



TWIN LAKES DEVELOPMENT,  
AMENDMENTS TO APPROVED  
DEVELOPMENT AGREEMENT  
PRINCE ALBERT ROAD,  
DARTMOUTH

Prepared for Twin Lakes Development Ltd.

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May 23, 2019

Jamy-Ellen Klenavic, Planner II  
HRM Planning & Development  
Urban Enabled Team  
40 Alderney Drive, 2<sup>nd</sup> floor  
Dartmouth NS

Dear Ms. Klenavic,

**Re: Application for Substantive Amendments to the Existing Twin Lakes Development Agreement, Prince Albert Road, Dartmouth**

I am pleased to submit this letter in support of the application by Twin Lakes Developments for amendments, both substantive and non-substantive, to their existing development agreement.

Introduction

In 2006, Twin Lakes received approval from Harbour East Community Council for a development agreement for a 12 storey, 84 unit residential building on a site located on Prince Albert Road within the Grahams Corner area of Dartmouth. As part of the project, HRM conveyed two parcels of land to Twin Lakes including the former Bartlin Road right of way which had been closed as a street. This created a total site area of 2.27 acres. The development agreement received a time extension from Harbour East-Marine Drive Community Council in 2018.



Figure 1- Approved Building

Twin Lakes is now seeking both non-substantive and substantive amendments to the existing development agreement as follows:

- Redesign of the approved 12 storey, 84 unit building to alter its siting and overall design (*non-substantive amendments to existing development agreement*),
- Include additional lands within the development agreement (325A Prince Albert Road, 327 Prince Albert Road). Together these add an additional 0.97 acres to create a total site size of 3.24 acres (*substantive amendment to existing development agreement*),
- Addition of a second 12 storey tower on a shared parking podium, which would contain 91 residential units and 8500 square feet of commercial space on the ground floor along Prince Albert Road (*substantive amendment to existing development agreement*).

### Site and Neighbourhood Context:

This large 3.24 acre, largely vacant land assembly fronts on Prince Albert Road, a designated collector road. There are three properties that make up the expanded site:

- 3 Bartlin Road contains a small house on a large lot of 2.27 acres (the lands under the existing development agreement),
- 325A Prince Albert Road is a house converted to office use on a lot of 5473 square feet,
- 327 Prince Albert contains a commercial building with 13000 square feet of space, on a lot of 23,238 square feet.

The site is part of a major mixed-use community node at the northern end of Lake Banook. The area around the lake and within Grahams Corner is characterized by a mix of land uses and building forms, with a wide range of low rise, low to medium density housing and various commercial developments. There are also six existing mid to high rise residential towers, ranging in height from 7 to 15 storeys, that are located close to the south and north ends of the lake and which form a well-accepted part of the community fabric. Another tower, a hotel of 16 storeys, is under construction near the site. There are also a number of vacant sites in the area.

The site slopes upwards from its frontage on Prince Albert Road to Alderney School in the rear, with an approximate elevation increase of 70+ feet from the sidewalk to the school property line. The upper portion of the site is forested. Around the site are located:

- To the north, a large format Superstore grocery store on a 7 acre site with expansive parking lot directly across Prince Albert Road,
- To the east, semi-detached housing along Prince Albert Road and Curley Drive, and Alderney Elementary School, which is located at a substantially higher elevation,
- To the south, three medium density apartment buildings and a hotel on Lawrence Street, along with two large vacant lots zoned for apartment building development,
- To the west on Prince Albert Road, two commercially-zoned old houses and a motel, with further commercial uses and another development site at the corner of Glenwood Avenue where a sixteen storey hotel is now under construction, and
- The site also surrounds a small scale mixed commercial/residential building at 335 Prince Albert.

Within short walking distance are a wide range of commercial and service uses in Grahams Corner and on Main Street, the active transportation network provided by the Trans Canada Trail along Lake Banook, and a range of parkland and walking trails. The site is directly serviced by public transit, with Route 62 passing by and two bus stops adjacent to the site, one on each side of Prince Albert Road. This route provides access beyond walking distance to many facilities and services, and connects to three major transit terminals with other routes which enable access throughout the city.

### Planning Context:

Under the Regional Municipal Planning Strategy (RMPS), this property is designated Urban Settlement and is situated in the Regional Centre, the urban core of HRM where substantial population growth is targeted. It is also within the area identified as the 'Penhorn Regional Local Growth Centre' by the RMPS. The boundary of this Growth Centre was defined through a community engagement and visioning process and approved by Regional Council in 2009, as shown at these links:

Within this growth centre, outside of established low density neighbourhoods, the RMPS envisages a mix of medium/high density residential uses, along with pedestrian-oriented commercial uses, and institutional and recreation uses. Growth would be directed largely to Penhorn Mall and nodes of existing commercial development and higher density housing at Grahams Corner and on Portland Street.

