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**Item No. 14.1.1**  
**North West Community Council**  
**May 12, 2025**

**TO:** Chair and Members of the North West Community Council

**FROM:** Jacqueline Hamilton, Executive Director of Planning and Development

**DATE:** March 25, 2025

**SUBJECT:** **PLANAPP 2023-00321: Development Agreement for 600 Bedford Highway, Halifax**

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**ORIGIN**

Application by Zzap consulting Inc.

**EXECUTIVE SUMMARY**

This report recommends a development agreement to permit an eight-storey residential building containing 93 residential units at 600 Bedford Highway. The proposed development requires the removal of the existing two-storey commercial building. The site is included within 'Schedule R' of the Bedford Highway Secondary Plan of the Halifax Municipal Planning Strategy. Policies 1.8 and 1.8.2 allow the consideration of mixed residential/commercial or residential developments greater than 35 feet in height by development agreement. Staff recommend North West Community Council approve the proposed development agreement given the proposal is reasonably consistent with the intent of Halifax Municipal Planning Strategy and Land Use By-law.

**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 an eight-storey residential building at 600 Bedford Highway in Halifax and schedule a public hearing.
2. Approve the proposed development agreement to allow an eight-storey residential building at 600 Bedford Highway, 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**

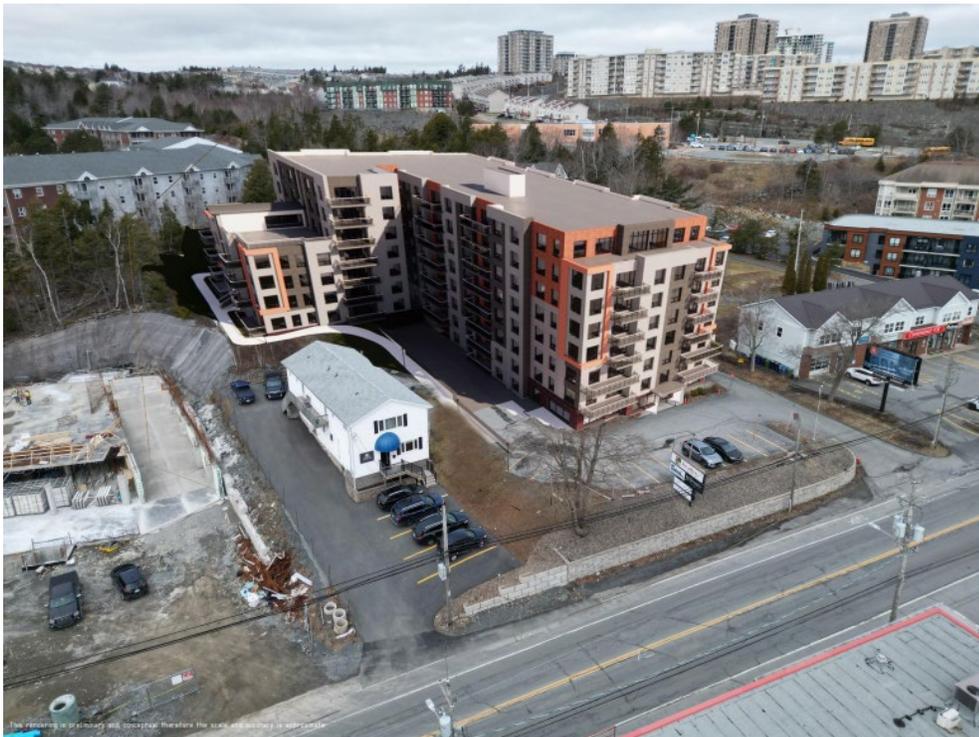
Zzap Consulting Inc is applying for approval of a development agreement which would allow an eight-storey residential building at 600 Bedford Highway, Halifax.

<b>Subject Site</b>	600 Bedford Highway, Halifax
<b>Location</b>	Halifax Plan Area
<b>Regional Plan Designation</b>	US (Urban Settlement) and HARB (Halifax Harbour) Designations
<b>Community Plan Designation (Map 1)</b>	Highway Commercial Designation, located within the Bedford Highway Secondary Plan of the Halifax Municipal Planning Strategy, and within Schedule R
<b>Zoning (Map 2)</b>	C-2B (Highway Commercial) zone
<b>Size of Site</b>	72,602 square metres (2.3 acres)
<b>Street Frontage</b>	50m (164 ft.)
<b>Current Land Use(s)</b>	commercial
<b>Surrounding Use(s)</b>	A mixed area with commercial, multi unit residential, and some low-density residential uses

### **Proposal Details**

The applicant proposes to demolish the existing two-storey commercial building and construct an eight-storey residential building. The major aspects of the proposal are as follows:

- An eight-storey residential building containing 93 residential units, 80% of which shall have at least two bedrooms;
- 108 underground parking spaces and 20 surface parking spaces;
- 465 square metres of amenity space, 50% of which will be provided as an accessible landscaped roof area, as well as private balconies and an indoor amenity space; and
- A requirement for a 3 metre building setback from the front, rear, and south property lines and a 6 metre setback from the north property line.



Source: Rendering prepared by ARKA and submitted as part of the Planning Application PLANAPP-2023-00321

### **Enabling Policy and LUB Context**

In 2011, Regional Council approved amendments to the Bedford Highway Secondary Plan and applied Schedule R to increase the land use controls along the Bedford Highway in the vicinity of Larry Uteck Boulevard. The site is zoned C-2B (Highway Commercial) under the Halifax Mainland Land Use By-law. This zone permits a mix of residential and commercial uses, including those permitted in the C-1 (Local Business) and C-2A (Minor Commercial) zones, motor vehicle dealers, motor vehicle repair shops, and short-term rentals.

Policy 1.8 of the Bedford Highway Secondary Planning Strategy outlines areas along the Bedford Highway where mixed residential/commercial or residential developments are encouraged, but where potential conflict is possible between new and existing development. In order to address the potential for conflict, within the areas are shown on Schedule R of the Land Use By-law, any proposal over 35 feet proceed by development agreement. Policy 1.8.2 provides guidance on what Council shall consider for such development agreement requests. Section 74 of the Halifax Mainland Land Use By-law permits residential and commercial uses which do not exceed 35 feet in height and requires a development agreement for those uses above 35 feet.

### **DISCUSSION**

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

- an eight-storey residential building containing 93 units;
- 20% of the units shall be two bedroom, and 5% shall be three bedroom units;
- 108 underground parking spaces and 20 surface parking spaces;
- 465 square meters (5,000 sq ft) of amenity space shall be provided, and 50% shall be provided as landscaped roof areas accessible to the residents; and
- non substantive amendments, including:
  - changes to the parking requirements,
  - changes to the architectural requirements,
  - changes to the unit mix requirements, and
  - granting of extension to the commencement and completion of development dates.

The attached development agreement will permit an eight-storey residential building, subject to the controls identified 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.

### **Relationship of new development to adjacent properties**

Policy 1.8.2 (a) requires consideration be given to the relationship of new development to adjacent properties and uses. The proposed building contains eight storeys of residential units, and underground and surface parking. The existing site slopes up significantly from the Bedford Highway to the rear of the property with an approximate rise of 10 metres (30 feet) within the main portion of the lot. This change in grade results in the proposed building not appearing to be significantly taller than the four-storey building directly behind it on Charlotte Lane (Attachment C). While the building is eight storeys facing the Bedford Highway, its height relative to adjacent buildings is not out of scale with the three to eight-storey buildings in the immediate area.

To the north and rear of the subject site there are two single family dwellings (606 and 608 Bedford Highway) which access the Bedford Highway via a driveway on the far side of the adjacent building at 604 Bedford Highway. The proposed development agreement requires that above-grade portions of the building be at least 6 metres (20 feet) from the property line to provide adequate separation between buildings. There will be approximately 9 metres (30 feet) between the proposed building and the single family dwellings to the north, should the agreement be approved.

### **Traffic and the Bedford Highway Functional Plan**

Several criteria set out in Policy 1.8.2 require consideration be given to the proposed building and its relationship to the Bedford Highway. The proposed development will have one access point to the Bedford Highway at the northern end of the site. A Traffic Impact Statement (TIS) was provided in support of this application and accepted by HRM staff. The study determined there would be approximately 23 new two-way vehicle trips in the am peak and 25 new two-way trips in the pm peak. The study also confirmed that stopping sight distances appear adequate for a driveway on the Bedford Highway at the proposed location. Additionally, no upgrades were identified as required to the road network to accommodate the proposed development.

The TIS that was submitted in 2023 was prepared in July of 2021. Staff subsequently conducted further data collection and determined that the TIS sufficiently represented the existing and future local demands on the road network and confirmed that there are no concerns. Updates to the TIS were not required. Improvements to the street cross-section of the Bedford Highway between Larry Uteck Boulevard and Charlotte Lane are expected as the Bedford Highway Functional Plan progresses.

