



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 15.1.1
Halifax Regional Council
February 24, 2026

TO: Mayor Andy Fillmore and Members of Halifax Regional Council

FROM: Brad Anguish, Chief Administrative Officer

DATE: February 18, 2026

SUBJECT: **Case 24469: Comprehensive Neighbourhood Planning – M District Future Growth Node, Dartmouth**

ORIGIN

- Regional Centre Secondary Municipal Planning Strategy Policy F-3:
“The Municipality may establish a master neighbourhood planning program to prepare Site-Specific CDD Development Agreement Requirements for each Future Growth Node, that have not already been completed and are part of this Plan. When considering initiating these master neighbourhood planning exercises, Council may consider the following;
 - a) *opportunities to coordinate master neighbourhood planning with transportation network investments;*
 - b) *the need to enable additional development opportunities in the local area containing the specific Future Growth Node, and in the Regional Centre generally; and*
 - c) *the readiness of private land owners to proceed with development.”*
- October 26, 2021, Regional Council motion (Item No. 12.2)

MOVED by Councillor Mason, seconded by Councillor Austin

THAT Halifax Regional Council: ... 8. Direct the CAO to prepare amendments to the Regional Centre Land Use By-law for consideration by Community Council following the effective date of the Regional Centre Secondary Municipality Planning Strategy and Land Use By-law to increase the maximum tower dimensions established for the Mic Mac Mall Lands (ML) Special Area.

MOTION PUT AND PASSED UNANIMOUSLY.

- Request by WM Fares Architects on behalf of 4239474 CANADA INC.
- December 13, 2022, Halifax Regional Council motion (Item No. 15.1.7)

MOVED by Deputy Mayor Austin, seconded by Councillor Mason

RECOMMENDATION ON PAGE 3

THAT Halifax Regional Council direct the Chief Administrative Officer to:

1. Initiate a process to consider amendments to the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law to enable comprehensive development of the M District Future Growth Node located between Micmac Boulevard and Horizon Court;
2. Consider, as part of the M District Future Growth Node planning process, the October 26, 2021 direction of Regional Council to prepare amendments to the Regional Centre Land Use By-law to increase the maximum tower dimensions established for the Mic Mac Mall Lands (ML) Special Area; and
3. Follow the public participation program as set out in Attachment A of the staff report dated December 5, 2022.

MOTION PUT AND PASSED UNANIMOUSLY.

- Request by ZZap Architecture and Planning on behalf of Dartmouth Properties Ltd.

EXECUTIVE SUMMARY

The M District Future Growth Node (FGN) is a strategically situated site within the Regional Centre, located between Micmac Boulevard, Horizon Court, and Highway 111 in Dartmouth, containing an existing shopping mall, office building, and transit terminal. Under the Regional Centre Secondary Municipal Planning Strategy (SMPS), FGNs are intended to support significant population growth by enabling the development of new mixed-use communities through a comprehensive neighbourhood planning process. Council initiated the comprehensive planning process for the M District FGN in December 2022, and this report outlines the public feedback and technical reviews along with recommended amendments to planning documents and one associated development agreement needed to enable the development of a portion of the new mixed-use community.

The recommended amendments to the Regional Centre SMPS and Land Use By-law (LUB) cover the entire FGN and include its two landowners. The proposed amendments, backed by technical studies, will eventually support a maximum of 4,600 dwelling units on the FGN lands. However, currently, only the properties of 4239474 CANADA INC are being considered for redevelopment through the associated development agreement process. 4239474 CANADA INC owns the existing shopping mall located at 21 Micmac Boulevard, as well as another commercial building located at 39-41 Micmac Boulevard, and intends to develop up to 2,800 dwelling units, update and expand the existing shopping mall, and incorporate other new commercial and institutional uses. The proposed amendments and associated development agreement support the phased and coordinated development of their lands, including a new collector road, expanded transit terminal, new public park, a network of private open spaces and pathways, and several new buildings ranging from 7 to 40 storeys in height. With up to 2,800 new dwelling units supported on the lands of 4239474 CANADA INC, the proposal will meaningfully contribute to addressing regional housing supply challenges.

Dartmouth Properties Ltd. owns the existing office building located at 35 Micmac Boulevard and intends to develop up to 1,000 dwelling units around the existing building. Negotiations with this landowner are still on-going, and as a result, the development agreement approval process for their proposal will proceed for decision through a future report to Harbour East – Marine Drive Community Council. This will not cause undue risk for the landowner, as it is not expected that any potential revision to their proposal will require further amendments to the Regional Centre SMPS and LUB.

While the landowners will primarily be responsible for the needed infrastructure upgrades, some items require a municipal cost contribution, given the broader community benefits, and will need to be considered

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through future capital budget processes. These items include cost sharing for a new multi-use pathway (MUP) along Micmac Boulevard and upgrades to the Micmac Boulevard/Glen Manor Drive/Brookdale Crescent intersection, as well as land acquisition and construction costs associated with expanding the existing transit terminal. In addition, the proposal is compatible with the potential future development of a pedestrian bridge between the FGN and Shubie Park, over Highway 111. However, the future construction of this proposed bridge would require a partnership between the Municipality and the Province, given the need to cross Highway 111 and connect to provincially owned land and any municipal financial contribution may be considered through future budget and business planning processes.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of this report, to enable comprehensive development of the M District Future Growth Node located between Micmac Boulevard, Horizon Court, and Highway 111, Dartmouth, and schedule a public hearing;
2. Adopt the proposed amendments to the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of this report; and
3. Direct the Chief Administrative Officer (CAO) to incorporate the capital expenditures needed to support the proposed development, as outlined in the Financial Implications section of this report, into future capital budget processes.
4. Direct the CAO to begin negotiations for the purchase and sale of lands within the M District Future Growth Node for a new off-street transit terminal.

It is recommended that Harbour East – Marine Drive Community Council:

5. Give Notice of Motion to consider the proposed development agreement, as set out in Attachment C of this report, to permit a comprehensive mixed-use residential, commercial, and institutional development with up to 2,800 dwelling units, a large shared housing with special care use, an office building, and an expansion to the existing mall on the lands of 4239474 CANADA INC. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.

Contingent upon the amendment to the Centre Plan Secondary Municipal Planning Strategy and the Centre Plan Land Use Bylaw being approved by Regional Council and becoming effective pursuant to the requirements of the *Halifax Regional Municipality Charter*, it is further recommended that Harbour East- Marine Drive Community Council:

6. Provisionally approve the proposed development agreement for a comprehensive mixed-use residential, commercial, and institutional development with up to 2,800 dwelling units, a large shared housing with special care use, an office building, and an expansion to the existing mall on the lands of 4239474 CANADA INC, which shall be substantially of the same form as set out in Attachment C of this report; and
7. Require that the development agreement contained in Attachment C of this report be signed by the property owner(s) within 180 days, or any extension thereof granted by Council on request of the property owner(s), from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later, otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

The Municipality is in receipt of two proposals under the comprehensive neighbourhood planning process for the M District Future Growth Node (FGN) located between Micmac Boulevard, Horizon Court, and Highway 111, Dartmouth. WM Fares Architects has submitted a proposal on behalf of 4239474 CANADA INC and ZZap Architecture and Planning has submitted a proposal on behalf of Dartmouth Properties Ltd. The FGN designation directs that a comprehensive planning process be undertaken to effectively guide the development of each FGN site as a mixed-use community with supporting public infrastructure. The process, which was initiated by Regional Council on December 13, 2022, includes consideration of amendments to the Regional Centre Secondary Municipal Planning Strategy (SMPS) and the Regional Centre Land Use By-law (LUB), and associated development agreements.

While the Regional Centre SMPS identifies the subject lands as the Mic Mac Mall Lands FGN, this planning process has referred to the site as the M District FGN to support 4239474 CANADA INC’s request for the project name to reflect the branding and marketing of the new development. Furthermore, this project name is consistent with the findings of the Task Force on the Commemoration of Edward Cornwallis and the Recognition and Commemoration of Indigenous History, and the Municipality’s efforts to consider the potential renaming of Micmac Boulevard and other similarly named municipal assets.

Site Context

The subject FGN is comprised of six separate properties, as identified on Map 1, which are currently developed with a large indoor regional shopping centre (Mic Mac Mall; 21 Micmac Boulevard), an office complex (Bluenose Building; 35 Micmac Boulevard), a veterinary hospital (Maritime Veterinary Emergency and Specialty Centre; 39 Micmac Boulevard), and a bookstore (Indigo; 41 Micmac Boulevard). The subject lands are described in greater detail below:

Subject Site	PIDs 40173692, 40173684, 00100446, 40173676, 00616946, and 40174294
Location (Map 1)	Properties bordered by Micmac Boulevard, Horizon Court, and Highway 111, Dartmouth
Regional Plan Designation	Urban Settlement
Community Plan Designation (Map 2)	Future Growth Node (FGN)
Zoning (Map 3)	Comprehensive Development District 2 (CDD-2)
Size of Site	Approximately 24.14 hectares (59.64 acres)
Street Frontage	Total: approximately 1,485 metres Micmac Boulevard: approximately 940 metres Highway 111: approximately 545 metres
Current Land Uses(s)	An indoor regional shopping centre, an office building, a veterinary hospital, a bookstore, and surface parking.
Surrounding Use(s)	Low, medium, and high-density residential development, public parks (Maybank Park, Brookdale Crescent Park, Birch Cove Park, and Shubie Park), and Crichton Park School.

Site Access

Access to the subject FGN is currently largely designed for vehicles, with some pedestrian connections available to and through the site. Traffic accesses the site parking lots using a series of private driveways off Micmac Boulevard. There is no direct access to the site from Highway 111. A transit terminal is located on the southwestern edge of the site on Micmac Boulevard, which currently serves as a connection for six bus routes.

Proposal Details

Submission by WM Fares Architects on behalf of 4239474 CANADA INC

A development plan and supportive studies have been submitted by WM Fares Architects, on behalf of 4239474 CANADA INC, for five of the six subject properties. The concept is a phased proposal to underground most of the regional shopping centre's (Mic Mac Mall; 21 Micmac Boulevard) existing surface parking, develop the lands currently used for surface parking, and to redevelop one of the existing commercial buildings on the western portion of the site (39-41 Micmac Boulevard) as a mixed-use development. The submission proposes a maximum of 2,800 dwelling units with commercial and institutional uses. Proposal details include:

Phase 1

- A new off-street transit terminal (Phase 1A);
- A seven to thirteen storey addition to the west face of the existing mall building that includes parking, office space, and entertainment space (Phase 1B), with an option to convert the office portion of the addition to a 30-storey residential tower if market conditions do not favour an office component;
- A large shared housing with special care use (17 storeys; up to 400 bedrooms; Phase 1C);

Phase 2

- Four residential towers over a shared podium (maximum heights of up to 40 storeys);
- A new public street;

Phase 3

- Three residential towers over a shared podium (maximum heights up to 40 storeys);
- A new public park;

Phase 4

- Four mid-rise or tall mid-rise building forms over a shared underground parking structure with retail at grade (maximum heights up to 9 storeys; Phases 4A, 4B, 4C, and 4D);

In any phase

- Allowances for the expansion of the indoor regional shopping centre; and
- Enhanced pedestrian and cycling infrastructure.

4239474 CANADA INC's complete proposal is captured in the proposed development agreement included as Attachment C.

Submission by ZZap Architecture and Planning on behalf of Dartmouth Properties Ltd.

A development plan and supportive studies were submitted by ZZap Architecture and Planning, on behalf of Dartmouth Properties Ltd., for the sixth property making up the M District FGN. The submission proposed a phased, mixed-use development containing a maximum of 1,000 dwelling units with commercial and institutional uses at 35 Micmac Boulevard (Bluenose Building). Negotiations and the review process for this proposal are ongoing. 4239474 CANADA INC is ready to advance to a decision on their proposal. Staff are therefore recommending a staggered approval process for Dartmouth Properties Ltd. This report puts forward proposed amendments to the RCSMPS and the RCLUB for the entire FGN, including the lands of Dartmouth Properties Ltd., but a proposed development agreement for Dartmouth Properties Ltd. will come back to Community Council at a later date under a separate report. There are no risks associated with a staggered approval and the applicant is aware that the matter will return to Harbour East – Marine Drive Community Council at a later date for a public hearing and decision on their development agreement only.

Regional Plan Context

The area is designated Urban Settlement under the Regional Municipal Planning Strategy (RMPS). This designation is applied to lands where serviced development exists or is proposed. Section 3.1 of the RMPS outlines the following objectives for communities within the Urban Settlement designation:

- “2. Target at least 75% of new housing units to be located in the Regional Centre and

urban communities with at least 25% of new housing units within the Regional Centre over the life of this Plan;

3. *Focus new growth in centres where supporting services and infrastructure are already available;*
4. *Design communities that:*
 - a) *are attractive, healthy places to live and have access to the goods, services and facilities needed by residents and support complete neighbourhoods as described in 6.2.2A (v) of this Plan;*
 - b) *are accessible to all mobility needs and are well connected with other communities;*
 - c) *promote energy efficiency and sustainable design;*
 - d) *protect neighbourhood stability and support neighbourhood revitalization;*
 - e) *preserve significant environmental and cultural features;*
 - f) *promote community food security;*
 - g) *provide housing opportunities for a range of social and economic needs and promote aging in place;”*

These objectives have been carried forward in the Regional Centre SMPS and the policy direction that it provides for FGNS.

Secondary Plan and Land Use By-law Context

The subject lands are designated Future Growth Node (FGN) under the Regional Centre SMPS. This designation is applied to large sites in the Regional Centre that are located near transit priority corridors and terminals and can accommodate significant population growth and employment opportunities. FGN sites are typically vacant or under-utilized lands that will benefit from a comprehensive approach to new development. Comprehensive neighbourhood planning enables the Municipality to coordinate land uses, mobility links, public parkland, infrastructure, and urban design.

The lands are zoned Comprehensive Development District (CDD-2) under the Regional Centre LUB. Prior to completion of the comprehensive neighbourhood planning process, this zone typically limits development to one new main building (maximum floor area of 1,000 square metres) for existing vacant lots without a development agreement to avoid impacting the future comprehensive development of the site. For lots that already have an existing building, the CDD-2 Zone allows a maximum expansion of 1,000 square metres in floor area.

The Regional Centre SMPS contains site-specific policies for the M District FGN that allows a larger building addition than typically allowed within the CDD-2 Zone prior to comprehensive neighbourhood planning. This policy establishes the Mic Mac Mall Lands Special Area in the Regional Centre LUB that allows building additions of up to 25,000 square metres and a maximum height of 45 metres to be constructed on the site without a development agreement. This policy was adopted by Council at the request of 4239474 CANADA INC to enable the construction of an office building on the site prior to the comprehensive neighbourhood planning process. The property owner has since decided to revise this proposal beyond the scope of the current Regional Centre SMPS policies and have included the office building in their proposal as part of this planning process.

The Regional Centre SMPS envisions each FGN developing in a coordinated manner based on a comprehensive neighbourhood plan that considers its environmental, social, cultural, and economic context. This process results in the development of Comprehensive Development District (CDD) development agreement policy criteria that are adopted into the Regional Centre SMPS through a plan amendment. Once Council has adopted the CDD criteria for an FGN, development is intended to proceed by development agreement, which are evaluated for their consistency with the established CDD criteria.

The objectives of the FGN Designation are listed in Section 2.9 of the Regional Centre SMPS and include:

1. *Provide for diverse and inclusive opportunities for public engagement during the master neighbourhood planning process;*
2. *Identify and preserve significant environmental and cultural features;*
3. *Support the development of mixed-use neighbourhoods with a range of housing opportunities, places of employment, and services where daily needs of residents can be met;*
4. *Support a transportation network that prioritizes transit, pedestrians and cyclists, and is connected to surrounding communities;*
5. *Provide public parks, open spaces, and community facilities that meet the recreational needs of residents;*
6. *Integrate new developments with surrounding uses and neighbourhoods;*
7. *Support the creation of healthy and pedestrian-oriented places that consider human-scale design, food security, urban agriculture, and the conservation of energy;*
8. *Mitigate overland and coastal flooding, and manage stormwater on-site; and*
9. *Consider risks, impacts and opportunities associated with nearby railways, highways, and high-traffic arterial roadways.*

Regional Centre SMPS Policy F-3 guides the initiation of FGN comprehensive neighbourhood planning processes. This policy was reviewed when Council initiated the M District FGN planning process and considers opportunities to coordinate with transportation network investments, the need for development within the surrounding area and the Regional Centre, and the readiness of landowners to proceed with development.

Policy F-4 sets out specific considerations for Council when adopting development agreement criteria for FGNs, including relevant sections of the Regional Centre Urban Design Manual. This policy guides assessments of the site, including its suitability for development, infrastructure requirements, permitted land uses, urban design, parks and open spaces, and the transportation network.

