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189 Kearney Lake Road DA Application Planning Letter

Dear Megan,

Thanks for your input so far on the 189 Kearney Lake Road Development strategy throughout the design process. This letter details our Development Agreement submission. The site consists of PID 00339572 which currently includes a single house and a secondary structure. As part of this process, we also communicated with HRM Planners to gain their insights.

The Site

The development site is located east of Kearney Lake in Halifax and encompasses the PID 00339572, with civic number 189 Kearney Lake Road. The properties are zoned Bedford West CDD (BWCD). The site consists of lots 24, 52, 53, and a right of way, lot 23-1, with a combined area of 9 acres. The right of way runs west to east through the site. The portion of land behind the site adjacent to Highway 102 is crown land, and the properties to the north and south of the subject site are privately owned.

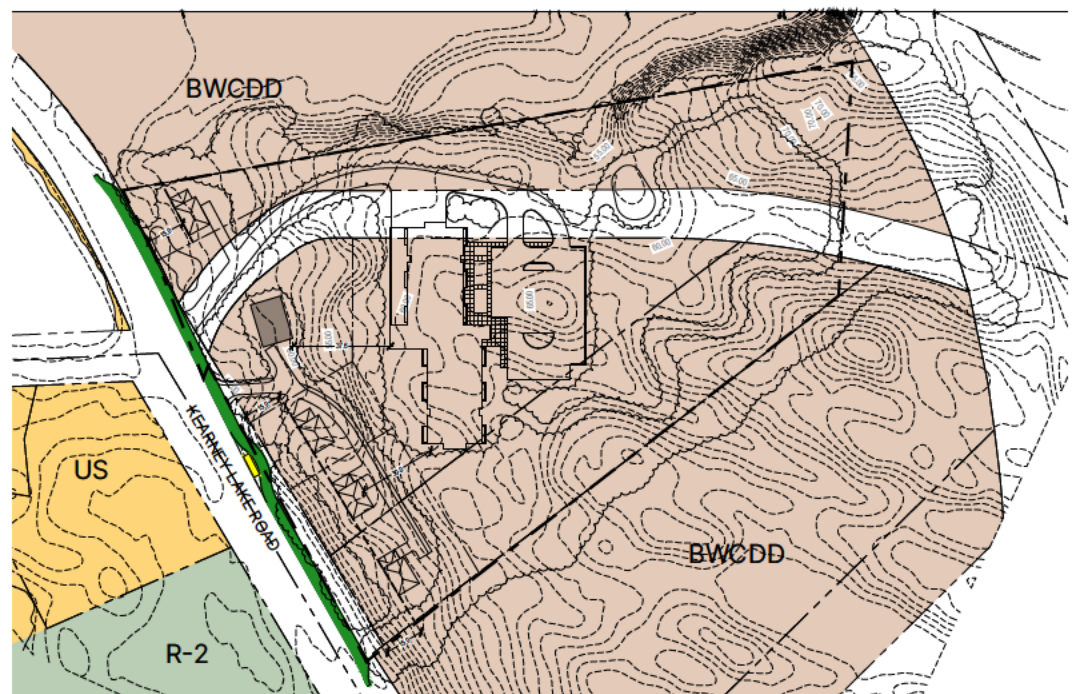
The Proposed Plan

The proposed development plan envisions subdividing the lot into six to create five new smaller lots along Kearney Lake Road, each accommodating one single-family home. This means keeping the existing single-family unit on its own lot and building four new single-

CURRENT CONTEXT

The subject site is zoned BWCD and comprises 36,642.5m² / 9 acres (22,500 ft²) over one PID: PIDs 00339572.

The abutting properties are zoned BWCD and the adjacent properties are zoned Urban Settlement (US) and two Two Family Dwelling (R-2). Neighbours are semi-detached low rise buildings to the south, and a REgroup recycling facility on the property to the north of the site.



family homes on the new front lots. Then, building a 9-storey multi-unit residential building on the main lot behind these smaller lots. The residential building includes a setback after the fourth floor to break up the mass. The proposed multi-unit residential building will have a gross floor area of 17,628m². The proposed building will include 102 residential units, with 30% being 1-bedroom with a den, 44% two-bedroom, and 27% two-bedroom with a den. This back building includes 50 surface



parking spaces and 82 underground parking spaces, assuming two levels of underground parking. The design meets bicycle parking requirements with 39 Class "A" bicycle parking spaces and 10 Class "B" bicycle parking spaces. The driveway for the multi-unit residential building will be off Kearney Lake Road in the location of the right of way. To mitigate the traffic off Kearney Lake Road, the first smaller lot will have access through a driveway off the right-of-way road, and the other four smaller lots will have access by extending the driveway that serves the existing single home south parallel to Kearney Lake Road.