This site is located within the Dartmouth Municipal Secondary Planning Strategy area and is split designated Commercial on its front half along Prince Albert Road with the back being designated Residential. Each designation allows medium and high density residential development. Under the Dartmouth Land Use Bylaw, the C-2 General Business Zone is applied to much of the front half of the combined site, permitting a wide range of commercial uses, while the rest of the site is R-3 Multiple Family Residential - Medium Density. This zone allows the development of low density housing, and various institutional and recreational facilities on an as of right basis. Neither zone limits the height of development. Apartment buildings are permitted only by development agreement in both zones, under Policy IP-5 and Policy IP-1 (c) of the Dartmouth MPS.

Building on direction in the RMPS and through work done in previous planning processes such as the Penhorn Community Visioning exercise, the Grahams Corner area has been designated as a Corridor under the draft 2018 Centre Plan. Grahams Corner is one of four Corridors in Dartmouth, with the others being along Portland Street by Maynard Lake (which is also within the Penhorn Growth Centre), Victoria Road, and Pleasant Street. Each Corridor is generally focused on a collector street and an existing mixed use node, and is intended to accommodate more intensive mixed-use development than in surrounding lower density neighbourhoods.

In 2006, a development agreement was approved for a 12 storey, 84 unit building on the site. This approval by Council remains valid. The agreement allows approval of certain amendments by Council, without the need for a public hearing. This includes a redesign of the building, provided that density does not increase. The wording of the agreement is:

- 4.1 *The provisions of this Agreement related to the following matters are identified as, and shall be deemed to be, not substantive and may be amended by resolution of Harbour East Community Council:*
- (a) *Changes to the exterior architectural appearance of the building or the design, layout and positioning of the building (excepting such minor changes which may be approved by the Development Officer pursuant to Section 3.4.7) provided that plans are submitted for any changes to the building design and that such changes, in the opinion of Council, are minor in nature;*
  - (b) *Changes to the landscaping and amenity space requirements under section 3.6 and 3.7 which, in the opinion of Council, are minor in nature.*

Proposal:

To improve upon the design of the already approved 12 storey building, and to take advantage of the availability of additional land which enables orientation of the project to the street, Twin Lakes is now seeking amendments to the development agreement. The proposed site plan is on the next page.

A portion of the site between 335 and 341 Prince Albert Road will be reserved for a future low rise Phase 2 development. A summary of the key changes from the approved concept are:

- Redesign of the approved building to alter its siting and overall design. The building is pulled away from the low density housing to the east and will be lower down on the hill closer to Prince Albert Road to reduce the amount of tree removal and excavation required. From a distance this will reduce the apparent height of the building by two floors. The footprint of the approved building is decreased from 20,000 square feet to 15,000 square feet in the new design, while the typical upper floorplate size would change from approximately 15,000 square feet to 10,000 square feet. The unit count would remain at 84 units maximum (*non-substantive amendment to existing development agreement*),
- Include two additional lots within the development (325A Prince Albert Road, 327 Prince Albert Road). Together these add an additional 0.97 acres to create a total site size of 3.24 acres (*substantive amendment*),
- Addition of a second 12 storey tower with the same massing as the first, placed generally within the present footprint of the NAPA building. This tower would contain up to 91 residential units and 8500 square feet of commercial space on the ground floor along Prince Albert Road (*substantive amendment*).

The existing approved tower would take on a square shape rather than rectangular, decreasing shadow effects on the site. There would be a 3-level underground parking structure shared by both towers which will contain 216 parking spaces total. There would be an additional 20 surface parking spaces for visitors and for use by the retail storefronts along Prince Albert Road.

