



December 23, 2020

Ms. Thea Langille  
Principal Planner  
Planning and Development, Current Planning  
40 Alderney Drive, 2nd Floor  
Dartmouth, N.S. B2Y 2N5

**Re: Development Agreement Application for 3195 Highway 2 (PID 00504076), Fall River, NS**

Dear Ms. Langille:

On behalf of our client, Micco Companies Ltd. (Micco), WSP Canada Inc. (WSP) is pleased to apply for a Development Agreement under Policy R-11 in the River-Lakes Secondary Planning Strategy (RLSPS) as part of the Planning Districts 14 and 17 Municipal Planning Strategy (MPS). The intent of this Development Agreement would be to enable a 4-unit townhouse development and an 8,000sqft commercial building on the site which is zoned Village Main Street (VMS).

The following letter includes a summary of the 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. Completed Planning Application Form
2. Proposed Site Plan
3. Preliminary Building Elevations
4. Preliminary Servicing Plan + a letter confirming the on-site capacity
5. Traffic Impact Statement (TIS)
6. Phosphorus Net Loading Assessment (PNLA)
7. Legal Description of Parcels & Registered Easements

## 2. SITE OVERVIEW & CONTEXT

The subject site (PID 00504076) has frontage on the western side of Highway 2 in Fall River. The site also has frontage on Thomas Lake. The parcel has a total area of 1.34 acres and has approximate 78m of frontage on Highway 2. The site currently has a single-family home located towards the rear of the site. There is also a wetland

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area in the north west portion of the site. An application for wetland alteration has been made with Nova Scotia Environment (NSE).

To the south of the site, there is a general commercial property that has a dental office and a restaurant. To the north is a vacant lot that is heavily wooded. Across Highway 2, are more general commercial properties that host a landscaping company, gas station, Bell Mobility utility building, and a professional services office and storage facility.

The site is located in close proximity to a large service and commercial centre in Fall River at the intersection of Highway 2 and Fall River Road which as commercial and community amenities including grocery stores, pharmacies, restaurants, and general retail. Figure 1, illustrates where the site is located in context of its existing surroundings.