Approval Process

The approval process for this planning project has two components. First is the consideration of the proposed amendments to the Regional Centre SMPS (Attachment A) and the Regional Centre LUB (Attachment B) by Regional Council, and second, the consideration of the proposed development agreement (Attachment C) by Harbour East – Marine Drive Community Council. Given the recent *HRM Charter* changes enacted through Bill 137, Harbour East – Marine Drive Community Council now has the authority to provisionally approve a development agreement after Regional Council makes a decision on the SMPS amendments. A decision on the proposed SMPS amendments is not appealable to the Nova Scotia Regulatory and Appeals Board. However, the decision on the proposed development agreement is appealable to the Nova Scotia Regulatory and Appeals Board.

DISCUSSION

The Regional Centre SMPS is a strategic policy document that sets out the goals, objectives, and direction for long term growth and development in the Regional Centre. Amendments to the Regional Centre SMPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that moving forward with site-specific CDD policy criteria for the entire M District FGN responds to the intent of the FGN Designation to support population growth in the Regional Centre by enabling the development of a new mixed-use community on lands well served by transit, active transportation, commercial services and existing public amenities. With up to 4,600 new dwelling units supported within the M District FGN, the site-specific CDD policy criteria will meaningfully contribute to addressing regional housing supply challenges and are reasonably consistent with all applicable planning policies.

The following sections review the rationale and content of the proposed SMPS and LUB amendments, and

the associated development agreement.

Proposed SMPS and LUB Amendments

Staff considered the existing SMPS policy context, technical studies, and several policy approaches when drafting the proposed amendments that establish site-specific CDD policy criteria and land use provisions for the M District FGN. Attachment A contains the proposed SMPS amendments and Attachment B contains the proposed LUB amendments. These amendments enable a new high-density, mixed-use, transit-oriented, complete community with significant at-grade commercial space located along a new public street and along pedestrian walkways. The future community will be connected by a network of generous pedestrian walkways and open spaces that promote recreational, social, and commercial activity. An expanded transit terminal and a new municipal park will serve the needs of the future residents. The proposed SMPS and LUB amendments are responsive to existing policy direction in the Regional Centre SMPS for FGNs, and when fully implemented they will lead to transformative changes for the M District FGN.

Site-Specific CDD Policy Criteria

A summary of the proposed amendments is as follows:

- Renaming the “Mic Mac Mall Lands Future Growth Node” to the “M District Future Growth Node”, to support the landowner’s rebranding intentions and the Municipality’s review of similar named assets; and
- Adding site-specific Comprehensive Development District (CDD) development agreement criteria to guide the comprehensive development of the M District FGN through the development agreement process. The M District CDD policies support the development of:
 - a new mixed-use community containing up to 4,600 dwelling units,
 - a new public street, expanded transit terminal, and a network of private walkways that prioritize pedestrian movements and access to public transit,
 - a new public park and private open spaces, and
 - a number of high-rise, tall mid-rise, and mid-rise buildings, with customized built-form and landscaping requirements that reflect unique site characteristics.

Mic Mac Mall Lands (ML) Special Area

Two previous motions from Regional Council directed the CAO to prepare amendments to the Regional Centre LUB to increase the maximum tower dimensions allowed, as-of-right, in the Mic Mac Mall Lands (ML) Special Area. The property owner has since included this request for consideration as part of the FGN planning process. Based on the property owner’s current proposal, the ML Special Area is no longer needed, and there is merit in recommending that it be removed from both the Regional Centre SMPS and the Regional LUB. Likewise, Map 4 of the Regional Centre SMPS and Schedule 15 of the Regional Centre LUB are recommended to be amended to reduce the as-of-right height for the area, without a development agreement, identified as ML Special Area from 45 metres to 20 metres. This change would bring the as-of-right height for the entire M District FGN in-line with all other FGNs.

Proposed Development Agreement – 4239474 CANADA INC.

Attachment C contains the proposed development agreement for the lands of 4239474 CANADA INC., which applies to the existing shopping mall, and the conditions under which the development may occur. The drafting of the proposed development agreement was governed by the site-specific CDD development agreement criteria contained in Attachment A. The proposed development agreement balances the needs of the existing mall, the needs of the future residents, as well as overall improvements to the transportation network. With up to 2,800 new dwelling units supported on the lands of 4239474 CANADA INC., the proposal will also meaningfully contribute to addressing regional housing supply challenges. The proposed development agreement addresses the following main items:

- requirements prior to approval for different phases of development;
- permitted land uses, including a maximum of 2,800 dwelling units, various commercial and institutional uses permitted in the CEN-2 Zone, the expansion of the existing mall, and an indoor motor vehicle dealership use;

- four phases of development, starting with the proposed office building, tied to the phasing of parkland dedication and transportation network improvements;
- custom built form and building siting requirements that reflect unique site characteristics, with maximum building heights ranging from 7 to 40 storeys;
- custom landscaping requirements that support a network of private open spaces;
- access, circulation, and parking, including a maximum number of surface parking spaces;
- parkland dedication mainly in the form of land, in coordination with a network of private open spaces and walkways;
- incentive or bonus zoning requiring 60% of the public benefit value to be provided as money-in-lieu for affordable housing and 40% of the public benefit value to be provided as money-in-lieu for the acquisition or improvement of municipal parks;
- reserving land for the future acquisition of a portion of the site by the Municipality for an expanded transit terminal;
- the construction of a new collector road through the site along with off-site transportation network improvements; and
- environmental protection measures related to stormwater management and archeological protection.

The proposed development agreement also identifies amendments that would be considered non-substantive and may be amended by the decision of the Development Officer. In this case, non-substantive amendments include:

- the granting of an extension to the date of commencement of development;
- the granting of an extension to the length of time for the completion of the development;
- changes to the Preliminary Landscaping Design Guidelines;
- changes to the Phasing Plan;
- changes to the Subdivision of Lands to allow for additional lots to be created;
- changes to the configuration of any proposed parkland;
- changes to the configuration and the size of the area to be acquired for a transit terminal;
- changes to the number and location of public art or landscaping landmark sites;
- changes to the number and location of allowable surface motor vehicle parking spaces;
- changes to the location of driveways;
- changes to the built form and siting requirements to reflect future changes to the Regional Centre LUB;
- a conversion of a portion of the public benefit required to be dedicated to parkland site development to public art on the development site;
- a change in use for Phase 1C, from a large shared housing with special care use to a multi-unit dwelling use;
- the future consideration of an on-site affordable housing component as part of the incentive or bonus zoning contribution;
- changes to any of the schedules of the agreement to reflect a partial discharge of the agreement;
- changes to the maximum streetwall height, minimum streetwall setback, and streetwall articulation; and
- changes to the incentive or bonus zoning valuation methodology to reflect future changes to the Regional Centre LUB.

Attachment D contains a review of the proposed 4239474 CANADA INC development agreement against the Regional Centre SMPS policies (with proposed amendments). The review concludes that the proposed development agreement is in keeping with the intent of the Regional Centre SMPS (with proposed amendments).

Off-Site Transportation Infrastructure Upgrades

Proceeding with a new mixed-use community inherently requires off-site infrastructure upgrades to service its future residents. In addition, certain infrastructure upgrades will require municipal cost contributions while others will not. In support of the comprehensive neighbourhood planning process for the M District FGN, the two landowners collaborated on a Growth Area Mobility Analysis (GAMA) to propose improvements to the transportation network, both on-site and off-site, to improve connectivity and shift the area from a car-focused design to a more sustainable, active, and transit-oriented network. The GAMA, which was reviewed and agreed to by the Municipality, identified five off-site transportation infrastructure upgrades to serve the new community. 4239474 CANADA INC will be solely responsible for the full cost of one required off-site transportation infrastructure upgrade (no municipal cost contributions):

- A new sidewalk from Glen Manor Drive towards Highway 111 fronting M District Future Growth Node lands. It will be constructed per the requirements set in the development agreement for 4239474 CANADA INC. This sidewalk will facilitate an interim connection to Shubie Park and Dartmouth Crossing until a pedestrian bridge is constructed.

The following list identifies the required off-site transportation infrastructure upgrades to serve the new and existing community that will include municipal cost contributions:

- Horizon Court to Highway 111 Multi-Use Pathway (MUP): A new MUP along Micmac Boulevard beginning at Horizon Court and connecting to the existing Highway 111 MUP. This infrastructure upgrade has the potential of connecting M District Future Growth Node with Port Wallace and Dartmouth Crossing Special Planning Areas.
- Micmac Boulevard/Glen Manor Drive/Brookdale Crescent Intersection: Upgrading the intersection to better accommodate the MUP mentioned above.
- Micmac Transit Terminal: Redesigning and expanding Micmac Transit Terminal to increase capacity and improve customer safety and comfort to better serve the residential growth in the area.
- Transit Priority Lanes: New transit priority lanes along Micmac Boulevard.

Priorities Plans

In accordance with Policy G-14A of the RMPS, this comprehensive neighbourhood planning exercise was assessed against the objectives, policies, and actions of the priorities plans, inclusive of the *Integrated Mobility Plan*, the *Halifax Green Network Plan*, *HalifACT*, and *Halifax's Inclusive Economic Strategy 2022-2027*. While these priority plans often contain policies that were originally intended to apply at a regional level and inform the development of Secondary Municipal Planning Strategy policies, there are still components of each plan that are considered on a site-by-site basis. Where conflict between SMPS policy and priority plan policy exists, staff must weigh the specificity, age, and intent of each policy, and consider how they would be applied to a specific geographic context. In the case of the M District FGN, no conflict was found between the RMPS and local SMPS policies, and the priorities plans. The Regional Centre SMPS was written and adopted after the *Integrated Mobility Plan*, the *Halifax Green Network Plan*, and *HalifACT* were approved. As such, the objectives and policies of the SMPS align with the objectives, policies, and actions of these priorities plans.

Conclusion

Staff have reviewed the proposal for the lands of 4239474 CANADA INC (Mic Mac Mall; 21 and 39-41 Micmac Boulevard) and the existing policy context and recommend that the SMPS be amended to adopt site-specific development agreement policies for the M District that support the comprehensive development of the lands into a new mixed-use community. Should Regional Council approve the SMPS amendments and associated LUB amendments, staff recommend that Harbour East – Marine Drive Community Council approve the proposed development agreement to enable the coordinated and phased development of a portion of the M District FGN lands.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing the SMPS amendments and the development agreement application can be accommodated within the approved 2025-2026 operating budget for Planning and Development. The landowner will be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred in order to satisfy the terms of the proposed development agreement. The administration of the proposed development agreement can be carried out within the approved 2025-2026 budget and with existing resources.

Most off-site upgrades to area infrastructure, including streets, traffic signals, pedestrian and active transportation facilities, as well as water, sanitary and stormwater infrastructure, that are needed to accommodate the developments will be borne by the landowners. However, the Municipality will be cost sharing on three off-site improvements and will be fully responsible for a fourth off-site improvement. In order to have the off-site improvements ready, in conjunction with the expanded transit terminal, the Municipality will be responsible for constructing the improvements and will be collecting the share allocations from the two landowners.

The off-site improvements, for which municipal contributions will be required, are detailed below:

- For the MUP required on Micmac Boulevard:
 - from the intersection with Glen Manor Drive to the Highway 111 overpass, which is planned for the opposite side of the street from the M District FGN, the Municipality will be responsible for 60% of the costs, and
 - from the intersection with Horizon Court to the Glen Manor Drive intersection, the Municipality will be responsible for 10% of the costs.
- For the upgrades to the Micmac Boulevard/Glen Manor Drive/Brookdale Crescent intersection, the Municipality will be responsible for 60% of the costs.
- The Municipality will be responsible for the full cost of asphalt painting and signage related to the introduction of transit priority lanes on Micmac Boulevard.

The following table provides the associated cost estimates and share allocations between the two landowners and the Municipality:

Infrastructure Upgrade	Completed by	Cost Estimate (2025 Dollars)	4239474 Canada INC	Dartmouth Properties Limited	Halifax Regional Municipality
Horizon to Glen Manor (MUP)	Prior to Phase 2	\$1,280,000.00	65%	25%	10%
Glen Manor to HWY111 (MUP)	Prior to Phase 2	\$797,000.00	30%	10%	60%
Micmac Blvd, Glen Manor Dr, and Brookdale Cres (Intersection)	Prior to Phase 2	\$150,000.00	30%	10%	60%
Transit Priority Lanes	Prior to Phase 2	\$25,000.00	0%	0%	100%

The municipal costs above reflect the broader community benefits the MUPs, intersection upgrades, and transit priority lanes will provide to surrounding residents and are consistent with municipal capital cost contribution policies. The municipal portion of the costs for the Micmac Boulevard MUP, the costs for the upgrades to the Micmac Boulevard/Glen Manor Drive/Brookdale Crescent intersection, and the costs for introducing the transit priority lanes will be incorporated into future capital budget processes, beyond 2026/27. The associated shares were determined through an analysis of the existing population within the 400- and 800-metre commuter sheds surrounding Micmac Boulevard. By comparing the current population within these sheds to the projected population generated by the M District Future Growth Node, equitable shares were established for who will benefit from and access to the proposed off-site improvements.

The allocation of costs described above is consistent with the methodology prescribed by HRM's Capital

Cost Contribution policy applied in other developments.

It is noted that the MUP cost-sharing allocations between Horizon Court and Glen Manor Drive differ from those between Glen Manor Drive and Highway 111. This results from the existing lack of a sidewalk between Horizon Court and Glen Manor Drive. The provision of a sidewalk in this section is considered a base cost, which the Municipality is only contributing to the additional cost required to upgrade the infrastructure from a standard sidewalk to a MUP.

The current transit terminal is inadequate to meet future growth of the M District FGN lands and future area growth in the region. To service this regional growth, the Municipality will lead the construction of a new off-street transit terminal at M District. In preparation for this need, an area of land has been set aside by 4239474 CANADA INC to be acquired by the Municipality to construct a new off-street transit terminal. The 2025/2026 Capital Budget set aside \$400,000.00 for design work for a new transit terminal. The 2026/2027 draft Capital Budget includes \$2,100,000.00 for land acquisition. Future construction of the terminal is estimated at \$3,300,000.00 and will impact the capital budget beyond 2026/27. The incremental operating costs associated with new amenities at the facility, including maintenance of an Operator's washroom, will be brought forward as a proposed service enhancement in future budget submission for Council's consideration.

Sport courts, a small play lawn, plaza space, and seating are envisioned within the parkland of the development. The capital costs for the parkland would need to be planned for and included in future capital budgets. Part of the costs may be offset from incentive or bonus zoning funding that could be directed towards the intended parkland improvements. The increased operating costs associated with the parkland, including maintenance and potential staffing requirements, will be presented as a proposed service enhancement in future budget submission for Council's consideration.

A pedestrian bridge connecting M District to Shubie Park above Highway 111 has been identified as a future desired improvement in the area. The site plan for the proposed development agreement would be compatible with the installation of a potential pedestrian bridge, and the municipality could still pursue this project if this Development Agreement is approved. The potential future construction of the pedestrian bridge would require a partnership between the Municipality and the Province, given that it would need to cross Highway 111 and connect to provincially owned land. In 2023, a Class D cost for the construction of this pedestrian bridge was estimated at approximately 3.5 million dollars. A Class D cost estimate for infrastructure design is a high-level, order-of-magnitude cost estimate developed for projects that are in the conceptual stage, and which typically include a high contingency (35-45% range) for site-specific unknowns (geology, utility conflicts, etc.). Any municipal contribution for this potential pedestrian bridge may be considered through future budget and business planning processes.

Long-term, the Municipality will be responsible for the operation and maintenance of a new collector road (Collector A), additional roadway along Micmac Boulevard, additional traffic signals, additional pedestrian and active transportation facilities, new parkland and assets, as well as an expanded transit terminal. The M District development may also require additional municipal services, to be considered as part of the longer-term infrastructure planning for HRM. This longer term planning will be guided by the Strategic Growth and Infrastructure Priorities Plan. The municipal cost increases required in the capital and operating budgets to accommodate the proposed service expansions and enhancements will be partially offset by new property tax revenues generated by the new developments.

The financial implications outlined above are preliminary and based on current assumptions.

RISK CONSIDERATION

There are some risks associated with the recommendations contained within this report. This project involves proposed SMPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the Nova Scotia Regulatory and Appeals Board.

This project also involves one proposed development agreement. The proposed development agreement has to be considered under existing or provisionally approved SMPS policies. Community Council has the discretion to make decisions that are consistent with the SMPS, and such decisions may be appealed to the Nova Scotia Regulatory and Appeals Board. Information concerning risks and other implications of adopting the proposed amendments and approving the proposed development agreement is contained within the Discussion section of this report.

There is a risk of cost escalation regarding the construction of a new transit terminal and off-site improvements. This risk has been addressed by ensuring the financial contributions required as part of the development agreement are set as a percentage of actual costs incurred by the Municipality or of an updated cost estimate.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the *HRM Charter* and the Public Participation Program approved for this project by Regional Council on December 13, 2022. The level of community engagement was consultation, achieved by sharing information and soliciting feedback through the project website, signage posted on the FGN lands, and two distinct phases of engagement. For each phase of engagement, over 1,600 letters were mailed out to property owners and residents within the notification area, as shown on Map 1. An online survey was conducted that received 153 and 76 survey responses in the first and second phases, respectively. The first phase of community engagement also included a public open house meeting held on May 17, 2023, with morning, afternoon, and evening sessions. A total of 212 individuals attended the public open house meeting.

