



May 17, 2023

Planning and Development Applications Team  
5251 Duke St, 3rd Floor, Suite 300, Duke Tower,  
Halifax, NS

**Re: Development Agreement Application for 8990 Highway 7, Head of Jeddore, Nova Scotia (PID 00609149)**

Dear Planning and Development Applications Team,

On behalf of our client, Metlink Investments Limited, WSP Canada Inc. (WSP) is pleased to submit this application to apply for a Development Agreement under Policy MU-7 under the Eastern Shore West Municipal Planning Strategy (MPS). The intent of this Development Agreement would be to enable a new grocery store that will exceed 5,000 square feet at 8990 Highway 7, in Head of Jeddore, Nova Scotia (PID 00609149). As per policy MU-7, the MPS requires a development agreement application for any new commercial building within the MU zone that is over 5,000sqft.

The following letter includes a summary proposed development and an analysis of applicable MPS Policies.

## 1. SUPPORTING MATERIAL

To assist with the application process, the following supporting materials are enclosed:

1. Application Fees: \$3,430 processing fee + \$1,000 advertising deposit
2. Attachment A: Topographic Survey and Wetland Investigation Memo provided by HGE Engineering Inc.
3. Attachment B: Conceptual Site Plan provided by WSP
4. Attachment C: Preliminary Grading, Servicing & Stormwater Management Plans provided by HGE Engineering Inc.
5. Attachment D: Traffic Impact Study provided by WSP
6. Attachment E: Proposed Building Elevations provided by Sobeys Inc.

## 2. SITE OVERVIEW & CONTEXT

The subject site (PID 00609149) is located within the Eastern Shore (West) Plan Area. The property has frontage on the southern side of Marine Drive (Highway 7). The parcel has a total area of approximately 106 acres and approximately 77m of frontage on Marine Drive. The site is currently occupied by a strip mall containing an existing Sobeys grocery store (just over 13,000 sqft), an NSLC, a Home Hardware, a convenience store, a café and laundromat, and a restaurant located towards the north-east of the site. It is important to note that through this application the existing grocer is staying within the community. The purpose of the application is to facilitate a new grocery store that will improve the overall shopping experience, expand the provision of services and products, and meet the current and future needs of the community. The grocer is not leaving the community.

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There also is a wetland located east of the strip mall. The wetland has been delineated; however, there is no contiguous watercourse running in or out of the wetland; further details can be found in the technical memo (Attachment A). In order to avoid the delineated wetland a retaining wall is proposed to be located adjacent to the loading area for the proposed development; further details can be found in the preliminary servicing plans (Attachment C).

To the west of the site there is the Marine Drive Pentecostal Church (PAOC), and to the east there are residential dwellings and a few scattered smaller commercial uses, including a restaurant and gas station. South of the site is a vacant lot that is heavily wooded. Across Highway 7, are more residential properties and the Kingdom Hall of Jehovah's Witnesses. Figure 2-1, illustrates where the site is located in context of its existing surroundings.

*Figure 2-1: Map of Subject Site*



### 3. SITE ACCESS AND CIRCULATION

In preparation of submitting the Application, a Traffic Impact Study (TIS) was completed to review the anticipated impacts of the proposed development on the transportation network and the proposed location of the site access. The study included an assessment of the current site conditions, traffic volume projections for the development and an evaluation of traffic impacts. The proposed new grocery store development intends to utilize the existing full movement driveway access on the northern portion of the site. No new driveway off Highway 7 is proposed as part of this application.

A traffic study scoping meeting was held with the Department of Transportation and Public Works on April 11, 2023. As part of the scope of work, WSP traffic engineers did a site visitation, performed traffic counts, completed trip generation and traffic analysis, and prepared a summary report (Attachment D). Key findings from the study include:



- Both site access intersections are expected to operate within NSPW guidelines without and with proposed site development.
- A left turning lane is warranted for westbound trips into the site. It is warranted based on current development and trip generation and will continue to be warranted with the proposed development.
- Site generated trips are not expected to have a significant impact to traffic performance within the study area.

For the full Traffic Impact Study report that includes the methodology, summary tables and study results, can be found in Attachment D.

