

July 9, 2021

**Application for Development Agreement on property PID#40074437 in Herring Cove, NS
under Policy RES-2C of the Chebucto Peninsula Municipal Planning Strategy**

Carl Purvis
Planning Applications
Program Manager
Halifax Regional Municipality
Halifax, NS B3J 3A5

Dear Mr. Purvis,

On behalf of our client Rosebank Holdings Ltd., I am applying to the Halifax Regional Municipality for a Development Agreement for a subdivision on the above mentioned property, as enabled by Policies RES-2C through RES-2E of the applicable Municipal Planning Strategy.

The following information and documents are attached to this letter in support of this application:

- + Basic facts and development goal
- + Statements of compliance with policy
- + An appendix including:
 - Subdivision lot plan
 - Servicing schematic
 - Traffic impact statement

We are excited to work with staff, Council and the community on this proposal.

Please do not hesitate to contact me if you require further information.

Sincerely,

Original Signed

Paul Dec, MCIP, LPP

1 BACKGROUND

1.1 LOCATION AND SITE CHARACTERISTICS

The subject of this Application for Development Agreement is property PID#40074437, owned by Rosebank Holdings Limited. The property containing approximately 2.85 hectares¹ of land is situated in Herring Cove, just northwest of the historic community core. It is zoned 'Herring Cove Residential (HCR)' in the Planning District 5 (Chebucto Peninsula) Land Use By-law.

The western end of the public street named Reginald Court is capped at the southern corner of the subject property, forming part of the property's boundaries with its 16-metre right-of-way. The parcel also features about 6.6 meters of road frontage on Herring Cove Road, which is connected to the property's main body through a strip of land of the same width. Service easements adjacent to this area widen the usable width of this connection to approximately 12 meters, but exclude construction of any structures due to mutual easements between all four properties abutting the 'pole section' of the lot.

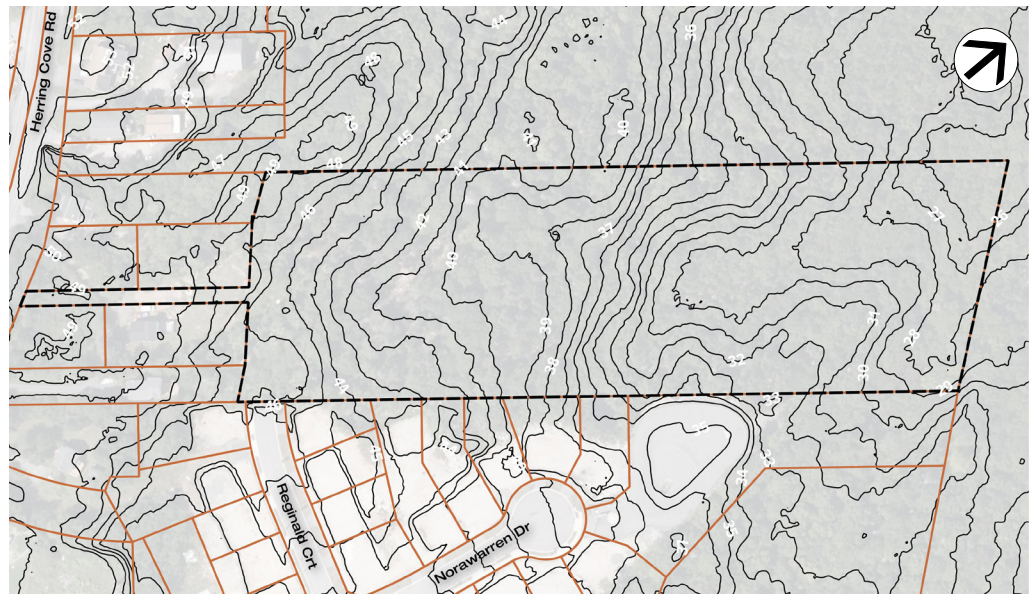


Figure 1: Basemap

Based on provincial LiDAR data, UPLAND generated a GIS model of the property and derived 1-metre contour lines therefrom. The resulting picture indicates that the main body of the property is situated at elevations between 49 and 26 metres above sea level. The narrow lot frontage on Herring Cove Road is among the highest points of this Lot at an elevation of close to 50 metres. In general, the terrain gradually slopes down from Herring Cove Road, with one steeper dip about half-way down the property. The rear lot line located the farthest away from Herring Cove Road is the lowest section of the property with elevations between 26 and 29 metres.

¹ Size based on survey of Gregory Skelhorn, NSLS dated August 19, 2020.

1.2 SURROUNDING USES

The surroundings of the property are primarily of residential and resource character. The following categories of land uses can be observed in the vicinity of this site:

- + Ribbon development of individual homes along Herring Cove Road, with some homes set back further from the road;
- + Recent residential subdivisions along Angler Drive, Glen Baker Drive and Norawarren Drive;
- + Protected natural areas, mostly made up of Crown Lands; and,
- + Small pockets of recreational land uses such as a community beach at Long Pond and various formal and informal trails leading through the Crown Lands.

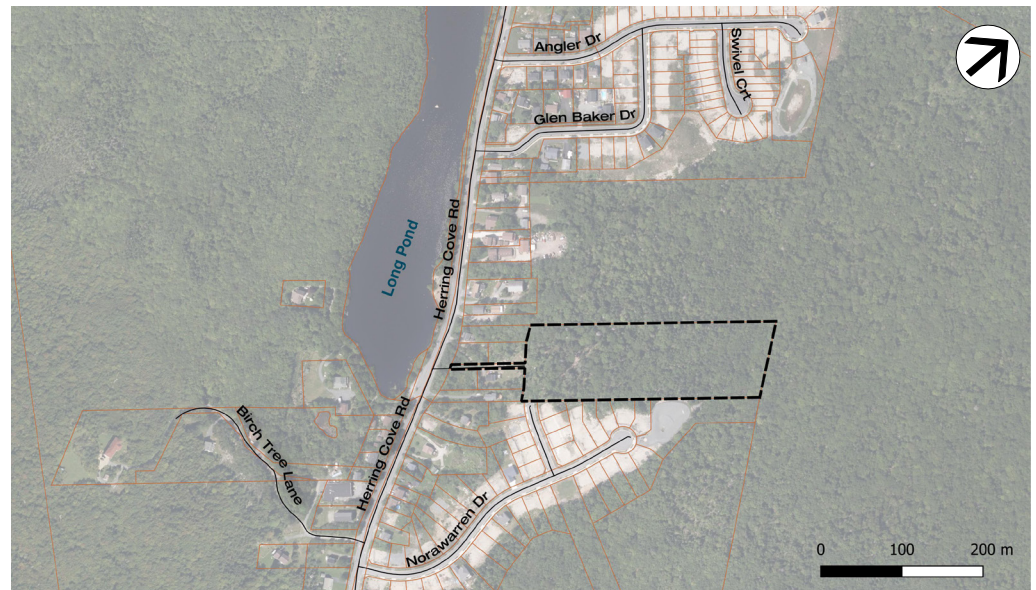


Figure 2: Location map

The Halifax Regional Municipality and Halifax Regional Water Commission own lands in both neighbouring residential subdivisions, which have been acquired for parkland, sanitary pumping stations and storm water management ponds during the subdivision processes.