Attachments E and F (What We Heard Reports) summarize the feedback received during both phases of community engagement. Feedback was received on 12 broad topics, including: current state; housing; building heights and built form; mixed-use commercial centre; environmental sustainability; heritage and culture; density; traffic and transportation, infrastructure and services; parks, recreation, and landscaping; disruption and nuisance; and policies and submissions.

A public hearing must be held by Regional Council before it can consider approval of the proposed SMPS and LUB amendments and before Harbour East – Marine Drive Community Council can consider approval of the proposed development agreement. Should Council decide to proceed with a public hearing on this project, in addition to a notice of the public hearing being published on the Municipality's website at least seven days in advance, property owners and residents within the notification area shown on Map 1 will be notified of the hearing by regular mail.

ENVIRONMENTAL IMPLICATIONS

The complete communities envisioned by the Regional Centre SMPS for Future Growth Nodes encourage transit supportive services, pedestrian oriented streets, recreation opportunities, and mixed-use development. This type of development generally encourages the use of active transportation and shared mobility instead of cars and reduces greenhouse gas emissions.

In addition, the subject Future Growth Node is largely already developed with buildings and surface parking. Therefore, the proposed development of the site would not result in a significant increase in impermeable surfaces in the area.

ALTERNATIVES

Regional Council may choose to:

1. Modify the proposed amendments to the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law, as set out in Attachments A and B of this report. If this alternative is chosen, specific directions regarding the requested modifications are required. Substantive amendments may require another public hearing to be held and a supplementary report before approval is granted. A decision of Regional Council to approve the proposed amendments is not appealable to the Nova Scotia Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.
2. Refuse the proposed amendments to the Regional Centre Secondary Municipal Planning Strategy and the Regional Centre Land Use By-law. A decision of Regional Council to refuse the proposed amendments is not appealable to the Nova Scotia Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.

The Harbour East – Marine Drive Community Council may choose to:

3. Approve the proposed development agreement, as set out in Attachment C of this report, subject to modifications. Such modifications may require further negotiations with the applicant and may require a supplementary report or another public hearing. A decision of Community Council to approve the development agreement is appealable to the Nova Scotia Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.
4. Refuse the proposed development agreement, as set out in Attachment C of this report. If Community Council were to refuse the proposed development agreement, it must provide reasons why the proposed agreement does not reasonably carry out the intent of the Secondary Municipal Planning Strategy. A decision of Community Council to refuse the proposed development agreement is appealable to the Nova Scotia Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.

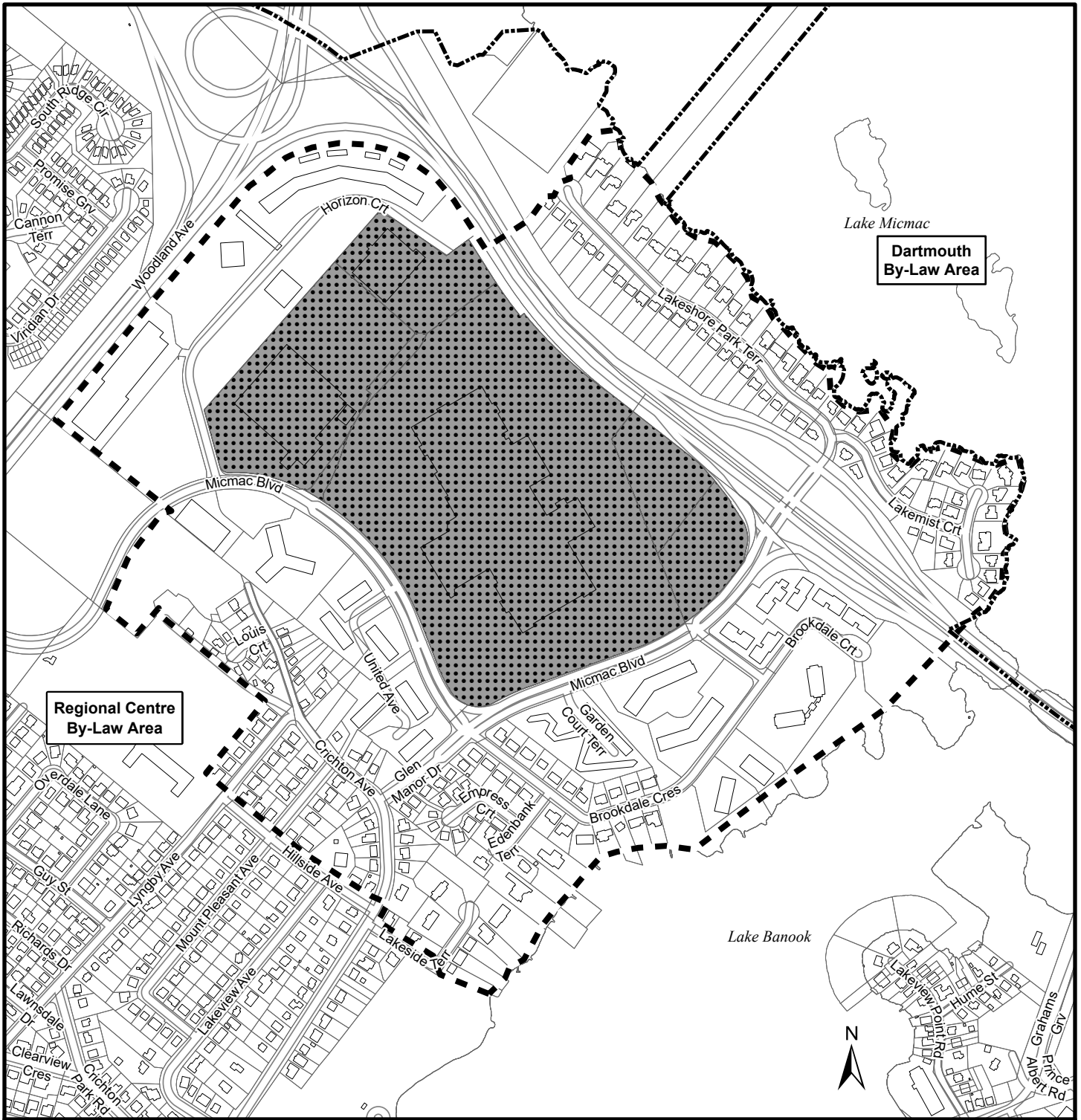
LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development

ATTACHMENTS




Map 1:	Location and Notification
Map 2:	Generalized Future Land Use
Map 3:	Zoning
Attachment A:	Proposed Amendments to the Regional Centre Secondary Municipal Planning Strategy
Attachment B:	Proposed Amendments to the Regional Centre Land Use By-law
Attachment C:	Proposed Development Agreement – 4239474 CANADA INC
Attachment D:	Review of 4239474 CANADA INC Development Agreement Against Regional Centre Secondary Municipal Planning Strategy Policies (with proposed amendments)
Attachment E:	What We Heard Report – Phase 1 Public Engagement
Attachment F:	What We Heard Report – Phase 2 Public Engagement

Report Prepared by: Luc Ouellet, Principal Planner, Planning and Development, 902.717.4357



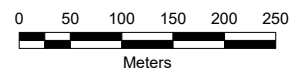
Map 1 - Location and Notification

M District Lands,
Dartmouth

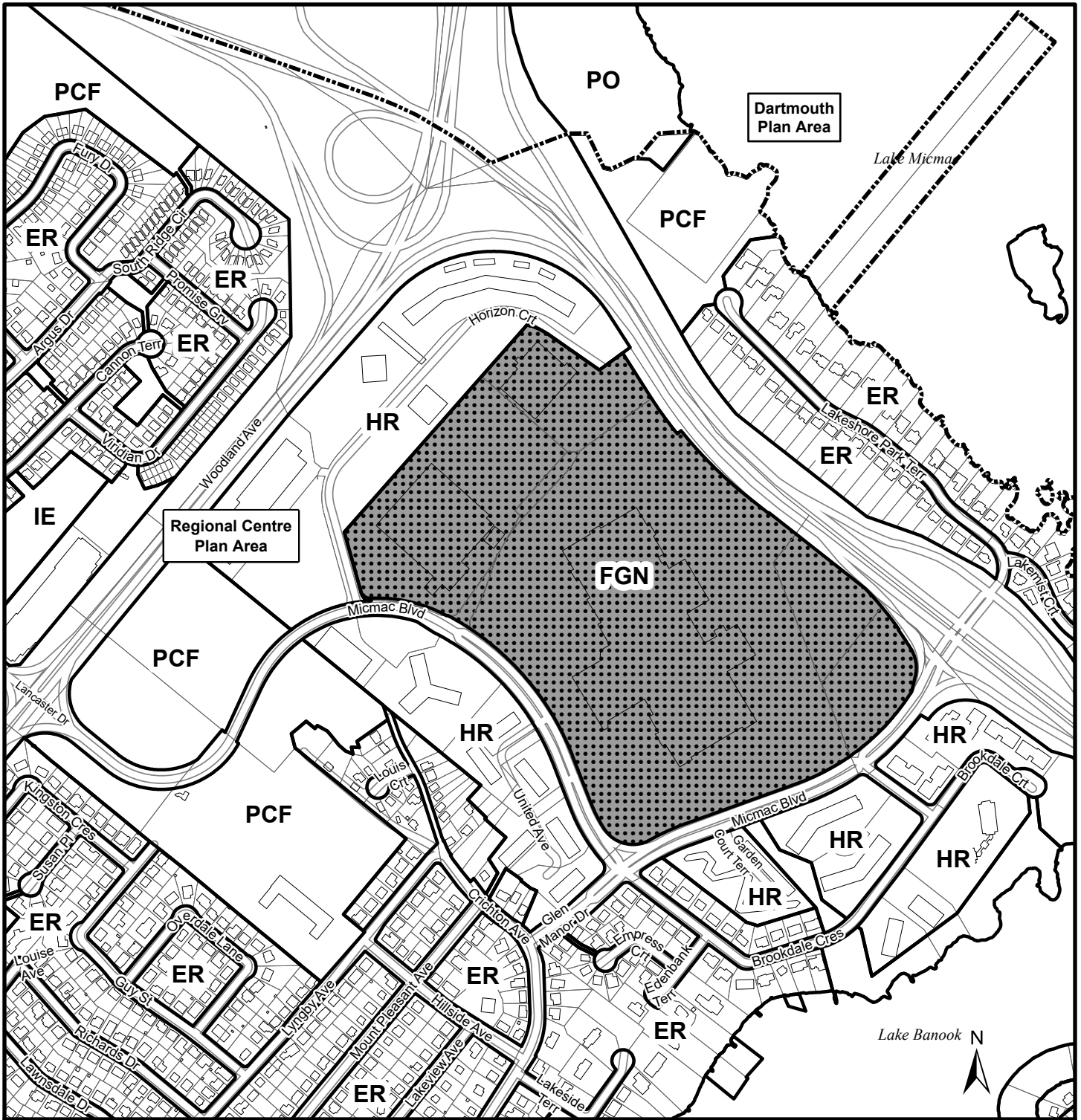
-  Subject Properties
-  Area of Notification
-  By-Law Area Boundary

Regional Centre By-Law Area

HALIFAX





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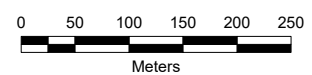
Map 2 - Generalized Future Land Use

M District Lands,
Dartmouth

-  Subject Properties
-  Plan Area Boundary

Designation

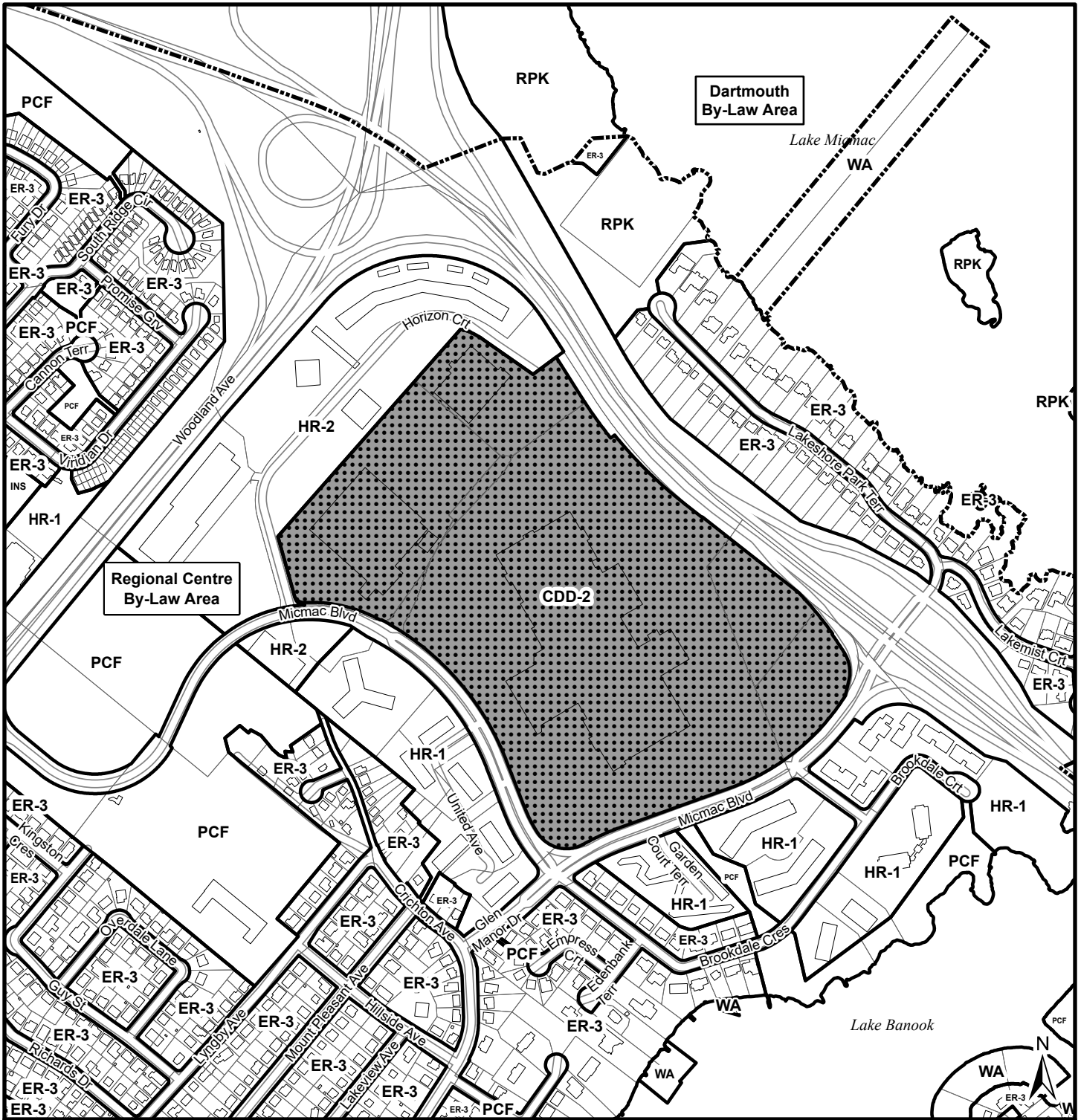
- | | | |
|------|-----|-----------------------------|
| DART | PO | Park & Open Space |
| RC | ER | Established Residential |
| | FGN | Future Growth Node |
| | HR | Higher-Order Residential |
| | IE | Institutional Employment |
| | PCF | Park and Community Facility |



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.



The accuracy of any representation on this plan is not guaranteed.