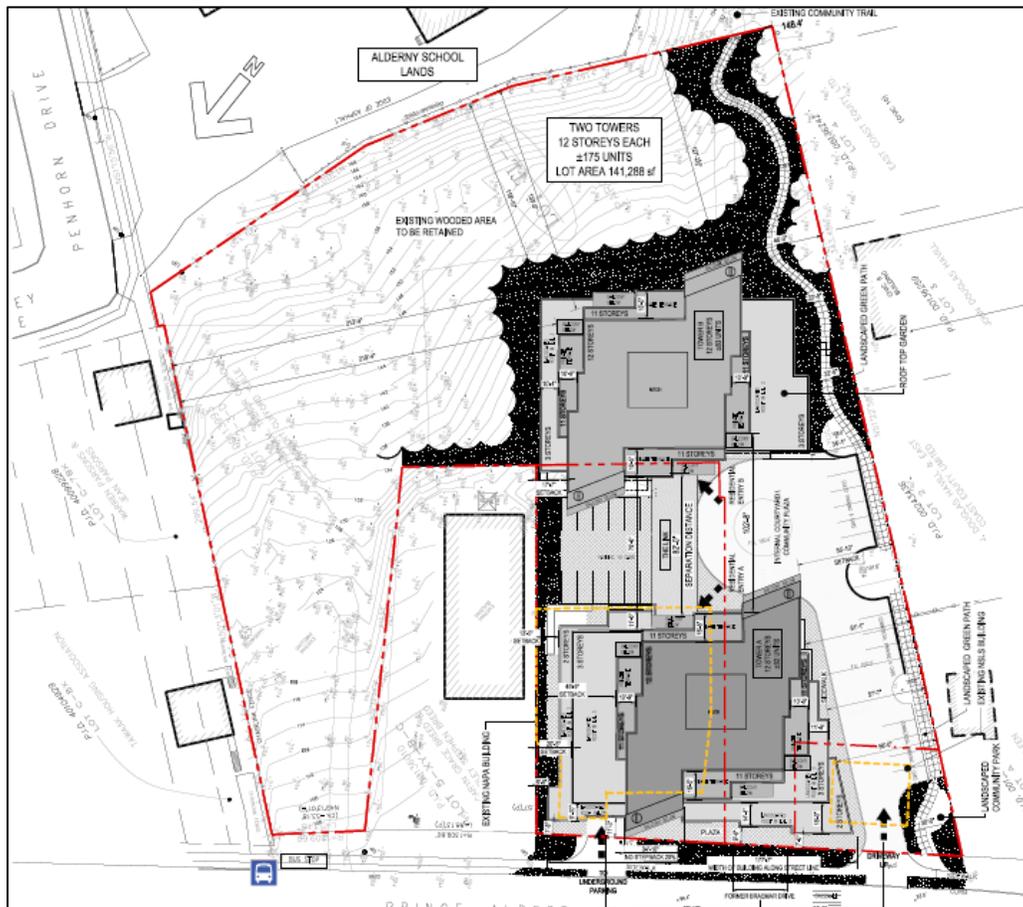


Figure 2 - Revised Site Plan

An above grade, enclosed pedestrian connection with indoor amenity space at the 3<sup>rd</sup> floor level would link the buildings, spanning the 82 foot tower separation distance, and provide a covered area at each building entrance. Density would be moderate at 67 units per acre, while lot coverage of the Phase 1 proposal with the two 12-storey towers would be 27%, with a low Floor Area Ratio (FAR) of 2.38.

The proposed Phase 1 development described above will utilize approximately 80 percent of the expanded site, leaving lands adjacent to R-2 housing on Prince Albert Road and Curley Drive vacant in the short term. These lands will be developed at a later date for low rise (6 storeys or less), medium density housing pursuant to new rules to be adopted under Centre Plan.

### Increased Housing Opportunities

In many areas of Dartmouth, including around Lake Banook, there is a lack of appropriate higher density housing to meet demand especially that from older age cohorts. Residents seeking to downsize from single and two family homes have limited choice in finding appropriate apartments within their neighbourhood and often must move to other areas. Likewise, prospective new residents who wish to move to the area have limited choice. It is important that neighbourhoods provide a full range of housing options for all ages and family sizes, and the Twin Lakes development seeks to meet that demand. It will provide a range of unit types, with one bedroom and two bedroom units as well as two-level, three bedroom townhouse units.

Twin Lakes is in advanced discussions with Canada Mortgage and Housing Corporation (CMHC) to include affordable housing within the project. At least 20% of the units are intended to be designated as affordable housing under current CMHC guidelines. Further discussions with CMHC will determine the precise model to be used.

### Planning & Urban Design Rationale

The Dartmouth MPS requires consideration and approval of a development agreement for apartment buildings. The policy framework that guides Council's decision focuses primarily on the following matters as explicitly established by MPS policy:

- Compatibility and consistency of the proposed use and building with adjacent uses and the surrounding area,
- Mitigation of potential impacts through various design measures and limits,
- The ability of roads, piped infrastructure and community facilities to support the project,
- Environmental considerations.

In addition, the policy framework is typically supplemented by application of current best practice urban planning and design principles that are typically applied as part of the evaluation process:

- Encourage human scaled, pedestrian oriented development,
- Foster active, mixed use streets,
- Ensure a high quality design and use of appropriate cladding materials, and
- Create visual interest

The site that has been assembled by Twin Lakes represents an excellent infill opportunity that will enhance the neighbourhood, contribute to HRM's goals of directing intensification and greater density to appropriate areas, while fostering pedestrian-oriented streets with a mix of land use uses to serve

the local population. The project has been designed to respond the site's size and frontage, while taking into account and fully respecting surrounding land uses.

The existing approval for a 12 storey, 84 unit building gives broad capability for a redesign of the siting and architecture of the tower, provided it does not exceed 84 units, through the non-substantive process. The first portion of this application is therefore to seek approval of a redesigned tower. The basic policy test for Council is whether the proposed changes improve the design. As outlined below, there are numerous benefits to the proposed redesign. To deal with the enlargement of the site to enable a second tower as proposed, substantive amendments are also needed. Both processes can be undertaken concurrently.



Figure 3 - Street Level View

The design of the project, relative to redesign of the initial tower and to add a second tower, fully satisfies MPS policy evaluation criteria and urban design objectives in the following ways:

- Council has already determined that a 12 storey tower is compatible with the area and consistent with the existing mixed development form in the area which includes low, mid and high rise buildings. Adding a second tower, with the design as proposed and the initial tower redesigned, is also compatible and consistent.
- The altered siting and design of the approved tower will mitigate any potential impacts relative to the abutting low density housing. The addition of a second tower, while maintaining moderate density on the enlarged site, is also appropriate given the capability of the large site to support the form and satisfy goals regarding transition and buffering from other sites. Of note is that the large reduction in floorplate size of the initial tower from 15,000 square feet to

10,000 square feet means that adding a second tower of the same size actually introduces relatively little new massing as compared to the existing approval.