2 DEVELOPMENT PROPOSAL

2.1 DEVELOPMENT SUMMARY

Rosebank Holdings intends to develop this property as a subdivision with 17 single detached homes on individual lots. The goal is to continue the public right-of-way of Reginald Court across the client's property and to subdivide lots on the new road frontage thus created. Since Section 46 of the Regional Subdivision By-law prohibits as-of-right subdivision in the Herring Cove Residential Zone, the application needs to follow the Development Agreement process subject to applicable Policies of the Municipal Planning Strategy.

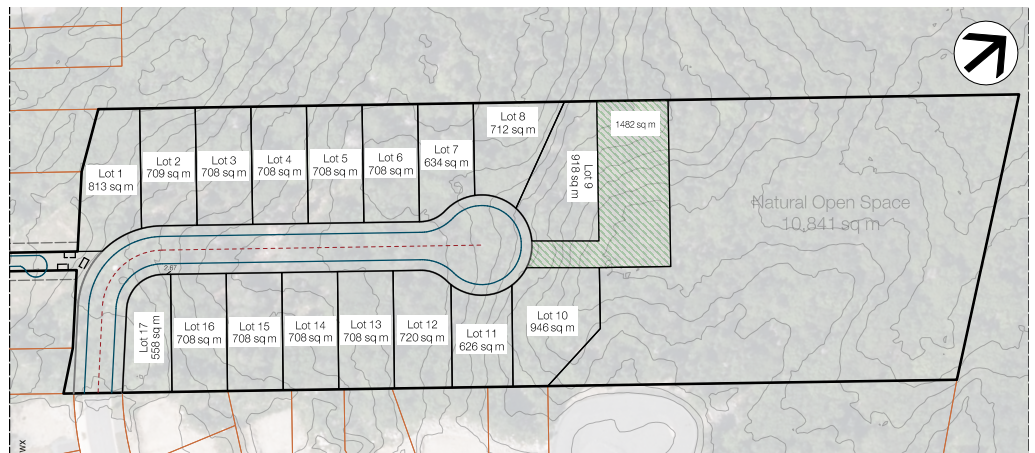


Figure 3: Lot plan (see Appendix C for large drawing)

The proposed lot plan is based on the requirements of applicable policies. As enabled by the Municipal Planning Strategy, the lot requirements of the HCR Zone were reduced to 6,000 ft² of lot area and 60 feet of frontage, with the balance land being dedicated to undisturbed open space. This approach reduces the overall environmental footprint of the development.

Servicing and access to the subdivision is intended to be provided through the logical extension of Reginald Court, a serviced public street on the southern corner of the property. The six-metre-wide 'pole section' of the lot will only serve the purpose of providing direct pedestrian passage between the subdivision and Herring Cove Road.

2.2 DEVELOPMENT CONCEPT

Rosebank Homes strives to develop a modern subdivision close to nature. Located between the shores of Long Pond and the vast Crown Lands that surround both Pine Island Ponds, this development will provide homes for outdoor enthusiasts that value the proximity to the city. Working with the ecology and elevation of the site, the goal is to create a green subdivision that blends into the landscape and allows for the enjoyment of natural assets in the area.

The community of Herring Cove is a recreational biking hub that connects many popular biking routes and destinations on this part of the Chebucto Peninsula. For off-road mountain bikers and hikers, the extensive trail system of the MacIntosh Run Watershed Area can be accessed through the nearby trail head at Norawarren Drive, and Rosebank Homes plans to work with the trail community to establish a direct link from the dedicated parklands at the end of the subdivision.

2.3 BACKGROUND ON THE DEVELOPER

The following is the company profile of Rosebank Homes:

Background

Rosebank Homes is a new company, with old roots. Our family has been in Halifax since before Confederation, and we have been in the building business in Ontario for over 30 years.

Rosebank builds homes that honour the East Coast way of life and the wildness of Nova Scotia's natural beauty. We believe a new home can truly belong where it's built, working intentionally with the land and culture around it.

We build more than homes, we help people build roots.

Experience

For over 30 years we have been building custom homes and boutique multi-unit projects in beautiful Ottawa, Ontario.

We come from a long line of craftsmen and bring an old-world mentality of family values, unparalleled quality and attention to detail to all of our projects.

Our projects, in Ottawa, have ranged in size from 800 square foot mini-units through to 4000-5000 square foot custom homes built to clients' exact specifications. We specialize in in-fill projects, with the goal of always ensuring our homes respect the style and heritage of the neighbourhoods where they are built.

Market

We are targeting individuals and families who have already had their first homes and are looking to settle into a community for the foreseeable future. We believe in identifying people who value quality, connections & Nova Scotia's natural beauty, and who will connect with the vibrant Herring Cove community.

Design Rationale

Our style is best described as Modern Traditional. We believe a home should respect its neighbourhood, honour the landscape, and show personality. We will be working with RHAD Architects to develop a neighbourhood that encourages connection - to Nova Scotia, to the landscape, and to our neighbours.

3 POLICY FRAMEWORK

This application for Development Agreement is based on policies RES-2C through RES-2E of the Planning District 5 (Chebucto Peninsula) Municipal Planning Strategy (MPS). The latter Policy also references the generic Policy IM-10 from the Implementation section of the MPS. The following analysis will demonstrate how the Development Proposal (further referred to as 'the Proposal') complies with the applicable Policies of the MPS.

Policy RES-2C

Subdivisions which include new or extended public streets may only be considered by development agreement, where:

a) municipal sewer and water services are to be provided;

Compliance: The Proposal is situated in a serviced area of Herring Cove, and is intended to be fully serviced with water lines, storm and septic sewer, as shown on the Servicing Schematic in Appendix D. The Development Agreement of the neighbouring subdivision around Norawarren Drive indicates that all of these services have been installed on those neighbouring public roads. Consequently, a continuation of services into the proposed development should be unproblematic.

b) sewage treatment facilities are available, and;

Compliance: The Proposal is adjacent to existing sewer lines and therefore part of the Herring Cove Wastewater Treatment Facility sewershed.

c) a public street is to be constructed;

Compliance: The street right-of-way shown on the lot plan is 16 metres wide and therefore capable of accommodating an urban public street in accordance with municipal engineering standards.