Regional Centre Plan Area



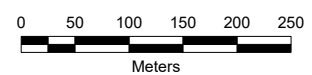
Map 3 - Zoning

M District Lands,
Dartmouth

-  Subject Properties
-  By-Law Area Boundary

Zone	
DART	RPK Regional Park
RC	CDD-2 Comprehensive Development District 2
	ER-3 Established Residential 3
	HR-1 Higher-Order Residential 1
	HR-2 Higher-Order Residential 2
	INS Institutional
	PCF Parks and Community Facilities
	WA Water Access

HALIFAX



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Regional Centre By-Law Area

ATTACHMENT A

PROPOSED AMENDMENTS TO THE REGIONAL CENTRE SECONDARY MUNICIPAL PLANNING STRATEGY

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Regional Centre Secondary Municipal Planning Strategy is hereby further amended as follows:

1. Amend the "TABLE OF CONTENTS", by adding the section number and words "2.9.1.6 M District Lands" immediately below the section number and words "2.9.1.5 Southdale lands" and immediately above the section number and words "2.10 Institutional Employment Designation".
2. Amend the "LIST OF MAPS", by adding the following words, number, and colon "Map 26: Future Growth Node Land Use Concept – M District Lands" immediately below the words, number, and colon "Map 25: Future Growth Node Land Use Concepts – Southdale Lands".
3. Amend the preamble in Section 2.9, as shown below in **bold** and ~~strikeout~~, by replacing the words "Mic Mac Mall" with the letter and word "M District":

The Future Growth Node (Node) Designation, shown on Map 1, is intended to identify large sites that can accommodate significant growth and that require the development of master neighbourhood plans to determine their future land use and densities. The Designation is applied to largely vacant and underutilized lands, including existing and former shopping centers. The Future Growth Node Designation is applied to the following 12 sites:

- Dartmouth Cove Lands, Dartmouth;
- Halifax Shopping Centre Lands, Halifax;
- Joseph Howe Rail Lands, Halifax;
- Kempt Road Lands, Halifax;
- ~~Mic Mac Mall~~ **M District** Lands, Dartmouth;
- Penhorn Lands, Dartmouth;
- Shannon Park Lands, Dartmouth;
- Southdale Lands, Dartmouth;
- Strawberry Hill Lands, Halifax;
- West End Mall Lands, Halifax;
- Woodside Lands, Dartmouth and
- Young Street Lands, Halifax.

4. Amend Section 2.9, as shown below in ~~strikeout~~, by repealing Policy F-2:

Policy F-2

~~The Land Use By-law shall establish the Mic Mac Mall Lands (ML) Special Area within the Mic Mac Mall Lands Future Growth Node to allow for building additions to exceed 1,000 square metres in floor area, subject to the to design controls as detailed in the Land Use By-law.~~

5. Amend section 2.9.1, as shown below in **bold** and ~~strikeout~~ by:
 - (a) deleting the word "and" after the words, comma, and semi-colon "Young Street Lands, Halifax;";
 - (b) deleting the period after the words and comma "Dartmouth Cove Lands, Dartmouth" and replacing it with a semi-colon;
 - (c) adding the words, comma, and semi-colon "Southdale Lands, Dartmouth; and" immediately below the words, comma, and semi-colon "Dartmouth Cove Lands, Dartmouth;"; and

- (d) adding the words, comma, and period “M District Lands, Dartmouth.” immediately below the words, comma, and semi-colon “Southdale Lands, Dartmouth; and”.

Based on previous master neighbourhood planning exercises, Site-Specific CDD Development Agreement Requirements are completed for the following Future Growth Nodes:

- Shannon Park Lands, Dartmouth;
- Penhorn Mall Lands, Dartmouth;
- Young Street Lands, Halifax; and
- Dartmouth Cove Lands, Dartmouth-;
- **Southdale Lands, Dartmouth; and**
- **M District Lands, Dartmouth.**

6. Amend Section 2.9.1, as shown below in **bold**, by adding a new section with preamble and policy immediately after Section 2.9.1.5:

2.9.1.6 M District Lands

The M District Lands Future Growth Node is a large commercial site that includes a commercial mall, big box store retail, and commercial office space. These existing land uses are surrounded by expansive surface parking. The Future Growth Node is well connected to transportation infrastructure with an on-site transit terminal, connections to the Dartmouth active transportation network, and direct access to Highway 111. The approximately 24-hectare site is intended to be developed into a high-density, mixed-use, transit-oriented community with significant at-grade commercial space located along a new public street and along pedestrian walkways. The future community will be connected by a network of generous pedestrian walkways and open spaces that promote recreational, social, and commercial activity.

In 2024, a Wastewater Capacity Analysis and a Growth Area Mobility Analysis (GAMA) studied the impact of 4,612 dwelling units, a large shared housing with special care facility, and additional commercial space on the existing transportation and wastewater infrastructure. Infrastructure upgrades to support a major redevelopment of the lands were identified through those studies. Development is envisioned to take place around the existing mall located at 21 Micmac Boulevard and the existing commercial office space located at 35 Micmac Boulevard. Additional development within the Future Growth Node, which would see the existing mall or office building replaced, may be considered in the future, subject to further studies and updates to Map 26 and potential updates to Policy F-13.

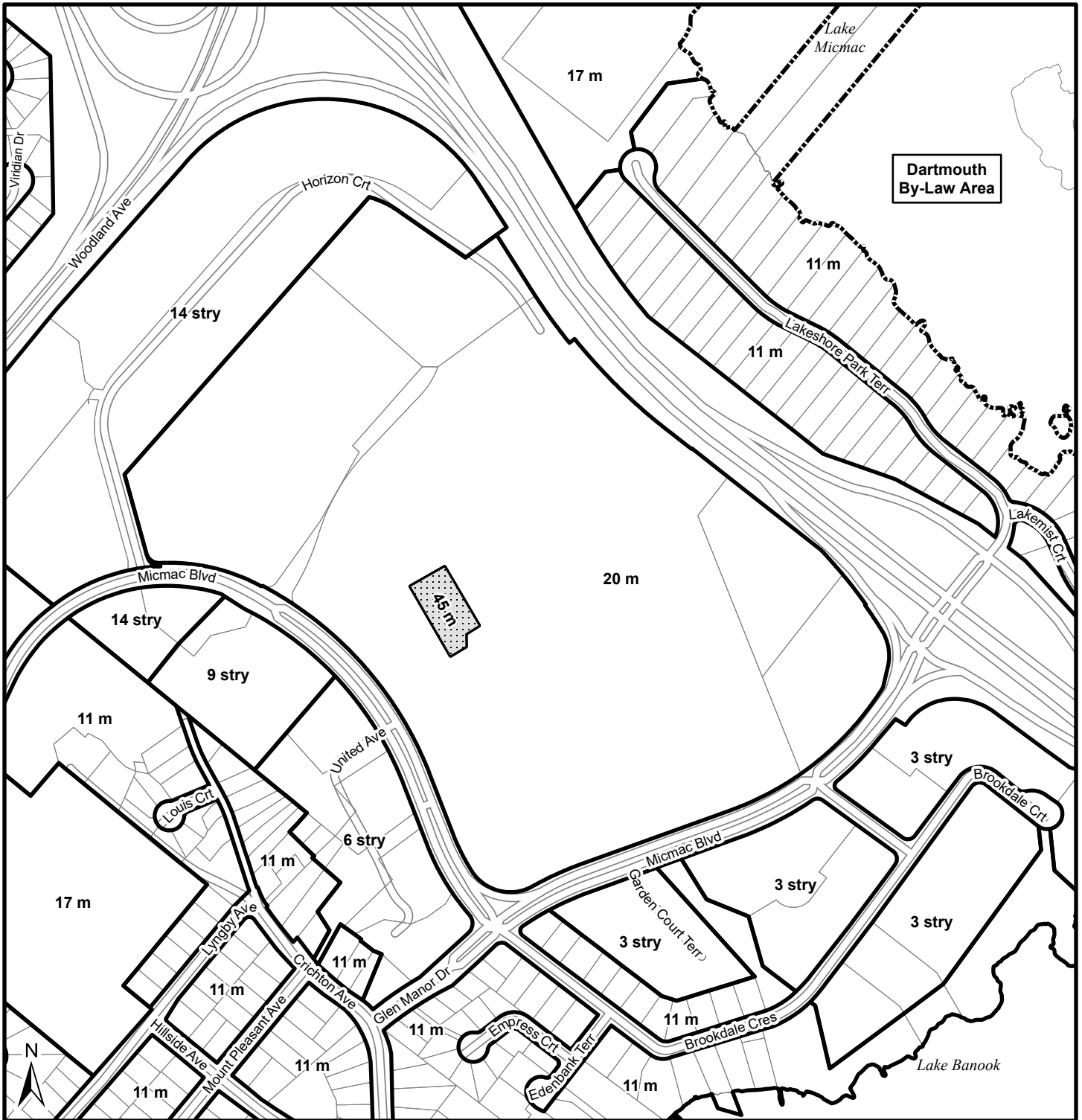
Policy F-13

When considering one or more development agreements for the M District Lands Future Growth Node, Council shall consider the following:

- a) **That the transportation network within the Future Growth Node prioritizes pedestrian safety and comfort, walking, the easy use of mobility devices, cycling, and transit use by:**
- i) **providing generous pedestrian walkways, in the locations generally shown on Map 26, to make mid-block connections and create an active pedestrian realm throughout the Future Growth Node,**
 - ii) **providing a public street in the location generally shown on Map 26,**
 - iii) **maintaining adequate space for a new off-street transit terminal at the location generally shown on Map 26, which has direct and accessible pedestrian connections to the existing mall and pedestrian walkways. The**

- actual size, frontage, and configuration of the space to be reserved for a new off-street terminal shall be determined through the development agreement process,
- iv) maintaining and enhancing existing pedestrian pathways that provide connections to lands outside of the Future Growth Node, and
 - v) minimizing surface parking and interruptions to pedestrian mobility;
- b) A site and building design that responds to the unique context of the site and that contributes to the creation of a mixed-use, pedestrian-friendly, high-density, and human-scale neighbourhood with a variety of built forms and land uses by:
- i) generally meeting the requirements of the Regional Centre Land Use By-Law, including the built form, siting, and land use regulations applicable to the CEN-2 Zone, except where varied under Sub-clauses ii) to xi) to support the unique site layout and uses associated with this Future Growth Node,
 - ii) supporting the unique functionality of a large shared housing with special care facility, including exempting the development from meeting ground floor and grade-oriented premises requirements, reducing the minimum separation distances between high-rise typologies to 21.0 metres, and allowing flexibility on maximum building dimensions, including average floor area requirements for tower portions,
 - iii) allowing maximum building dimensions and average floor area requirements for tower portions to be increased for new buildings attached to the existing commercial mall, provided visual and shadow impacts are mitigated by maximum building heights, setbacks, and building spacing,
 - iv) allowing for wider podium dimensions where a building abuts Highway 111, or provides a significant at grade open space between above grade portions of the building which enhances walkability,
 - v) subject to Subclauses vi) and vii), limiting maximum streetwall heights to 4 storeys to support an enhanced pedestrian experience by limiting building massing at the sidewalk level and to mitigate shadow and wind impacts,
 - vi) exempting the existing commercial office building and the existing commercial mall, and any expansions thereof, including an attached office building and parking structure with the existing commercial mall, from having to provide any streetwall,
 - vii) allowing additional streetwall height up to a maximum 7 storeys,
 - viii) exempting the existing commercial office building and the existing commercial mall and any expansions, including an attached office building and parking structure with the existing commercial mall, from meeting ground floor and grade-oriented premises requirements,
 - ix) allowing flexibility on the landscaping requirements of the Regional Centre Land Use By-law in favour of a more customized approach to landscaping for the M District Lands Future Growth Node,
 - x) being flexible on the location and configuration of surface parking to meet the continuing needs of the existing commercial mall and the existing commercial office building,
 - xi) allowing balconies to encroach into streetwall setbacks by up to 2.5 metres for buildings located adjacent to Highway 111, to account for unique site conditions,
 - xii) establishing side and rear yard setbacks, above the height of the streetwall, of at least 2 metres for buildings facing private walkways and amenity areas, to enhance pedestrian experience along these spaces by limiting building massing and to mitigate shadow and wind impacts,
 - xiii) employing built form and siting requirements that complement parks and open spaces, and contribute to an active and vibrant public realm along public streets and pedestrian walkways, as generally shown on Map 26,


- xiv) identifying strategic view terminus sites to enhance prominent sites,
 - xv) permitting a wide range of commercial, residential, and institutional uses,
 - xvi) planning for a mix of mid to high-rise buildings, and
 - xvii) allowing building heights up to 40 storeys and floor area ratios up to 7, in a way that minimizes the impact of shadow and wind on parks and open spaces;
- c) **New parks and/or open spaces that enhance the public realm and provide adequate access to recreational opportunities for a high-density neighbourhood by:**
- i) designing and locating pedestrian walkways, as generally shown on Map 26, to support opportunities for recreation, shopping, and mobility,
 - ii) strategically locating parks and/or open spaces to connect, extend, and enhance existing pedestrian networks,
 - iii) providing private open space, throughout the development, with a mix of passive and programmed recreational activities,
 - iv) requiring that a minimum of 10% park dedication be required for any subdivision within the M District Lands Future Growth Node,
 - v) requiring that park dedication be calculated based on the total area of all lots shown to be approved on a final plan of subdivision, with subdivision in this case defined to also include boundary alterations and lot consolidation, and
 - vi) providing a public park in the space generally shown on Map 26, with the actual size, frontage, and configuration to be determined through the development agreement process;
- d) **That environmental protection and climate resiliency objectives are supported by:**
- i) mitigating the effects of the urban heat island effect through landscaping and use of high-albedo materials,
 - ii) contributing to the tree canopy targets of the Urban Forest Master Plan, and
 - iii) developing a stormwater master plan that includes water quality objectives with the goal of reducing nutrient loading and sediment run-off into nearby watercourses with consideration given to the recommendations outlined in the Pollution Source Control Study for Lake Banook & Lake Micmac Final Report (2019); and
- e) **Supporting housing needs in the municipality by requiring that a minimum of 60% of the required Public Benefit Value go toward money-in-lieu for affordable housing, or for an equivalent value to be provided in the form of on-site affordable housing or land contribution.**
7. Amend Map 4, as shown on Attachment A-1, by replacing the 45-metre height precinct on a portion of PID 00100446 (Mic Mac Mall) with a 20-metre height precinct.
8. Amend the Regional Centre Secondary Municipal Planning Strategy by adding a new Map 26, as shown on Attachment A-2.



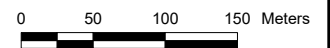
**Dartmouth
By-Law Area**

Attachment A-1: Maximum Building Height Precincts

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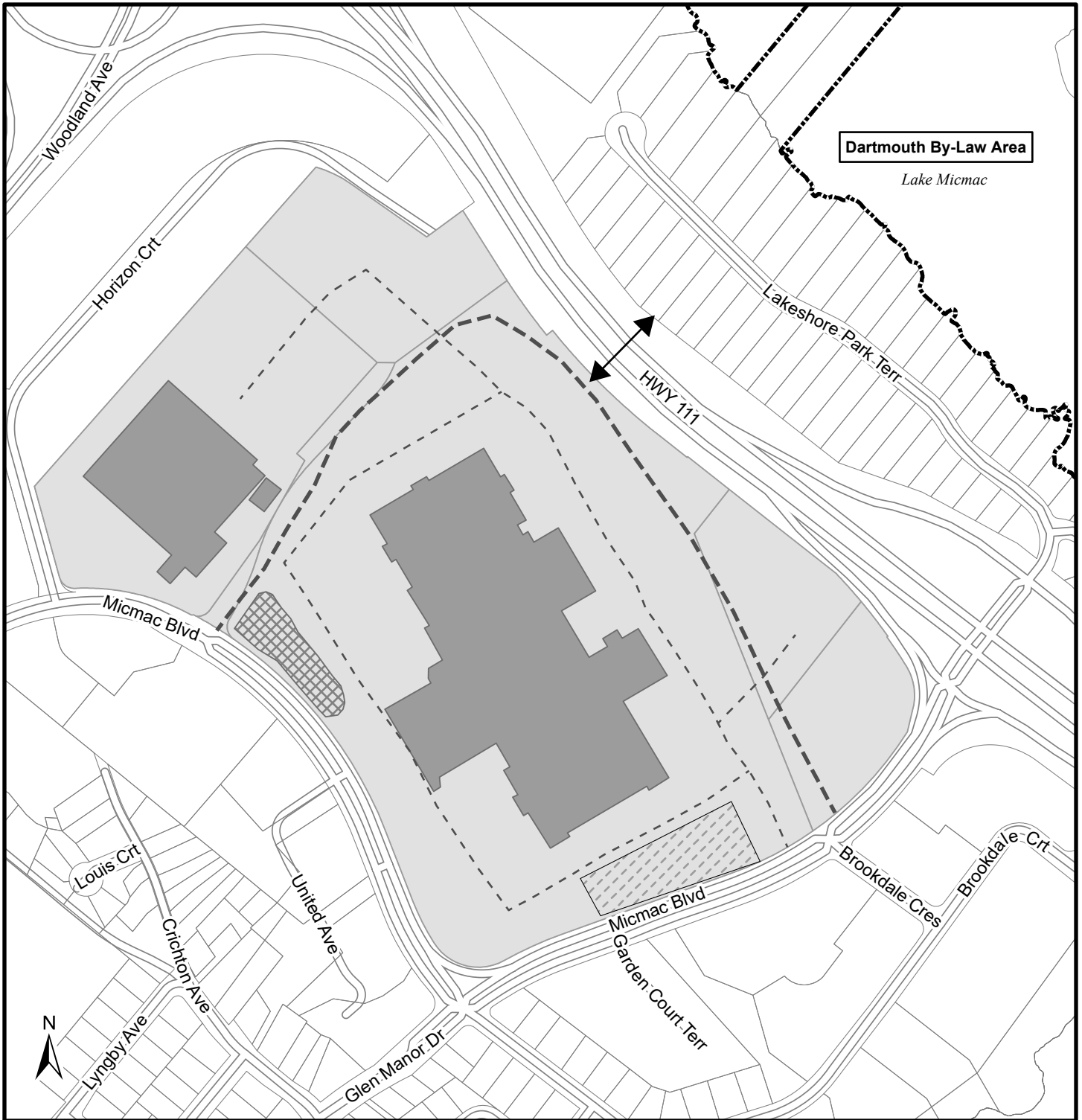
 Area to be amended to 20 m
Maximum Height Precinct

 By-Law Boundary



Regional Centre
Land Use By-Law Area

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this plan is not guaranteed.