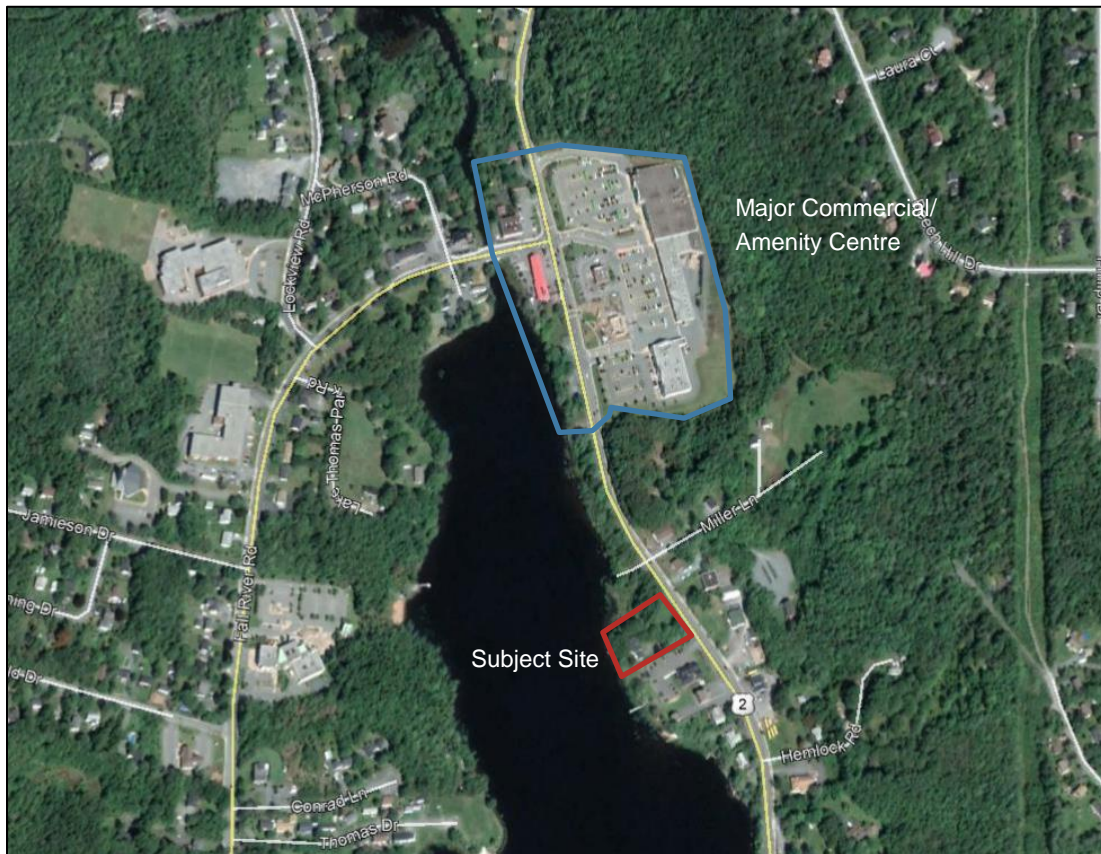


Figure 1: Map of Subject Site

### 3. SITE ACCESS AND CIRCULATION

In preparation of submitting the Application, a Traffic Impact Statement (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 proposed site access is a ‘full driveway’ access located along the southern portion of the site (where the current drive is located). Currently, the site has a driveway access that is perpendicular to Highway 2 and is on a consistent grade. The proposed driveway was reviewed for stopping site distance and appear to be adequate.



## 4. PLANNING DESIGNATION AND ZONING

The subject properties are located within the *River Lakes Secondary Planning Strategy* within the Municipal Planning Strategy (MPS) for Planning Districts 14 and 17 and is designated River-lakes Village Centre (RLVC) and zoned Village Mainstreet (VMS) under the Land Use By-law for Planning Districts 14 and 17.

**Policy RL-7** of the River Lakes Secondary Planning Strategy states that within the Village Mainstreet Zone a well-designed pedestrian-oriented village main street environment is created by permitting *small-scale commercial, residential, bed and breakfast and home business uses...* Further, **Policy RL-11** states that HRM shall consider *permitting low scale multiple-unit dwellings or townhouses through the provisions of a DA.*

Understanding the policy objectives and vision set by the community through the River-Lakes Secondary Planning Strategy of keeping the *rural village atmosphere and rural character of the area*, the following Development Proposal is being put forward for HRM to consider.

## 5. DEVELOPMENT PROPOSAL

The need for redevelopment along the Highway 2 corridor within the River-Lakes Secondary Planning Strategy (RLSPS), while also site preserving and maintaining the rural village and rural character atmosphere has been well-established in the MPS. At the core of the community vision for the area, there is a *desire to create an attractive village centre to service the surrounding neighbourhoods and to preserve the rural character of the Plan Area.* A need for housing and commercial services has been expressed for the area through its various policies, however in doing so it is understood that these new developments shall keep in line with the small-scale, low density development types and have minimal impact to environmental conditions and little impact to the traffic conditions along major corridors and interchanges.

The community also expresses the need for housing within the community which are built at a low-density size and scale. Beyond the RLSPS, we know that the greater HRM is under extreme housing supply pressures and that there is a desperate need for rental housing units. This development provides four townhouse units to the Fall River area which are intended to be used for rental purposes. These townhouses not only fit in with the community's "rural" vision, but also contribute to the overall supply of rental housing stock for the city and provide units that offer a diversity in size and housing type for HRM.

Figure 2 below illustrates the proposed conceptual site plan for the subject site. For a more detailed and enlarged site plan, see the Site Plan that is accompanying this application.