### **Architecture Design**

Policies 1.8.2 (c) and (d) require consideration be given the design and scale of the building. The proposed building is 'L' shaped which fits well on the irregularly shaped lot. The building includes a variety of architectural elements (i.e. curtain wall, metal panel with colour variation, window and balcony bays) that visually divide the building into smaller pieces that reduce its overall appeared mass. The proposed building includes changes or variations in colour and tone through a variety of materials and fine detailed material patterns on portions of the building facing the Bedford Highway. As a result, the proposed building design can be considered fine grained.

Although the building height in total is eight storeys (including underground parking), the site slopes significantly up from the Bedford Highway to the rear of the property with an approximate rise of 10 metres (30 feet). This change in grade will make the proposed building appear as though it is not significantly taller than the four-storey building directly behind it on Charlotte Lane. The building is in a location where views of Bedford Basin from public places are not anticipated to be significantly affected. Views from public trails within the Bedford Lane development and along Starboard Drive are primarily screened by existing vegetation and buildings.

### **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) Designating areas for higher density residential development where there is an existing or proposed high level of transit service such as a proposed Transit Priority Corridor to support the development of walkable, affordable, transit-oriented communities (Action 17 Integrated Mobility Plan). The subject site is on a Transit Priority Corridor.
- 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 proposed building height and massing are in keeping with those already found in the general area and will create additional units and unit types in a mixed-use area supported by the Integrated Mobility Plan. 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 2025-2026 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. Regulatory and Appeals 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 planning applications website, signage posted on the subject site, and a Shape Your City narrated presentation. Notices were mailed to property owners within 200 metres (650 feet) surrounding the proposed development. A total of 750 letters were mailed to property owners and tenants within the notification area (Map 2).

Attachment D contains a summary of public engagement. The HRM planning application website received a total of 405 unique pageviews over the course of the application, with an average time on page of 36 seconds. Staff received 11 responses from the public. The public comments included the following topics:

- concerns about damage from construction to the abutting low residential uses at 606 and 608 Bedford Highway;
- compatibility of the building with the surrounding area, would prefer a four to five storey building;
- comments that the building design was appreciated;
- concerns about an increase in traffic that would come from this building and the overall limited capacity of the Bedford Highway;
- concerns about construction disruptions and noise, and how active transportation routes will be protected;
- blocking of views from adjacent properties at Charlotte Lane;
- concerns about environmental matters such as heat island effect and stormwater run off; and
- no inclusion of affordable housing.

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 environmental implications are identified.

## **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. Regulatory and Appeals 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. Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.

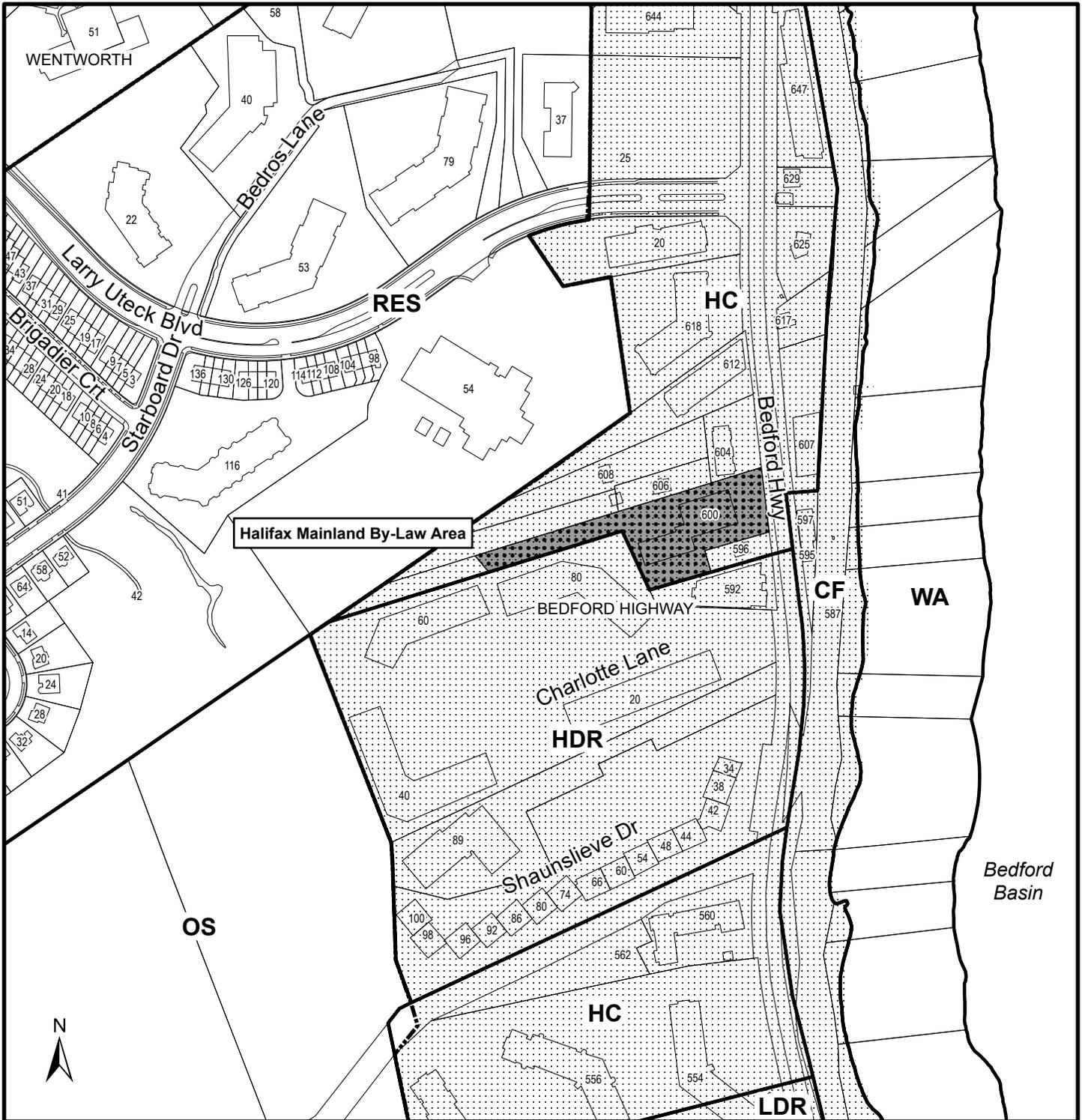
## **ATTACHMENTS**

Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed Development Agreement
Attachment B:	Review of Relevant Municipal Planning Strategy Policies
Attachment C:	Rendering of Proposed Building
Attachment D:	Summary of Public Engagement

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Report Prepared by: Maggie Holm, Principal Planner 902.293-9496

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### Map 1 - Location and Generalized Future Land Use

