiple accidents there. As well, all the apartments being built in the area are hardly affordable for what was once considered "middle class". At least a few years ago, rent at most buildings used to include, heat and hot water, some even as far to include electricity. But now all these new developments put a heat pump and hot water tank in each individual unit leaving those up to the tenant. Average rent being 1600\$ a month for a 1 bedroom combined with all utilities is not feasible for what once was a friendly, affordable area.

Anonymous

9/28/2023 07:17 PM

Concerned about parking and access

Anonymous

9/28/2023 07:23 PM

I'm deeply concerned about the pressure this many additional units puts on an already busy residential street that has regularly occurring traffic jams (post-Bingo, post-Junior B hockey games) and is connected to streets that are heavy pedestrian pathways for elementary, middle and high school students. Drivers in this area already routinely ignore crosswalks and traffic signals needed to protect pedestrians.

Anonymous

9/28/2023 08:24 PM

No need for commercial /mixed use bs here

Anonymous

9/28/2023 08:45 PM

Affordable housing

Anonymous

9/28/2023 08:46 PM

to much traffic

Anonymous

9/28/2023 08:50 PM

This is not a fair survey for the general public of Sackville. There is a NO opinion available. it is a slanted survey.

Anonymous

9/28/2023 11:02 PM

We need the infrastructure in and out of first lake/beaverbank/cobequid upgraded to accommodate the increase in vehicles.

Anonymous

9/29/2023 12:50 PM

I do not support. Infrastructure of the road system and local schools are already at capacity. This will make a congested area even more congested.

Anonymous

9/29/2023 12:59 PM

There will need to be traffic lights installed at the intersection of First Lake and the entrance to Staples. I live on Lakehead Court, and at rush hour it is very difficult to turn left on to our street from First Lake Drive due to traffic. With these new units, it will become so much worse. I worry about the impact on First Lake in terms of run off. There is a noise issue with traffic increase. I realize we need more housing, even if it is not low income housing, yet I am concerned about these issues, and the possible impact on real estate values going down in the area.

Anonymous

9/29/2023 06:09 PM

It would affect traffic volumes, schooling issues and further pollution to the lake area — our area cannot support this, it will become over crowded like Millwood

Anonymous

9/29/2023 06:21 PM

First lake is a quiet neighborhood and it always has been and residents deserve to live in the environment we bought for

Anonymous

9/29/2023 06:38 PM

Larger parking capacity in that area for for people going to the beach, attend canoe Kayak/Canoe competition, watch fireworks and other activities.

Anonymous

9/29/2023 10:40 PM

No. Currently, and over the past decades, First Lake has been used as part of the HRM sewer system. Raw sewage is dumped into the lake on a daily basis and periodically when the pump stations cannot handle the volume to be pumped. These buildings will increase the volume of sewage dumped into First Lake. This is a health issue. There should be no development in the First Lake watershed until after this sewage issue is fixed. If this development goes ahead it will be a direct statement by the politicians to the community as to how little they care about the public health, the environment and the overall well being of this community.

Anonymous

9/29/2023 11:42 PM

The new housing is listed as luxury housing which our community is not in need of. We need more affordable housing. Considering the average income in HRM would not be able to sustain the costs of this housing.

Anonymous

9/30/2023 12:01 AM

No wasn't an option on your survey, I am not in favor. We do not have the infrastructure, find another area, this one is too busy already