Policy RES-2D

It shall be the intention of Council to encourage all new development under Policy RES-2C to meet certain basic design objectives as follows:

a) to reproduce the pre-development hydrological conditions;

Compliance: As shown on the Servicing Schematic in Appendix D, storm water run-off is planned to be directed to the neighbouring retention pond, which will allow for stormwater run-off from hardscaped terrain to be controllably released, therefore reducing the impact on downstream hydrological features. Should the capacity of the neighbouring pond not allow for additional stormwater absorption, a dedicated pond can be installed within approximately 1,100 m² of the area dedicated to 'Natural Open Space'.

b) confine development and construction activities to the least critical areas of the site and consider cluster development to minimize land disturbance; and that the subdivision design minimizes change to the existing landscape by matching new streets, services and lot grading to the existing topography as closely as possible;

c) allocate permitted density to those areas most suitable for development;

Compliance: The long and narrow shape of the lot does not allow for much variation in the subdivision design; the centre of the property is the only logical location for the only street that will

fit into this subdivision. However, the subdivision design still makes the best-possible contribution to conservation efforts by concentrating development in an area that is contiguous to existing urban development, thereby adding natural area that is contiguous to the Crown Lands.

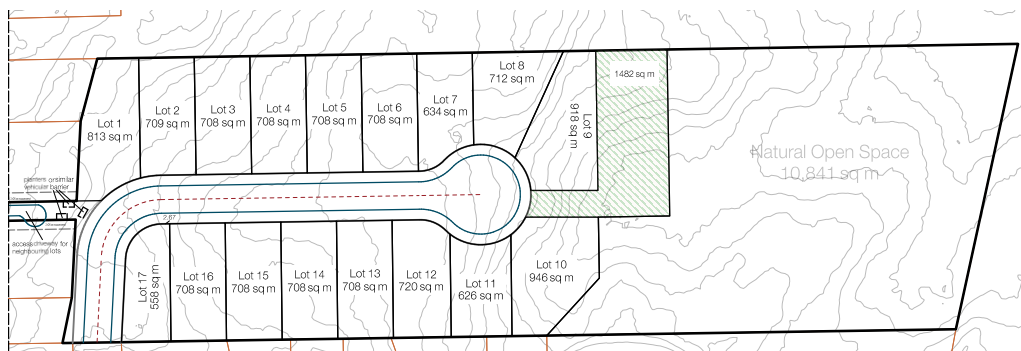


Figure 4: Lot plan with contour lines (see Appendix B for large drawing)

d) *minimize changes to the existing topography;*

Compliance: The Proposal concentrates development in the gently sloped, top part of the property. The road ends just before the steepest drop of the property, which is situated about half-way through the site.

e) *preserve and utilize the natural drainage system to the greatest possible extent;*

Compliance: The proposed public street runs parallel to the terrain's downward slope from Herring Cove Road, which means that the stormwater line under the proposed public street will approximately follow the natural drainage of the terrain.

f) *attempt to retain a minimum of 30% of the natural vegetation on the site in an undisturbed state; and*

Compliance: The fulfillment of this requirement is achieved through the dedication of common open space lands. See the following table for details:

	m2
Overall lot area	28,513
Surface area of lands left in natural state	10,841
Percentage of site left undisturbed (exclusive of natural vegetation on individual lots)	38%

g) *all shorelines shall be protected by a 100 foot wide buffer zone within which no vegetation or soil should be removed or altered except as required for utilities, trails or water access.*

Comment: Not applicable as the proposal is not in the immediate vicinity of any shoreline.

Policy RES-2E

In considering a development agreement proposal pursuant to Policies RES-2C and RES-2D, the following development criteria shall be addressed:

- a) *That the maximum permissible density is 4 units per net developable acre based on HCR and F-1 zone requirements. The net developable area shall be calculated based on the gross land area less any designated wetland areas;*

Compliance: As demonstrated by the following table:

Gross lot area	28,513 m ²
- designated wetlands	0 m ²
Net developable area	7.045 acres
Maximum permitted dwelling units	28

- b) *That only single unit dwellings, two unit dwellings and auxiliary dwellings may be considered. Individual lot frontages per dwelling may be reduced to 60 feet, and lot areas to 6,000 square feet provided that an area equivalent to the amount of lot area reduction for each lot is provided as contiguous common open space which shall be maintained permanently in a substantially natural state, in addition to the minimum 10 percent public parkland dedication as required by Policy REC-10;*

Compliance: Apart from the area reserved for municipal parkland, the land uses only comprise single unit dwellings and accessory structures. In the HCR Zone the regular lot size requirement is 10,000 ft² or 929 m². This Proposal contains 10,841 m² of common space in a natural state, which needs to be larger than the sum of all lot area deductions in order to create compliance with this Policy. The following table demonstrates that this is the case:

Lot identifier	Proposed Lot Size (m ²)	Reduction on Lot (m ²)
Lot 1	813	116
Lot 2	709	220
Lot 3	708	221
Lot 4	708	221
Lot 5	708	221
Lot 6	708	221
Lot 7	634	295
Lot 8	712	217
Lot 9	918	11
Lot 10	946	0
Lot 11	626	303
Lot 12	720	209
Lot 13	708	221
Lot 14	708	221
Lot 15	708	221
Lot 16	708	221
Lot 17	558	371
Overall lot area reduction		3,510

- c) *That adequate erosion and sediment control plans and stormwater management plans are prepared;*

Compliance: These plans are typically prepared in a later stage of a development project.

- d) *That full consideration is given to use of a public road standard in keeping with that identified in Policy TR-18;*

Compliance: As shown on the Lot Plan And Servicing schematic in the Appendices, the development proposal does comply with municipal engineering standards for subdivisions. An item of interest is Section 4.2.3.4 the municipal design guidelines, which caps the maximum length of cul-de-sac streets at 230 metres if walking connections are provided at the end of the street, and at 100 metres otherwise.

The end of the street's centreline, just before the beginning of the turning area, is located approximately 230 metres from the intersection with Norawarren Drive (as measured along the proposed street's centreline). There are three ways to comply with the necessary requirement for a walking connection:

1. If permitted by the Province, a trail could lead from the end of the cul-de-sac through municipal parkland and Crown Lands to Herring Cove Road.
 2. If permitted by the Halifax Water Commission, a trail could lead from the end of the cul-de-sac through municipal parkland and over the neighbouring drainage basin property to the end of Norawarren Drive
 3. The walking connection to Herring Cove Road could be considered as an additional pedestrian access. While it is not situated at the end of the cul-de-sac, it does provide an additional pedestrian walking and escape route for the last 120 metres of the proposed subdivision. The wording of the MPS requires a road standard 'in keeping' with Policy TR-18, and therefore suggests that such a pragmatic approach is supported by Policy.
- e) *That there is adequate provision of public access to traditional trails and recreation areas and that adequate open space areas are provided, including substantial parkland areas and frontages on any lake to serve appropriate parkland functions; and*

Compliance: The proposed parkland at the end of the subdivision presents an opportunity to install a trail head parking lot in this location and to connect the subdivision to the nearby MacIntosh Run Community Trail system. This will depend on conversations with the Province and local trail association. Otherwise, an access to the trail system is already situated in the nearby Norawarren Drive subdivision, which is in close walking distance from this Proposal.