Figure 2: Preliminary Proposed Concept Plan for 3195 Highway 2 Development

### Neighbourhood Compatibility

Highway 2 has a mix of general commercial buildings which appear to have been built and approved at different points in time as the corridor developed. Some of the more recent buildings have aligned well with the vision that the RLSPS sets with a large landscaped set back, and architectural treatments that follow the LUB’s requirements. One of the more recent developments on the corridor is immediately adjacent to the subject site. The architectural treatments for the proposed commercial building on this particular site have considered its neighbour’s design and have integrated design features that compliment the adjacent building and contribute to a fluid streetscape.

Highway 2 also appears to have residential homes located on the corridor, many of which are screened from heavy landscaping or have larger front setbacks. The townhouse portion of the development has aligned itself with this trend. The townhouses have been designed to follow the architectural requirements of the LUB, to complement the commercial property at the front of the site and have been setback from the road so as to keep the rural atmosphere of the corridor. Although set back quite far on to the site, they will still be visible from Highway 2 and offer a simplistic and complementary built form to the Fall River “Main Street” community. This set back has been made consciously as they are meant to blend into the background of the development (so as not to overwhelm the streetscape on Highway 2), while also minimizing noise for tenants from the road.

The proposed townhouses will each have a 1200sqft footprint (24m wide x 50m deep), will be 2 storeys in height, and all have been staggered so as to differentiate each unit and entryway from one another. Figures 3 and 4 illustrate similar commercial buildings located in close proximity of the subject site. Figures 5 and 6 provide illustrations of what the proposed development will look like at the street level. For more detail on the proposed buildings, please see the accompanied Building Drawing package.





Figure 3 and 4: Images of small commercial buildings along the Highway 2 corridor. Both buildings have a landscaped setback and parking located to the side of the site.



Figure 5: Preliminary Building Rendering of the proposed commercial building from streetview perspective



Figure 6: Proposed preliminary renderings of townhouses from streetview perspective



### Lot Siting

With the intent of providing all required watercourse buffers, and maintaining existing vegetation where possible, the townhouse units have been located as far back to the site as possible, while the commercial building sits at the 30' front setback from Highway 2. Given that the proposed development will be offered as rental (both for residential and commercial), individual lots will not be created on the site.

The proposed development will be going through a development agreement process to allow for townhouse units and commercial space. With that being said, our proposal has kept in line with many of the lot siting requirements that are included in the VMS Zone. We do anticipate, all of these items are subject to discussion as part of the DA process to make sure the site is developed in a manner that makes sense for the site and is respectful of its surroundings.

	VMS ZONE	PROPOSED DEVELOPMENT
Lot Frontage (residential and Commercial)	30.4m / 100 ft	77.85m / 255.4ft
Front and Flanking Yard	9.1m / 30 ft	9.1m / 30 ft
Side Yard	4.5m/ 14.7ft	Side (commercial building): 8.0m / 26ft Side (residential building): 8.9m/ 29.2ft
Rear Yard	4.5m/15ft	22m/72ft
Lot Coverage	35%	14.7%
Impervious Surface Coverage	50%	38.3%
Maximum Height of Main building	10.7m/35ft	10.3m/33.8ft (townhouse) 10.5m/34.6ft (commercial)
Maximum Building Width	60ft/ 18.2m	80ft/24.4m (commercial)
Minimum Landscaped Area	25%	>25%



Parking Requirements	Residential: 1 space/unit Commercial: varies Bicycle Parking: none required	Residential: 4 spaces Commercial: 18 spaces (see discussion below) Bicycle Parking: 20+ class B (see discussion below)
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**Parking Requirements**

We recognize that the proposed parking supply is lower than what is likely going to be required for our commercial building. At this point, the breakdown of square footage of office space and retail space is unknown. With our proposal, and through this DA process, we would like to have parking requirements from the LUB reduced to keep inline with the provision of creating a “rural village feel” and avoid this particular development being overtaken by a parking lot. We would also like to introduce bicycle parking infrastructure into the RLSP area. Highway 2 is a corridor that is heavily used by bicyclists for both commuting and recreational purposes. While bicycle parking provisions are not a requirement in Planning District 17 and 14, our proposal would like to introduce this facility into the community in exchange for further lessening the parking requirements for the site. See Site Plan for bicycle parking

We look forward to further engaging with HRM in this discussion of parking provisions for the site.