- The two towers are well separated from low density housing to the east – over 120 feet from the homes to the east on Prince Albert Road and over 200 feet from those on Curley Drive. This large separation distance respects the low density housing and improves on the design of the approved 12 storey building which would be located only 66 feet from the nearest home on Curley Drive.
- Approximately 0.65 acres of the site (20% of the total site) adjacent to the existing semi detached housing to the east on Prince Albert Road and Curley Drive, is not being developed in the short term and will instead be reserved for a future Phase 2 low rise development (6 storeys) under new planning rules to be adopted as part of the Centre Plan process. Low rise residential development (perhaps with ground floor commercial) on that part of the site provides for appropriate transitions in scale to the low density neighbourhood.
- The towers are well setback at grade from abutting development and vacant medium density-zoned lots to the west along Prince Albert Road and Lawrence street. The underground parking structure is at least 20 feet off the common property line of these abutting lots. Ground floor setbacks are a minimum of 20 feet, and above the 3<sup>rd</sup> floor the setback is a minimum of 49 feet to ensure appropriate transition in scale to existing and future development on Lawrence Street. The proposal therefore respects these existing uses and does not negatively affect their future redevelopment potential.
- The building is setback at grade from the abutting property at 335 Prince Albert Road by 13 feet. Above the 3<sup>rd</sup> floor, the building has a side yard stepback that increases the separation distance of the tower from the property line to 41 feet. This respects the existing use and ensures that future redevelopment potential of that site is protected.
- The setback from the property line of Alderney School is increased from 62 feet under the existing development agreement to almost 130 feet, providing a substantial green buffer and

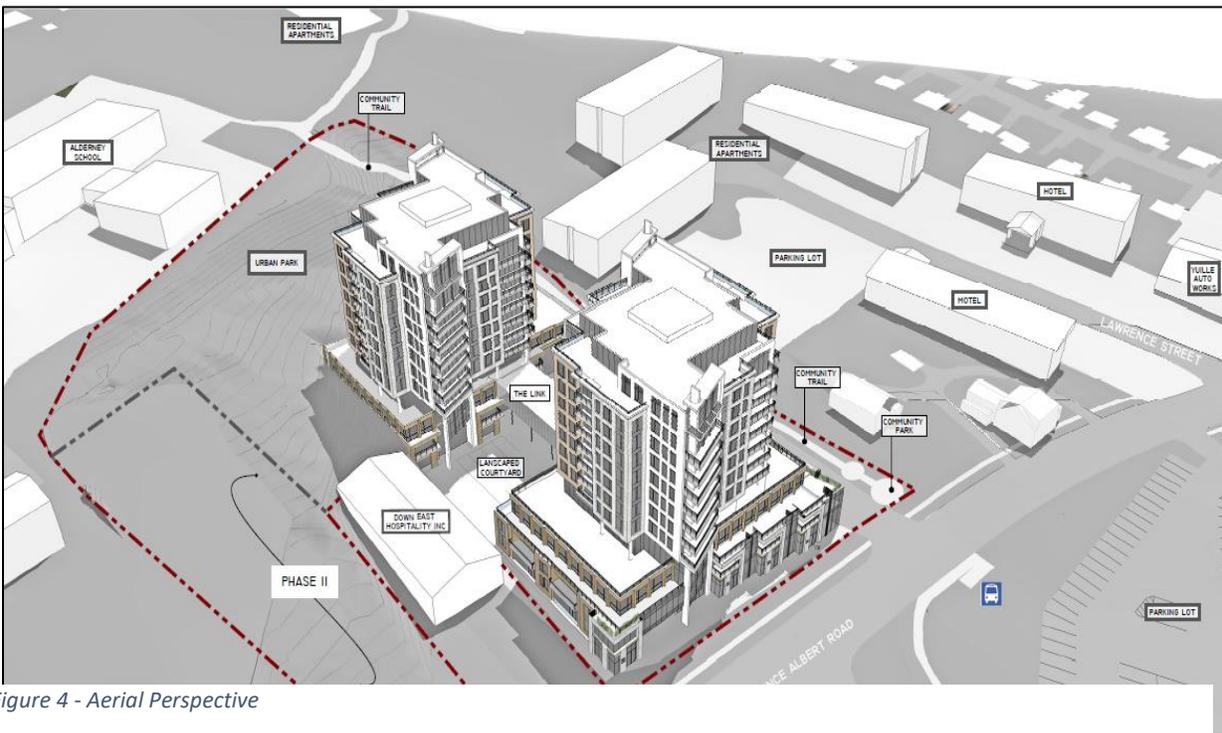


Figure 4 - Aerial Perspective

tree retention area. By moving the approved tower further down the hill, the visual presence of 12 floors from the school and neighbourhood will be substantially decreased as opposed to the existing approval, with the effect of a two storey reduction. With the school being at a high elevation and with the enhanced tree preservation, there are no impacts on the school site. In addition, with development now to take place lower on the hill, the visual prominence of the building from Lake Banook will be reduced.