- f) *The provisions of Policy IM-10. (RC-Feb 13/01;E-May 5/01).*

This clause links the application to a general policy which applies to any type of development agreement under the Chebucto Peninsula Municipal Planning Strategy and will be analyzed on the following page.

Policy IM-10

In considering development agreements and amendments to the Land Use By-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

- a) *that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;*

Compliance: While the generality of this clause does not allow for a detailed analysis of every municipal by-law, this Proposal is a fairly standard development.

- b) *that the proposal is not premature or inappropriate by reason of:*
- (i) the financial capability of the Municipality to absorb any costs relating to the development;*
 - (ii) the adequacy of on-site sewerage and water services;*
 - (iii) the adequacy or proximity of school, recreation or other Community facilities;*
 - (iv) the adequacy of road networks leading or adjacent to or within the development;*
 - (v) pedestrian safety; and*
 - (vi) the potential for damage to or for destruction of designated historic buildings and sites.*

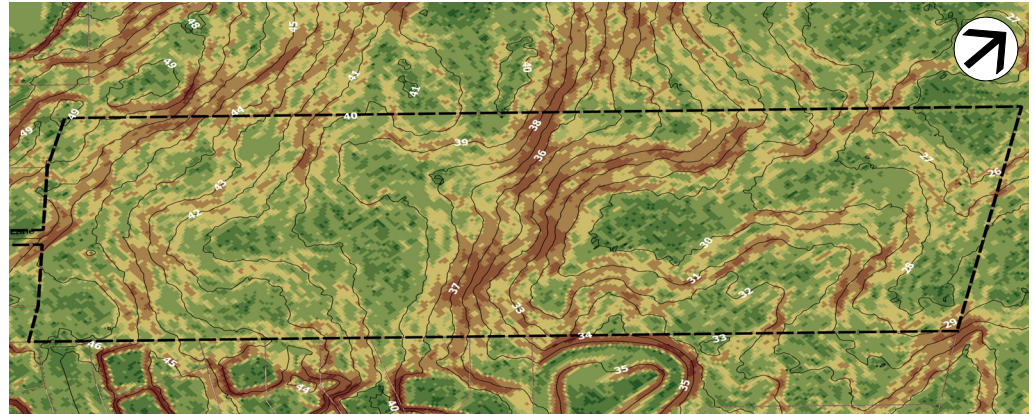
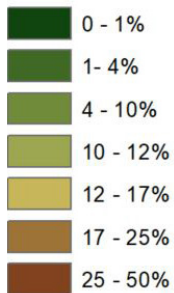
Compliance: The cost for development of on-site infrastructure is borne by the developer and should not lead to any expenses for the Municipality in the short- to mid-term. The William King Elementary School and Herring Cove Junior High school are both located in the community of Herring Cove, within a walking distance of 17 minutes and 19 minutes respectively.

- c) *that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:*
- (i) type of use;*
 - (ii) height, bulk and lot coverage of any proposed building;*
 - (iii) traffic generation, access to and egress from the site, and parking;*
 - (iv) open storage;*
 - (v) signs; and*
 - (vi) any other relevant matter of planning concern.*

Compliance: The Proposal consist of the same type of residential development found in two neighbouring subdivisions and along Herring Cove Road. Consequently, land use conflicts induced by inadequate massing of buildings, storage, signage or other matters of planning concern cannot be expected.

On the matters of traffic generation, access and egress, Professional Engineer Michael MacDonald has prepared a Traffic Impact Statement for the development proposal (see Appendix E). The document indicates an estimated development-induced trip generation of up to 17 vehicle movements per hour during peak times. The document concludes that the development can be accommodated “*with a negligible impact on traffic operations*” on Herring Cove Road and Norawarren Drive.

Gradient Map Legend



d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility of flooding.

Compliance: Large tracts of the site—including the lands proposed for development—are situated on gently sloped lands with gradients between 0% to 4%. Several sections of the property show steeper slopes. However, these sections are usually short and can be prepared for development through appropriate grading.

UPLAND performed site visits on February 22nd and July 08th of 2021. The site visits did not indicate the presence of any problematic soil conditions. The area proposed for development appears to be free of wetlands and water courses. Two water springs, some small-scale wet areas and a water course were located in the lowest part of the property, which falls in the area designated as 'Natural Open Space' in this proposal.

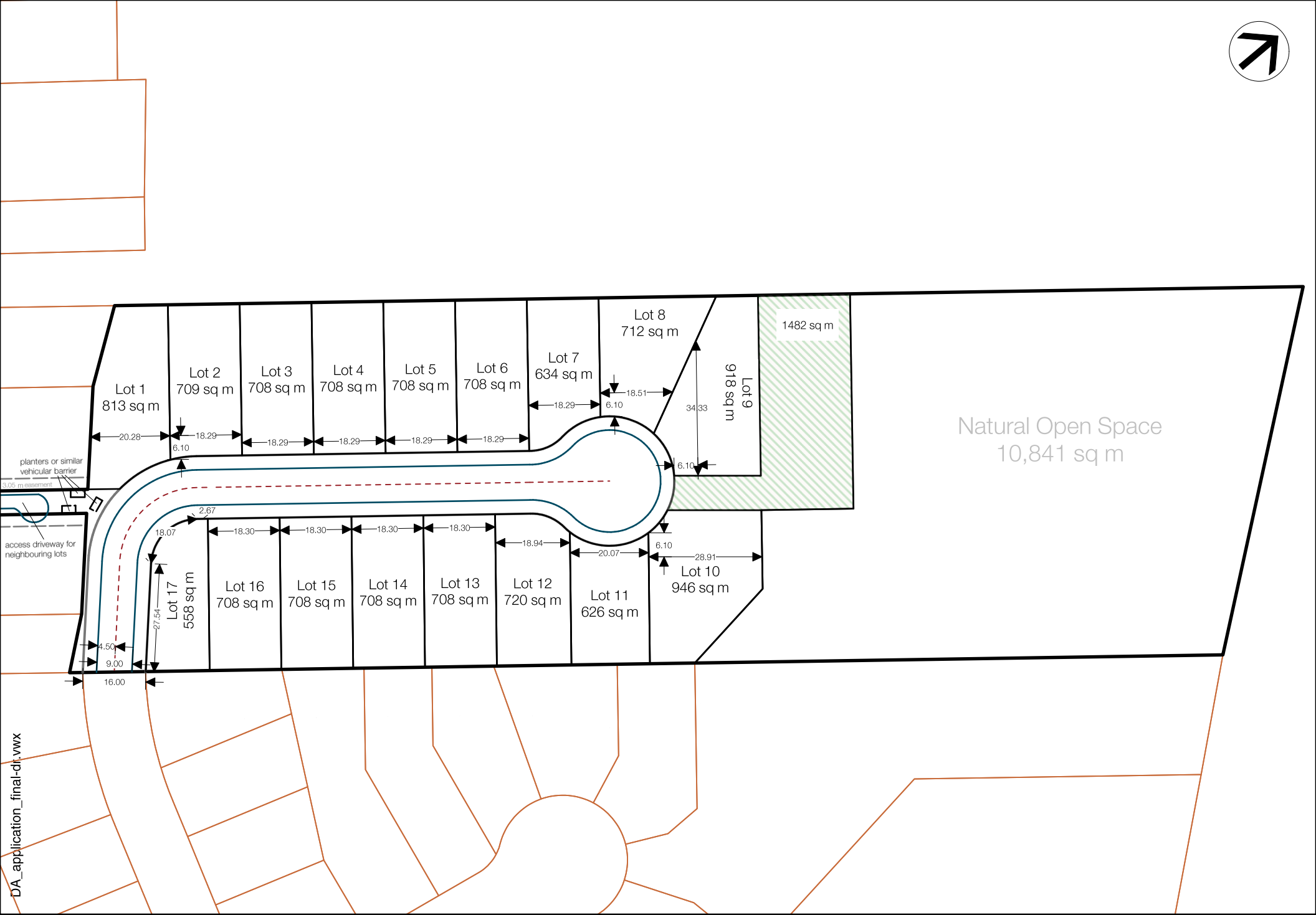
f) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy p-79F", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)