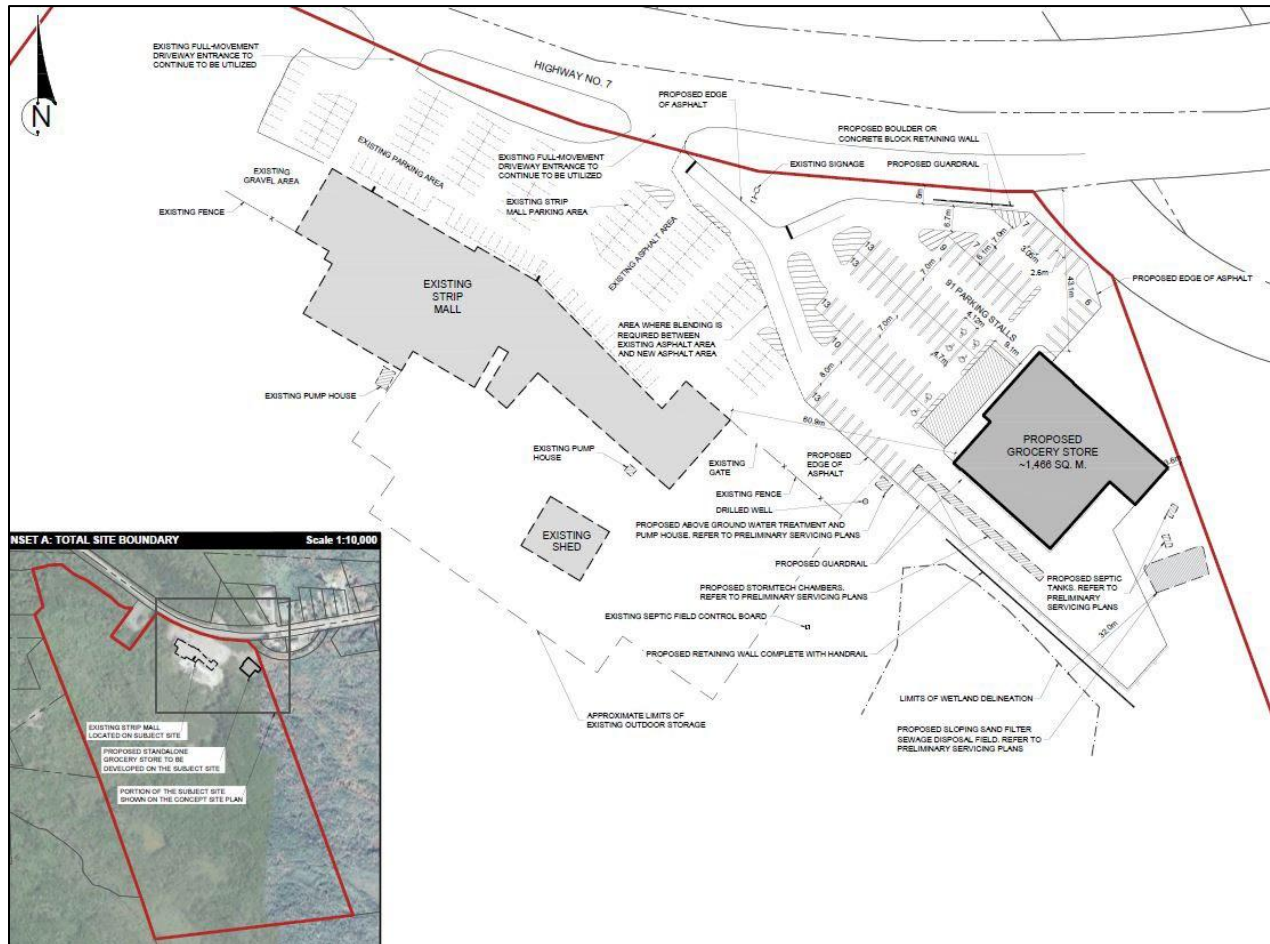
#### 4. DEVELOPMENT PROPOSAL

As shown on the attached concept plan (Attachment B), Metlink Investments Limited is seeking to develop a new commercial building (grocery store) that exceeds 5,000 square feet, which will be located on the eastern portion of the property and separate from the existing strip mall. The proposed development will be a standalone building, which the existing Sobeys on the site will relocate to as a Foodland. It is unknown at this time what type of commercial or retail land use will be located within the existing grocery space.