**Site Servicing**

The site is currently serviced by municipal water (Halifax Water), electric (NSP) and an onsite wastewater system. There is a current well identified on-site but it is unknown if it remains in service.

The proposed site will be serviced similarly but with a new larger on-site wastewater service. The existing well and onsite system will be removed from service and appropriately decommissioned. Additional stormwater management infrastructure will also be utilized on the site to meet the Stormwater Management policies adopted by HRM in September of this year. For more details on site servicing, please refer to the accompanied servicing schematic.

**5. MPS POLICY REVIEW**

POLICY CLAUSE

RATIONALE FOR DEVELOPMENT PROPOSAL

<b>River-lakes Secondary Planning Strategy Vision</b>	
<i>The Vision of the River-lakes Secondary Planning Strategy is to retain the rural village atmosphere and rural character of the area by fostering the:</i>	
(a) <i>development of the River-lakes Village Centre Designation as a place to which residents and visitors are attracted and become recognized as the centre of the River-lakes communities;</i>	The proposed project builds on this vision by providing the RLVC with a mixed-use development proposal that includes gentle density through townhouse provision and a small-scale commercial space that is positioned towards the front of the sites to interact with the pedestrian environment.



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<p><i>(b) retention of the natural environment through the protection of the lakes, tree-covered hillsides, and environmentally sensitive areas that are of high value for groundwater recharge or are ecologically fragile and sensitive to disturbance;</i></p>	<p>The subject site abuts the shorelines of Thomas Lake – a lake that is apart of the highly treasured Shubenacadie Canal system. The proposed development has retained a 20m buffer which will be undisturbed and retain all existing vegetation.</p>
<p><i>(c) creation of an interconnected system of open space that facilitates pedestrian movement throughout the Plan Area as illustrated on Maps RL-4 and RL-5;</i></p>	<p>The rear side of the lot will be maintained and has potential to host a trail through the property. Although it's not the intent to include provisions of a trail through this planning application, the property owners are open to discussion of trail provision, maintenance, and access with the Municipality at future date.</p>
<p><i>(d) preservation of the cultural and historical assets of the area, especially the Shubenacadie Canal and its historical and cultural importance as a transportation route to the Mi'kmaq and early North American settlers; and</i></p>	<p>The proposed development recognizes the significance of the Shubenacadie Canal within the immediate and broader community and will not impact, impede, or deteriorate this asset. Attached with this development proposal submission is a Phosphorus Study and Servicing Schematic which highlights the proposal's plan on ensuring activity on the site does not deteriorate lake water quality or increase water pollution.</p>
<p><i>(e) implementation of improvements to the transportation infrastructure and the provision of central water to areas that are in keeping with the growth management objectives of the Regional Plan as determined through the Phase II Secondary Planning Process.</i></p>	<p>Not applicable for this development proposal.</p>
<p><b>MPS Policy RL-7</b></p> <p><i>Within the River-lakes Village Centre Designation, the Village Mainstreet Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to facilitate the creation of a well designed pedestrian-oriented village mainstreet throughout the River-lakes Village Centre Designation that maintains a positive relationship between the buildings, the street and the receiving environment. Provisions will be established under the Land Use By-law to:</i></p>	





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RATIONALE FOR DEVELOPMENT PROPOSAL