Comment: Not applicable.

4 APPENDIX

The following appendices form a part of this Application for Development Agreement, and have been attached in its support:

- + Appendix A: Lot Plan
- + Appendix B: Lots with existing contour lines
- + Appendix C: Lots over aerial imagery
- + Appendix D: Servicing Schematic
- + Appendix E: Traffic Impact Statement



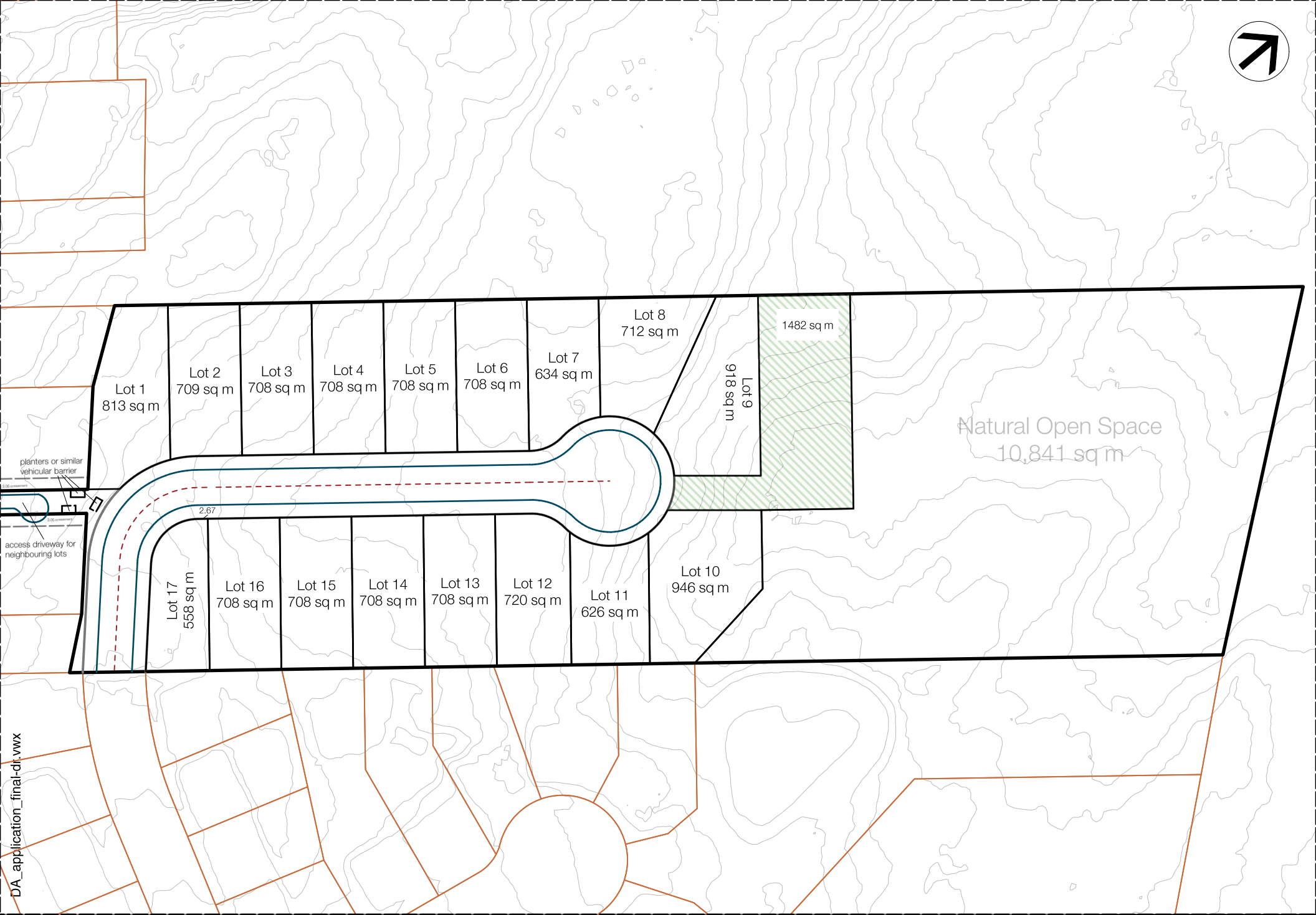
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- Existing Property Lines
- Proposed Property Lines
- Proposed Road Centre Line
- Proposed Parkland