600 Bedford Highway,  
Halifax

-  Subject Property
-  Bedford Highway Secondary Plan

Halifax Plan Area  
Bedford Highway Secondary Plan Area

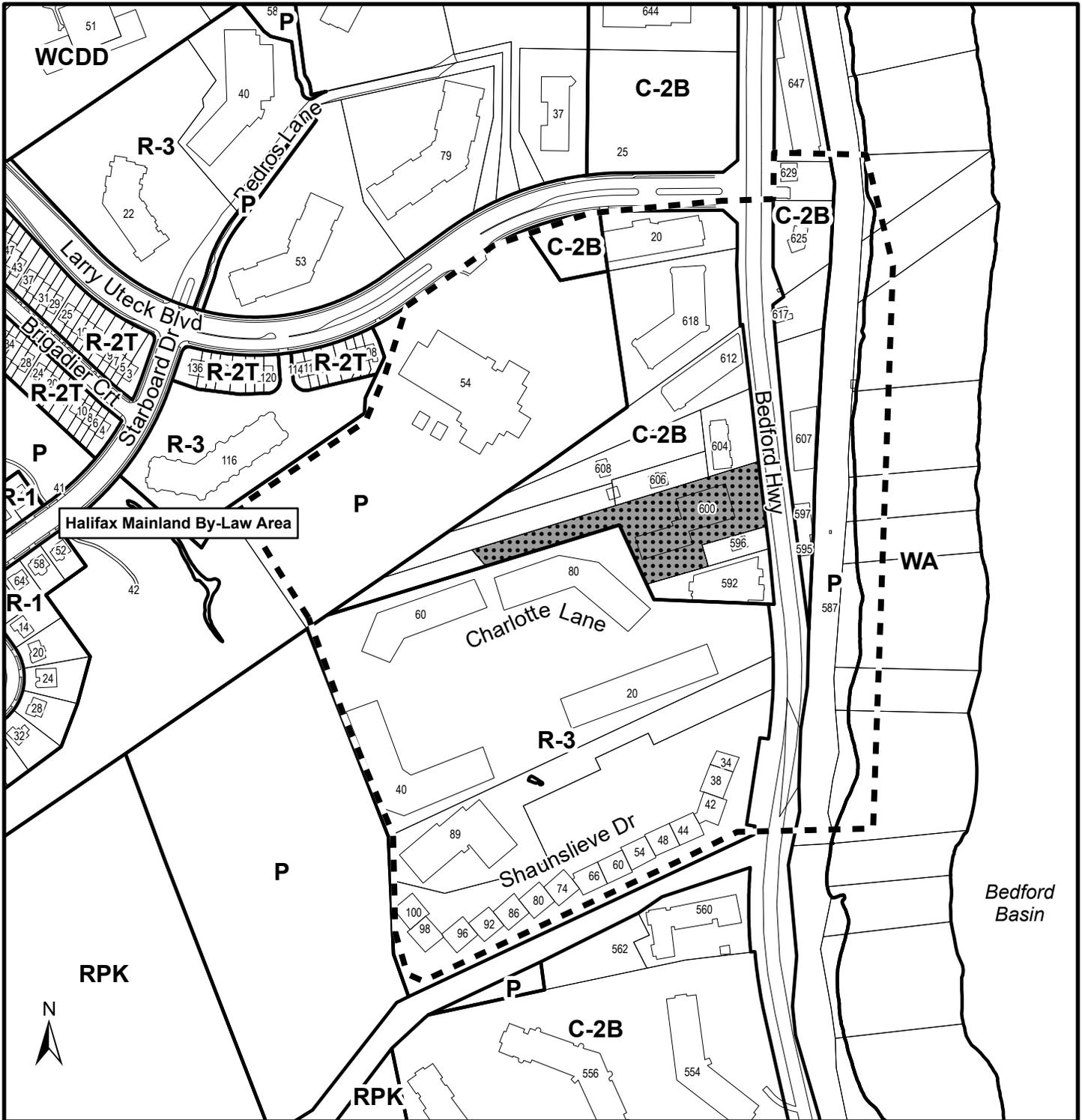
#### Designation

Bedford Hwy Secondary Plan	LDR HDR HC CF	Low Density Residential High Density Residential Highway Commercial Community Facilities
Halifax Plan	RES OS WA	Residential Environments Major Community Open Spaces Water Access Area



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

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



**Map 2 - Zoning and Notification Area**

600 Bedford Highway,  
Halifax

**HALIFAX**

**Zone**

-  Subject Property
-  Area of Notification

- R-3 Low-Rise Apartment
- C-2B Highway Commercial
- P Park and Institutional
- K Schedule K
- WCDD Wentworth Comprehensive Development District
- RPK Regional Park



Halifax Mainland  
Land Use By-Law Area

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

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

**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 600 Bedford Highway, Halifax, which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** the Developer has requested that the Municipality enter into a Development Agreement to allow for a residential building with underground parking on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Section VII: Bedford Highway Secondary Plan, Policies 1.8, 1.8.1, and 1.8.2 of the Halifax Municipal Planning Strategy and Section 74 of the Halifax Mainland Land Use By-law;

**AND WHEREAS** the North West Community Council approved this request at a meeting held on **[Insert Date]**, referenced as PLANAPP 2023-00321;

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

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

### **1.1 Applicability of Agreement**

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

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

- 1.2.1 Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the 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 Halifax Mainland Land Use By-law shall not be permitted.

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

- 1.2.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.
- 1.2.2 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.

### **1.3 Conflict**

- 1.3.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.
- 1.3.2 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.

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

- 1.4.1 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.

### **1.5 Provisions Severable**

- 1.5.1 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.

## 1.6 Lands

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

## PART 2: DEFINITIONS

### 2.1 Words Not Defined under this Agreement

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

### 2.2 Definitions Specific to this Agreement

- 2.2.1 The following words used in this Agreement shall be defined as follows:
- (a) **Amenity Space** means non-commercial indoor or outdoor space dedicated for private or shared use by a building's occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms. For greater clarity vehicle wash stations shall not be considered as amenity space.
  - (b) **Height** means the vertical distance between a structure's average finished grade and the structure's highest point.
  - (c) **Rear Property Line** means the property line that is identified on Schedule B of the Agreement.

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

### 3.1 Schedules

- 3.1.1 The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement and filed in the Halifax Regional Municipality as PLANAPP 2023-00321:

Schedule A	Legal Description of the Land(s)
Schedule B	Site Plan
Schedule C	North Elevation
Schedule D	East Elevation
Schedule E	South Elevation
Schedule F	West Elevations

### 3.2 Requirements Prior to Approval

- 3.2.1 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) Written confirmation and photograph demonstrating the existing buildings/structures on the Lands have been removed.

- (b) A detailed Lighting 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.

3.2.2 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 as required by Section 3.10 of this Agreement; and
- (b) 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 section 3.11 and all other parts of this Agreement.

3.2.3 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) an eight-storey residential building containing a maximum of 93 residential units;
- (b) 108 underground parking space and a maximum of 20 surface parking spaces; and
- (c) uses accessory to any of the foregoing uses.

### **3.4 Building Siting and Form Requirements**

3.4.1 The building's siting, bulk and scale shall generally comply with the Schedules of this Agreement, however for greater clarity the following shall apply:

- (a) no portion of the building, above or below grade, including retaining walls shall be less than 3m from the front property line;
- (b) no portion of the building above grade shall be less than 3 meters of the rear property line;
- (c) no portion of the building above grade shall be less than 6 meters of the north property line;
- (d) no portion of the building above grade shall be less than 3 meters of the south property line;
- (e) there shall be a 2.5 meters building setback at the 7<sup>th</sup> storey;
- (f) no portion of the building above grade shall exceed a building width or depth of 64 metres; and
- (g) all rooftop equipment shall not exceed 50% of the total roof area.

### **3.5 Architectural Requirements**

3.5.1 The exterior design and materials of the building shall be generally in conformance with Schedules B, C, D, E and F and shall comply with the following:

- (a) Notwithstanding the Schedules, the main entrances to building facing the Bedford Highway 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, prominent fenestration or an acceptable equivalent approved by the Development Officer. At least one main door shall face the Bedford Highway. Service entrances shall be integrated into the design of the building and shall not be a predominant feature;

- (b) The building shall have a mix of two different colours and two different materials;
- (c) Large blank or unadorned walls shall not be permitted. The scale of large walls shall be tempered by the introduction of artwork, such as murals, textural plantings and trellises, and architectural detail to create shadow lines (implied windows, cornice lines, or offsets in the vertical plane) as identified on the Schedules;
- (d) Any exposed foundation in excess of 0.75 metres in height and 2 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;
- (e) 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.
- (f) Buildings shall be designed such that the mechanical systems (HVAC, exhaust fans, etc.) are not visible from the Bedford Highway or abutting residential properties. Furthermore, no mechanical equipment or exhaust fans shall be located between the building and the adjacent residential properties unless screened as an integral part of the building design and noise reduction measures are implemented. This shall exclude individual residential mechanical systems;
- (g) Exterior building materials shall not include plywood, unpainted or unstained wood, or vinyl siding;
- (h) Fixed or retractable awnings are permitted at ground floor levels provided the awnings are designed as an integral part of the building façade; and
- (i) All roof mounted mechanical or telecommunication equipment shall be visually integrated into the roof design or screened from public view.

3.5.1 Notwithstanding subsection 3.5.1, 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 Unit Mix**

3.6.1 A minimum of 20% of all dwelling units shall be required to contain two or more bedrooms.

3.6.2 A minimum of 5% of all dwelling units shall be required to contain three or more bedrooms.

### **3.7 Amenity Space**

3.7.1 A minimum of 5.0 square metres per dwelling of amenity space shall be provided.

3.7.2 A minimum of 50% of required amenity space shall be provided on landscaped roof(s), as generally shown on Schedule B, and which shall be accessible and available for the shared use by the residents.

3.7.3 Except for outdoor amenity space associated with an individual dwelling unit, such as balconies, all required amenity areas shall be provided in increments of no less than 30.0 contiguous square metres, have no linear dimension less than 3.0 metres, and be available for shared use by building residents.

- 3.7.4 All outdoor amenity space, exclusive of balconies, shall be designed to have both soft and hard landscaping elements, as defined in the Land Use By-law.
- 3.7.5 The landscaped portions of the roof, as generally shown on Schedule B, shall be accessible and available for the shared use by building residents.
- 3.7.6 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 A maximum of 20 parking spaces may be provided external to the building. All other provided parking shall be internal to the building.
- 3.8.2 A minimum of one parking space for every 3 units shall be provided.
- 3.8.3 All surface parking shall be provided within the area between the rear property line and the building and shall be hard surfaced with the limits of the parking areas defined by fencing, landscaping, or curb.
- 3.8.4 Bicycle parking shall be provided in accordance with the Land Use By-law.

### **3.9 Outdoor Lighting**

- 3.9.1 A Lighting Plan shall be required that satisfies this section.
- 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 The building may be illuminated for visual effect provided such illumination is directed away from streets, adjacent lots and buildings and does not flash, move or vary in intensity such that it creates a hazard to public safety.

### **3.10 Landscaping and Buffering**

- 3.10.1 A Landscape Plan shall be required that satisfies this section.
- 3.10.2 Excluding the access driveway, vegetative buffers shall be located along the northern property boundary as shown on Schedule B. This buffer shall be 10m in depth and be a mix of deciduous and coniferous vegetation. The minimum acceptable sizes for plant material shall be as follows:
  - (a) Deciduous trees at grade – 50 mm caliper;
  - (b) Deciduous trees on slab – 45 mm caliper;
  - (c) Coniferous trees – 1.5 m in height; and
  - (d) Shrubs – 0.6 m in height or spread.
- 3.10.3 All plant material shall conform to the Canadian Nursery Landscape Association's Canadian Nursery Stock Standard (ninth edition).
- 3.10.4 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 B. The Landscape Plan shall be prepared by

a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) and comply with all provisions of this section.