- Each tower includes a 2 to 3 storey base on top of the underground parking structure, with the higher floors being well stepped back from the road and from internal property lines. Along Prince Albert Road the building is setback at grade almost 5 feet to create useable outdoor space as an enhancement to the sidewalk, with a stepback above the second floor along most of the street frontage, creating a streetwall of comfortable height adjacent to the sidewalk. To further enhance street character, Twin Lakes is interested in moving overhead utility wires along its frontage underground. These measures create a human scaled and pedestrian-oriented environment both along Prince Albert Road and within the site, and effectively mitigates the effect of higher floors.
- The architectural design emphasises the low rise, human-scale street level of the towers, and provides an attractive contrast in materials and colours. Design at street level in terms of materials, textures, and colours draws inspiration from Shubenacadie Canal lock structures in the area.
- Fine scaled materials are used along the street frontage, and extensive windows are provided along the streetwall to create visual interest for pedestrians.
- There will be less asphalt compared to the approved design. Extensive landscaping is provided at grade around all sides of the building to complement the large tree retention area in the rear and to further soften its appearance and to blend the project into the broader Grahams Corner community. An enhanced walkway connection which is to be deeded to HRM will replace the existing eroded pathway that joins Prince Albert Road to the adjoining school site.
- The project will efficiently utilize existing infrastructure in which the municipality has already invested. Specifically, as concluded by a Traffic Impact Statement undertaken for this project, there are no concerns relative to the ability of the existing transportation network to accommodate vehicles, pedestrians, and cyclists generated by this development. Further, existing piped infrastructure can accommodate the proposal. A sanitary sewer line across the site, within an easement to Halifax Water, will however need to be relocated at Twin Lakes' expense as it interferes with optimal building siting.

The height, massing, and density as proposed are appropriate for the site, and compatible and consistent with adjacent properties and the area while the overall design mitigates any potential impacts on surrounding land uses. The project will foster a more pedestrian-oriented character for the area, and set a positive example for other developments. In short, the project as proposed is consistent with the goals of each of the Regional and Dartmouth MPS documents, and will enhance the Grahams Corner community and Dartmouth as a whole. A detailed evaluation of the proposal against the applicable development agreement policies of the Dartmouth MPS is included as an Appendix.

#### Supporting Material:

In support of this application the following materials are included:

- Completed planning application form

- Application fee of \$2600 (cheque)
- Architectural package including design rationale
- Servicing schematic
- Traffic Impact Statement
- Survey plan
- Pedestrian wind impact assessment
- Electronic copies of above material

Summary & Conclusion:

The proposed Twin Lakes development, with its redesign of an already approved 12 storey building and the addition of land along Prince Albert Road to create a strong sidewalk presence with a 2<sup>nd</sup> building, is a signature urban infill opportunity. It improves on an existing design, drawing heavily upon HRM's key planning and urban design goals and principles. The project will provide a range of market and affordable housing opportunity for new and existing area residents, and foster small scale businesses in new commercial space along the sidewalk. The prevalent current character of underutilization of land in the area will be replaced by a feeling of revitalization and an enhanced sense of community.

Please do not hesitate to contact me should you have any questions.

Respectfully submitted,



Mitch Dickey MCIP LPP  
Urban Planning Consultant



**Appendix**  
**Evaluation of Proposal Pursuant to**  
**Dartmouth Municipal Planning Strategy**

<b>Policy IP-5 Regarding Apartment Building Development</b>	
Policy	Analysis
<p><i>It shall be the intention of City Council to require Development Agreements for apartment building development in R-3, R-4, C-2, MF-1 and GC Zones. Council shall require a site plan, building elevations and perspective drawings for the apartment development indicating such things as the size of the building(s), access &amp; egress to the site, landscaping, amenity space, parking and location of site features such as refuse containers and fuel storage tanks for the building.</i></p>	<p>Two zones are applied to different portions of the site, which enable the consideration of a development agreement. The C-2 General Business Zone applies along Prince Albert Road and the R-3 Multiple Family Medium Density Residential zone applies to the rear of the site.</p> <p>The development agreement criteria of the policy are satisfied as follows:</p>
<p><i>(a) adequacy of the exterior design, height, bulk and scale of the new apartment development with respect to its compatibility with the existing neighbourhood;</i></p>	<p>Generally, the redesign and shifting of the approved 12 storey building and large reductions in floorplate size and massing allows introduction of a second tower while increasing compatibility with low density zoned properties. The design of the project responds to surrounding development and ensures compatibility as follows:</p> <p>The site is abutted to the south and west by medium density residential uses and commercial uses on Prince Albert Road and on Lawrence Street. Each of the towers sits on a 3 storey base that, combined with setbacks and landscaping at grade, provides an appropriate transition from the low rise forms on abutting properties to the upper floors of each tower. The setback from the property line is at least 22.7 feet to the closest low rise portion of the rear tower, and at least 49 feet to the taller section of the tower. For the front tower, upper floors are setback at least 65' from the adjacent lot.</p> <p>To the east of the property are low density semi detached dwellings on Prince Albert Road and Curley Drive. The original approved 12 storey concept was located as close as 66 feet to some of those properties. The revised proposal shifts the existing and proposed tower well away from the R-2 homes, with a spacing of at least 210 feet to the common property line. Within that setback area, future development will be proposed subject to the rules of Centre Plan which is intended to be adopted in 2019. This future development, which will be low rise in nature (6 floors) will provide an effective buffer and transition from the two 12 storey towers. Also to the north is a C-2 zoned, low rise commercial/residential building at 335 Prince Albert which includes an extensive parking lot. As a primarily commercial building, and a likely future redevelopment opportunity, concerns over compatibility are substantially less. However, the proposed buildings are generally setback from 6 to 13 feet from the shared property line. There are</p>