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Project No	1.1 - 210101
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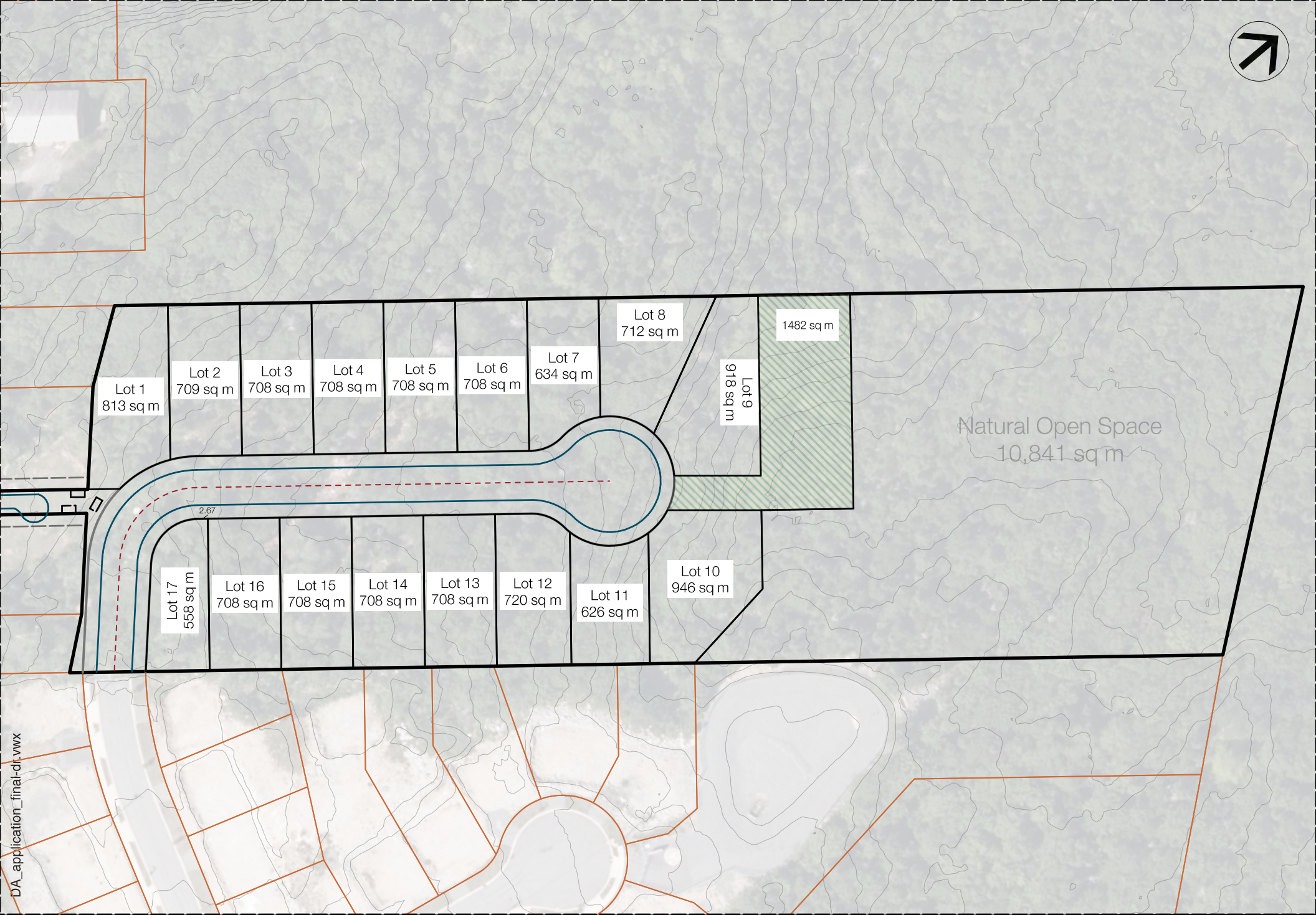


-  Existing Property Lines
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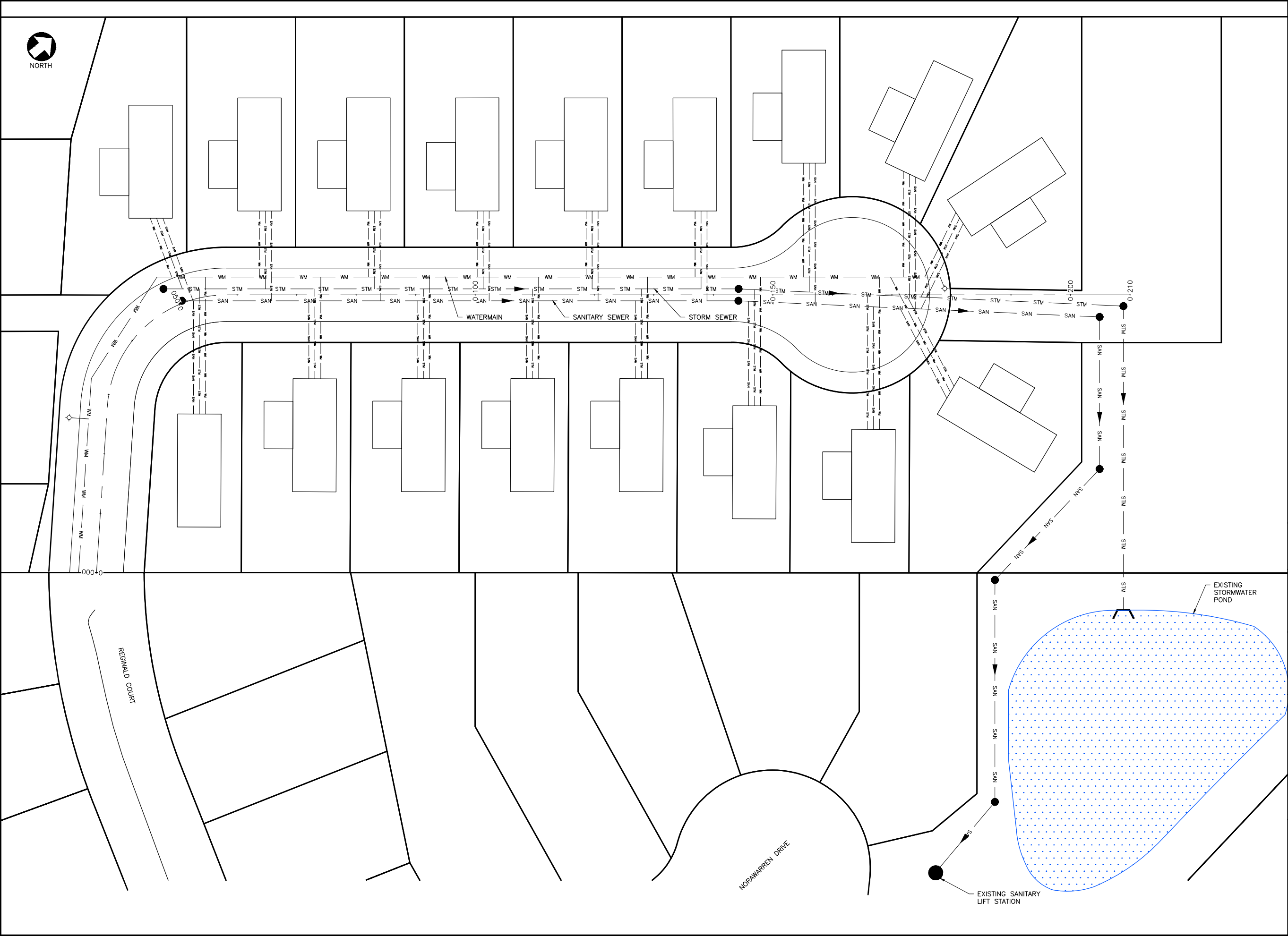
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- Existing Property Lines
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LEGEND