This plan allows for a variety of housing to be built on one lot while maintaining much of the forested area and the existing single-family home. Additionally, there are two bus stops on either end of the PID on Kearney Lake Road, which are on rural Bus Route 433 - Tantallon. The large size of the site allows for a density of 25.8 PPA with the proposed buildings, and it offers ample green space. The master plan includes two stormwater ponds, landscaped space and a trail through the back of the site, all while preserving much of the forested land.

Policy Background and Rationale

As per the Halifax Mainland Municipal Planning Strategy, the subject property is located within the Bedford West Secondary Planning Area as outlined in map ZM-2 of the Halifax Mainland MPS, which was created to help guide new development in the area. The Bedford West plan area is split up into sub areas with their own sets of policies to ensure an even spread of density and monitor municipal services capacity. Schedule BW-6 the subject site is situated within Development Sub Area 10, and the community concept plan sub area 10D as shown in the accompanying schedule BW-7A.

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As per the Halifax Mainland Land Use By-Law (LUB), the site is currently under the Bedford West CDD (BWCDD). This zone was enabled by Halifax Mainland MPS Policy BW-21H(3) which states that:

"Lands within Sub Areas 10B, Sub Area 10C and Sub Area 10D, as illustrated on Schedule BW-7A, previously zoned US (Urban Settlement) shall be rezoned to BWCDD (Bedford West Comprehensive Development District) Zone. These lands shall be developed through the development agreement provisions of the Halifax Regional Municipality Charter and this secondary planning strategy."

The development agreement provisions said site are outlined in Policy BW-21K which outlines the policies for development agreements for Sub Area 10B, Sub Area 10C and Sub Area 10D which states that they shall:

1. *Require each existing parcel of land to be subdivided to create two or more lots. This is required to ensure parkland contributions required by Policy BW-21J(1) and Policy BW-21J(2) are satisfied. This is also required to ensure existing transportation capital cost contributions required by the Regional Subdivision Bylaw are provided at the subdivision approval stage. Applicable lot design requirements in the applicable Land Use By-law and the Regional Subdivision Bylaw may be adjusted through the development agreement process.*

The parcel of land is subdivided into 6 lots.

2. *Require a minimum of 75 percent of residential units within the development to be in the form of multiple unit dwellings;*

98 out of 102 (or 96.1%) of residential units within the development are part of a multi-unit dwelling, exceeding the minimum of 75% residential multiple unit dwellings.

3. *BW-21K(3) Limit density within each neighbourhood district as follows (notwithstanding Policy BW-16(c)):*
c. 25.8 persons per acre in Sub Area 10D.

The proposed master plan would accommodate 219.3 people over an area of ~9 acres, leading to a density of 25.8 persons per acre which is under the 25.8 persons per acre limit.

Additionally it states that development agreements shall consider the following matters:

4. *Other forms of residential development for the remaining 25% may be permitted;*

Four new residential units are planned for the development comprising 4% of the created residential units. And around 5% of the total residential units on site counting the existing building.

5. *Residential development is located proximate to local roads, shared private driveways, or the multi-use pathway, but does not provide individual units direct individual vehicular access to any public streets;*

No units have direct individual vehicular access to public streets.

6. *Institutional uses such as schools, churches, community centres and halls, and day care centres may be permitted;*

Not included in the design.

7. *Neighbourhood commercial uses that provide goods and services at the neighbourhood level, such as convenience stores, may be permitted;*

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8. Where provided, neighbourhood commercial uses are incorporated into multiple unit dwelling(s) at or near ground level, or in separate commercial buildings;

Not included in the design.

9. Home occupations may be permitted throughout the neighbourhood districts;

Not included in the design.

10. Environmental site assessment studies and supplementary environmental analysis are provided on lands with previous industrial land uses prior to determining the appropriateness of any land uses and building designs;

There is no history of industrial uses on the site.

11. Development is concentrated into a development cluster(s);

Development is concentrated to the south of the site closer to Kearney Lake Road.

12. Each development cluster is located within the neighbourhood district to:

- a. Minimize site disturbance (grading, excavation and tree removal);*
- b. Maintain, as much as possible, existing terrain and drainage patterns;*
- c. Provide an adequate buffer between the development cluster and Highway 102;*

To meet the points listed above, the development is being proposed to the southern portion of the site closer to Kearney Lake Road to provide an adequate buffer to Highway 102 and allow for minimal site disturbance to the northern portion of the site. This allows for much of the site to be preserved as green space, creating recreational space, aiding in stormwater management and minimizing the risks of erosion.

13. Landscape and disturbance plans are provided to identify the amount of disturbance required for the proposed development and the plan to stabilize and landscape all disturbed areas.