	<p>stepbacks from the property line above the 3<sup>rd</sup> floor. Together these measures respect the existing use and enables future redevelopment.</p> <p>To the east is Alderney Elementary School. This important neighbourhood institutional use is located at a substantially higher elevation, as the subject site slopes upwards from Prince Albert Road considerably. Under the existing approved development agreement, the 12 storey tower can be located 62 feet from the common boundary. The revised proposal pulls the tower footprint further away and more than doubles the distance, with a minimum 118 foot setback. This will reduce the visible height of the building by two floors, and will also allow extensive retention of existing mature trees on the upper part of the site. A landscaped walkway along the western edge of the development site will provide improved pedestrian access between the school and Prince Albert Road. There are therefore no concerns over compatibility.</p> <p>To the north, across Prince Albert Road, is a large scale grocery store with a parking lot for over 300 cars. The proposed second tower on the site will front directly on Prince Albert and will provide a 2 storey streetwall along the sidewalk with stepbacks above that height. On the ground floor, retail and office uses are proposed which will foster a pedestrian oriented streetscape, which may encourage future similar development in the large parking lot. There are no concerns over compatibility with the grocery store site or use.</p>
<p><i>(b) adequacy of controls placed on the proposed development to reduce conflict with any adjacent or nearby land uses by reason of:</i></p>	<p>The project is well designed to fit the unique characteristics of its site and to blend into the surrounding area without creating conflict. The development agreement will ensure the project is constructed and maintained to meet the approved design and to address each of the following:</p>
<p><i>(i) the height, size, bulk, density, lot coverage, lot size and lot frontage of any proposed building;</i></p>	<p>The proposal as designed relative to these considerations avoids conflict with surrounding land uses through a design which:</p> <ul style="list-style-type: none"> <li>• Maintains a medium density character,</li> <li>• Provides a separation of over 120 feet to the nearest residentially zoned housing, and reserves an area for low rise development on the site which will ensure an ideal transition in height from the proposed towers,</li> <li>• Provides substantial setbacks at grade from abutting properties,</li> <li>• Provides appropriate transitions in height to abutting land uses through stepbacks above the 3 storey base of each tower,</li> <li>• The low lot coverage of under 30 percent, extensive tree retention, and new landscaping ensures the project blends in to the area,</li> <li>• The massing and separation of the towers are appropriate for this large site. Given the orientation of surrounding land uses to the proposed towers and the path of the sun, the proposal will have negligible shadow impacts on abutting land uses and public spaces.</li> </ul>
<p><i>(ii) traffic generation, access to and egress from the site; and</i></p>	<p>There will be two driveways to the site, one near the western boundary which will provide access to the building lobbies in an internal courtyard. The second driveway near 335 Prince Albert will provide access to the underground parking garage which will contain 216 parking stalls, and refuse collection areas. A Traffic Impact Statement prepared by a transportation engineer concludes there are no concerns relative to the proposal. With the removal of the existing car-oriented commercial development at 327 Prince Albert, the walkable nature of the area and easy pedestrian access to services, shops and open spaces, traffic generation will be minimal.</p>