- MANHOLE
- STM — STORM SEWER
- SAN — SANITARY SEWER
- WM — WATERMAIN
- HYDRANT
- FLOW ARROW
- HEADWALL

PRELIMINARY
Not For Construction

No.	DESCRIPTION	Date (mm/dd/yy)	By
ISSUE or REVISION			

Client



Project

ROSEBANK HOMES
HERRING COVE, NS

Title

APPENDIX D
SERVICING SCHEMATIC

Scale	1:300		Date	JUN 9, 2021
	Drawn	JH	Designed	JH
	Checked	MS	Approved	MM
	Contract No.		212046	
		Drawing No.		SK-01

APPENDIX E

219 Waverley Rd, Suite 200
Dartmouth, NS, Canada B2X 2C3
Tel: 902-405-4696
Fax: 902-405-4693
www.harboursidetransportation.com



June 02, 2021

Project No. 212046



Re: Rosebank Homes, Herring Cove, NS – Traffic Impact Statement

Mr. Carscallen,

Harbourside Transportation Consultants has completed a traffic impact statement, as per Halifax Regional Municipality (HRM) requirements, to support the development application for the residential development known as Rosebank Homes in Herring Cove, Nova Scotia.

Site Context: The proposed residential development is located on the east side of Herring Cove Road near Norwarren Drive. The site context is illustrated in Figure 1.



Figure 1: Site context, Herring Cove, NS



Herring Cove Road is an arterial roadway that connects the community of Herring Cove and surrounding areas to the regional centre at the Armdale roundabout. In the vicinity of the development, Herring Cove Road has a rural two-lane cross section with on-street bike lanes on both sides of the roadway. Herring Cove Road has a posted speed limit of 50 km/hr. The cross section of Herring Cove Road is shown in Figure 2.



Figure 2: Herring Cove Road

Norawarren Drive is a local cul-de-sac roadway with access on Herring Cove Road. Norawarren Drive has a two-lane cross section with sidewalk on the east side of the roadway. The cross section of Norawarren Drive is shown in Figure 3.

Reginald Court is a local roadway that connects to Norawarren Drive. Reginald Court has a two-lane cross section with sidewalk on the south side of the roadway. The cross section of Reginald Court is shown in Figure 4.



Figure 3: Norawarren Drive



Figure 4: Reginald Court



Transit: The area is serviced by Halifax Transit Routes 9B Herring Cove (Figure 5). There are bus stops on Herring Cove Road within 100 metres of the Norawarren Drive intersection.

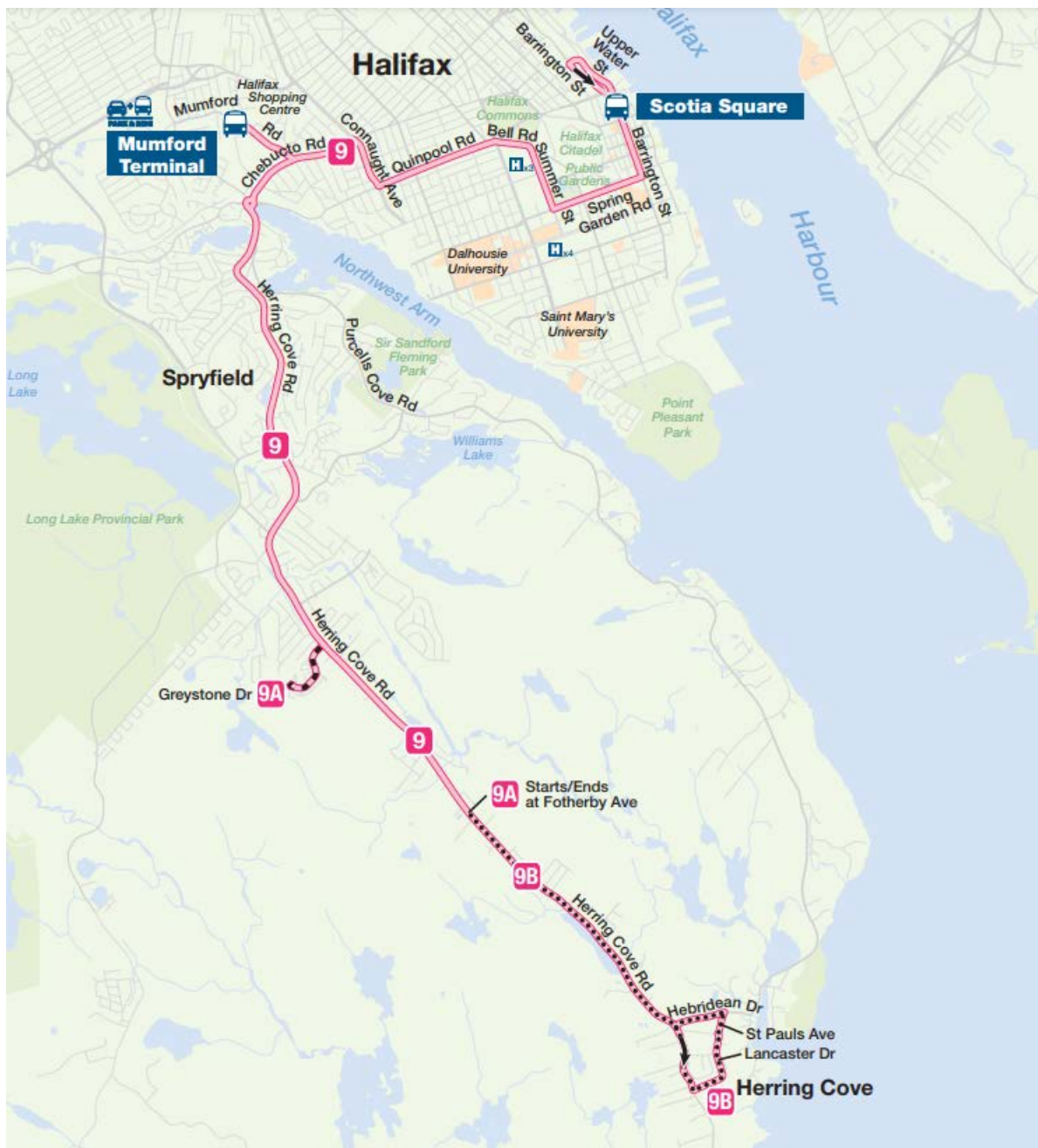


Figure 5: Halifax Transit Route 9 map

Proposed Development: The proposed residential development will extend Reginald Court into a cul-de-sac roadway and include 17 single-family homes. The proposed site development plan is shown in Figure 6.