3.10.5 Notwithstanding Section 3.2.3, 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.

3.10.6 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.

### **3.11 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, amenity spaces, 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 The sign requirements shall be accordance with the Halifax Mainland Land Use By-law, as amended from time to time.

3.12.2 Signs shall be externally illuminated only.

3.12.3 Signs depicting the name or corporate logo of the Developer shall be permitted during construction as well as while a sales office is located on the site.

### **3.13 Temporary Construction Building**

3.13.1 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.

### **3.14 Screening**

3.14.1 Refuse containers located outside the building shall be fully screened from adjacent properties and from streets by means of opaque fencing or masonry walls with suitable landscaping.

3.14.2 Propane tanks and electrical transformers shall be located on the site in such a way to ensure minimal visual impact from the public street and residential properties. 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.

- 3.14.3 Mechanical equipment shall be permitted on the roof provided the equipment is screened and incorporated into the architectural treatments and roof structure.

### **3.15 Reinstatement**

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

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

### **4.1 General Provisions**

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

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

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

### **4.3 Undergrounding Services**

- 4.3.1 All secondary (as applicable) services, such as electrical, telephone and cable service to all the building shall be provided underground.

### **4.4 Solid Waste Facilities**

- 4.4.1 The building shall be designed in accordance with By-law S-600 as amended from time to time. This designated space shall be shown on the building plans and approved by the Development Officer and Building Inspector in consultation with HRM Solid Waste Resources.
- 4.4.2 Refuse containers and waste compactors shall be confined to the loading areas of each building and shall be screened from public view where necessary by means of opaque fencing or masonry walls with suitable landscaping.
- 4.4.3 All refuse and recycling materials shall be contained within a building, or within suitable containers which are fully screened from view from any street or sidewalk. Further, consideration shall be given to locating of all refuse and recycling material to ensure minimal effect on abutting property owners by means of opaque fencing or masonry walls with suitable landscaping.

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

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

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

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

- 5.2.1 Prior to the commencement of any site work on the Lands, 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 Archaeological Monitoring and Protection**

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

## **5.4 Sulphide Bearing Materials**

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

## **PART 6: AMENDMENTS**

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

- 6.1.1 The following items are considered by both parties to be not substantive and may be amended in a matter consistent with the *Halifax Regional Municipality Charter*:
- (a) Changes to the parking requirements as detailed in section 3.9;
  - (b) Changes to the architectural requirements as detailed in section 3.5 and Schedules C, D, E and F of this Agreement;
  - (c) Changes to the unit mix requirements as outlined in section 3.6;
  - (d) The granting of an extension to the date of commencement of construction as identified in section 7.3.1 of this Agreement; and
  - (e) The granting of an extension to 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 five (5) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the Land Use By-law.
- 7.3.2 For the purpose of this section, commencement of development shall mean the issuance installation of footings and foundation for the proposed building.
- 7.3.3 For the purpose of this section, the Municipality may consider granting an extension of the commencement of development time period through a resolution under Section 6.1 as a non-substantive amendment 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 the issuance of an Occupancy Permit.
- 7.4.3 In the event that development on the Lands has not been completed within ten (10) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the Land Use By-law.

## **7.5 Discharge of Agreement**

- 7.5.1 If the Developer fails to complete the development after 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.

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

### **8.1 Enforcement**

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

## **8.2 Failure to Comply**

8.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer 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: \_\_\_\_\_

Date Signed: \_\_\_\_\_

=====

=====

**HALIFAX REGIONAL MUNICIPALITY**

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

\_\_\_\_\_  
Witness

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

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 Andy Fillmore, 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

**SITE MATRIX:**

LOT SIZE:		72,602.37 sft
BUILDING FOOTPRINT:	41%	29,766.9717 sft
OPENLAND SCAPE AREA:	15%	10,599.946 sft
<b>LEVEL 1 / P2 FLOOR</b>		
		30,730.97 sft
<b>LEVEL 2 / P1 FLOOR</b>		
		33,045.82 sft
<b>LEVEL 3-6 FLOOR</b>	24,683.42	X 4
		98,733.68 sft
<b>LEVEL 7 FLOOR</b>		17,935.98 sft
<b>LEVEL 8 FLOOR</b>		16,717.93 sft
<b>TOTLA:</b>		<b>197,164.38 sft</b>

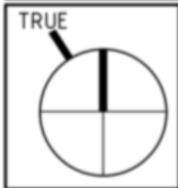
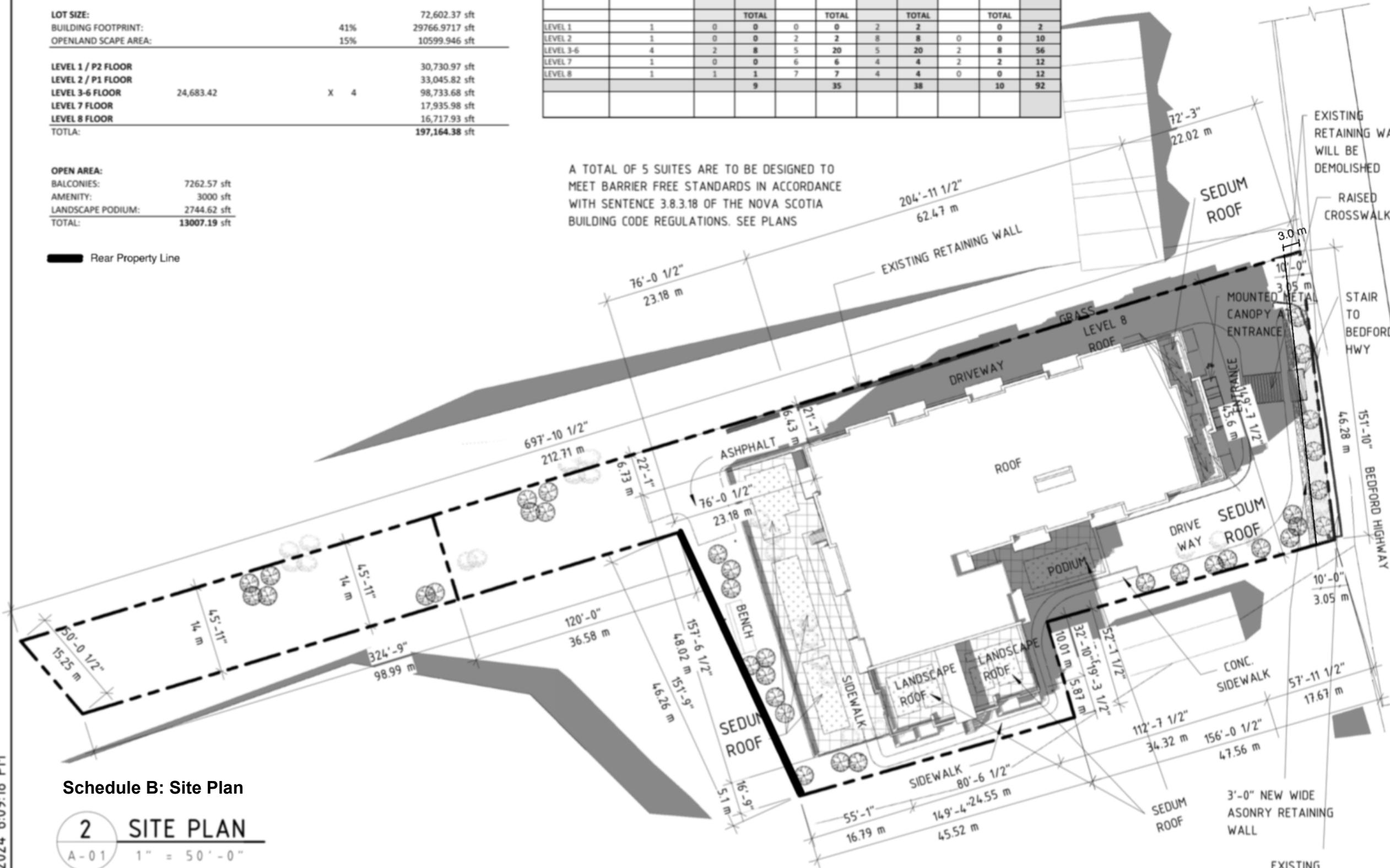
**OPEN AREA:**

BALCONIES:	7262.57 sft
AMENITY:	3000 sft
LANDSCAPE PODIUM:	2744.62 sft
<b>TOTAL:</b>	<b>13007.19 sft</b>

**UNIT CALCULATIONS:**

FLOOR	NUMBER OF FLOORS	1 BED+DEN		2 BED		2 BED+DEN		3 BED		TOTAL
		TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL			
LEVEL 1	1	0	0	0	0	2	2	0	2	
LEVEL 2	1	0	0	2	2	8	8	0	10	
LEVEL 3-6	4	2	8	5	20	5	20	2	56	
LEVEL 7	1	0	0	6	6	4	4	2	12	
LEVEL 8	1	1	1	7	7	4	4	0	12	
			9		35		38		10	92

