

APPENDIX E – APPLICABLE PLANNING POLICY CHART

Table 1: Policy RL-15

Policy	Comment
RL-15 In addition to the uses that may be considered pursuant to Policy S-17 (RC-Jun 25/14;E-Oct 18/14) under the Regional Plan, HRM shall consider permitting townhouses on Site D as a component of a proposed Classic Conservation (RC-Jun 25/14;E-Oct 18/14) Design Subdivision for the Charleswood Subdivision through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the provisions of Policy S-17 (RC-Jun 25/14;E-Oct 18/14) of the Regional Plan and the following:	N/A
Built Form Architecture and Use	
(a) that a maximum of 42 acres of the site maybe developed for townhouses in the general vicinity of the area shown on Map RL-3 at a maximum density of two units per acre;	<p>Proposed townhouse development on the site is on a land area not exceeding 42 acres.</p> <p>Proposed townhouse development is located within the general vicinity of the area shown on Map RL-3</p> <p>Proposed Townhouse Density is two units per acre (84 total units)</p>
(aa) that a minimum of 60% of the site is retained as open space; (RC-Jun 25/14;E-Oct 18/14)	Proposed development retains 60% of the site as open space
(b) that the massing and built form of the development is compatible with any adjacent low-density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;	The uses proposed in this development application (i.e. single-detached dwellings and townhouse dwellings) are of similar height and scale to uses in the surrounding area. Proposed townhouse units are setback significantly from property lines, creating a significant open space buffer from existing single-detached homes to the south.
(c) that the elevation of all buildings within each townhouse block shall be	Each 4-unit townhouse building will be articulated in a manner that provides

articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;	variation between units, and reinforces common characteristics that visually unite the overall townhouse building
(d) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;	Each 4-unit townhouse building will include offsets and articulations to the roof structure to break of the overall massing of the building
(e) that the massing and built form of townhouse units adjacent to single-detached and semi-detached dwellings shall be broken down with architectural elements to promote visual integration;	Townhouse units are located within separate development block then single-detached dwellings; therefore, the two uses will not be developed adjacent to each other
(f) that the townhouses generally conform to the architectural provisions set out under the land use by-law;	The proposed townhouses generally conform to the architectural provisions set out under the land use by-law
Site Impact Controls/Assessments	
(g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;	Stantec Consulting Ltd. (Stantec) completed a Phosphorus Net Loading Assessment for the proposed development which has been reviewed and accepted by HRM staff. Traffic Impact Statement (Policy RL-25) included as attachment
(h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.	Storm water management plan and Sedimentation Control Plan (Policy RL-23) will be submitted for staff review/approval when complete. Policy P-155 addressed in table below

Table 2: Policy RL-22

Policy	Comment
RL-22 The River-lakes Secondary Planning Strategy shall establish a no net increase in phosphorus as the performance standard for all large scale developments considered through the provisions of a development agreement pursuant to policies RL-4, RL-5, RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Plan. This Policy shall also apply to proposed developments pursuant to policies S-15 and S-16 of the Regional Municipal Planning Strategy. A study prepared by a qualified person shall be required for any proposed development pursuant to these policies to determine if the proposed development will export any greater amount of phosphorus from the subject land area during or after the construction of the proposed development than the amount	Stantec Consulting Ltd. (Stantec) completed a Phosphorus Net Loading Assessment for the proposed development which has been reviewed and accepted by HRM staff.

<p>of phosphorus determined to be leaving the site prior to the development taking place. If the study reveals that the phosphorus levels predicted to be exported from the proposed development exceed the phosphorus levels currently exported from the site, then the proposed development will not be permitted to take place unless there are reductions in density or other methods that (RC-Feb 23/16;E-Apr 2/16) to reduce phosphorus export levels to those current before the proposed development. Any stormwater management devices designed to treat phosphorus must be located on the privately-owned land included in the proposed development agreement. (RC-Feb 23/16;E-Apr 2/16) The cost of the study shall be borne by the applicant. The study may rely on phosphorus export coefficients derived from existing studies if they can be justified for application to local environmental conditions. All existing and proposed development within the affected area shall be taken into account and the consultant shall undertake Wet Areas Mapping to help define the ecological boundaries associated with the flow channels, accumulation points, and riparian zones to restrict any high impact development in those areas.</p>	
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Table 3: Policy RL-23