The need for redevelopment along Highway 7 to support local residents and travelling public within the Eastern Shore (West) Plan Area, while also preserving and maintaining the rural character and traditional land use pattern, has been well-established in the MPS. Highway 7 is the main transportation route through the Plan Area and the primary link between many communities and Metro-Halifax and communities along the eastern shore. The Plan Area supports a growing tourism industry alongside community identity and character for those who live there as well as a desire to support the continued rural mixed development to service the surrounding neighbourhoods while also preserving the rural character of the Plan Area. A need for larger scale commercial use has been expressed for the area as per the Eastern Shore (West) MPS policies, however, in doing so, it is understood that these new developments shall provide adequate protection to adjacent residential properties and have minimal impacts to environmental conditions, traffic generation, architectural design, outdoor storage and display and hours of operation.

Figure 4-1 illustrates the proposed conceptual site plan for the subject site. For a more detailed and enlarged site plan, see the Conceptual Site Plan that is accompanying this application (Attachment B).

Figure 4-1: Proposed Conceptual Site Plan



## LOT SITING

The proposed development is located in a prime location for expanded commercial use to support both local residents and members of the public travelling through, while also improving the aesthetics of the existing site. As the site is situated along Highway 7, a main transportation route, it is important to provide high quality commercial spaces at this prime location where community members have access to the variety of services offered.

The proposed Sobeyes is visible from the highway and is sited to prevent delivery trucks passing in front of the store/high volume pedestrian traffic areas in order to maximize pedestrian safety. It was important to align the face of the building perpendicular to the existing parking stalls to allow for better traffic flow within the site and allow trucks to have a dedicated access directly to the loading area. The orientation of the building and the retaining wall also allows for protection of the adjacent wetland located on the site.

The proposed development will be going through a development agreement process to allow for a grocery store that is greater than 5,000 square feet on the site. With that being said, our proposal has kept in line with many of the lot siting requirements that are included in the MU Zone.



Table 4-1: Lot Siting Summary related to the MU Zone

	<b>MU Zone</b>	<b>Proposed Development</b>
<b>Lot Frontage (Commercial)</b>	45.7 m / 150 ft	Approximately 260 m of frontage along Highway No. 7
<b>Front and Flanking Yard</b>	9.1 m / 30 ft	43.1 m
<b>Side Yard</b>	2.4 m/ 8 ft	3.6 m
<b>Rear Yard</b>	2.4 m/ 8 ft	Approx. 660 m
<b>Lot Coverage</b>	35%	1.1%
<b>Maximum Height of Main building</b>	10.7 m/35 ft	6.1m
<b>Separation Between Main Buildings</b>	Minimum separation distance between main buildings on same lot: 16 ft (4.8m)	60.9 m

## SITE SERVICING

The servicing system for the proposed development will remain separate from the existing site services as limited information was available to fully understand the capacity of the existing systems.

A potable water supply will be provided by a drilled well to the south-west of the building. We have allowed for the addition of a water treatment facility which will be constructed (if required) following the testing results of the water. If the water meets all portable regulations, no treatment facility will be constructed. The well also needs to provide sufficient flows as outlined in the tenant agreement. Additional measures will be taken if the well does not meet these requirements.

The storm system is a combination of overland flow (major drain) and an underground piped system (minor drain). The finish grading of the site has been designed to direct surface water away from the building and towards catchbasins as outlined on the servicing plan including a building lateral to capture the roof drainage. The combined stormwater flows are then directed towards a control manhole and underground storage system (Stormtech MC-3500 chambers) which controls the post developed flows to match the pre-developed flows as outlined on the stormwater management plan. Prior to discharging to the surface to the south of the building, the stormwater will pass through a Stormceptor with removes debris and suspended solids from the water.

The sanitary system includes a grease interceptor prior to discharging to a dual septic tank system complete with effluent filters and high-level alarms. Downstream of these tanks, the effluent will be dispersed by a sloping sand filter sewage disposal field designed to handle the loads expected from this building.



## LANDSCAPING

A landscape plan for the proposed development is currently underway and will be submitted following its completion.