Dartmouth By-Law Area

Lake Micmac

HWY 111

Lakeshore Park Terr

Micmac Blvd

Louis Crt

Crichton Ave

United Ave

Micmac Blvd

Garden Court Terr

Brookdale Cres

Brookdale Crt





Glen Manor Dr

Lyngby Ave

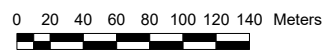


**Map 26: Future Growth Node
Land Use Concept - M District**

HALIFAX

-  Existing Buildings
-  Mid-Rise to High-Rise
-  Parks and Open Space
-  Proposed Transit Terminal

-  Potential Pedestrian Bridge
-  Public Street
-  Pedestrian Walkways
-  By-Law Boundary



Regional Centre
Land Use By-Law Area

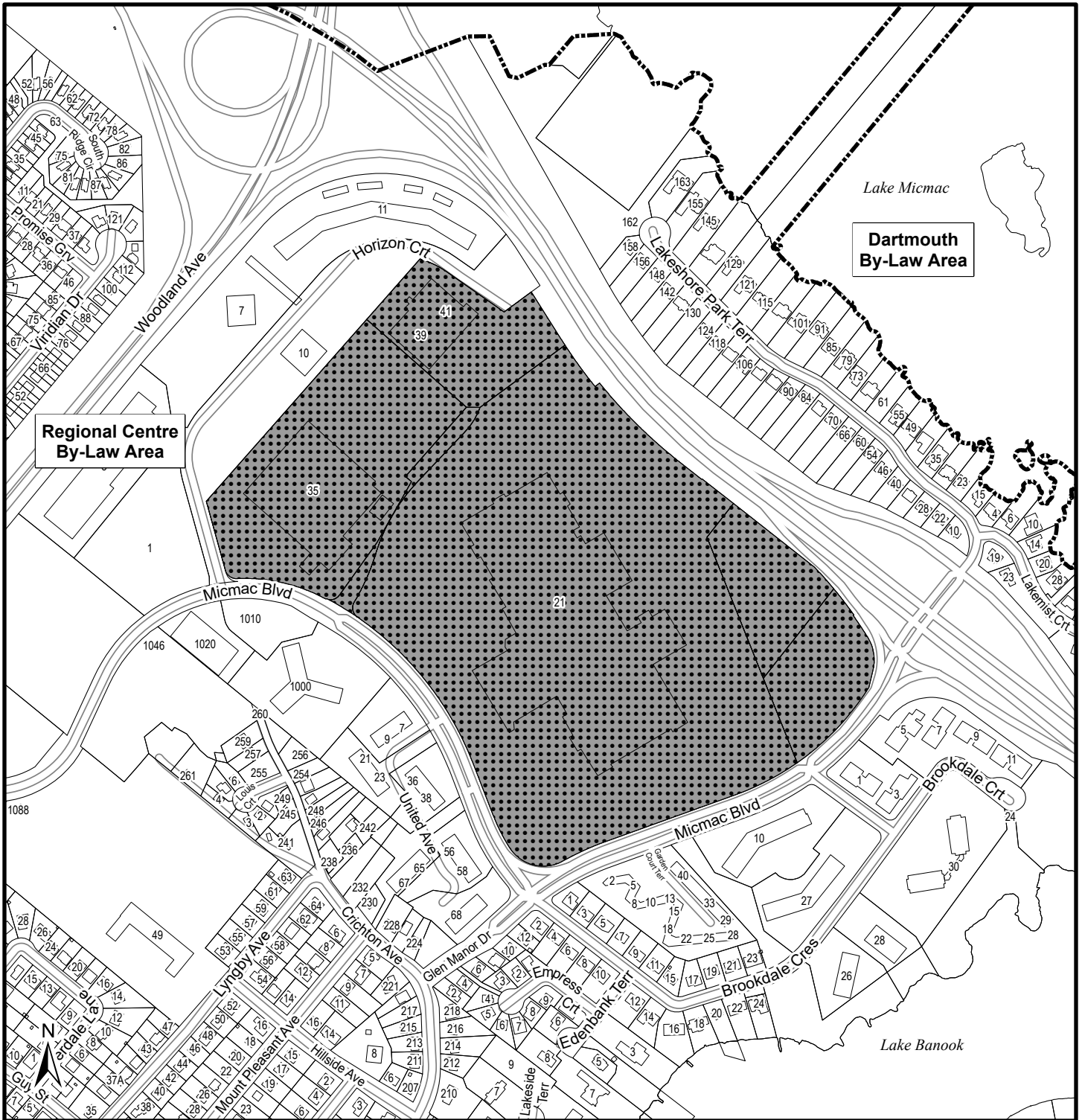
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this plan is not guaranteed.

ATTACHMENT B

PROPOSED AMENDMENTS TO THE REGIONAL CENTRE LAND USE BY-LAW

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Regional Centre Land Use By-law is hereby further amended as follows:

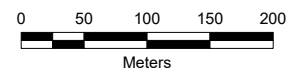
1. Amend Subsection 30(2), as shown below in ~~strikeout~~, by repealing Clause (au).
 - (au) ~~Mic Mac Mall Lands (ML).~~
2. Amend Section 34, as shown below in ~~strikeout~~, by repealing Subsection (3):
 - (3) ~~Within the Mic Mac Mall Lands (ML) Special Area, as shown on Schedule 3F, only one addition to a main building is permitted, without a development agreement, and shall:~~
 - (a) ~~not exceed 25,000 square metres of floor area;~~
 - (b) ~~meet the built form and siting requirements for the CEN-2 zone, contained in Part V, Chapter 5, excluding the following:~~
 - (i) ~~maximum front or flanking setbacks under Section 160,~~
 - (ii) ~~maximum front or flanking setback exemptions under Section 161,~~
 - (iii) ~~maximum streetwall heights under Section 164,~~
 - (iv) ~~minimum streetwall heights under Section 165,~~
 - (v) ~~streetwall setbacks under Section 166,~~
 - (vi) ~~recessed portions and cantilevers within streetwalls under Section 167, and~~
 - (vii) ~~maximum building dimensions under Subsection 174(1); and~~
 - (c) ~~not exceed the following maximum building dimension requirements for the portion of the building that is above a height of 14.0 metres, if the addition results in a building that exceeds a height of 30.0 meters from the average finished grade:~~
 - (i) ~~a building depth of 35.0 metres;~~
 - (ii) ~~a building width of 40.0 metres; and~~
 - (iii) ~~an average floor area of 900 square metres per storey as calculated for the tower portion of the building.~~
3. Amend Schedule 3F: Other Special Areas, as shown on Attachment B-1, by deleting the ML tag wherever it appears on the map and deleting the tag ML Mic Mac Mall Lands from the legend.
4. Amend Schedule 15: Maximum Building Height Precincts, as shown on Attachment B-2, by replacing the 45-metre height precinct on a portion of PID 00100446 (Mic Mac Mall) with a 20-metre height precinct.




Attachment B-1

M District Lands,
Dartmouth

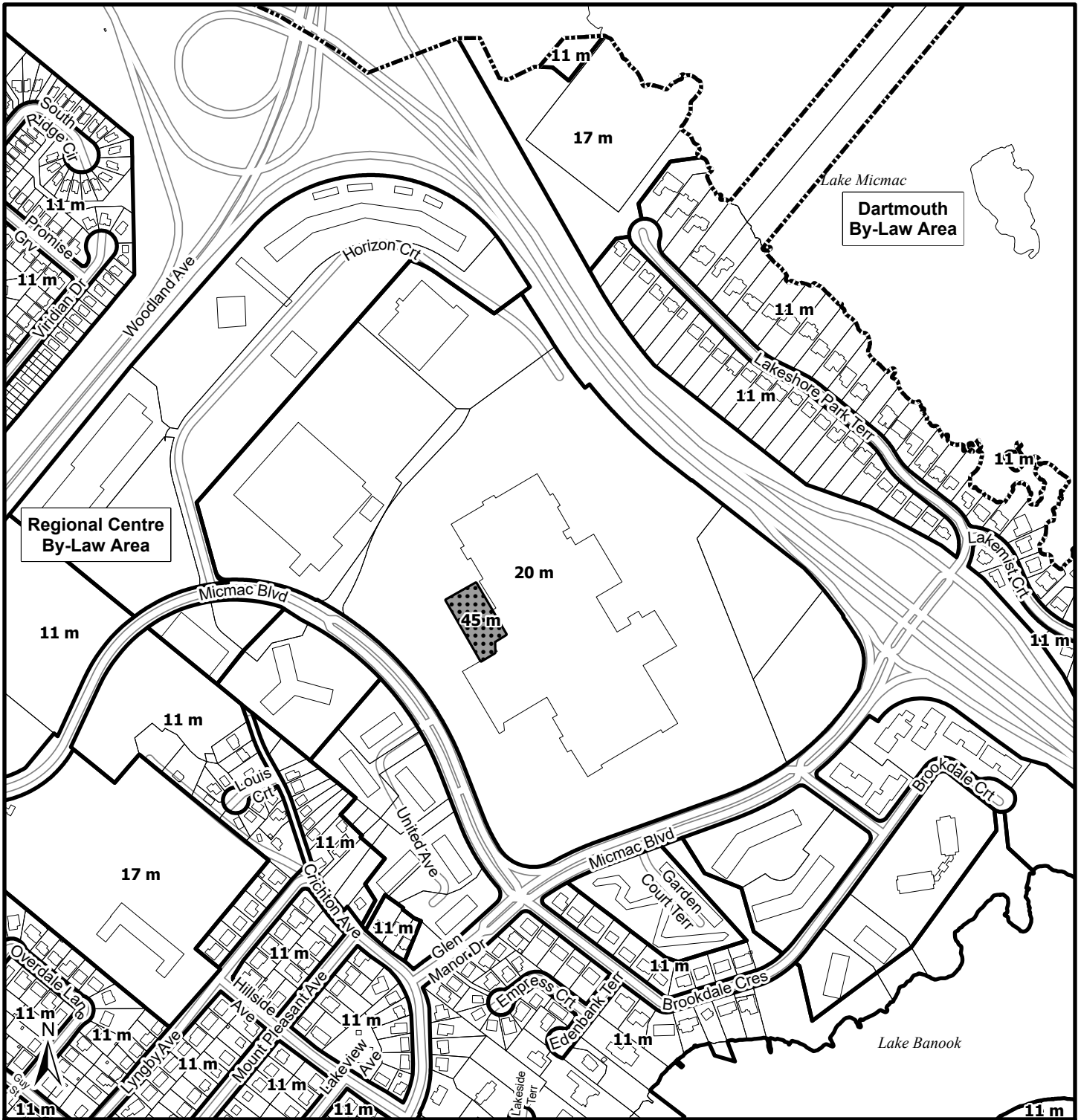
HALIFAX



 Area proposed to be removed from Schedule 3F
Other Special Areas

Regional Centre
Land Use By-Law Area

The accuracy of any representation on
this plan is not guaranteed.



Attachment B-2

M District Lands,
Dartmouth

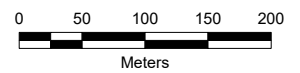
HALIFAX



Area proposed to be amended from 45-metre to 20-metre height precinct



Maximum Height Precinct (metres)



Regional Centre
Land Use By-Law Area

The accuracy of any representation on
this plan is not guaranteed.

**ATTACHMENT C: PROPOSED DEVELOPMENT AGREEMENT –
4239474 CANADA INC**

THIS AGREEMENT made this day of **[Insert Month]**, 20__ ,

BETWEEN:

PROPERTY OWNER

a body corporate, in Canada
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY

a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 21 Micmac Boulevard (PID 00100446), 39 and 41 Micmac Boulevard (PID 40173676), and PIDs 40173684, 40173692, and 00616946, Dartmouth, and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested to enter into a development agreement to allow for a comprehensive, mixed-use development on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policies F-1, F-5, F-6, F-13, and IM-7 of the Regional Centre Secondary Municipal Planning Strategy and Section 490 of the Regional Centre Land Use By-law (hereinafter called the "Agreement");

AND WHEREAS the Harbour East - Marine Drive Community Council of the Municipality approved this request to enter into a development agreement at a meeting held on (**insert date**), referenced as Municipal Case 24469;

AND WHEREAS by approving this Development Agreement Council has not represented, warranted, or committed the Municipality to provide, or guaranteed the provision of, Halifax Water Services to the Lands;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

- 1.1.1 The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

- 1.2.1 Except as varied by Section 3.7, the subdivision of the Lands shall comply with the requirements of the Regional Subdivision By-law, as may be amended from time to time.
- 1.2.2 Except as varied by Schedule L or elsewhere in this Agreement, all requirements of the Regional Centre Land Use By-Law, and the associated zoning designated under Schedule E, shall apply.
- 1.2.3 Variation applications enabled under Section 15 of the Regional Centre Land Use By-Law shall be permitted for requirements not already varied by this Agreement.

1.3 Applicability of Other By-laws, Statutes, and Regulations

- 1.3.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner, or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law and the Regional Subdivision By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial Government or Federal Government, and the Developer or lot owner agree(s) to observe and comply with all such laws, by-laws, and regulations, as may be amended from time to time, in connection with the development and use of the Lands.
- 1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. The Developer acknowledges and agrees that the Municipality makes no guarantees, representations, warranties, or commitments regarding the Halifax Water Services, the availability of or the suitability of the Halifax Water Services for the Lands, or the cost of providing the Halifax Water Services to the Lands. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.4 Conflict

- 1.4.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law and the Regional Subdivision By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.
- 1.4.2 Where the written text of this Agreement conflicts with information provided in the schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.5 Costs, Expenses, Liabilities, and Obligations

- 1.5.1 The Developer shall be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial, and Municipal laws, by-laws, regulations, and codes applicable to the Lands.

1.6 Provisions Severable

- 1.6.1 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

1.7 Lands

- 1.7.1 The Developer hereby represents and warrants to the Municipality that the Developer is the owner of the Lands and that all owners of the Lands have entered into this Agreement.

PART 2: INTERPRETATION

2.1 Words Not Defined under this Agreement

- 2.1.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and the Regional Subdivision By-law, if not defined in these documents their customary meaning shall apply.

2.2 Definitions Specific to this Agreement

- 2.2.1 The following words used in this Agreement shall be defined as follows:
- (a) **Claims** means any and all losses, injuries, damages, indirect damages, economic loss, property damage, liabilities, deficiencies, claims, costs, demands, suits, judgments, actions (including death and negligence), interest, awards, penalties, fines, costs, or of whatever kind of expenses (including professional fees and legal fees), whether in contract, tort, equity or otherwise;
 - (b) **Existing Mall** means the building that is currently constructed on the Lands, in the location identified as "Existing Mall" on Schedules B, D-0, and I;
 - (c) **Floor Area Ratio (FAR) Precinct** means the area of land to which a single floor area ratio value applies, as shown on Schedule G;
 - (d) **Halifax Water Services** means wastewater facilities, stormwater systems, and water systems
 - (i) owned or operated by the Halifax Regional Water Commission, or any successor, for those properties located within the areas identified on the Service Requirement Map of the Regional Subdivision By-law as the Urban Service Area, the Water Service Area, or Serviced (Water Only), and
 - (ii) that are provided in accordance with the current versions of the Halifax Water's Schedule of Rates and Regulations for Water, Wastewater and Stormwater Services (Halifax Water Regulations) and Design Specifications & Supplementary Standard Specifications;
 - (e) **Height Precinct** means the portion of a lot to which a single height limit applies, as shown on Schedule F;
 - (f) **Indemnified Parties** means the Municipality, its service commissions, its Mayor, Councillors, and the officials, officers, employees, agents, and the successors of them;
 - (g) **Indoor Motor Vehicle Dealership Use** means premises used primarily for the indoor display and sale of motor vehicles and may include, as an accessory use, the servicing of the products sold or displayed. No outdoor storage of products or materials may be associated with this use;

- (h) **Key Pedestrian Walkway** means a privately owned and maintained landscaped walkway that generally conforms with the locations and extent shown on Schedule N, and which further conforms with the design guidelines of Schedule C;
- (i) **Parkland** means land dedicated to the Municipality in accordance with Clause 281(3)(h) of the *HRM Charter*;
- (j) **Parkland Site Development** shall be as defined as *site development* in the Regional Subdivision By-law; and
- (k) **Parkland Site Preparation** shall be as defined as *site preparation* in the Regional Subdivision By-law.