Policy	Comment
<p>RL-23 The following measures shall be incorporated into all development agreements in the River-lakes Secondary Planning Strategy Area:</p> <p>(a) A site non- disturbance area of a minimum of 50% of the site or greater if required pursuant to any other policies within this Secondary Planning Strategy or the Regional Municipal Planning Strategy; and</p> <p>(b) Stormwater management and erosion and sedimentation control plans are in place to minimize impact on receiving waters.</p>	<p>Non-disturbance area of at least 60% of the site is proposed, which is enabled through Policies S-15 & S-16 of the 2006 Regional Municipal Planning Strategy</p>

Table 4: Policy RL-25

Policy	Comment
<p>RL-25 As an interim measure, HRM shall require the proponents for any large scale residential developments considered through the provisions of Policies RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Planning Strategy or commercial development considered pursuant to policies RL-4 and RL-5 or Policy P-68 of the Planning Districts 14/17 Municipal Planning Strategy and polices S-15 and S-16 of the Regional Municipal Planning Strategy, to submit a traffic study to determine the impacts of development on the</p>	<p>Please refer to Appendix B (Traffic Impact Statement)</p>

<p>S-15 HRM shall permit the development of Open Space Design residential communities, as outlined in this Plan, within the Rural Commuter and Rural Resource designations and within the Harbour designation outside of the Urban Service Area, but not within the portions of the Beaver Bank and Hammonds Plains communities as identified in the Subdivision By-law under Policy S-25 and within the Rural Area Designation under the Eastern Passage/Cow bay Plan Area. HRM will consider permitting the maximum density of such developments to one unit per hectare of gross site area. In considering approval of such development agreements, HRM shall consider the following:</p>	<p>N/A</p>
<p>a) Where the development is to be serviced by groundwater and as determined through a hydrological assessment conducted by a qualified professional, that there is an adequate supply of ground water to service the development and that the proposed development will not adversely affect the groundwater supply in adjacent developments</p>	<p>N/A – the proposed development is eligible for municipal water service; therefore, a hydrological assessment is not required</p>
<p>b) That there is sufficient traffic capacity to service the development</p>	<p>Please refer to Appendix B (Traffic Impact Statement)</p>
<p>c) The types of land uses to be included in the development which may include a mix of residential, associated public or privately-owned community facilities, home-based offices, day cares, small-scale bed and breakfasts, forestry and agriculture uses</p>	<p>Proposed land uses include single-detached residential homes and modular townhouse homes, privately owned community facilities</p>
<p>d) Whether soil conditions and other relevant criteria to support on-site sewage disposal systems can be met</p>	<p>Please refer to Appendix D (Proposed Sewage Treatment)</p>
<p>e) The lot frontages and yards required to minimize the extent of road development, to cluster building sites on the parcel and provide for appropriate fire safety separations</p>	<p>No dwellings will be accessed directly from public streets. Instead, the clustered dwellings will be accessed off private common shared driveways. The driveways comply with national building code standards for access. Dwellings units will meet fire safety separation requirements.</p>

f) That the building sites for the residential units, including all structures, driveways and private lawns, do not exceed approximately 20% of the lot area	N/A
g) Approximately 80% of the lot is retained as a non-disturbance area (no alteration of grades, except for the placement of a well or on-site sewage disposal system in the non-disturbance area shall be permitted and provision shall be made for the selective cutting of vegetation to maintain the health of the forest)	N/A
h) The development is designed to retain the non-disturbance areas and to maintain connectivity with any open space on adjacent parcels	Building sites are clustered on private driveways connected to new public road extensions. Building sites are located outside of the riparian buffers to ensure minimum disturbance of lands surrounding watercourses and wetlands. At least 60% of the total land area will be maintained as open space and will retain natural vegetation
i) Connectivity of open space is given priority over road connections if the development can be sited on the parcel without jeopardizing safety standards	The proposed layout of public roads, private driveways and buildings do not compromise the connectivity of the open space within the proposed site area
j) Trails and natural networks, as generally shown on Map 3 or a future Open Space Functional Plan, are delineated on site and preserved	The properties are not affected by any of the trails or natural networks as shown on Map 3.
k) Parks and natural corridors, as generally shown on Map 4 or a future Open Space Functional Plan, are delineated on site and preserved	The properties are not affected by any of the parks and natural corridors as shown on Map 4.
l) That the proposed roads and buildings sites do not significantly impact upon any primary conservation area, including riparian buffers, wetlands, 1 in 100 year floodplains, rock outcroppings, slopes in excess of 30%, agricultural soils and archeological sites	The proposed roads, private driveways, building sites and community services do not significantly impact the listed primary conservation features.