## WETLAND DELINEATION AND ASSESSMENT

A wetland is located on the subject site, east of the existing strip mall. The wetland was delineated and investigated where it was determined that there is no contiguous watercourse leading into or discharging from the wetland. As there is no watercourse leading in or out of the wetland, a watercourse buffer is not required. A minimum of a 30.5m setback is required from the wetland to the proposed onsite sewage disposal field which has been taken into account and shown on both the Conceptual Site Plan and Preliminary Servicing Plan. Further details can be found in the technical memo within Attachment A.

## 5. POLICY REVIEW

The subject property is located within the Eastern Shore (West) Plan Area and is both designated and zoned Mixed-Use (MU) under the Municipal Planning Strategy (MPS) and Land Use By-law (LUB).

**Policy MU-2** of the Eastern Shore (West) MPS, the MU Designation permits a wide range of commercial uses, and shall *regulate the size of commercial buildings and the scale of buildings and structures associated with resource uses...* Further **Policy MU-7** states *it shall be the intention of Council to consider permitting commercial uses with a building footprint greater than five thousand (5,000) square feet in accordance with the development agreement provisions of the Planning Act.*

Understanding the policy objectives and vision set by the community through the Eastern Shore (West) MPS of the Mixed-Use Designation that supports a wide range of commercial uses designed to meet the needs of local residents the travelling public, the following Development Proposal is being put forward for HRM to consider.

## REGIONAL MUNICIPAL PLANNING STRATEGY

According to the Regional Municipal Planning Strategy (RMPS) Map 2 Generalized Future Land Use, the subject property is designated Rural Commuter. The RMPS supports the rural areas in HRM for their role in a vibrant economy. The Plan emphasizes the need to ensure there is support for new development in rural communities that can accommodate potential opportunities in the areas.

As part of the Regional Plan, themes and actions were developed to support growth in the HRM. This included *Improving Urban and Rural Community Design*. Highlighting the importance of “*directing new growth to areas where infrastructure and services already exist.*”

POLICY CLAUSE

RATIONALE FOR DEVELOPMENT PROPOSAL

### **Regional Municipal Planning Strategy Policy EC-15**

*HRM shall, in collaboration with the Province and other partners, work to ensure that the economic viability of rural communities is included as an integral aim of regional economic growth strategies and their implementation. Consideration shall be given to:*



POLICY CLAUSE

RATIONALE FOR DEVELOPMENT PROPOSAL

<p><i>(c) making strategic infrastructure investments where deficiencies have consistently hindered economic viability</i></p>	<p>The proposed development provides a strategic investment for a greatly improved commercial grocery store in the area. The new store will provide the community with an improved selection of product and make for a more pleasant shopping experience with a larger space, more display, and a better variety of grocery store products for the Jeddore community.</p>
<p><i>(f) supporting services to those individuals establishing or maintaining businesses in the rural areas</i></p>	<p>The new store will provide for a more pleasant shopping experience with a larger space, more display, and an improved selection of grocery store products for the Jeddore community. Further, employees of the current grocery store should not expect a disruption in their work schedule as the new Foodland will be built as the current Sobeys continues to operate. Once open, current employees can continue their jobs in the new Foodland store. Given the greater store size, it is anticipated that additional long-term employment opportunities will be generated.</p> <p>This proposed development will also provide opportunity for new future commercial or retail tenants to come to the community and occupy the current space that Sobeys is in which brings more opportunity to the area for commercial and employment growth.</p>
<p><i>(g) creating opportunities, including appropriate zoning, to direct rural businesses to locations within designated growth centres, and between centres where appropriate</i></p>	<p>The proposed development creates opportunities for greater business in the rural area and providing for greater selection of product and an improved shopping experience for residents.</p>
<p><b>Regional Municipal Planning Strategy Policy S-5</b></p> <p><i>The Rural Commuter Designation shall be established on the Generalized Future Land Use Map (Map 2) to encompass those areas within commuting distance of the Regional Centre that are heavily influenced by low-density residential development. The intent for this designation is to:</i></p>	
<p><i>to protect the character of rural communities and conserve open space and natural resources by focusing growth within a series of centres, as shown on Settlement and Transportation Map (Map 1)</i></p>	<p>The proposed development will protect the rural nature of the community and has considered the natural resources and surrounding open space, while supporting commercial growth. Through strategic building placement and orientation, as well as implementing a retaining wall towards the rear of the proposed development it has managed to avoid the wetland on the site. It should be noted that this area was delineated and assessed by HGE Engineering, and it was determined it is not connected to a watercourse.</p>