2.3 References to Regional Centre Land Use By-law

- 2.3.1 Unless otherwise stated, references to the Regional Centre Land Use By-law shall refer to the version of the Regional Centre Land Use By-law in force at the time this Agreement is approved, and which is contained as Schedule O.

PART 3: USE OF LANDS, SUBDIVISION, AND DEVELOPMENT PROVISIONS

3.1 Schedules

- 3.1.1 The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, generally conforms with the following schedules attached to this Agreement and filed in the Halifax Regional Municipality as Case Number 24469:

- (a) Schedule A: Legal Description of the Lands;
- (b) Schedule B: Site Plan;
- (c) Schedule C: Preliminary Landscaping Design Guidelines;
- (d) Schedule D-0: Phasing Plan – Phase 0;
- (e) Schedule D-1: Phasing Plan – Phases 1A, 1B, and 1C;
- (f) Schedule D-2: Phasing Plan – Phase 2;
- (g) Schedule D-3: Phasing Plan – Phase 3;
- (h) Schedule D-4: Phasing Plan – Phases 4A, 4B, 4C, and 4D;
- (i) Schedule E: Land Use Plan;
- (j) Schedule F: Maximum Building Height Precincts;
- (k) Schedule G: Maximum Floor Area Ratio Precincts;
- (l) Schedule H: Public Art or Landscaping Landmark Sites;
- (m) Schedule I: Areas where Additions to Existing Mall are Permitted;
- (n) Schedule J: Subdivision of Lands;
- (o) Schedule K: Standards for Common Shared Driveway;
- (p) Schedule L: Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D;
- (q) Schedule M: Additional Streetlines Not Requiring the Establishment of Ground Floors and Grade-Oriented Premises;
- (r) Schedule N: Pedestrian Walkways + Open Spaces + Multi-Use Pathway; and
- (s) Schedule O: Regional Centre Land Use By-law in effect as of the [REDACTED] day of [REDACTED], 20[REDACTED].

- 3.1.2 All schedules form part of this Agreement.

3.2 Requirements Prior to Approval

- 3.2.1 No development permit shall be issued for phases 3, 4A, 4B, 4C or 4D, as shown on Schedules D-0, D-1, D-2, D-3, and D-4, until the Collector A, as shown on Schedules B and D-2, has been completed by the Developer and accepted by the Development Engineer.
- 3.2.2 Every application for a Development Permit for a multi-unit dwelling use shall include a unit density tracking sheet, prepared by the Developer, identifying the total number of dwelling units approved and proposed within the Lands, in compliance with Section 3.3.4.
- 3.2.3 No Development Permit shall be issued until a Water Permit is issued by the Halifax Regional Water Commission, confirming that there is adequate capacity within all the existing Halifax Water Services to meet the anticipated demand for the development on the Lands that is the subject of the Development Permit application.
- 3.2.4 A Development Permit issued under this Development Agreement shall expire 24 months from the date it is issued.
- 3.2.5 Prior to the issuance of any Construction Permit, the Developer shall provide the payment for any outstanding appraisal costs accrued by the Municipality in accordance with Section 3.12 of this Agreement and Section 476 of the Regional Centre Land Use By-law to the Development Officer, unless otherwise permitted by the Development Officer.
- 3.2.6 Prior to the issuance of a Certificate of Occupancy for any building within Phases 1B or 1C, as shown on Schedule D-1, the following conditions shall be met:
- (a) The Micmac Boulevard Sidewalk shall be completed and accepted by the Development Engineer, in accordance with Section 4.6.2 of this Agreement;
 - (b) The Developer shall provide a money-in-lieu contribution for:
 - (i) the construction of the Horizon Court to Glen Manor Drive Multi-Use Pathway, in accordance with Section 4.6.3 of this Agreement,
 - (ii) the construction of the Glen Manor Drive to Highway 111 Multi-Use Pathway, in accordance with Section 4.6.4 of this Agreement, and
 - (iii) the construction of the Glen Manor Drive Intersection Upgrades, in accordance with Section 4.6.4 of this Agreement;
 - (c) The walkways included under that particular phase, as shown on Schedule N, shall be completed and deemed acceptable to the Development Officer, in consultation with the Development Engineer;
 - (d) The Developer shall submit to the Development Officer a letter, prepared by a Landscape Architect, certifying that all landscaping, key pedestrian walkways, and private open spaces within the associated phase, as generally shown on Schedule N, and described in Schedule C, have been completed according to the terms of this Agreement and the Landscape Plan;
 - (e) The Developer shall provide an incentive or bonus zoning payment to the Development Officer, in accordance with Section 3.12 of this Agreement; and
 - (f) The area identified on Schedule J as "Area to be Acquired for Transit Terminal" has been transferred to the Municipality.
- 3.2.7 Prior to the issuance of a Certificate of Occupancy for any building within Phase 2, as shown on Schedule D-2, the following conditions shall be met:
- (a) The walkways included under Phase 2, as shown on Schedule N, shall be completed and deemed acceptable to the Development Officer, in consultation with the Development Engineer;

- (b) The Developer shall submit to the Development Officer a letter, prepared by a Landscape Architect, certifying that all landscaping, key pedestrian walkways, and private open spaces associated with Phase 2, as generally shown on Schedule N, and described in Schedule C, have been completed according to the terms of this Agreement and the Landscape Plan; and
 - (c) The Developer shall provide an incentive or bonus zoning payment to the Development Officer, in accordance with Section 3.12 of this Agreement.
- 3.2.8 Prior to the issuance of a Certificate of Occupancy for any building within Phases 3, 4A, 4B, 4C, or 4D, as shown on Schedule D-3 or Schedule D-4, the following conditions shall be met:
- (a) The walkways included under that particular phase, as shown on Schedule N, shall be completed and deemed acceptable to the Development Officer, in consultation with the Development Engineer;
 - (b) The Developer shall submit to the Development Officer a letter, prepared by a Landscape Architect, certifying that all landscaping, key pedestrian walkways, and private open spaces within the associated phase, as generally shown on Schedule N, and described in Schedule C, have been completed according to the terms of this Agreement and the Landscape Plan; and
 - (c) The Developer shall provide an incentive or bonus zoning payment to the Development Officer, in accordance with Section 3.12 of this Agreement.
- 3.2.9 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless a Certificate of Occupancy has been issued by the Municipality. No Certificate of Occupancy shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.3 General Description of Land Use

- 3.3.1 The development and use of the Lands, including the built form, siting, and design permitted by this Agreement, shall conform with the Regional Centre Land Use By-Law and the associated zones designated on Schedule E, except as varied by this Agreement, and the following schedules:
- (a) Schedule B: Site Plan;
 - (b) Schedule C: Preliminary Landscaping Design Guidelines;
 - (c) Schedule F: Maximum Building Height Precincts;
 - (d) Schedule G: Maximum Floor Area Ratio Precincts;
 - (e) Schedule H: Public Art or Landscaping Landmark Sites;
 - (f) Schedule I: Areas where Additions to Existing Mall are Permitted;
 - (g) Schedule L: Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D;
 - (h) Schedule M: Additional Streetlines Not Requiring the Establishment of Ground Floors and Grade-Oriented Premises; and
 - (i) Schedule N: Pedestrian Walkways + Open Spaces + Multi-Use Pathway.
- 3.3.2 Subject to Section 3.6.3, the use(s) of the Lands permitted by this Agreement are any uses permitted in Tables 1A and 1C of the Regional Centre Land Use By-law, as amended from time to time, for the zones identified on Schedule E of this Agreement.
- 3.3.3 In addition to the uses permitted under section 3.3.2, an Indoor Motor Vehicle Dealership Use, having a maximum floor area not exceeding 2,000 square metres, shall be permitted as defined under Clause 2.2.1(g).

3.3.4 A maximum of 2,800 dwelling units shall be permitted on the Lands. This number is not inclusive of a large shared housing with special care use permitted in Phase 1C, as shown on Schedule D-1.

3.4 Phasing

3.4.1 Development of the Lands shall comply with the Phasing Plan, as shown on Schedules D-0, D-1, D-2, D-3, and D-4.

3.4.2 Phase 0 recognizes the Existing Mall. For the purpose of Section 7.4, and notwithstanding Section 3.6.2, Phase 0 shall be deemed a completed phase with the registration of this Agreement at the Land Registration Office at Halifax.

3.4.3 Phases 1A, 1B, or 1C can happen in any order.

3.4.4 Following the completion of Phase 2, Phases 3, 4A, 4B, 4C, or 4D may occur in any order.

3.4.5 For Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D, completion shall mean the issuance of a Certificate of Occupancy for each main building enabled under that phase of the Agreement.

3.4.6 The allowable expansions to the Existing Mall covered under Section 3.6 may happen at any time.

3.5 Built Form and Building Siting for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D

3.5.1 Unless otherwise amended or excepted in Schedule L or elsewhere in this Agreement, and subject to Sections 3.5.2, 3.5.3, and 3.5.4, the various components of the development in Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D shall comply with the built form and siting requirements contained in Chapters 1 and 5, Part V, of the Regional Centre Land Use By-Law for the respective zone(s) specified on Schedule E.

3.5.2 General building location in Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D shall conform with Schedule B. For additional clarity, Schedule B shall not exempt the Developer from meeting minimum setbacks, minimum stepbacks, and minimum separation distances required elsewhere under this Agreement.

3.5.3 Notwithstanding Section 157 of the Regional Centre Land Use By-law, the various components of the development in Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D shall comply with the maximum building height precincts, as shown on Schedule F.

3.5.4 Notwithstanding Subsection 158(1) of the Regional Centre Land Use By-law, the various components of the development in Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D shall comply with the maximum floor area ratio precincts, as shown on Schedule G.

3.6 Existing Mall – Phase 0

3.6.1 The Existing Mall shall be recognized by this Agreement and shall be allowed to remain on the Lands in its current form and location.

3.6.2 The Existing Mall shall be allowed to be expanded both:

- (a) horizontally, by adding to the existing footprint of the building to the extent shown on Schedule I; and

(b) vertically, up to a maximum height of 24 metres, including the existing footprint.

3.6.3 The uses permitted in the Existing Mall, including the expansion areas allowed under Section 3.6.2, shall be limited to:

- (a) commercial uses permitted in the CEN-2 Zone;
- (b) institutional uses permitted in the CEN-2 Zone; and
- (c) an indoor motor vehicle dealership use, as defined under Clause 2.2.1(g), and not exceeding a maximum floor area of 2,000 square metres.

3.7 Subdivision of the Lands

3.7.1 Subject to Section 3.7.2, subdivision applications shall be submitted to the Development Officer and all subdivision applications shall be in accordance with the Regional Subdivision By-Law and generally conform with Schedule J.

3.7.2 The Developer shall provide parkland dedication in accordance with the Regional Subdivision By-law and Section 3.10 of this Agreement. Notwithstanding Clause 86(a) of the Regional Subdivision By-Law, the consolidation of lots and lot boundary alterations shall be considered as lots to be approved on a final plan of subdivision for the purposes of calculating parkland dedication.

3.8 Landscaping

3.8.1 Sections 413, 414, 415, 420, 425, 426, 427, 428, and 429 of the Regional Centre Land Use By-law shall not apply to any development permitted under this Agreement.

3.8.2 Subsections 416(1), 417(1), and 430(1) of the Regional Centre Land Use By-law shall not apply to any development permitted under this Agreement.

3.8.3 Section 418 of the Regional Centre Land Use By-law shall only apply to flat roofs that are located at a height of 8 storeys or less.

3.8.4 Prior to the issuance of any Development Permit for a building with greater than 2,000 square metres in floor area, the Developer agrees to provide a Landscape Plan which shall meet the following conditions:

- (a) encompasses the entirety of the phase within which the permit corresponds to;
- (b) complies with the details of Schedule C. The Landscape Architect shall confirm through an accompanying letter that the Landscape Plan complies with the details of Schedule C;
- (c) is stamped and signed by a Landscape Architect; and
- (d) in the opinion of the Development Officer, meets the requirements of Subsections 430(2) and 430(3) of the Regional Centre Land Use By-law.

3.8.5 The Developer shall install landscaping on the Lands in accordance with the Landscape Plan.

3.8.6 The minimum acceptable sizes for plant material shall be as follows:

- (a) high branching deciduous trees at grade – 60 millimetres caliper;
- (b) high branching deciduous trees on slab – 45 millimetres caliper;
- (c) coniferous trees – 1.5 metres in height; and
- (d) shrubs – 0.6 metre in height or spread.

3.8.7 No HRM street trees are to be removed or damaged during the construction phase, unless approved by the Urban Forester. The Landscape Plan shall identify plywood tree protective hoarding located as close to the dripline of the existing street trees as possible to protect them during the construction phase.

3.8.8 Schedule H identifies public art or landscaping landmark sites that shall generally be addressed as part of the development, by placing public art or landscaping landmarks in at-grade open spaces within the public art or landscaping landmark sites. The Municipality shall allow the Developer to change the public art or landscaping landmarks periodically throughout the year to celebrate or accommodate holidays and special events. Periodic changes in public art or landscaping landmarks shall not require the approval of the Municipality.

3.8.9 Notwithstanding Sections 3.2.6, 3.2.7, and 3.2.8, where the weather and time of year do not allow for the completion of the outstanding landscape works prior to the issuance of the Certificate of Occupancy, the Developer may supply a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The cost estimate shall be prepared by a Landscape Architect. The security shall be in favour of the Municipality and shall be in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of the work in accordance with the Landscape Plan described in Section 3.8.4. Should the Developer not complete the landscaping within twelve months of issuance of the Certificate of Occupancy, the Municipality may use the deposit to complete the landscaping as set out in Section 3.8 of this Agreement. The Developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the Developer upon completion of the work and its certification.

3.9 Access, Circulation, and Parking

3.9.1 The location and extent of driveways and accessory parking lots shall generally conform with what is shown on Schedule B.

3.9.2 Subsections 442(3) and 444(1) of the Regional Centre Land Use By-law shall not apply to any accessory parking lots permitted under this Agreement.

3.10 Parkland

3.10.1 Parkland dedication shall substantially conform with the location illustrated on Schedules B, D-3, and J, and the dimensions contained in Table 1. Final adjustments to the configuration and grades must be agreed upon by the Development Officer and the Developer. The Development Officer may permit variations to lot configuration provided appropriate access and road frontage are maintained, the total area of land is not reduced, and the proposed parkland meets the requirements of the Regional Subdivision By-law. The parkland dedication shall include the identified parkland and parkland site development. All parkland site preparation and parkland site development shall meet the requirements of the Municipality.

Table 1		
Park	Minimum Continuous Road Frontage	Minimum Area
Park P1	113 metres on Micmac Boulevard	5,862 square metres
Park P2 - optional	NA	NA

3.10.2 Subject to Section 3.10.3, required parkland dedication shall be accepted by the Development Officer through the subdivision application for Lot 4, as shown on Schedule J. All parkland must meet the Regional Subdivision By-law requirements unless otherwise varied by this agreement.

3.10.3 Notwithstanding the generality of the foregoing, the parkland must meet the following criteria in order to be “useable land”:

- (a) have the existing asphalt removed and surface reinstated with 150 mm of topsoil and sod, or approved equivalent;
 - (b) meet the maximum slope requirements of the Regional Subdivision By-law; and
 - (c) not include any drainage easements or other encumbrances, unless agreed upon by the Development Officer to support parkland stormwater management and maintenance.
- 3.10.4 Notwithstanding Clause 3.10.3(b), the slope adjacent to the road grade may be exceeded provided public access is provided through adjacent private walkways that meet the slope standards for a public road set out in the Regional Subdivision By-law. If required due to sloping conditions, the Developer agrees to provide an access and service easement agreement in favour of the Municipality to enable park maintenance vehicles to access the public parkland through adjacent private parking areas and walkways.
- 3.10.5 The lands proposed as Park P2 currently contain private water and wastewater laterals and the Municipality agrees to accept Park P2 as parkland if the laterals are removed prior to final subdivision approval. At the Municipality's discretion, some or all of Park P2 may be accepted as parkland with the laterals in place under the following scenarios:
- (a) Notwithstanding Clauses 83(1)(d) and (e) of the Regional Subdivision By-law, the Development Officer, in consultation with the Parkland Planner, may accept Park P2 as parkland with easement(s) for the laterals benefitting the remaining lands held by the Developer, provided the Development Officer determines the easements will not materially interfere with the use and enjoyment of the lands as a park. If this option is accepted by the Municipality at its discretion, the lands containing the easements shall not be counted towards parkland dedication requirements and the Developer shall, in the easement(s):
 - i. Provide an indemnity to the Municipality for any losses associated with the laterals, on terms satisfactory to the Municipality; and
 - ii. Agree to fully reinstate any lands disturbed in connection with the laterals, to the satisfaction of the Municipality.
 - (b) The Developer retains ownership of the lands containing the laterals and the Development Officer, in consultation with the Parkland Planner, determines that the remaining portion of Park P2 can be accepted as parkland. If this option is accepted by the Municipality, at its discretion, the lands containing the laterals will not be counted towards parkland dedication requirements and the Developer agrees to grant a public access easement in favour of the Municipality over the lands containing the laterals, on terms satisfactory to the Municipality.
- 3.10.6 Prior to final design approval, the Developer shall submit any proposed parkland site development, which shall include detailed design and cost estimates, for review and approval by the Development Officer, in consultation with the Parkland Planner.
- 3.10.7 Subject to Section 3.7, parkland dedication calculations shall be based on the proposed subdivision included in Schedule J.
- 3.10.8 Where there is an approved concept plan in place for the proposed subdivision, which includes more than one phase to be developed, should the park dedication (land/equivalent value) in the phase of the subdivision being developed exceed the minimum park dedication required for that phase of the development, the additional park dedication shall be credited to a future phase(s) of the development.