Landscaping is shown in the master plan, and the site grading plan is attached. Most of the disturbance will be to the southern portion of the site.

14. Where access is provided to Kearney Lake Road, access points are limited and shared where possible;

Access points are limited to 2 locations on the site, with 3 of the proposed detached single-family homes and the existing house sharing an access point, as well as 1 of the proposed detached single-family homes and the multi-unit dwelling sharing an access point

15. Each building within a development cluster is sited to:

- a. relate to other buildings within the development;*

The single-family homes are arranged to align with each other and to create a view of the site that is consistent with the surrounding neighbourhood which is mostly single family homes. They additionally create a transition and buffer between the neighbourhood and the multi-unit resident building.

- b. front on local streets, shared private driveways, or the multi-use pathway;*

The buildings all front onto shared private driveways.

- c. provide a transition to neighbouring buildings by stepping massing down to where required while providing side and rear setbacks; and*

Adequate transition and setbacks with the single home dwellings along Kearney Lake Road, and the larger building in behind.

- d. fit within the natural topography of the site, by stepping down to sloping terrain and*

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accommodating significant grade changes by creating transitions from the building to the ground level traveled ways adjacent to the building.

The grade of Kearney Lake Road along the southern corner is lower than the site which features a slight hill along the road, as shown in the contour lines on the site plan. To work around this the driveway to access the single-family homes on the raised area is connected to the current driveway which is located at a lower section reducing the slope of the driveway to access these homes.

16. *Each building within a development cluster is to be designed to:*

- a. *ensure a varied streetscape by providing variety in building massing, details, and building materials and finishes;*

The proposal includes a range of building types, with the multi-unit building and single-family homes. The multi-unit residential building includes step backed portions to break up the building mass.

- b. *maintain design cohesion by aligning windowsills, cornices, and floor-to-floor spacing with other buildings within the development cluster;*

There is only one multi-unit building making this more difficult but the single-family homes can be designed to have similar features.

- c. *ensure buildings are limited to a maximum of 12 habitable storeys, not including penthouses and mechanical elements;*

The tallest building proposed is 9-storeys.

- d. *ensure building heights (not including penthouses and mechanical elements) transition from a maximum of 4 habitable storeys to a maximum of 12 habitable storeys, subject to the following:*

- i. *buildings within 30.5 metres of the Kearney Lake Road right-of-way do not exceed 4 habitable storeys;*

The single-family homes do not exceed 4-storeys.

- ii. *buildings beyond 30.5 metres, but within 61 metres of the Kearney Lake Road right-of-way do not exceed 9 habitable storeys; buildings beyond 61 metres of the Kearney Lake Road right-of-way do not exceed 12 habitable storeys;*

The multi-unit residential building does not exceed 9-storeys.

- iii. *ensure buildings greater than 6 habitable storeys include a change in materials and colour above the fourth habitable storey;*

The multi-unit residential building will have a change of materials after the fourth storey.

- e. *ensure building façades have appropriate levels of transparency and have a direct interface with local streets, shared private driveways, the multi-use pathway, walkways, and open spaces; and*

This will be met in the final design.

- f. *ensure building floorplates are limited to a maximum of 2,000 square metres for the first four habitable storeys, with reduced floorplate sizes above the fourth habitable storey.*

The gross floor area for the first storey is 1,806m² and then 1,670m² for 2nd to 4th storeys and the floorplate then reduces to 1,370m² for the 5th to 9th storeys.

17. *Buildings greater than 20 metres in height, at the construction permit stage, are accompanied by a qualitative wind analysis. The study shall assess wind impacts on pedestrian areas including recreation and amenity areas, the multi-use pathway, and*

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recreational and competitive boating areas of Kearney Lake (if relevant). The study shall include detailed assessment methodologies, local wind climate data, wind comfort, and safety performance standards, as well as wind mitigation measures. Final building designs shall incorporate wind mitigation measures recommended in the study.

The design implements stepbacks and breaks in the building mass to mitigate wind impacts on the pedestrian areas around the building.

18. *Adequate parking is provided, and is:*

a. *designed to minimize the number of external parking spaces;*

The multi-unit residential building includes two levels of underground parking providing a total of 82 spaces, reducing the amount of surface parking needed.

b. *located and designed in a manner which is pedestrian friendly;*

The parking is located to the north of the building, making it connected to the trails in the back of the building, and it is joined to the driveway, which connects to Kearney Lake Rd, which has a painted bike lane pathway and bus stop.

c. *designed to incorporate landscaping measures, and*

Landscaping measured shown in master plan.

d. *designed for snow storage;*

The plan provides adequate space for snow storage.

19. *Buildings containing 48 or more dwelling units include provision for interior parking.*

The building contains the 50 dwelling units and includes an underground parking garage.