m) The proposed road and building sites do not encroach upon or are designed to retain features such as any significant habitat, scenic vistas, historic buildings, pastoral landscapes, military installations, mature forest, stone walls, and other design features that capture elements of rural character	The proposed roads, private driveways, building sites and community services do not significantly impact the listed secondary conservation features.
n) That the roads are design to appropriate standards as per Policy T-2	The newly extended public roads will meet municipal requirements for public streets. The private driveways will meet the requirements of the National Building Code for required access routes for emergency service.
o) Views of the open space elements are maximized throughout the development	Building sites are proposed at higher elevations within the site to provide views towards Second Lake and to surrounding watercourses and open spaces
p) Opportunities to orient development to maximize the capture of solar energy	Buildings sites generally have significant exposure to the south in order to maximize the capture of solar energy
q) The proposed residential dwellings are a minimum of 800 metres away from any permanent extractive facility	There are no permanent extractive facilities within 800 m of the subject property
r) The proposed development will not significantly impact any natural resource use and that there is sufficient buffering between any existing resource use and the proposed development to mitigate future community concerns	Developable area, including on-site sanitary services have been proposed in areas away from primary conservation features and treated in a location with adequate distance from existing and proposed uses surrounding them. These on-site services are subject to the requirements and approvals of Nova Scotia Environment.
s) Consideration be given to any other matter relating to the impact of the development upon surrounding uses or upon the general community, as contained in Policy IM-15	Please refer to Table 6

Table 6: 2006 Regional Plan Policy IM-15

Policy	Comment
IM-15 In considering development agreements or amendments to land use by-laws, in addition to all other criteria as set out in various policies of this Plan, HRM shall consider the following:	N/A
a) That the proposal is not premature or inappropriate by reasons of:	N/A
i. The financial capability of HRM to absorb any costs relating to the development	The developer will be responsible for the costs required for the development. Upon completion and conveyance of the public roads, all costs associated with maintaining the road are HRM's responsibility.
ii. The adequacy of municipal wastewater facilities, stormwater systems or water distribution systems	Lots will be serviced by municipal water and an on-site sewage sanitary system subject to Nova Scotia Environment requirements and approvals
iii. The proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands	Ash Lee Jefferson, Georges P. Vanier Junior High School, and Lockview High School would be the assigned neighbourhood schools. It is anticipated that this development would not have a significant impact on student population.
iv. The adequacy of road networks leading to or within the development	Please refer to Appendix B (Traffic Impact Statement)
v. The potential damage to or for destruction of designated historic buildings and sites	No registered heritage properties will be affected by this proposal.
b) That controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:	N/A
i. Types of use	Proposed uses include single-detached residential homes, townhouse homes and privately-owned community facilities. All of which are similar type of use as adjacent or nearby uses predominately consisting of single-detached residential homes and local commercial businesses.

ii.	Height, bulk and lot coverage of any proposed building	The uses proposed in this development application (i.e. single-detached dwellings and townhouse dwellings) are of similar height and scale to uses in the surrounding area. Proposed townhouse units are setback significantly from existing single-detached homes to the south.
iii.	Traffic generation, access to and egress from the site, and parking	Please refer to Appendix B (Traffic Impact Statement)
iv.	Open storage	N/A
v.	Signs	N/A
c)	That the proposed development is suitable in terms of the steepness of grades, soil and geological conditions, location of watercourse, marshes or bogs and susceptibility to flooding	Through the open space design process, these primary conservation features have been avoided and impact has been minimized.