3.11 Maintenance

- 3.11.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including, but not limited to, the exterior of the buildings, fencing, walkways, recreational amenities,

key pedestrian walkways, parking areas and driveways, the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal, and snow and ice control, including the salting of walkways, key pedestrian walkways, and driveways.

3.12 Incentive or Bonus Zoning

- 3.12.1 Incentive or bonus zoning shall apply to the development, and the public benefit value for Phases 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D shall be determined as per Section 476 of the Regional Centre Land Use By-law.
- 3.12.2 Incentive or bonus zoning shall not apply to Phases 0 and 1A.
- 3.12.3 The public benefit values determined under Section 3.12.1 shall be updated every three (3) years from the date the assessment has been completed in accordance with Section 476 of the Regional Centre Land Use By-law, and no Construction Permits may be issued for any phase that has not been appraised within the last three (3) years.
- 3.12.4 An appraisal shall be undertaken either for the entire site, excluding Phases 0 and 1A, or for each phase of the development in accordance with Section 476 of the Regional Centre Land Use By-law.
- 3.12.5 The Developer may pay the public benefit value for the Lands:
- (a) in a single payment, prior to the issuance of the first Certificate of Occupancy in the development;
 - (b) on a per phase basis; or
 - (c) on a per building basis.
- 3.12.6 Where the public benefit value is paid on a per phase basis:
- (a) The appraisal shall be undertaken for each phase of the development in accordance with Section 476 of the Regional Centre Land Use By-law; and
 - (b) The Developer shall pay the required public benefit value for the lands in that phase or enter into an Incentive or Bonus Zoning Agreement with the Municipality for a phase prior to the issuance of the first Certificate of Occupancy within the phase. No Certificate of Occupancy may be issued within any phase of the development without payment of the public benefit value or signing of an Incentive or Bonus Zoning Agreement for the lands within the phase to which the Certificate of Occupancy relates.
- 3.12.7 Where the public benefit value is paid on a per building basis:
- (a) The appraisal shall be undertaken for each phase of the development in accordance with Section 476 of the Regional Centre Land Use By-law;
 - (b) The required public benefit value shall be divided among the proposed buildings within the phase based on each building's share of the total number of dwelling units within the phase; and
 - (c) The Developer shall pay the required public benefit value or enter into an Incentive or Bonus Zoning Agreement with the Municipality prior to the issuance of a Certificate of Occupancy for each building.
- 3.12.8 Notwithstanding Subsection 472(5) of the Regional Centre Land Use By-Law, an Incentive or Bonus Zoning Agreement shall not be required when a public benefit is provided in the form of money-in-lieu.

- 3.12.9 A minimum of 60% of the public benefit value must be provided as money-in-lieu for affordable housing.
- 3.12.10 The balance of the public benefit value, beyond what is required under Section 3.12.9, shall be dedicated to parkland site development for Parks P1 and P2, as shown on Schedules B, D-3, and J, subject to an Incentive or Bonus Zoning Agreement.

3.13 Signage

- 3.13.1 Signage shall follow the requirements of the Regional Centre Land Use By-law, as may be amended from time to time.

3.14 Acquisition of Site for Transit Terminal

- 3.14.1 The area generally identified on Schedule J as “Area to be Acquired for Transit Terminal” shall be reserved by the Developer for an acquisition by the Municipality to establish a transit terminal. The Developer agrees that the area shown on Schedule J is considered approximate and that the specific lands to be acquired by the Municipality are subject to further technical reviews and surveys completed by the Municipality.
- 3.14.2 An access and service easement agreement shall be granted in favour of the Municipality, next to the large shared housing with special care use building (Phase 1C), to allow transit buses and service vehicles to exit the proposed transit terminal onto Micmac Boulevard.

3.15 Reinstatement

- 3.15.1 All disturbed areas shall be reinstated to original condition or better.

PART 4: STREETS AND MUNICIPAL SERVICES

4.1 General Provisions

- 4.1.1 All design and construction of primary and secondary service systems shall satisfy the most current editions of the *Municipal Design Guidelines* and the *Halifax Water Design and Construction Specifications*, unless otherwise provided for in this Agreement, and shall receive written approval from the Development Engineer prior to undertaking the work.
- 4.1.2 The Development Officer, in consultation with the Development Engineer, may permit changes to any of the schedules of this Agreement required to implement any changes to the transportation network required by the Development Engineer. All costs associated with changes to the required transportation network shall be the responsibility of the Developer.

4.2 Off-Site Disturbance

- 4.2.1 Any disturbance to existing off-site infrastructure resulting from the development, including, but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas, and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced, or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

4.3 Undergrounding Services

- 4.3.1 All new primary and secondary electrical and telecommunication services to all buildings shall be through underground installation.

4.4 Site Preparation in a Subdivision

- 4.4.1 The Developer shall not commence clearing, excavation, or blasting activities required for the installation of primary or secondary services, in association with a subdivision, prior to receiving final approval of the subdivision design unless otherwise permitted by the Development Officer, in consultation with the Development Engineer.

4.5 Collector A

- 4.5.1 The Developer shall construct all portions of Collector A, as generally shown on Schedule B and accepted by the Development Engineer in accordance with this Agreement. The cost of construction of Collector A shall be the sole responsibility of the Developer.
- 4.5.2 The Developer shall transfer Collector A to the municipality through a subdivision application. The terms of the Subdivision Bylaw shall apply to the Developer's application, except to the extent those terms are explicitly varied by this Agreement. Upon acceptance by the Municipality, Collector A shall become a public street.
- 4.5.3 The Developer shall receive written approval of the design from the Development Engineer prior to undertaking the work.
- 4.5.4 Collector A shall be designed and constructed to include physically separated unidirectional cycling lanes, in accordance with the *Municipal Design Guidelines* in effect at the time of design approval.
- 4.5.5 Collector A shall be completed and accepted by the Development Engineer no later than (5) years from the issuance of the Certificate of Occupancy for the first residential tower portion in Phase 2. For greater clarity, this requirement is in addition to the requirements imposed by Section 3.2.1.
- 4.5.6 If the Developer begins the development of Phase 2 prior to the construction and acceptance of Collector A, the Developer agrees to follow the Standards for Common Shared Driveway, as set out in Schedule K, during the period between the issuance of the first Construction Permit in Phase 2 and prior to the municipal acceptance of Collector A.

4.6 Off-site Improvements

- 4.6.1 The Developer agrees that the following off-site improvements shall be necessary to support the development:
- (a) The construction of a multi-use pathway in the municipal right-of-way on Micmac Boulevard, from the Horizon Court intersection to the intersection of Micmac Boulevard, Brookdale Crescent, and Glen Manor Drive. This multi-use pathway shall be constructed on the side of Micmac Boulevard that fronts the M District Future Growth Node lands (the "Horizon Court to Glen Manor Drive Multi-Use Pathway").
 - (b) The construction of a sidewalk in the municipal right-of-way on Micmac Boulevard, as shown on Schedule N, from the intersection of Micmac Boulevard, Brookdale Crescent, and Glen Manor Drive to Highway 111. This sidewalk shall be constructed on the side of Micmac Boulevard that fronts the Lands (the "Micmac Boulevard Sidewalk").
 - (c) The construction of a multi-use pathway in the municipal right-of-way on Micmac Boulevard, from the intersection where Glen Manor Drive continues onto Micmac Boulevard to the Highway 111 overpass. This multi-use pathway shall be constructed on the side of Micmac Boulevard that is opposite the M District Future Growth Node lands

(the "Glen Manor Drive to Highway 111 Multi-Use Pathway"), connecting to the multi-use pathway referred to in Clause 4.6.1(a).

- (d) The construction of upgrades to the intersection of Micmac Boulevard, Brookdale Crescent, and Glen Manor Drive (the "Glen Manor Drive Intersection Upgrades").
- 4.6.2 The Developer shall, at its sole cost, construct the Micmac Boulevard Sidewalk. The Micmac Boulevard Sidewalk shall be designed and constructed to meet the requirements of the *Municipal Design Guidelines* in force at the time of construction. The Developer shall obtain written approval of the design from the Development Engineer prior to undertaking the work.
- 4.6.3 The Developer shall provide the Municipality with money-in-lieu for the construction of the Horizon Court to Glen Manor Drive Multi-Use Pathway. The Developer's money-in-lieu contribution shall be equal to 65% of the actual cost incurred by the Municipality to construct the Horizon Court to Glen Manor Drive Multi-Use Pathway. If the actual cost of construction is not available at the time the Developer applies for a Certificate of Occupancy for either Phase 1B or Phase 1C, whichever is earliest, the Developer's money-in-lieu contribution shall be equal to 65% of an estimate of the cost of construction of the Horizon Court to Glen Manor Drive Multi-Use Pathway, provided by the Developer's Professional Engineer to the Development Engineer.
- 4.6.4 The Developer shall provide the Municipality with money-in-lieu for the construction of the Glen Manor Drive to Highway 111 Multi-Use Pathway and the Glen Manor Drive Intersection Upgrades. The Developer's money-in-lieu contribution shall be equal to 30% of the actual cost incurred by the Municipality to construct both the Glen Manor Drive to Highway 111 Multi-Use Pathway and the Glen Manor Drive Intersection Upgrades. If the actual cost of construction is not available at the time the Developer applies for a for a Certificate of Occupancy for either Phase 1B or Phase 1C, whichever is earliest, the Developer's money-in-lieu contribution shall be equal to 30% of an estimate of the cost of construction of the both the Glen Manor Drive to Highway 111 Multi-Use Pathway and the Glen Manor Drive Intersection Upgrades, provided by the Developer's Professional Engineer to the Development Engineer.

4.7 Outstanding Site Work

- 4.7.1 For all buildings, security for the completion of outstanding on-site paving work for driveways and surface parking, at the time of issuance of the Certificate of Occupancy, may be permitted. Such security shall consist of a security deposit in the amount of 110 percent of the estimated cost to complete the work. The cost estimate shall be prepared by a Professional Engineer. The security shall be in favour of the Municipality and may be in the form of a certified cheque or irrevocable automatically renewing letter of credit issued by a chartered bank. The security shall be returned to the Developer by the Development Officer when all outstanding site work is satisfactorily completed.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

5.1 Private Stormwater Facilities

- 5.1.1 All private stormwater facilities shall be maintained in good order, in order to maintain full storage capacity, by the owner of the lot on which they are situated.

5.2 Stormwater Management Plan and Erosion and Sedimentation Control Plan

- 5.2.1 Prior to the commencement of any site work on the Lands, including earth movement, blasting, or

tree removal, other than that required for preliminary survey purposes or associated off-site works, the Developer shall have been issued a Grade Alteration Permit in accordance with By-law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development, as amended from time to time. This includes a Stormwater Management Plan, with consideration given to the recommendations outlined in the Pollution Source Control Study for Lake Banook & Micmac Final Report (2019).

- 5.2.2 Stormwater management must meet an average removal of 80% of Total Suspended Solids (TSS) on an annual loading basis from all stormwater runoff leaving the development site, based on the post-development level of imperviousness.
- 5.2.3 Where easements are required as part of the stormwater system, the Developer shall provide the easements to the Municipality or Halifax Water as required.
- 5.2.4 In addition to the detailed Stormwater Management Plan for the full site, individual MICI sites, when constructed, must meet the requirements of By-law G-200 Respecting Grading and Stormwater Management Associated with Land Development, and Administrative Order 2020-010-OP Respecting Stormwater Management Standards for Development Activities.

5.3 Archaeological Monitoring and Protection

- 5.3.1 A portion of the Lands fall within an area of Moderate Archaeological Potential, as identified within the Archaeological Resource Impact Assessment report submitted by the Developer. The Developer shall contact the Coordinator of Special Places of the Nova Scotia Department of Communities, Culture and Heritage prior to any disturbance of the Lands and the Developer shall comply with the requirements set forth by the Province of Nova Scotia in this regard.

5.4 Sulphide Bearing Materials

- 5.4.1 The Developer agrees to comply with the legislation and regulations of the Province of Nova Scotia with regards to the handling, removal, and disposal of sulphide bearing materials, which may be found on the Lands.

PART 6: AMENDMENTS

6.1 Non-Substantive Amendments

- 6.1.1 The following items are considered by both parties to be not substantive and may be amended in a manner consistent with the *Halifax Regional Municipality Charter*:
 - (a) Changes to the Preliminary Landscaping Design Guidelines, as detailed in Schedule C of this Agreement;
 - (b) Changes to the Phasing Plan, as illustrated on Schedules D-0, D-1, D-2, D-3, and D-4 of this Agreement;
 - (c) Changes to the location of driveways, as shown on Schedule B, provided the Development Officer, in consultation with the Development Engineer, determines that the proposed location does not substantially increase the potential for conflict with pedestrians and potential conflict with the proper functioning of streets by reason of traffic generation and safe access to and egress from the driveway;
 - (d) Changes to the configuration of any proposed parkland;
 - (e) Changes to the configuration and size of the "Area to be Acquired for Transit Terminal", as illustrated on Schedule J of this Agreement;
 - (f) Changes to the number and location of public art or landscaping landmark sites, as illustrated on Schedule H of this Agreement;

- (g) Changes to the size and location of allowable surface motor vehicle parking areas, as generally illustrated on Schedules B, D-0, D-1, D-2, D-3, and D-4;
- (h) In addition to the public benefit categories included under Section 479 of the Regional Centre Land Use By-law, and notwithstanding Subsection 480(1) of the Regional Centre Land Use By-law, an Incentive or Bonus Zoning Agreement may be signed for on-site affordable housing if:
 - (i) the Municipality has a program in place to monitor the affordable units, or
 - (ii) the affordable units are monitored by, transferred to, or managed by a nonprofit organization that is acceptable to the Municipality.

A combined minimum of 60% of the public benefit value must be provided either as money-in-lieu for affordable housing, or as on-site affordable housing through an Incentive or Bonus Zoning Agreement;
- (i) A conversion of a portion of the public benefit value required to be dedicated to parkland site development for Parks P1 and P2, under Section 3.12.10, to public art on the development site, if the public benefit value exceeds what is required to complete Parks P1 and P2;
- (j) Changes to any of the schedules of this Agreement to reflect a partial discharge of this Agreement;
- (k) Changes to the maximum streetwall height, minimum streetwall setback, and streetwall articulation, as long as the non-substantive amendment is in keeping with Policy F-13 of the Regional Centre Secondary Municipal Planning Strategy;
- (l) Changes to the incentive or bonus zoning valuation methodology to reflect future changes adopted in the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law;
- (m) A change in use for Phase 1C, from a large shared housing with special care use to a multi-unit dwelling use;
- (n) Changes to Schedule J to allow for additional lots to be created;
- (o) Changes to the built form and siting requirements of the CEN-2 Zone to reflect future changes adopted in the Regional Centre Land Use By-law;
- (p) The granting of an extension to the commencement of development time period, as specified in Section 7.3.1 of this Agreement; and
- (q) The granting of an extension to the length of time for the completion of the development, as specified in Section 7.4.1 of this Agreement.

6.2 Substantive Amendments

- 6.2.1 Amendments to any matters not identified under Section 6.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES, AND DISCHARGE

7.1 Registration

- 7.1.1 A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Land Registration Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

7.2 Subsequent Owners

7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees, and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged by the Chief Administrative Officer for the Municipality.

7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

7.3 Commencement of Development

7.3.1 In the event that development on the Lands has not commenced within eight (8) years from the date of registration of this Agreement at the Land Registration Office, as indicated herein, the development of the Lands shall conform with the provisions of the applicable Land Use By-law.

7.3.2 For the purpose of this Agreement, commencement of development shall mean the installation of the footings and foundation for any building within Phases 1B or 1C, as shown on Schedule D-1.

7.3.3 The Development Officer may consider granting an extension of the commencement of development time period specified under Section 7.3.1, through a non-substantive amendment under Section 6.1, if the Municipality receives a written request from the Developer prior to the expiry of the commencement of development time period.

7.4. Completion of Development

7.4.1 In the event that the development on the Lands has not been completed within twenty-five (25) years from the date of registration of this Agreement at the Land Registration Office, as indicated herein, the development of the Lands shall conform with the provisions of the applicable Land Use By-law.