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<p><i>support the delivery of convenience services to the surrounding settlement area</i></p>	<p>The proposed development will offer a high quality and modern grocer to the area. The current space is not adequate for the contemporary requirements of Sobeys and the decision to improve the product selection and store quality while remaining on the site is a critical one for residents of the Jeddore community. Grocery stores provide an array of convenience services, and this new Foodland will be able to provide new services such as a floral department, service and self-serve hot deli, a self-serve bakery along with an increase in the offering in frozen foods and meat selections.</p>
<p><i>control the amount and form of development between centres</i></p>	<p>The proposed development is being located next to an existing commercial land use hub.</p>
<p><i>protect the natural resource base and preserve the natural features that foster the traditional rural community character.</i></p>	<p>The proposed development will not negatively impact natural resources within the community as it is being located directly adjacent to an existing commercial centre off a commuter highway.</p> <p>Please refer to Attachment A. As no watercourse is present on the site, no buffer or setback is required from the delineated wetland as shown on the concept site plan (Attachment B). The proposed development will include a retaining wall to avoid the wetland.</p>

**EASTERN SHORE (WEST) MUNICIPAL PLANNING STRATEGY**

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RATIONALE FOR DEVELOPMENT PROPOSAL

<p><b>Eastern Shore (West) Policy MU-7</b></p> <p><i>Notwithstanding Policy MU-2, it shall be the intention of Council to consider permitting commercial uses with a building footprint greater than five thousand (5,000) square feet in accordance with the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard to the following:</i></p>	
<p><i>(a) that the architectural design and scale of any building is compatible with nearby uses</i></p>	<p>The proposed development’s architectural design and scale is an improvement to the existing aesthetics of the strip mall and brings a greater level of contemporary and modern grocery store architecture to the community. Please refer to Proposed Building Elevations shown in Attachment E.</p>





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<p><i>(b) the impact of the proposed use on traffic volume and the local road network, as well as traffic circulation in general, sighting distances, and the entrance to and exit from the site</i></p>	<p>Site generated trips are not expected to have a significant impact to traffic performance within the study area. Please refer to the attached Traffic Impact Study (Attachment D) that provides details on the traffic volume, local road network, traffic circulation, sighting distances and site access.</p> <p>As part of the TIS, it was determined a left turn lane is warranted for the site. The landowner will work with NSPW to determine the best solution for providing this left-turning lane for westbound flowing traffic. A solution will be implemented prior to the opening of the new store.</p>
<p><i>(c) The means by which solid and liquid wastes are treated</i></p>	<p>Please refer to the attached Preliminary Servicing Plan and Stormwater Management Plan (Attachment C) that provides details on water and sanitary servicing for the proposed development.</p> <p>Solid wastes will be captured by a dual septic tank system which will require periodic pumping as per standard applications. The liquid wastes will continue downstream and be treated using a standard sloping sand filter.</p>
<p><i>(d) The overall layout and design of the site, including all buildings, parking areas, landscaped areas, refuse collection areas and signage.</i></p>	<p>Please refer to the attached Conceptual Site Plan (Attachment B) that includes the entire site, including all buildings on the site, parking areas, proposed use, and proposed septic locations.</p> <p>A Preliminary Landscape Plan is currently underway and will be submitted to HRM following its completion.</p>
<p><b>Eastern Shore (West) Policy IM-10</b></p> <p><i>In considering development agreements and amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Strategy, Council shall have appropriate regard to the following matters:</i></p>	
<p><i>a) that the proposal is in conformity with the intent of this Strategy and with the requirements of all other municipal by-laws and regulations</i></p>	<p>The Eastern Shore (West) MPS generally encourages the development of commercial design that can “<i>meet the needs of local residents and the travelling public</i>”. The proposed development will provide further services for residents.</p>
<p><i>b) that the proposal is not premature or inappropriate by reason of:</i></p>	<p>The proposed development does not require additional financial commitments from the Municipality. The site is not within the municipal service boundary and no new roads are being created.</p>