Anonymous

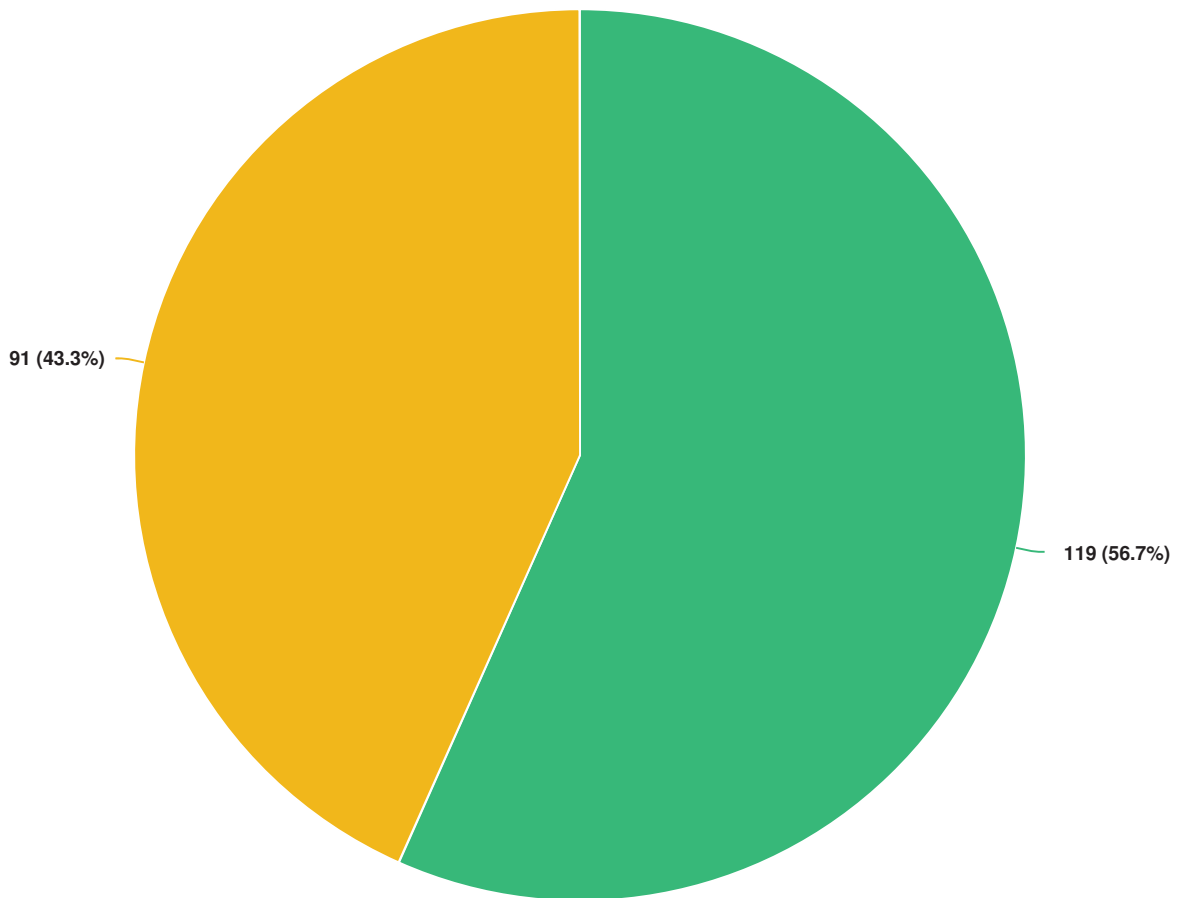
9/30/2023 10:18 AM

It isn't that I want to see some changes necessarily, but I want to know what kind of residence is those are going to be because I find that the city needs far more low-income residents than they do high income residents. In fact, most apartments and units in lower sackville are outrageously overpriced

Optional question (109 response(s), 315 skipped)

Question type: Essay Question

Q3 Would you prefer the 154 residential units be housed:



Question options

- in a wider building with fewer than six storeys?
- or in the current form with six storeys?

Optional question (210 response(s), 214 skipped)