A TOTAL OF 5 SUITES ARE TO BE DESIGNED TO MEET BARRIER FREE STANDARDS IN ACCORDANCE WITH SENTENCE 3.8.3.18 OF THE NOVA SCOTIA BUILDING CODE REGULATIONS. SEE PLANS



CLIENT

**NOTES:**

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- ALL DRAWINGS REMAIN THE PROPERTY OF 'ARKA CUSTOM DESIGN AND DRAFTING'.
- DO NOT SCALE DRAWINGS.
- ALL NOTES AND DIMENSIONS TO BE CHECKED AND VERIFIED BY PROJECT MANAGER OR GENERAL CONTRACTOR PRIOR TO PROCEEDING WORKS.
- REPORT ANY ERRORS OR DISCREPANCIES APPEAR ON DRAWINGS TO 'ARKA CUSTOM DESIGN AND DRAFTING' WHO WILL ISSUE A REVISED DRAWING PRIOR TO PROCEED ANY CONSTRUCTION.
- ALL FOOTINGS TO BE BELOW FROST LINE (MIN 4'-0") AND REST ON UNDISTURBED SOIL.
- ROOF FRAMING, FLOOR BEAMS AND LINTELS TO PRE-ENGINEERED BY SUPPLIER.
- ELECTRICAL AND TELECOM SERVICE IS TO BE THROUGH BURIED CONDUIT LOCATED IN CONSULTATION WITH NOVA SCOTIA POWER.
- THE BUILDING IS TO BE HEATED WITH HEAT PUMP AND BACKUP ELECTRICAL BASEBOARD.
- ALL PLUMBING WORKS IS TO BE IN ACCORDANCE WITH THE PROVISIONS OF THE NATIONAL PLUMBING CODE, LATEST EDITION. ALL ELECTRICAL WORK IS TO BE IN ACCORDANCE WITH THE REQUIREMENT OF THE ELECTRICAL CODE, LATEST EDITION.
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- THE BUILDING IS TO BE EQUIPPED WITH SMOKE/CARBON DETECTOR AND SHOULD BE IN EACH BEDROOM AND COMMON SPACES.

- SMOKE/CARBON DETECTOR
- SD/CD
- RV

5	REVISED DRAWINGS - DA	2024-08-06
No.	REVISION	DATE

PROJECT PROPOSED MULTI-UNIT RESIDENTIAL BUILDING

DRAWING SITE PLAN

SCALE: As indicated  
 CHECKED BY: --  
 DRAWN BY: GB

PROJECT START DATE: 2024-08-06  
 PROJECT #: 052020

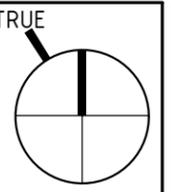
DRAWING NUMBER **A-01**

Schedule B: Site Plan

**2 SITE PLAN**  
 A-01 1" = 50'-0"

8/7/2024 6:09:18 PM

# Schedule C: North Elevation



CLIENT

**NOTES:**

1. ALL CONSTRUCTION IS TO CONFORM TO THE REQUIREMENTS OF THE NOVA SCOTIA BUILDING CODE INCORPORATING PART 9 OF THE NATIONAL BUILDING CODE OF CANADA, 2015 EDITION; AND ALL APPLICABLE PROVINCIAL REGULATIONS AND MUNICIPAL BY-LAWS.
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- SMOKE/CARBON DETECTOR
- SD/CD
- RV

5	REVISED DRAWINGS - DA	2024-08-06
No.	REVISION	DATE

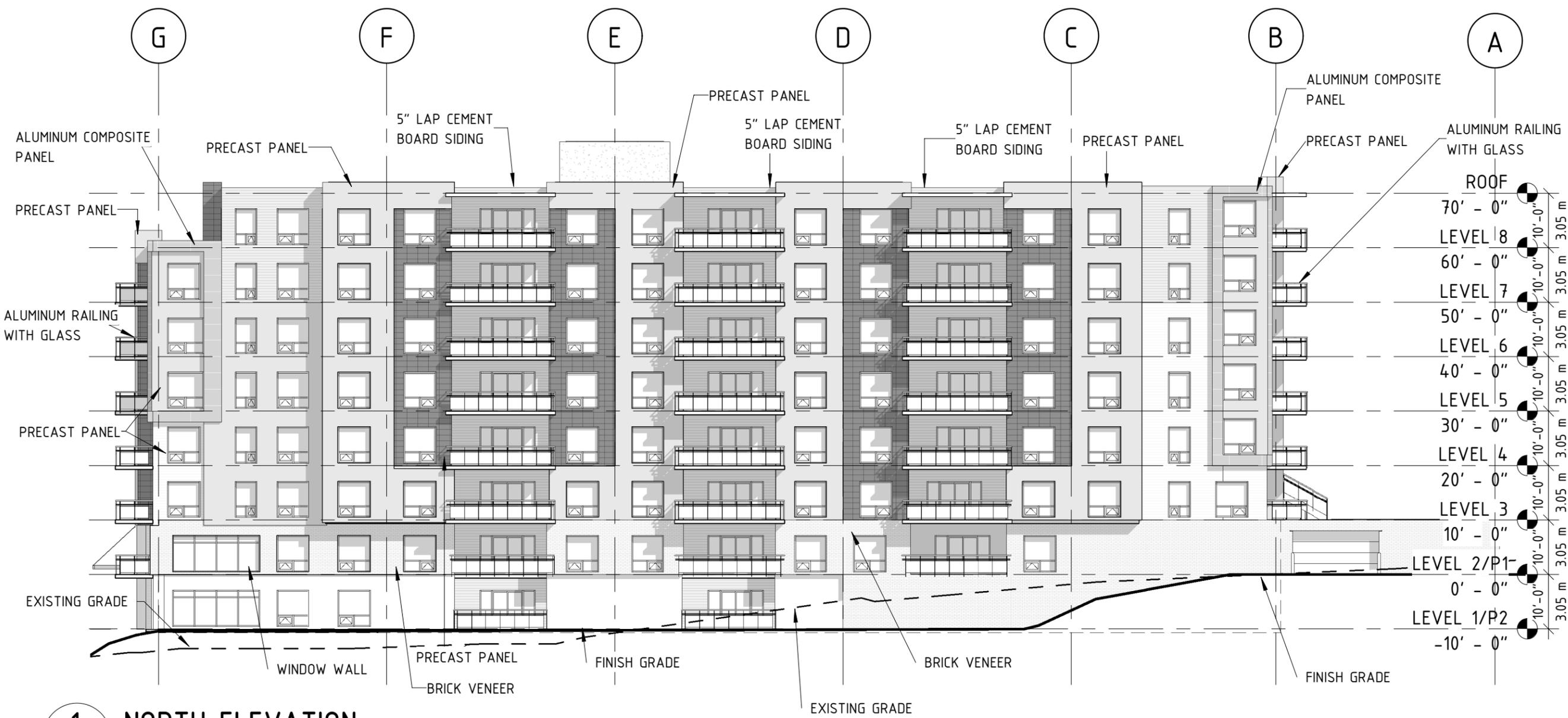
PROJECT  
 PROPOSED MULTI-UNIT  
 RESIDENTIAL BUILDING