<i>(iii) parking;</i>	The development includes 216 parking spaces within an underground parking structure to be accessed off Prince Albert Road. There will be 20 surface parking spots, which will be dedicated to visitor parking and for the ground floor commercial uses. Together, the amount of parking is sufficient to serve the proposed development. The limited use of surface parking enables more landscaping and fosters a more pedestrian-oriented environment.
<i>(c) adequacy or proximity of schools, recreation areas and other community facilities;</i>	Alderney Elementary School abuts the site and has considerable student capacity available, as well as a playground and sport field. Within short walking distance are direct connections to the Trans Canada Trail, Grahams Grove park, and Lake Banook.  An existing pathway will be upgraded to create a landscaped public walkway which will provide access from Prince Albert Road to Alderney School.
<i>(d) adequacy of transportation networks in, adjacent to, and leading to the development;</i>	A Traffic Impact Statement prepared by a transportation engineer concludes there are no concerns relative to the proposal. The existing road network of local and collector streets and sidewalks has ample capacity to handle additional vehicle traffic and pedestrian use. However, traffic generation from the project is expected to be minimal especially given the walkable nature of the area.
<i>(e) adequacy of useable amenity space and attractive landscaping such that the needs of a variety of household types are addressed and the development is aesthetically pleasing;</i>	The proposed development provides extensive amenity space and landscaping: <ul style="list-style-type: none"> <li>• Internal amenity space in the form of common rooms and areas designed for multi use purposes will complement private amenity spaces of balconies and terraces. External amenity space will be provided within landscaped areas and on top of the building base. Together these enable appropriate opportunity for all age groups.</li> <li>• Extensive landscaping will be provided around each of the two towers to take advantage of the size of the site and the low lot coverage. This will include areas for passive recreation use and for tree retention which will provide a pleasing environment for residents of the site.</li> <li>• The tree retention area on the upper portion of the hill will also serve as amenity space and can include pathway and seating areas.</li> </ul>
<i>(f) that mature trees and other natural site features are preserved where possible;</i>	The approved development agreement would, because the building is located further back from Prince Albert Drive and up the hill toward Alderney School, require extensive removal of mature trees and cutting into the slope. The revised proposal seeks to minimize this disturbance by directing the development to areas closer to the road that have previously been developed for residential and commercial uses. This will allow extensive tree retention on a natural hillside and reduce the amount of excavation required into the hillside.
<i>(g) adequacy of buffering from abutting land uses;</i>	The proposal provides substantial at grade setbacks from abutting properties. The use of stepbacks above the 3 <sup>rd</sup> floor ensures appropriate transition from high rise to low rise form. Surrounding the buildings and within the setbacks will be extensive new landscaping and areas of tree retention. Taken together these design measures provide strong buffers to surrounding uses.
<i>(h) the impacts of altering land levels as it relates to drainage, aesthetics and soil stability and slope treatment; and</i>	The site slopes up markedly from Prince Albert Road to the rear adjacent to Alderney School with an elevation increase of 70 feet and more. The approved development agreement would require extensive tree removal and cutting into the hillside to accommodate footings, foundation, and the underground parking structure. The revised proposal will reduce the amount of site disturbance, confining it largely to previously disturbed and



	developed areas. There are no concerns relative to the stability of the slope, and detailed plans at the permit stage will ensure appropriate site grading and drainage. Along with this change, overall aesthetics will be improved as a large tree retention area will be established along the rear of the site. No large retaining walls will be needed
<i>(i) the Land Use By-law amendment criteria as set out in Policy IP-1(c).</i>	See below.



<b>Implementation Policy IP-1 (c)</b>	
<b>Policy</b>	<b>Analysis</b>
<p><i>In considering zoning amendments and contract zoning, Council shall have regard to the following:</i></p> <p><i>(1) that the proposal is in conformance with the policies and intent of the Municipal Development Plan</i></p>	<p>The development is within both the Residential and Commercial designations of the Dartmouth MPS. These designations are intended to support a wide range of residential uses including medium and high density residential as well as a full range of commercial uses. The design of the proposal addresses the compatibility, design and infrastructure considerations of applicable MPS policies.</p>
<p><i>(2) that the proposal is compatible and consistent with adjacent uses and the existing development form in the area in terms of the use, bulk, and scale of the proposal</i></p>	<p>The area surrounding the shores of Lake Banook contains a wide variety of land uses and built forms. A tower form is already commonplace in the immediate area around Lake Banook, with six mid and high rise residential buildings ranging from 7 to 15 floors forming an accepted part of the community. Another tower, a hotel of 16 floors, is under construction close to the Twin Lakes site. Community Council has already deemed that the 12 storey 84 unit residential building as contained in the existing development agreement is compatible and consistent with the area and abutting land uses and is therefore appropriate for the site. The proposed redesign of that approved tower, through this application, greatly enhances the degree of compatibility with abutting residentially-zoned uses through increased setbacks from low density uses, through various design improvements such as reduced massing and smaller floorplates, through less paving and more landscaping, altogether resulting in a more attractive building and site. Finally, the building being sited further down the hill will reduce its visual prominence from the lake as compared to the existing approval.</p> <p>The proposed additional tower is consistent with what is already approved on the site, and with what exists in the area. It will introduce only small scale local commercial uses as opposed to what can be developed under existing broad C-2 zoning. The development will displace a car-oriented commercial use that generates more peak hour traffic than will the proposed use. Retention of a large treed area respects adjacent uses and maintains the existing treed character of the area as viewed from the lake. Based on these, the inclusion of additional lands within the development agreement and a second 12 storey tower of complementary design to the first tower (with land reserved for a future low rise building) is consistent with adjacent uses and with the area.</p> <p>The proposed two tower development is primarily residential which is more compatible with nearby housing than are commercial uses as permitted by the C-2 zoning. Compatibility is also achieved through mitigation of possible effects of bulk and scale, achieved by provision of appropriate setbacks at grade, tree retention, setbacks of upper floors, high quality landscaping and building materials, buffering, and the provision of pedestrian-oriented commercial uses which will improve walkability and the level of amenity in the neighbourhood. The siting and design of the project does not compromise development potential for abutting lands zoned for either commercial or for medium density residential use.</p>