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<p><i>(i) the financial capability of the Municipality to absorb any costs relating to the development;</i></p> <p><i>(ii) the adequacy of central or on-site sewerage and water services;</i></p> <p><i>(iii) the adequacy or proximity of school, recreation or other community facilities;</i></p> <p><i>(iv) the adequacy of road networks leading or adjacent to or within the development; and</i></p> <p><i>(v) the potential for damage to or for destruction of designated historic buildings and sites.</i></p>	<p>Following test pits conducted on site, it was determined the soil is adequate for a sloping sand filter disposal field system. In short, the solid wastes will be captured by a dual septic tank system while the liquid wastes will continue downstream and be treated by the sloping sand filter. Once a well is installed, the quality and flows of the area will be determined however, it can be assumed the area will provide adequate water services based on the existing system for the adjacent building.</p> <p>Site generated trips are not expected to have a significant impact to traffic performance within the study area. As part of the TIS, it was determined a left turn lane is warranted for the site. The landowner will work with NSPW to determine the best solution for providing this left-turning lane for westbound flowing traffic. A solution will be implemented prior to the opening of the new store.</p> <p>No heritage buildings exist on this site, nor is it a historic site.</p>
<p><i>c) That controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:</i></p> <p><i>(i) type of use;</i></p> <p><i>(ii) height, bulk and lot coverage of any proposed building;</i></p> <p><i>(iii) traffic generation, access to and egress from the site, and parking;</i></p> <p><i>(iv) open storage; and</i></p> <p><i>(v) signs.</i></p>	<p>The proposed development would not impact adjacent or nearby land uses as:</p> <ul style="list-style-type: none"> <li>— It is a commercial building being located directly adjacent to an existing commercial hub, which is supported in the MU designation.</li> <li>— The proposed building size will not impact nearby or adjacent land uses, as it will maintain the low-rise pattern of nearby buildings. more details can be found in the Conceptual Site Plan (Attachment B) and proposed store elevations (Attachment E).</li> <li>— The proposed development will have adequate traffic mitigation measures, outlined in the attached Traffic Impact Study (Attachment D).</li> <li>— The proposed development will not have any open storage.</li> <li>— The proposed development will adhere to sign regulations as per the LUB.</li> </ul>
<p><i>d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding</i></p>	<p>The existing conditions of the site were fairly flat with a drop in elevation towards the south of the site. Due to the drop in elevation and the presence of a wetland, a retaining wall will be required to avoid the limits of the wetland. No watercourses were found in the area of the proposed development and there are no indications present for the susceptibility to flooding.</p>



## 6. CONCLUSION

In conclusion, this development application aligns itself with the goals, objectives, and policies of the Eastern Shore (West) Plan Area. It does this by:

- ✓ Proposing a commercial building that complies with adjacent uses and scales and recognizes the rural context of the area, while providing services to benefit residents living in the neighbourhood, as well as visitors to the area.
- ✓ Keeps the grocer within the neighbourhood and will greatly improve the product selection and shopping experience for customers.
- ✓ Will provide additional gross floor area for additional new services such as a floral department, service and self-serve hot deli, a self-serve bakery and an increase in the offering in frozen foods and meat selections.
- ✓ Will retain current employment opportunities for Sobeys workers and has potential to provide new employment opportunities for the community to maintain and serve customers in the new store.
- ✓ Site generated trips are not expected to have a significant impact to traffic performance within the study area.
- ✓ Addressing the need for a left-turn lane and will work with NSPW to identify and implement a solution to provide the necessary safe access.
- ✓ A new servicing system (water, sanitary and storm) for the development will be installed and remain separate from the existing site services. The area is suitable for a septic and well system. The storm system has been designed to match pre and post stormwater flows while providing a quality control measure prior to discharge.
- ✓ Has delineated and assessed the wetland on the site. It has been determined that there is no watercourse leading in or out of the wetland and has avoided distribution of the wetland through building orientation and the placement of a retaining wall towards the rear of the proposed development.

This development proposal makes a positive contribution to the residents in Head of Jeddore by providing the community and visitors better access to commercial services. In addition, it makes a positive contribution to the immediate commercial hub by gently increasing economic opportunities and improvements in the rural areas where all future residents will benefit from better access to commercial services and food quality and selection.

We trust that this information is sufficient for the application process, and we look forward to working with HRM's as we move ahead with the planning process for this application. Should you have any comments or questions, please do not hesitate to contact me.

Yours sincerely,

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