<p>(a) <i>permit small -scale commercial, residential, bed and breakfast and home business uses, institutional uses and open space uses;</i></p>	<p>The site will have a small commercial building on the north east portion of the site and will have 4 townhouse units towards the southern part of the site.</p>
<p>(b) <i>allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;</i></p>	<p>N/A</p>
<p>(c) <i>require a setback from the highway;</i></p>	<p>There is a 30ft (9.1m) setback from Highway 2.</p>
<p>(d) <i>place limitations on gross floor space, building footprint, maximum height and width to maintain a small-scale appearance and building rhythm and to maximize the amount of pervious surface over the site to minimize impact on receiving waters; and</i></p>	<p>Small scale buildings have been incorporated into the site plan’s design. A 2-storey, 4,000sqft commercial building footprint has been proposed in the northern portion of the site along with 4 townhouses towards the rear. The commercial building will be designed to be pedestrian oriented and provide a streetwall with a consistent rhythm in façade by using window articulation.</p> <p>Total lot coverage of buildings: 14% Total lot coverage of impervious material: 38.3%</p>
<p>(e) <i>permit larger-scale commercial development on the site shown on Schedule I of Land Use By-law, the old Fall River Recreation Centre.</i></p>	<p>N/A</p>
<p><b>MPS Policy RL-11</b></p> <p><i>Within the Village Mainstreet Zone of the River-lakes Village Centre Designation, HRM shall consider permitting low scale multiple-unit dwellings or townhouses through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the following:</i></p>	
<p>(a) <i>that the range of commercial uses, permitted on the first floor, is limited to the commercial uses permitted under the Village Mainstreet Zone or residential uses;</i></p>	<p>The commercial building will be used for uses that are listed in the permitted commercial uses under the VMS zone.</p>
<p>(b) <i>that the maximum density, excluding commercial development, does not exceed 3 units per gross acre</i></p>	<p>The total lot area is 1.34acres (0.5ha). With four units on the site, the total gross density proposed is 2.98u/gross acre.</p>



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<p>(c) <i>that the building does not exceed three stories above average grade, excluding rooflines;</i></p>	<p>Both the townhouse buildings and the commercial building are designed to have a 2-storey height.</p>
<p>(d) <i>that the design of any new buildings or major alteration of the façade of an existing building is in general conformity with the architectural requirements set out under the Land Use By-law</i></p>	<p>Both the design of the commercial building and the townhouses have been designed to reflect the objectives of small-scale rural community set out in the policies of the MPS and in the architectural requirements set forth in the Land Use By-law.</p>
<p>(e) <i>that the elevation of all buildings within any townhouse block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;</i></p>	<p>The townhouse units have been designed to carry common characteristics between the units and have followed the requirements at set forth in the LUB’s architectural guidelines. Units are articulated through punctuation between unit pairs with each unit pairing having a common front porch and individual entryways.</p>
<p>(f) <i>that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;</i></p>	<p>Building off-sets are provided within the townhouse block of the development between townhouse unit pairs. Window and front entry articulations are also provided to accentuate each townhouse unit.</p>
<p>(g) <i>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, and architectural elements to promote visual integration;</i></p>	<p>The proposed development is low-scale and fits in within the immediate surroundings as it is. Transitional buildings and built forms really aren’t necessary as the height and forms of both the townhouses and the commercial building fit in with the local context of the site.</p>
<p><i>Site Development Criteria</i></p> <p>(h) <i>that impervious surface areas do not exceed 50% of the site and that all parking is located to the side or the rear of the building;</i></p>	<p>The total impervious areas (including driveways, parking lots and buildings), is 34.5% of the site. Due to restrictions of the wetland area and the required buffer area from Thomas Lake, locating parking to the rear of the building is not feasibility. Parking for the commercial building is located however to the site of the site which is still supported in this policy.</p>