	<p>The proposal only displaces one single unit, so there is no inappropriate loss of existing housing stock that could change the character of the area.</p> <p>A development agreement for a 2 tower project will ensure design controls that maximize compatibility and consistency, especially as compared to what can occur under an as of right development scenario.</p>
<i>(3) provisions for buffering, landscaping, screening, and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries</i>	See discussion under Policy IP-5 above
<i>(4) that the proposal is not premature or inappropriate by reason of:</i>	The proposal is neither premature nor inappropriate:
<i>(i) the financial capability of the City to absorb any costs relating to the development</i>	There will be no direct costs to HRM as a result of this proposal. In fact it will efficiently utilize existing services and create a substantial increase in property tax revenue.
<i>(ii) the adequacy of sewer and water services and public utilities</i>	There are no deficiencies in the area sanitary or stormwater systems, and there is adequate water supply to service the proposed development. An existing Halifax Water sewer line which crosses the site in the location of the rear tower within an easement will need to be located at the developer's expense.
<i>(iii) the adequacy and proximity of schools, recreation and other public facilities</i>	See discussion under Policy IP-5 (c)
<i>(iv) the adequacy of transportation networks in adjacent to or leading to the development</i>	See discussion under Policy IP-5 (d)
<i>(v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas</i>	Any potential downstream effects of erosion and/or sedimentation will be effectively mitigated during construction through current On-site Sedimentation and Erosion Control Practices for Construction Sites.
<i>(vi) preventing public access to the shorelines or the waterfront</i>	N/A
<i>(vii) the presence of natural, historical features, buildings or sites</i>	There are no known historic features on this property.
<i>(viii) create a scattered development pattern requiring extensions to trunk facilities and public services while other such facilities remain under utilized</i>	The proposed development will help to create a more compact development pattern through infill residential development on an underutilized site, which will make use of excess capacity in existing transportation networks and piped services.
<i>(ix) the detrimental economic or social effect that it may have on other areas of the City.</i>	Medium density infill housing on this site using underutilized piped and transportation services will have positive economic and social impacts. It will increase efficiencies in existing infrastructure and meet residential demand within the Regional Centre in a manner which avoids the loss of existing housing stock.



<i>(5) that the proposal is not an obnoxious use</i>	Medium density housing and ground floor, pedestrian-oriented commercial uses are not obnoxious uses and are appropriate for the site.
<i>(6) that controls by way of agreements or other legal devices are placed on proposed developments to ensure compliance with approved plans and coordination between adjacent or nearby land uses and public facilities. Such controls may relate to, but are not limited to, the following:</i>	The proposal as designed enables a development agreement to include appropriate controls which will ensure compatibility with surrounding land uses.
<i>(i) type of use, density, and phasing</i>	<p>The proposed mixed use project is appropriate in terms of use and project design. Overall density is 54 units per acre which is moderate especially when compared to other approved projects in Dartmouth where densities are much higher.</p> <p>It is anticipated that both towers will be constructed concurrently on the shared parking podium but the development agreement could provide for a two phase approach.</p>
<i>(ii) emissions including air, water, noise</i>	No inappropriate emissions will result from the project.
<i>(iii) traffic generation, access to and egress from the site, and parking</i>	See discussion under Policy IP-5 (b) (ii)
<i>(iv) open storage and landscaping</i>	There will be no open storage. See discussion under IP-5 regarding landscaping.
<i>(v) provisions for pedestrian movement and safety</i>	The proposal provides internal walkways and connections to existing sidewalk on Prince Albert Road. An improved public walkway will be built to replace the existing link between Prince Albert Road and Alderney School, and will be deeded to HRM.
<i>(vi) management of open space, parks, walkways</i>	The development agreement will require management and maintenance of internal open space and walkways.
<i>(vii) drainage both natural and sub-surface and soil-stability</i>	There are no concerns with drainage during or post construction, as all requirements of HRM and the Province will be met.
<i>(viii) performance bonds.</i>	Any required performance bonds will be provided to HRM.
<i>(7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock out-croppings, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors</i>	<p>This large site slopes up from Prince Albert Road to the rear, but not to an extent which creates concerns over excavation or construction. Under the existing development agreement, a large extent and depth of excavation would be required. It is anticipated that little to no bedrock will be encountered as the site is on a glacial till deposit, and most of the excavation area will be relatively shallow and in previously disturbed areas.</p> <p>There are no watercourses or wetland on site and no flooding concerns.</p> <p>No negative impacts on this project from surrounding development or public infrastructure such as Highway 111 are expected.</p>
<i>(8) that in addition to the public hearing requirements as set out in the Planning Act and City by-laws, all applications for amendments may be aired to the public via the "voluntary" public hearing process established by</i>	A public information meeting will be held by HRM, and Twin Lakes is meeting with local property owners and groups.

<p><i>City Council for the purposes of information exchange between the applicant and residents. This voluntary meeting allows the residents to clearly understand the proposal previous to the formal public hearing before City Council</i></p>	
<p><i>(9) that in addition to the foregoing, all zoning amendments are prepared in sufficient detail to provide:</i></p>	<p>Detailed information is provided setting out general parameters for the use, massing, bulk, height and site plans for future residential development.</p>
<p><i>(i) Council with a clear indication of the nature of proposed development, and</i></p>	<p>See above</p>
<p><i>(ii) permit staff to assess and determine the impact such development would have on the land and the surrounding community</i></p>	<p>See above</p>



**Attachment A Architectural Package**



## Attachment B Traffic Impact Statement

## Attachment C Servicing Plan

**Attachment D Pedestrian Wind Impact Assessment**

## Attachment E Survey Plan