DRAWING  
 NORTH ELEVATION

SCALE: 1" = 20'-0"  
 CHECKED BY: --  
 DRAWN BY: **GB**

PROJECT START DATE: **2024-08-06**  
 PROJECT #: **052020**

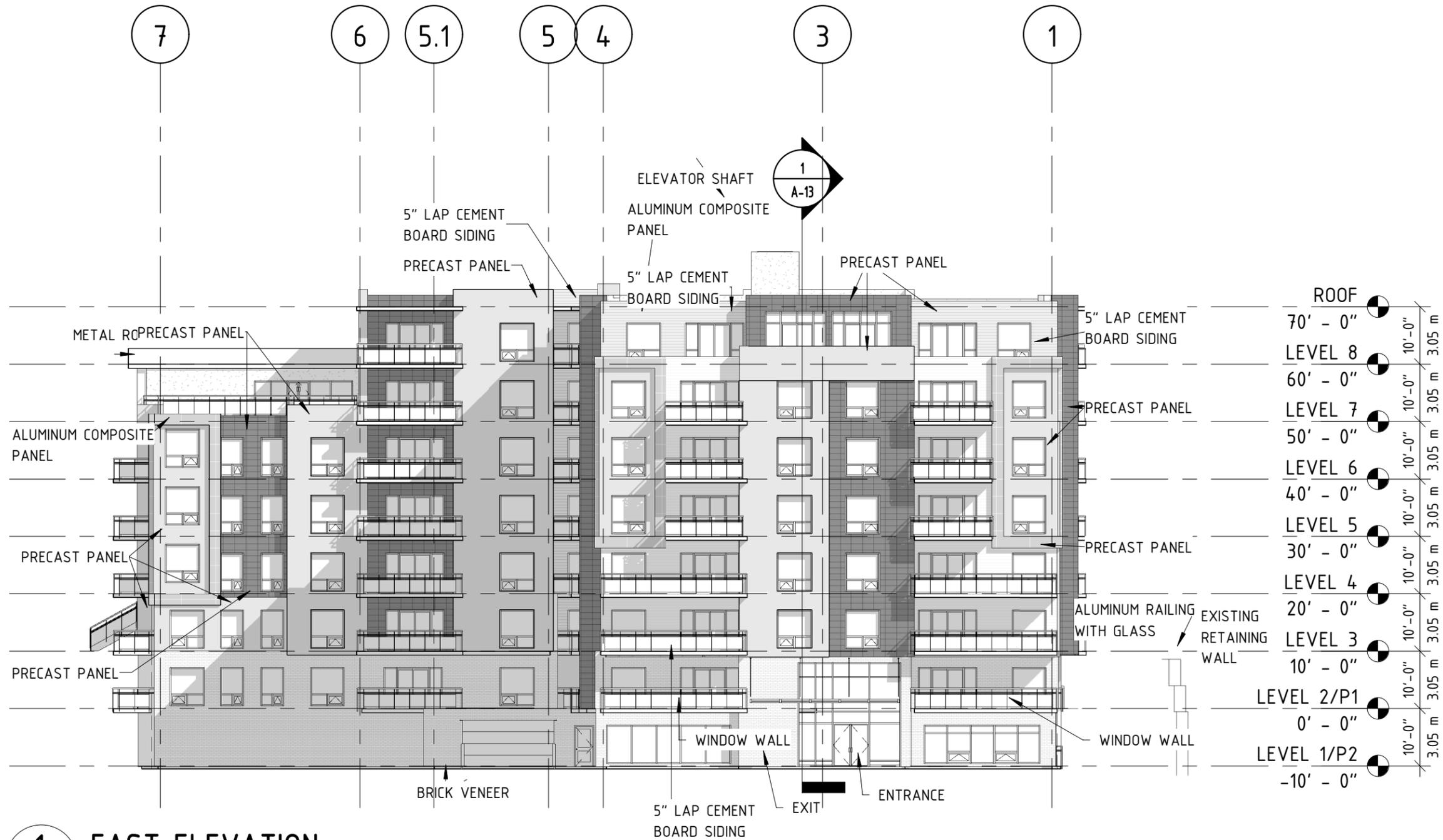
DRAWING NUMBER  
**A-09**



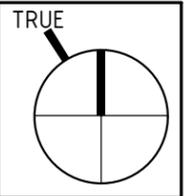
**1 NORTH ELEVATION**  
 A-04 1" = 20'-0"

8/7/2024 5:58:01 PM

Schedule D: East Elevation



**1 EAST ELEVATION**  
 A-02 1" = 20'-0"



CLIENT

NOTES:

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-  SMOKE/CARBON DETECTOR
-  SD/CD
-  RV

5	REVISED DRAWINGS - DA	2024-08-06
No.	REVISION	DATE

PROJECT  
 PROPOSED MULTI-UNIT  
 RESIDENTIAL BUILDING

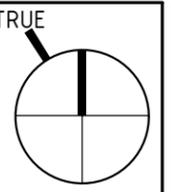
DRAWING  
 EAST ELEVATION

SCALE: 1" = 20'-0"  
 CHECKED BY: --  
 DRAWN BY: GB

PROJECT START DATE: 2024-08-06  
 PROJECT #: 052020

DRAWING NUMBER  
**A-11**

# Schedule E: South Elevation



CLIENT

**NOTES:**

1. ALL CONSTRUCTION IS TO CONFORM TO THE REQUIREMENTS OF THE NOVA SCOTIA BUILDING CODE INCORPORATING PART 9 OF THE NATIONAL BUILDING CODE OF CANADA, 2015 EDITION; AND ALL APPLICABLE PROVINCIAL REGULATIONS AND MUNICIPAL BY-LAWS.
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- SMOKE/CARBON DETECTOR
- SD/CD
- RV

5	REVISED DRAWINGS - DA	2024-08-06
No.	REVISION	DATE

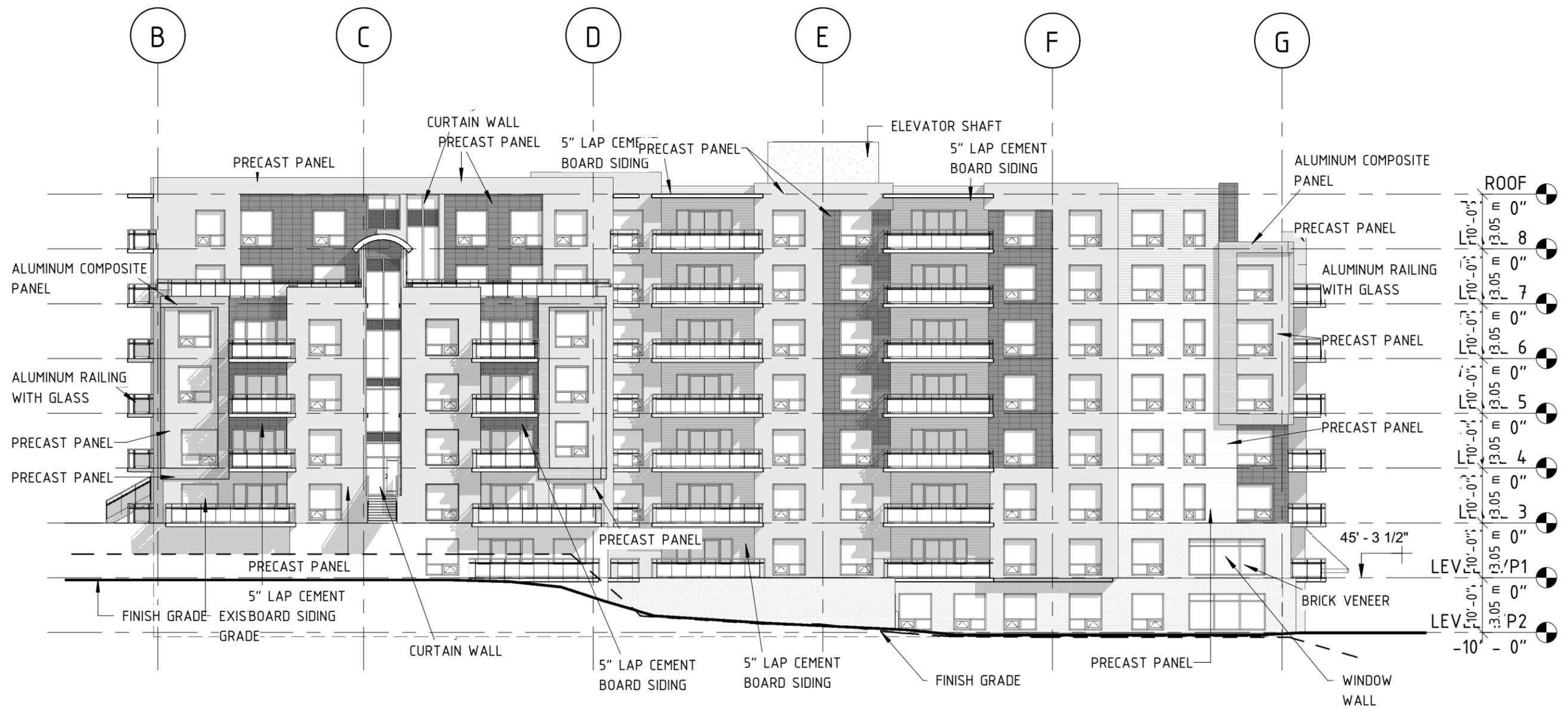
PROJECT  
 PROPOSED MULTI-UNIT  
 RESIDENTIAL BUILDING

DRAWING  
 SOUTH ELEVATION

SCALE: 1" = 20'-0"  
 CHECKED BY: --  
 DRAWN BY: GB

PROJECT START DATE: 2024-08-06  
 PROJECT #: 052020

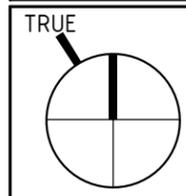
DRAWING NUMBER  
**A-10**



**1 SOUTH ELEVATION**  
 A-02 1" = 20'-0"

8/7/2024 5:58:14 PM

Schedule F: West Elevation



CLIENT

NOTES:

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- SMOKE/CARBON DETECTOR
- SD/CD
- RV