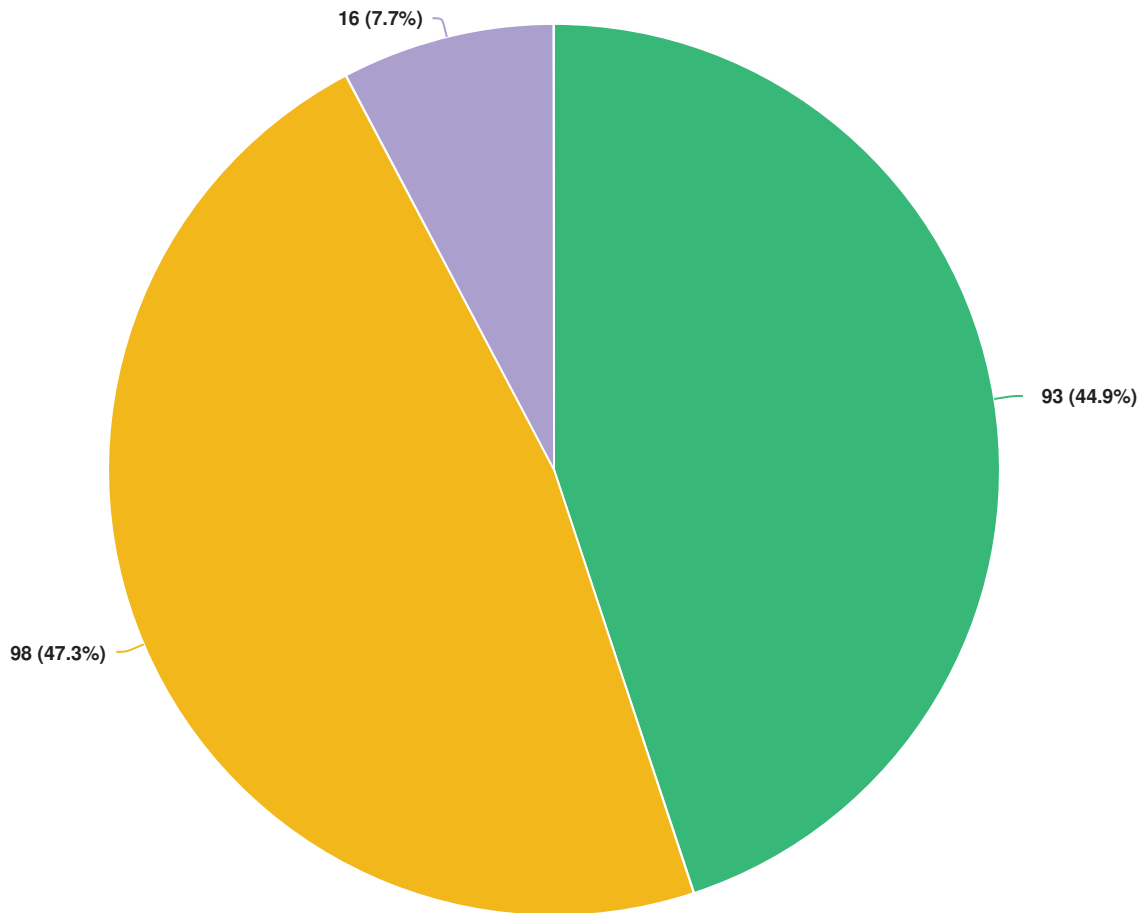
Question type: Dropdown Question

Q4 | What exterior features would be most pleasing to/offer the most privacy from neighbouring dwellings? Please rank in order of importance.

| OPTIONS | AVG. RANK |
|--|------------------|
| Landscaping (trees act as buffer and visual screen three to four storeys tall) | 1.79 |
| Balcony locations/design (privacy screens and/or prohibiting balconies facing single unit dwellings) | 2.18 |
| Appearance (the combination of materials, colours and window patterns and placement on the exterior of the building) | 2.68 |
| Fencing (opaque fencing offers zero visibility but has limitations in height) | 3.24 |

*Optional question (193 response(s), 231 skipped)
Question type: Ranking Question*

Q5 How could pedestrian and active transportation paths throughout the site be improved?



Question options

- Dedicated and separated walkways through the site?
- Perimeter walkways to reduce conflict with vehicles?
- Other, please describe.

Optional question (207 response(s), 217 skipped)

Question type: Dropdown Question

Q6 Only a portion of the site is requesting to be redeveloped under this application, including the addition of two six-storey residential multiple unit buildings and new drive-through commercial building. With that portion in mind, if you were a resi...

| OPTIONS | AVG. RANK |
|-----------------------------|-----------|
| Trees and open grassed area | 1.61 |
| Garden/seating area | 2.31 |
| Play area for children | 2.73 |
| BBQ station/eating area | 3.30 |

*Optional question (171 response(s), 253 skipped)
Question type: Ranking Question*