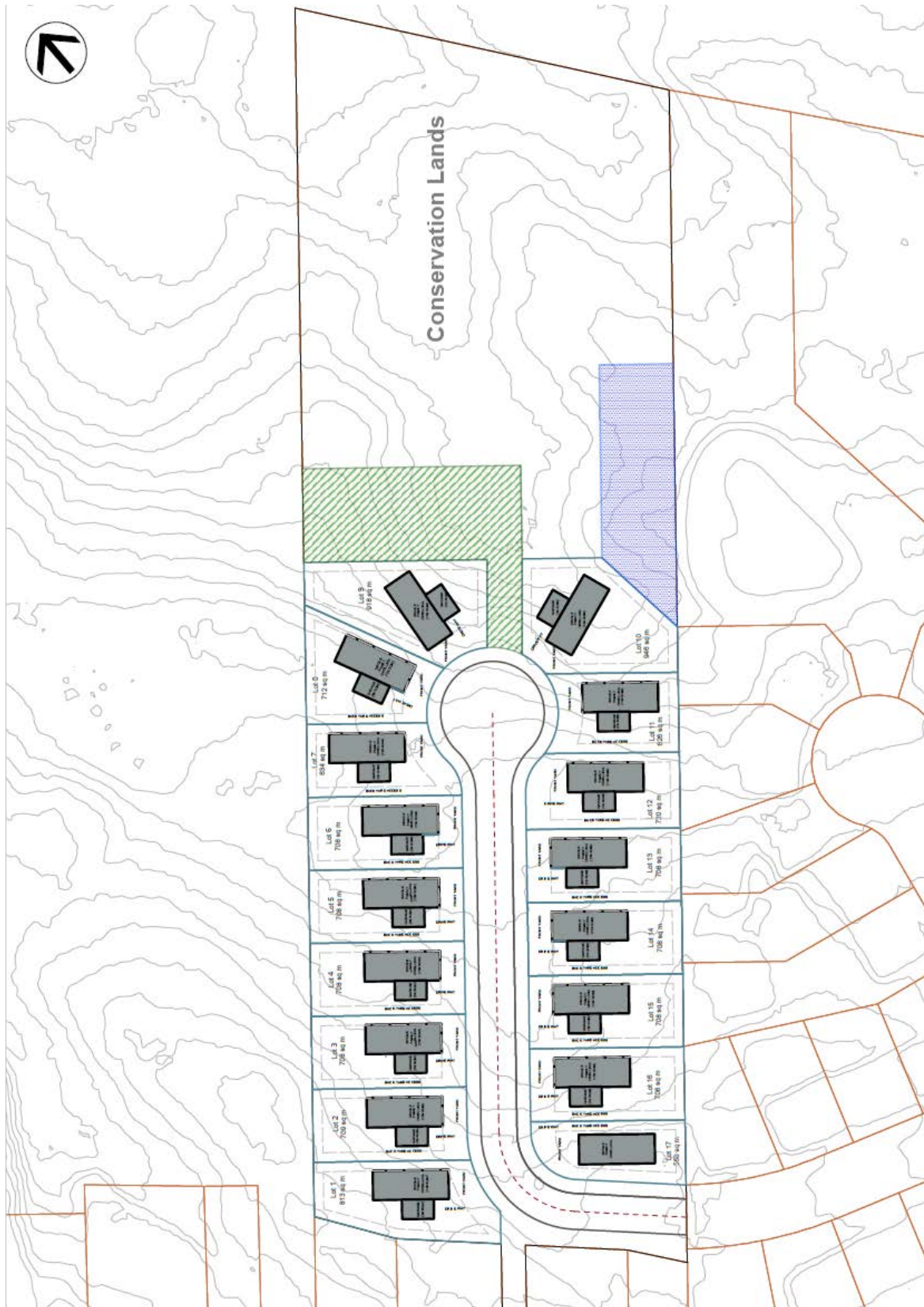


Figure 6: Site development plan by UPLAND Planning + Design Studio dated May 25, 2021



Access: The proposed development is an extension of an existing street and will be access from Herring Cove Road through the existing intersection with Norawarren Drive. The intersection is unsignalized with stop-control on the Norawarren Drive approach.

The sight distance available at the intersection was reviewed to ensure the minimum stopping sight distance and turning sight distance requirements of the Transportation Association of Canada's (TAC) *Geometric Design Guide for Canadian Roads* are met. The minimum stopping and turning sight distance requirements for a two-lane roadway with a design speed of 50 km/h are:

- Minimum stopping sight distance = 65 metres
- Minimum turning sight distance – left-turn from stop = 105 metres
- Minimum turning sight distance – right-turn from stop = 95 metres

The minimum stopping sight distance requirement is met in both directions on Herring Cove Road. The turning sight distance to the left of the Norawarren Drive is shown in Figure 7. The turning sight distance to the left of the Norawarren Drive exceeds the requirement of 105 metres.



Figure 7: Sight distance looking to the left of Norawarren Drive



The turning sight distance to the right of the Norawarren Drive is shown in Figure 8. To the right of the access there is approximately 95 metres of sight distance available. The minimum turning sight distance required for a left turn is not met. The sight lines are partially obstructed by bushes and utility poles, the turning sight distance could be improved by clearing shrubbery from the sight lines.



Figure 8: Sight distance looking to the right of Norawarren Drive

Trip Generation: The vehicle trip generation estimates for the development were quantified using trip generation rates from the 10th edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. The weekday morning (AM) and afternoon (PM) peak hour trip generation estimates for the proposed development are summarized in Table 1. On a typical weekday, the proposed development is expected to generate 13 vehicle trips in the morning peak hour (3 trips entering, 10 trips exiting) and 17 vehicle trips in the afternoon peak hour (11 trips entering, 6 trips exiting).

Table 1: Trip generation estimates

Land Use Code	Units	Trip Generation Rates (vph/unit)						Trips Generated (vph)					
		AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out	Total	In	Out
210 Single-Family Detached Housing	17	0.74	0.18	0.56	0.99	0.62	0.37	13	3	10	17	11	6



Impact to Surrounding Roadways: The site-generated vehicle trips will travel along Reginald Court and Norawarren Drive to and from Herring Cove Road. It is expected that the majority of trips would travel to/from the west on Herring Cove Road. The trip generation estimates indicate that the proposed development will generate less than 15 vehicles trips during the morning peak hour and less than 20 vehicles trips during the afternoon peak hour. It is anticipated that the new vehicle trips associated with the proposed development can be accommodated at the intersection of Herring Cove Road and Norawarren Drive with a negligible impact on traffic operations. It should be noted that this consists of a high-level qualitative assessment, therefore no analytical capacity calculations have been completed to support the assessment.

If you have any questions or additional discussion, please feel free to contact the undersigned.

Regards,

Original Signed

Michael MacDonald, P. Eng.

Senior Transportation Engineer, Principal