5	REVISED DRAWINGS - DA	2024-08-06
No.	REVISION	DATE

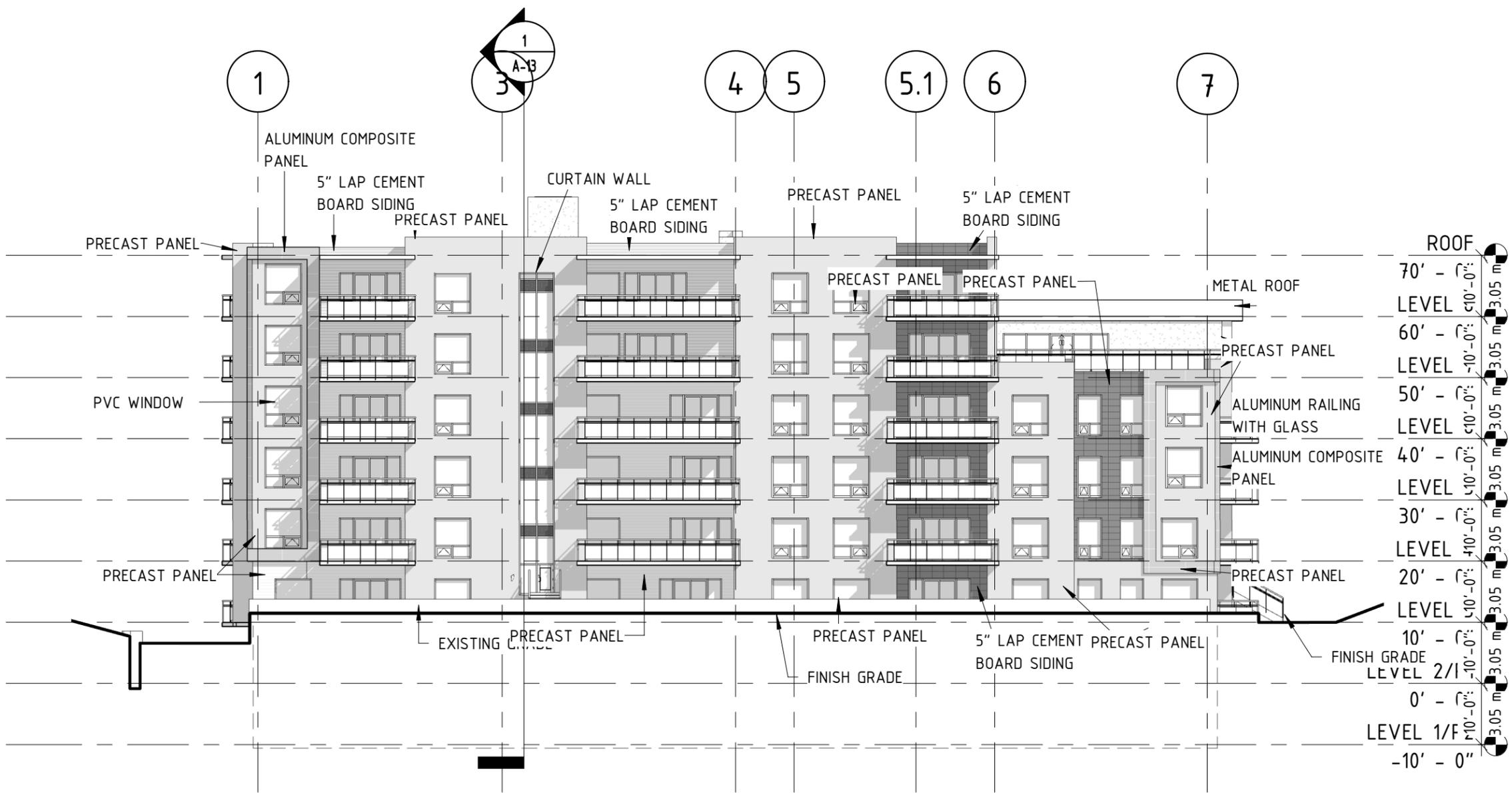
PROJECT  
 PROPOSED MULTI-UNIT  
 RESIDENTIAL BUILDING

DRAWING  
 WEST ELEVATION

SCALE: 1" = 20'-0"  
 CHECKED BY: --  
 DRAWN BY: GB

PROJECT START DATE: 2024-08-06  
 PROJECT #: 052020

DRAWING NUMBER  
**A-12**



**1 WEST ELEVATION**  
 A-02 1" = 20'-0"

8/7/2024 5:58:34 PM

**Attachment B:  
Review of Relevant Municipal Planning Strategy Policies**

<b>Halifax Municipal Planning Strategy</b>	
<b>Section II: City Wide Policies – Part 2 RESIDENTIAL</b>	
<b>Policy</b>	<b>Staff Comment</b>
<p><b>Policy 2.4</b> <i>Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.</i></p>	<p>This proposal will create additional units and unit types in a mixed-use area. The building that will be demolished is a commercial building.</p>
<b>Section II: City Wide – Part 8 ENVIRONMENT</b>	
<p><b>Policy 8.6</b> <i>The City should make every effort to ensure that developments do not create adverse wind and shadow effects. The means by which this policy shall be implemented shall be considered as part of the study called for in Part III.</i></p>	<p>See 1.8.2(k) below for shadow effects.</p>
<p><b>Policy 8.8</b> <i>The City should protect vistas and views of significant interest.</i></p>	<p>See 1.8.2(d) below.</p>
<b>Section II: City Wide – Part 9 TRANSPORTATION</b>	
<b>Policy</b>	<b>Staff Comment</b>
<p><b>Policy 9.4</b> <i>The City should not enter a contract for any development that would adversely affect the principal street network, unless such development would be clearly desirable because of its positive effects as determined by its conformity with, or furtherance of, the principles established by the policies of this Plan.</i></p>	<p>Bedford Highway is part of the principal street network. A traffic impact statement was prepared by the applicant. Staff have reviewed the statement, and no significant impacts were identified.</p>
<p><b>Policy 9.6.6</b> <i>The City should not enter a contract for any development that would adversely affect the principal street network, unless such development would be clearly desirable because of its positive effects as determined by its conformity with, or furtherance of, the principles established by the policies of this Plan.</i></p>	<p>Bedford Highway is part of the principal street network. A detailed review of the traffic impact statement submitted by the applicant was completed and no significant impacts were identified. A parking ratio of 1.4 is proposed (128 spaces for 93 units). A lower parking ratio is supportive of the objectives of the Integrated Mobility Plan, including the overall goal of reducing private vehicle trips to no more than 70% of trips in the municipality.</p>
<p><b>Policy 9.6.7</b> <i>The City shall control the number, location, and spacing of access points, and the intensity of frontage</i></p>	<p>Bedford Highway is part of the principal street network. The proposed access point on the Bedford Highway meets applicable Municipal</p>

<p><i>development along principal streets by appropriate means to be developed as part of the Transportation Strategy Statement called for in Part III, Section I of this document and shall maintain good sign control to ensure that the functions of the street system are protected where these are not already controlled by the Provincial Department of Highways.</i></p>	<p>engineering requirements. A further review will occur during the permitting stage.</p>
<p><b>Section II: City Wide – Part 10 ENVIRONMENTAL HEALTH SERVICES</b></p>	
<p><b>Policy 10.2</b>  <i>In order to ensure that critical sewer and water problems will not be created within or beyond development areas, the amount of development shall be related to capacity of existing (including potential rehabilitation) and planned sewer, water and pollution control systems, by drainage area, and shall not exceed the capacities of those systems as determined by the standard practices of the City. This shall be accomplished by Implementation Policy 5.</i></p>	<p>The proposed development is within capacities identified by current engineering studies and Halifax Water.</p>
<p><b>Section VIII: Bedford Highway Secondary Planning Strategy</b></p>	
<p><b>Policy</b></p>	<p><b>Staff Comment</b></p>
<p><b>Policy 1.8</b>  <i>In order to promote investment in mixed use redevelopment within two specific nodes along the Bedford Highway, that being at the north end of the Halifax plan area and adjacent the intersection of the Bedford Highway and Larry Uteck Boulevard, and to prevent conflict between new and existing uses the Municipality may, through the land use by-law, identify areas that provide an opportunity for and will benefit from a mix of residential and commercial uses. In those areas identified in the land use by-law as Schedule “R”, all mixed residential/commercial developments or residential developments that exceed 35 feet in height shall be considered by development agreement in accordance with Sections 242 to 245 and 249 of the Halifax Regional Municipality Charter and as illustrated on Map ZM-2.</i></p>	<p>This site is within Schedule “R” and the proposal is over 35 feet.</p>
<p><b>Policy 1.8.1</b>  <i>In considering land use by-law amendments to allow inclusion of a specific property within Schedule “R”, the lands must be within the Bedford Highway Secondary Plan area, designated Highway Commercial, zoned C-2B (Highway Commercial Zone) and be immediately adjacent to lands currently identified in the land use by-law as Schedule “R”.</i></p>	<p>Lands are located within Schedule “R”.</p>
<p><b>Policy 1.8.2</b>  <i>In considering development agreements pursuant to Policy 1.8, Council shall consider the following:</i></p>	

