

Public Engagement FAQ 23374 – Waverley Road and Montebello Drive

1. What is a development agreement?

A development agreement is a contract between the landowner and the municipality which says how a piece of land can be used and may include details around land use, building design, the layout of streets and roads and the density of various land uses. This contract is registered on title and, if the land is sold, all future owners will be responsible for the content of the agreement. Development agreements can be approved by Community Council as long as the proposal meets the rules held within local planning policy documents.

2. What is a traffic study, who prepares them, and how does HRM review them?

Traffic studies are written at the expense of the applicant by professional engineers. These studies are submitted at the start of the planning application process and give HRM engineers a sense of how a project might impact the surrounding streets both from a safety and capacity perspective. Once submitted, studies are reviewed by HRM engineers to ensure they meet HRM policies, and that the findings in the report are supported by the evidence provided. Any needed changes to the study are outlined for the applicant, and this work continues until both sides are in agreement. The traffic study is then used to decide on any upgrades or changes to the surrounding streets that may be required to make sure the impact is minimized.

3. Will a right hand turning lane from Waverley Road to Montebello Drive be required as a part of this application?

HRM Engineers have confirmed that the development would not have a significant impact on the transportation network. Their recommendation, along with previous study recommendations, is that a right turn lane is not currently warranted and will not be warranted until the future build-out of Port Wallace. Although there are existing queues at the intersection during the PM peak, there is no significant delay and the intersection operates at acceptable levels of service. There have also been no reported collisions at this location that would support the need for a right turn lane.

4. The traffic study for this application uses data from 2013. Are the results of the study still accurate?

HRM Engineers took a second look and confirmed that the findings of the TIS are valid and there will be no significant impact to the transportation network as a result of the development. Although the study used data from 2013, these numbers were compared against HRM's own more recent 2019 data which showed a slight increase in traffic during the am hours and a slight decrease in the pm hours but neither was significant warranting changes to the statement submitted.

5. I'm concerned that this project doesn't have enough parking. How do you decide on how much parking is required?

The amount of parking in a given project is often determined on a case by case basis depending on a wide variety of factors. In some areas of HRM, specific parking ratios exist based on the use(s) of the land proposed. These rules work in a way that requires a certain number of parking stalls per 100 square metres of building OR a certain number of parking stalls per residential unit. In urban areas with good access to trails, bike lanes, and frequent transit services, there is sometimes no car parking required. While the Municipality does not require a minimum number of parking stalls, applicants will still often provide some parking with their projects where they feel the users of the building(s) would desire it.

6. Will this project contain condos or rental units?

As a general rule, zoning tends to regulate the "Use" but not the "User". As such, HRM policies don't speak to who will own the units, but instead focuses on how many units there will be, where on a site they are located, what they look like, and how they are accessed. Decisions on whether a residential building will be condos or rentals is the decision of the applicant. These applicants typically have this information during the planning process, but the planning processes will not make any one type of ownership structure a requirement of their approval.

7. How are construction activities monitored and regulated in the Municipality?

Construction activities in the Municipality are administered through several bylaws, which regulate various aspects of the construction process:

- (i) Blasting By-law B-600: Outlines minimum standards permitted when blasting within the Municipality. All blasting activities require a Blasting Permit from HRM.
- (ii) Grade Alteration and Stormwater Management Associated With Land Development: G-200 Applies to the grade alteration and Stormwater Management of the land.
- (iii) Construction Management Administrative Order 2018-05-ADM: Outlines best management practices for development of sites in proximity to public streets.
- (iv) Noise By-Law N-200: States that construction noise activity is permitted between the hours of 7:00am - 9:30 pm on week days, 8:00am-7:00pm on Saturdays, and 9:00 am-7:00 pm on Sundays, Statutory Holidays, Civic Holidays and Remembrance Day.
- (v) Truck Routes By-Law T-400: Controls the routes trucks must use and how trucks access a given site. This by-law applies to trucks used for hauling construction material and commercially uses as well (i.e. moving vans, deliveries, etc.).

8. Who pays to fix sidewalks, roads, or trees that may be impacted during construction? Who pays for infrastructure improvements for things like pipes or street upgrades?

The developer is fully responsible to reinstate any public property that is removed or damaged during the construction process. This includes public sidewalks, curbs, streets, street trees, parklands, or other impacted infrastructure. The applicant is also expected to pay their portion of infrastructure upgrades that may be required because of their development proposal. Acknowledging that other land owners may benefit from these upgrades, the contribution required for any given application is decided on a case by case basis depending on the specifics of a property.