20. *Each development cluster provides pedestrian connection to:*

a. *each building within the development cluster;*

There are two driveways into the site, so not all buildings are connected by one.

b. *the multi-use pathway; transit facilities within or adjacent to the development cluster including transit stops and any future proposed transit terminals; and*

The driveway connects down to Kearney Lake Road which features a bike lane and two bus stops on either end of the site.

c. *adjacent development clusters within the same neighbourhood district*

The site is close to the building around Saskatoon Dr and Hamshaw Drive, and is close to Wedgewood, which has a school, recreational facilities, and commercial uses

21. *Residential development includes interior and exterior amenity space.*

The multi-unit residential building includes a fitness room and amenity room providing a total of 200m² indoor amenity space, and the terraces and balconies provide 1305m² outdoor amenity space amounting to a total of 1,505m² for the multi-unit building, not including the natural space and trails around the building.

22. *Exterior shared amenity space includes private parklike areas, and may include active and passive recreation features such as sports courts, playgrounds, walking trails, and gardens;*

The proposed development includes a private parklike area around the buildings and in the northern portion of the site featuring a pond, as well as a walking trail loop that functions as an active recreation feature.

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23. *Residential accessory buildings may be permitted for the shared use of residents; None planned at this time.*

24. *Lighting and landscaping plans are provided; Landscaping is shown in the Master Plan.*

25. *For any neighbourhood commercial development proposed, consideration is given to the policy criteria of Policy BW-29; Overall site design in new developments considers public safety around hazardous topographical features (quarry faces and cliffs). Site design measures may include maintaining vegetated areas, introduction of landscaping features, fencing or other physical barriers. Appropriate site design measures are provided by a professional engineer and accompanied by any information deemed necessary by the Municipal Engineer to properly evaluate the suitability of such measures (such as a geotechnical analysis, safety report, and a stormwater management report).*

No commercial space planned.

26. *The proposal conforms with all other relevant policies of the Bedford West Secondary Planning Strategy, including but not limited to: Policies BW-1, BW-12, BW-21J(1), and BW-21J(2) (RC-Oct 11/22;E-Nov 16/22).*

Policy BW-1: No development agreement shall be approved unless a master storm water management plan has been prepared, reviewed by the Bedford Waters Advisory Board and accepted by the Municipality. The management plan shall:

(a) identify significant constraints and sensitivities with regard to flood potential, and environmental features and provide appropriate protection measures;

(b) provide estimates of pre-development and post development flow rates (where post development flow rate means the expected flow rates upon full build out of an area as permitted by the development agreement) at critical locations within watercourses such as at culverts and other road crossings and at downstream developments;

(c) outline the type and location of storm water management facilities and the approach to protecting receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows; and

(d) conform with the recommendations of the Bedford West Planning Area Subwatershed Management Plan (Jacques Whitford: May 2004) unless otherwise acceptable to the Municipality and the Province.

Policy BW-12: Development of major land areas on slopes in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value.

Policy BW-21J(1) Municipal parkland contribution shall be provided in Sub Area 10B, Sub Area 10C, and Sub Area 10D, as identified on Schedule BW-7A.

Policy BW-21J(2) Parkland dedication shall be as per the requirements of the Regional Subdivision By-law.

Other policies to note:

Policy BW-21I(2)

Until upgrades to the Kearney Lake Road-Highway 102 interchange are complete to accommodate the full development of Sub Area 10B, Sub Area 10C and Sub Area 10D, a maximum of 400 dwelling units shall be permitted within the lands identified as Sub Area 10B, Sub Area 10C and Sub Area 10D on Schedule BW-7A of this Secondary Planning Strategy.

Policy BW-21I(4)

Any application for development agreement for Sub Area 10D must consider the needs of

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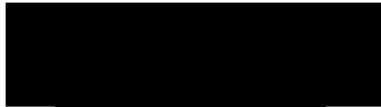
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the Province with regards to additional right-of-way and any implications of such a project. Where possible, the allocation of population to lands needed for the re-alignment may be redistributed to the remaining lands within Sub Area 10D.

We believe that the proposed development is consistent with the policies which enable development agreements within the Bedford West Secondary Plan Area and that the proposed development aligns with the municipality's goals to create intentional new development. The unique layout of the proposed design takes into account the site's natural features and surrounding context to provide a development that increases density while maintaining the site character while minimizing the disturbance of the natural features on-site and the impact on neighbouring properties.

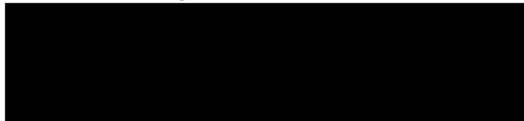
If you have any questions about this application, please feel free to reach out to me at your convenience.

Sincerely,



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Reviewed By:



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