<p><i>(a) the relationship of new development to adjacent properties and uses; and the mitigation of impacts on the amenity, convenience and development potential of adjacent properties through effective urban design and landscape treatment;</i></p>	<p>There is a two-unit dwelling that shares a southern property line and a four-unit dwelling that is on the northern property line. There is a 6.09 metre (20 foot) setback provided to property lines adjacent to low-density dwelling uses, although there is a driveway within the setback on the north side. It is noted that there is a grade difference between most of the properties to the north and an existing retaining wall in place, which lessens the impacts of vehicle movement in this area. The applicant has stated that the wall will be maintained or replaced.</p>
<p><i>(b) direct access to and sufficient frontage on Bedford Highway;</i></p>	<p>The property has direct access and sufficient frontage on Bedford Highway, approximately 46 metres (152 feet).</p>
<p><i>(c) the architectural design of the building(s) including high quality building materials, articulation of and variation to the building(s) facades; and fine-grained architectural detailing;</i></p>	<p>Materials used include precast panels, metal siding, cement board siding, brick veneer, as well as curtain wall windows. Changes in these materials and colours are used to provide articulation and variation on building facades.</p> <p>The maximum building dimension is a length of 63 metres above grade. The parking levels are 75 metres below grade. This is consistent with modern standards, such as a maximum building dimensions requirement of 64 metres in the Regional Centre Land Use By-law. There is no requirement in the Halifax Mainland Land Use By-law.</p>
<p><i>(d) the scale of the building(s) having regard for the retention of views of the Bedford Basin from public spaces including streets, and active transportation corridors;</i></p>	<p>Hemlock Ravine Park is located behind this site. The applicant has provided that the ground elevation of the closest trail (Cabin Lake Trail) is 15-20 metres higher than the rooftop of the proposed buildings and therefore will not affect public views in the area. Views from public trails within the adjacent development and along Starboard Drive are also significantly screened by existing vegetation and buildings.</p>

<p><i>(e) safe vehicular and pedestrian access to the site and building(s);</i></p>	<p>Development Engineering have reviewed the submitted traffic impact study (TIS) and accepted the findings. Pedestrian connections have been provided to and throughout the site.</p> <p>It is noted that upgrades to the public right-of-way by the Municipality are planned as part of the <a href="#">Bedford Highway Functional Plan</a>, including plans for sidewalk between Charlotte Lane and Larry Uteck Boulevard on the west side of the Bedford Highway, a multi-use trail on the opposite side, and upgrade to the nearby crosswalk ("Segment 3" – page 121 of the report). A minimum 3 metre setback to the front property line has been requested by Development Engineering to accommodate potential future work and has been incorporated into the proposed development agreement.</p>
<p><i>(f) the adequacy of vehicle and bicycle parking facilities;</i></p>	<p>The proposal provides 108 underground parking spaces and 20 surface spaces, and which includes four accessible parking spaces. Bicycle rooms shown on both parking levels.</p>
<p><i>(g) the location of the majority of the vehicular parking below or to the side or rear of the building(s) with a minimal amount of parking accommodated in the front of the building(s) only where appropriate landscape measures along the street edge are provided;</i></p>	<p>There are 108 indoor spaces proposed, and approximately 20 outdoor spaces. Previously proposed parking in front of the building has been removed, leaving only outdoor parking at the rear.</p>
<p><i>(h) the provision of both interior and exterior amenity areas and open space of a high quality, of a size and type adequate for the active and passive use of the residents;</i></p>	<p>There is no requirement in the C-2B zone for amenity space, therefore staff have used the requirements in the Regional Centre Land Use By-law as a guide which requires five square metres of amenity space per unit, with at least half of it being provided indoors.</p> <p>This proposal, for 93 units would require 465 square metres of amenity space and 233 square metres would be required indoors.</p> <p><u>Provided</u>  Balconies: 675 square metres  Indoor Amenity Rooms: 280 square metres  Landscaped Podium (accessed on level 6): 255 square metres  Total amenity space = 1,210 square metres</p>
<p><i>(i) the adequacy of the servicing capacity of the site;</i></p>	<p>No concerns were raised by Halifax Water.</p>
<p><i>(j) the provision of appropriate buffering and landscape treatment;</i></p>	<p>See comments for 1.8.2(a) and 1.8.2(g).</p>
<p><i>(k) the potential impact of shadowing on surrounding residential buildings beyond what currently exists;</i></p>	<p>A shadow study has been provided. Unreasonable impacts are not expected.</p>
<p><i>(l) demonstrated incorporation of Crime Prevention Through Environmental Design (CPTED) principles in the site and building design; and</i></p>	<p>The proposed development incorporates CPTED principles by having building entrances and windows facing common open spaces, parking areas, and public streets. All entrances and pathways within the property are proposed to be lit during evening hours.</p>

<p><i>(m) the provision of active transportation linkages, where needed.</i></p>	<p>Active transportation travel is expected to be improved by projects supporting the Bedford Highway Functional Plan. A 3 metre building setback is required in the development agreement where no structures may be built to accommodate any future need for completion of the Functional Plan. Improvements have been made to the site design of the proposal to allow pedestrian movement to and through the site. No public linkages are required within the boundaries of the site.</p>
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**Halifax Regional Municipality Planning Strategy (Regional Plan)**

<b>Policy</b>	<b>Staff Comment</b>
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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.

<p><b>Policy G-14A</b>        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</p>	<p>The proposed development aligns with the various priority plans as per the following:</p> <ol style="list-style-type: none"> <li>1. Designating areas for higher density residential development where there is an existing or proposed high level of transit service such as a proposed Transit Priority Corridor to support the development of walkable, affordable transit-oriented communities (Action 17 Integrated Mobility Plan). The subject site is on a Transit Priority Corridor.</li> <li>2. Increasing housing stock to accommodate the growing population in Halifax (Strategic Objective 1.6 Halifax’s Inclusive Economic Strategy 2022-2027).</li> </ol>
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# Attachment C: Rendering of Proposed Building



Note:  
The use of this drawing shall be governed  
by standard copyright law as generally  
accepted in Engineering practice.



This rendering is preliminary and conceptual therefore the scale and accuracy is approximate.

CLIENT

CONSULTANTS

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 gambawazir@gmail.com  
**CUSTOM DESIGN & DRAFTING**

No.	REVISION	DATE
3	REVISED DRAWINGS - DA	2022-11-28
2	ISSUED FOR DEVELOPMENT AGREEMENT	2022-08-16
1	ISSUED FOR REVIEW	2021-02-28

PROJECT  
**PROPOSED MULTI-UNITS RESIDENTIAL BUILDING**  
 600 BEDFORD HWY  
 HALIFAX, NS

DRAWING  
**3D IMAGES**

DRAWN BY: GB	CHECKED BY: --
PROJECT START DATE: -	Approved By: -
SCALE: As indicated	DRAWING # <b>A-01.2</b>
PROJECT #: 052020	

# ATTACHMENT D

## Summary of Public Engagement



HRM Planning Application Website and narrated presentation on Shape Your City



Signage Posted on the Site



Mailout to residents and property owners



Future Public Hearing Prior to a Decision

### Information Sharing

Information on **PLANAPP 2023-00321** was shared through the HRM planning applications webpage, signage posted on the subject site, and a Shape Your City narrated presentation was created. Notices were mailed to property owners within approximately 200 m (650 feet) surrounding the proposed development (Map 2 of the Staff Report).

This proposal is to enter into a development agreement to allow an eight storey residential building containing 93 residential units. This requires the removal of the existing two storey commercial building. As the site is located within Schedule R of the Halifax Municipal Planning Strategy, a development agreement is required for any use exceeding 35 feet in height.

### Public Engagement Statistics

<b>Halifax.ca Planning Applications Website</b>	
Number of unique website views up to July 25, 2024	405
Average time spent on the website (minutes: seconds)	0:36
<b>Shape Your City Website</b>	
Number of unique views	43
<b>Notices Mailed to Area Residents</b>	
Number of notices mailed within notification area	750
<b>Direct Communication with the HRM Planner</b>	
Number of calls received (unique callers)	0
Number of emails received from the public (unique email addresses)	11

### Responses to Public Questions and Concerns

HRM planning staff compiled all the public comments and questions provided to date. Broadly, these concerns fell into five categories:

#### Compatibility with surrounding area

- Building would completely overwhelm the adjacent low density residential properties at the rear.
- Concerns about damage to existing well and septic for properties at 606 and 608 Bedford Highway.
- Concerns about damage to the existing gabion and stone walls between 606, 608 Bedford Highway and the subject site.

- Generally like the design and look of the building.
- Disliked the modern design that is not in keeping with the character of the old Town.
- Concerns that lighting at the rear of the proposed building will affect adjacent properties.
- Building is too tall, would prefer a 4-5 storey building.
- Don't need more ultra tall buildings, especially on the waterfront.

### Traffic Safety

- Concerns with traffic volumes on the Bedford Highway and wait times to exit driveways onto the Bedford Highway.
- There is no stop of yield entrance from the Larry Uteck Blvd. and it has a long merging lane making it hard to enter the Bedford Highway from this location.
- Congestion issue on the Bedford Highway. There have been a number of accidents and near misses with pedestrians in this location. Adding this development without rethinking the traffic plan will increase the potential for accidents.

### Noise

- Concern about vibration damage to both 606 and 608 Bedford Highway resulting from blasting, stone chipping, and other construction activities.
- Construction disruption (illegal parking, noise and vibration).
- Concerns about noise pollution.
- Concerns about constant construction in this area.

### Environmental Impacts

- Concerns about stormwater run-off and pooling at the Bedford Highway.
- Concerns about heat island effect caused by this building.

### Other

- There are no sidewalks in front of the development, and none are proposed.
- This development will block the view from 80 Charlotte Lane properties.
- No mention of affordable housing.
- Would encourage consideration be given to ensuring adequate number, density, and affordability of units to help address the ongoing housing crisis in our area.
- This development will reduce the value of abutting residential units.
- How will this development protect existing active transportation (walking and cycling) routes?