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<p>(i) <i>that landscaping is designed to create a visually attractive appearance and to reduce the adverse impact of stormwater flows and all natural vegetation is retained on slopes in excess of 25%;</i></p>	<p>Landscaping has been incorporated into the site plan to along the front of the property (within the required 30’ setback), as well as around the commercial parking lot to provide visual screen and physical separation between the commercial area and the driveway leading towards the 4 townhouse units. Existing vegetation on the rear of the site (within the 20m watercourse buffer) will be retained where possible.</p>
<p>(j) <i>that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;</i></p>	<p>Pedestrian access and circulation is provided on the site through direct access to the commercial building which fronts on to Highway 2. Pedestrian walkways and entry points are also provided along the southern side of the commercial building. Residents who live in the four townhouses to the rear have pedestrian access to the commercial building and/or road through provisions and pathways in the site’s landscaping.</p>
<p>(k) <i>that development is positioned in such a way to maximize potential opportunities to create future trails as close to the water as possible, along the Lake Thomas Riverwalk as outlined in Policy RL-5;</i></p>	<p>The rear side of the lot will be maintained and has potential to host a trail through the property. Although it’s not the intent to include provisions of a trail through this planning application, the property owners are open to discussion of trail provision, maintenance, and access with the Municipality at future date.</p>
<p>(l) <i>that a hydrogeological assessment is conducted by a qualified professional to determine if there is there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;</i></p>	<p>N/A – Site is serviced by Municipal Water.</p>
<p><i>Site Impact Controls/Assessments</i></p> <p>(m) <i>that the lighting on the site is designed to prevent light pollution impacts on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;</i></p>	<p>Lighting on the site will be designed to prevent light pollution on adjacent properties as well as for the units that will be on the property itself. All lighting will have a coordinated and unified effort on the site between townhouse units and the proposed commercial building.</p>



POLICY CLAUSE

RATIONALE FOR DEVELOPMENT PROPOSAL

<p>(n) <i>that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges;</i></p>	<p>Minimal traffic will be generated from this proposed development site and will not have any significant impact on Highway 2, or the regional street system including Highway 102/ 118 interchanges and Fall River Road/Highway 2 intersection.</p>
<p>(o) <i>that there is no adverse impact of development on any archaeological features in any areas identified on Schedule C of the Land Use By-law as determined by the Nova Scotia Department of Communities, Culture and Heritage;</i></p>	<p>According to Schedule C of the Land Use By-law, there appears to be no “area of elevated archaeological potential” in or around the site.</p>
<p>(p) <i>that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and</i></p>	<p>A Traffic Impact Statement and a Phosphorous Net Loading Assessment have been provided as part of this application.</p> <p>Given the low-scale development of the site, the TIS has not identified any significant impact to Highway 2 or to the regional traffic network.</p> <p>The Phosphorus Net Loading Assessment has identified a need for a tertiary treatment within the onsite system. Utilizing this treatment system will bring phosphorus discharge below current site conditions.</p>
<p>(q) <i>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.</i></p>	<p>No additional impacts are expected as a result of the proposed development.</p>

## 6. CONCLUSION

In conclusion, this development application aligns itself with the goals, objectives, and policies of the MPS of Planning Districts 17 and 14 as well as the River Lakes Secondary Planning Strategy. It does this by:

- ✓ Developing a site that provides a mix of uses including low-density housing and commercial uses;
- ✓ Respects and acknowledges the community’s vision for the Village Core Area and the Village Main Street zone by following the architectural requirements of all built forms on site.
- ✓ Has little to no impact on traffic volumes on the Highway 2 corridor as well as the surrounding regional transportation network.
- ✓ Introduces bicycle parking facilities into the community.



- ✓ Meets a net zero Phosphorous discharge by providing additional phosphorous control and removal for the on-site treatment system that will bring phosphorous discharge below current site conditions. See the accompanied *Phosphorous Net Loading Assessment* for further details.
- ✓ Provides for required buffers and undisturbed vegetation between proposed development and Thomas Lake.
- ✓ Provides space for a future trail connection towards the rear of the site.

This development proposal makes a positive contribution to the neighbourhood by increasing the diversity of housing forms and tenure types and fits in with the surrounding community in terms of land use and built forms.

We trust that this information is sufficient for initiating the application process and we look forward to working with HRM 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. Phosphorus

Yours sincerely,

Original Signed

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