7.4.2 For the purpose of Section 7.4, completion of development shall mean the issuance of a Certificate of Occupancy for every main building enabled in every phase of the development as per Section 3.4 and Schedules D-1, D-2, D-3, and D-4.

7.4.3 The Development Officer may consider granting an extension of the completion of the development time period specified under Section 7.4.1, through a non-substantive amendment under Section 6.1, if the Municipality receives a written request from the Developer prior to the expiry of the completion of development time period.

7.5 Review and Discharge of Agreement

7.5.1 Upon the completion of the development or complete phases of the development, or at such time that policies applicable to the Lands have been amended, this Agreement may be reviewed or amended, in whole or in part, in a manner consistent with the requirements of the *Housing in the Halifax Regional Municipality Act*, and the Municipality may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new agreement;
- (c) discharge this Agreement; or
- (d) for those portions of the development which have been completed, discharge this Agreement, and apply appropriate zoning pursuant to the applicable Municipal Planning Strategy and the Land Use By-law, as may be amended from time to time.

7.5.2 For the purpose of Section 7.5.1, completion of a complete phase of the development shall mean the issuance of a Certificate of Occupancy for each main building enabled under that phase of the Agreement.

PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

8.1 Enforcement

8.1.1 The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within twenty-four (24) hours of receiving such a request.

8.2 Failure to Comply

8.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer thirty (30) days written notice of the failure or default, then in each such case:

- (a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
- (b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the *Assessment Act*;
- (c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or
- (d) In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.

8.3 Releases, Indemnity and Limitation of Liability

8.3.1 The Developer acknowledges and agrees that the execution of this Agreement by the Municipality shall not constitute a guarantee, representation, warranty, or a commitment, by the Municipality:

- (a) respecting any aspect of the adequacy, availability, or capacity of any Halifax Water Services to serve any portion of the Lands all of which remain the sole responsibility and risk of the Developer; and
- (b) to provide any Halifax Water Services to any portion of the Lands.

8.3.2 The Developer hereby

- (a) forever releases, discharges, and indemnifies the Indemnified Parties from any Claims that are incurred, or awarded against, the Indemnified Party in any finding, judgment, or order, whether arising directly or indirectly,

(b) agrees it will not make any claim against, or claim contribution or indemnity from the Indemnified Parties whatsoever, whether statutory, equitable, contractual, tort or otherwise, and

(c) agrees it will indemnify, defend, and hold harmless each of the Indemnified Parties from and against all Claims arising out of any third-party proceeding or action,

that is in any way is related to, or arises or results from

- (i) the provision, availability, adequacy, or capacity of the Halifax Water Services to serve any part of the development on the Lands, or
- (ii) the construction, maintenance, servicing or location of the Lands, or
- (iii) the suitability of the Lands for human habitation.

and this release, discharge and indemnity shall apply notwithstanding any negligence, breach of duty, statutory non-compliance or other fault on the part of any Indemnified Party.

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

(PROPERTY OWNER)

Witness

Per: _____

Name: _____

Position: _____

SIGNED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____
MAYOR

Witness

Per: _____
MUNICIPAL CLERK

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

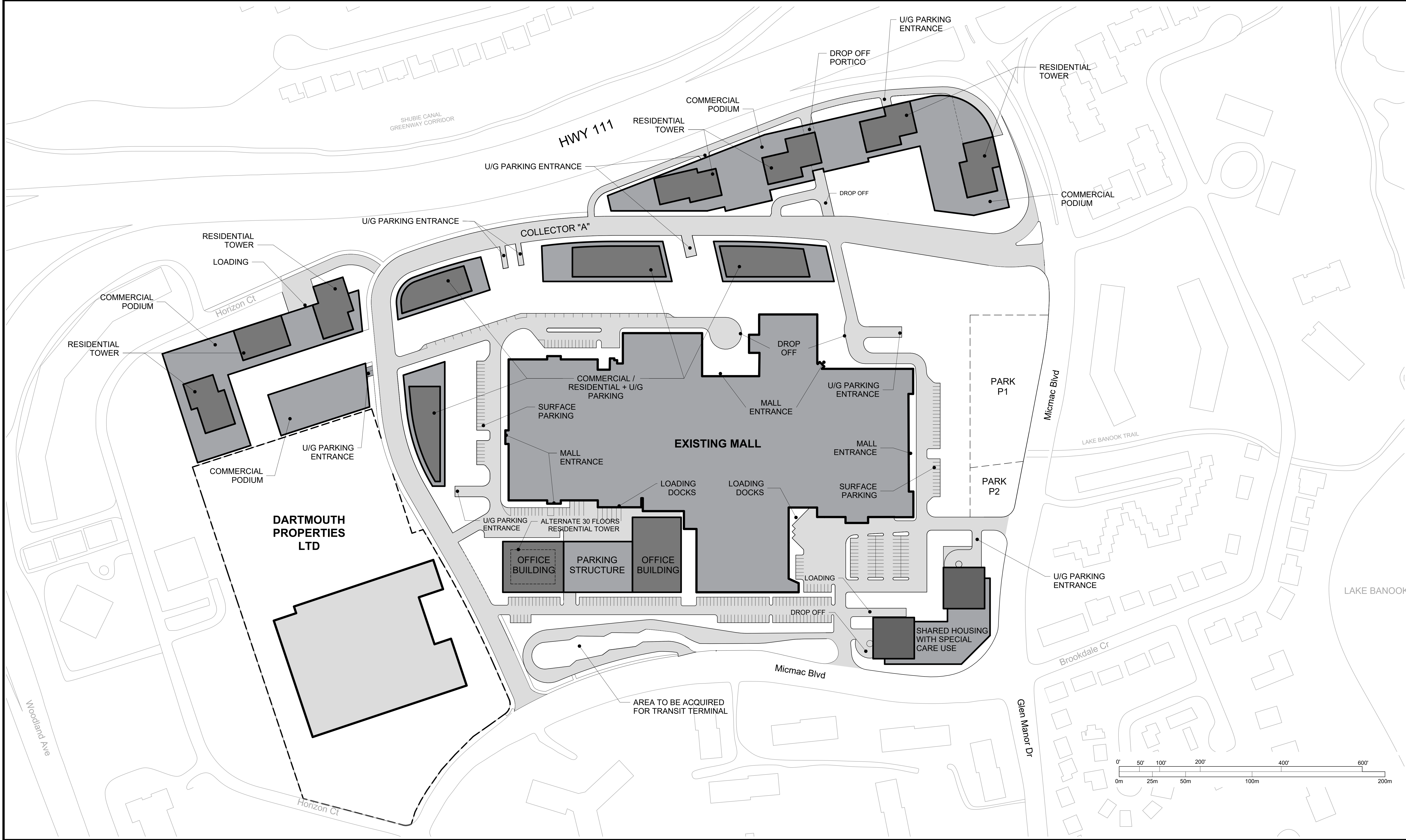
On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that _____, _____ of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ the subscribing witness to the foregoing indenture who being by me sworn, made oath, and said that Andy Fillmore, Mayor and Iain MacLean, Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia



SCHEDULE C
PRELIMINARY LANDSCAPING
DESIGN GUIDLINES

M District – Public Outdoor Space Design Guidelines

March 2024

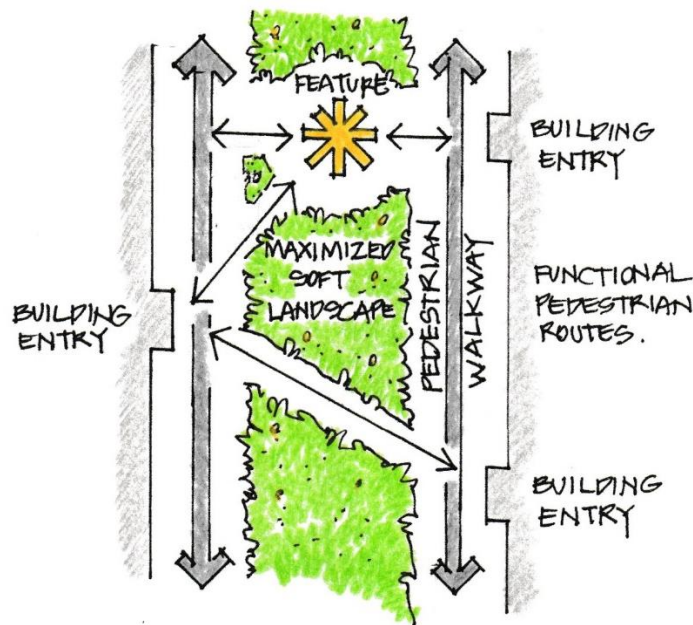
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M District – Public Outdoor Space Design Guidelines

March 2024

1.0 General Design Requirements

- provide balance of hardscape and softscape materials required to address functional requirements and maximize opportunities for soft landscaped spaces



- create pleasant, interesting outdoor experiences
 - design pedestrian walkways to support recreation, shopping, and mobility
 - consider the on-ground experience and the view from residential units above
- all outdoor spaces to be universally accessible
 - enables everyone to perform activities independently, achieve equivalent results and enjoy the outdoor environment
- use durable and low maintenance materials and products

2.0 Pavements

General Requirements

- minimize areas of paved surfaces, maximize areas space for landscaping
 - provide space for a mix of programmed and passive activities to meet the recreational needs of residents, visitors, and people employed in the development

M District – Public Outdoor Space Design Guidelines

March 2024

2.1 Cast-in-Place Concrete

- primary pedestrian routes and areas to be cast-in-place concrete
- consider coloured concrete, scored concrete, patterns within the concrete, addition of precast pavers and/ or natural stone within the paving surfaces.



M District – Public Outdoor Space Design Guidelines

March 2024

2.2 Precast Unit Pavers

- precast concrete pavers, porcelain tiles and natural stone are acceptable surfaces for public spaces and other paved areas provided installation is done correctly and there is a confirmed maintenance program
 - regular site inspections must confirm that pavers remain level and stable
 - polymeric sand must be replaced when required to prevent weed growth



M District – Public Outdoor Space Design Guidelines

March 2024

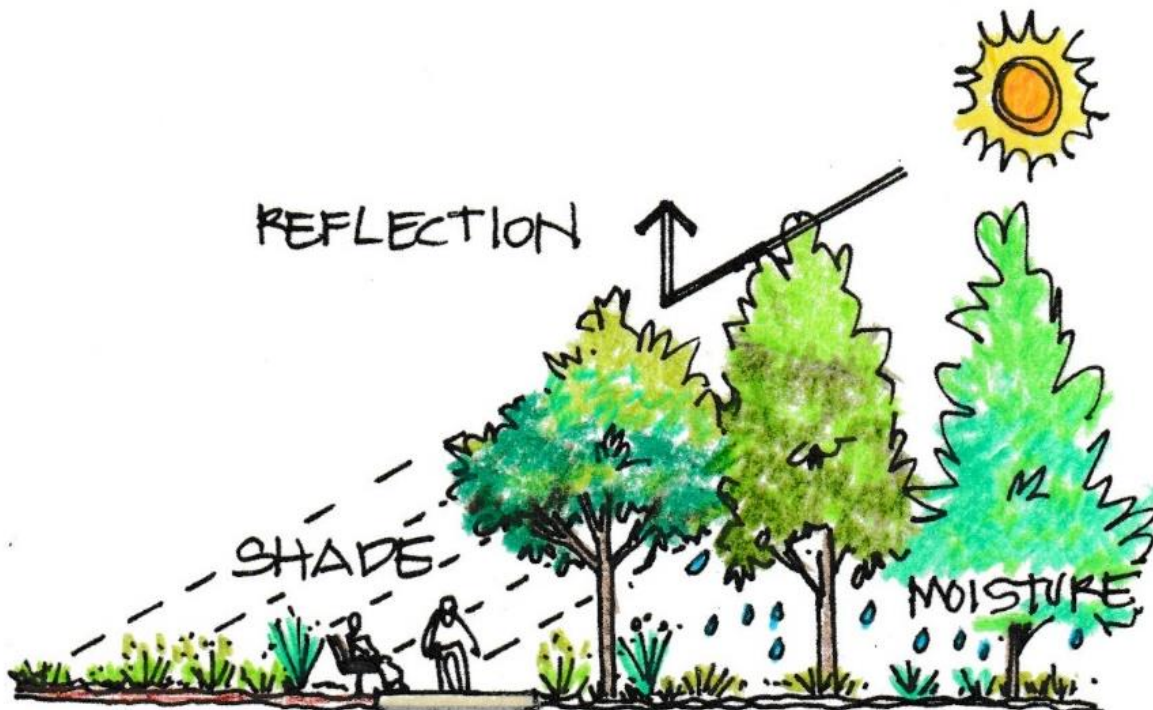
3.0 Planting

General Requirements

- provide landscaping wherever pavement is not required for functional considerations
- maximize tree planting to provide shade, meet intent of HRM Urban Forest Master Plan (UFMP)
 - https://cdn.halifax.ca/sites/default/files/documents/transportation/streets-sidewalks/HALREG%201246%20UrbanForestReport_HighRes_SINGLEPAGE_Mon20_Combined.pdf
 - M District is within the Crichton Park community of Dartmouth. The current canopy cover is 23%. New street development will allow the expansion of a healthy continuous network of street trees. The canopy target is 70% (see pages 78 and 79 of the UFMP)
- Refer to the HRM Tree Species List for best suited materials:
 - <https://www.halifax.ca/transportation/streets-sidewalks/urban-forestry/species-list>
- Use large trees where possible to create human scale within the development

3.1 Mitigating the Heat Island Effect

- maximize landscaped spaces to reflect light, manage storm water, provide shade and sequester carbon



M District – Public Outdoor Space Design Guidelines

March 2024

- site design shall maximize the tree canopy and landscaped ground surface areas



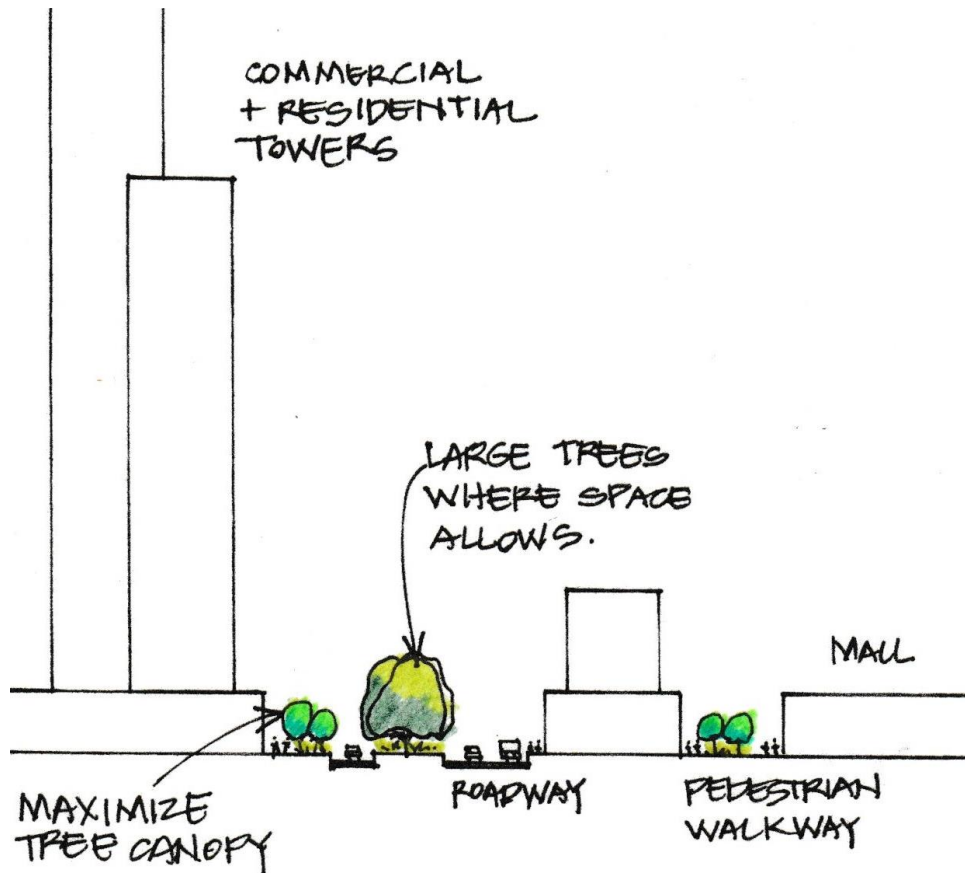
- use “green infrastructure” such as green roofs, green walls, green parking, green pavements and shaded streets to mitigate the urban heat island effect. (<https://www.mdpi.com/2071-1050/15/14/10767>)
- minimize high maintenance lawn areas, utilize low growing ground covers and perennial plants to provide colour and year-round interest
- where occasional vehicular access is required, consider precast concrete grid pavers



M District – Public Outdoor Space Design Guidelines

March 2024

- utilize landscaping wherever possible to soften the built environment and provide year-round interest

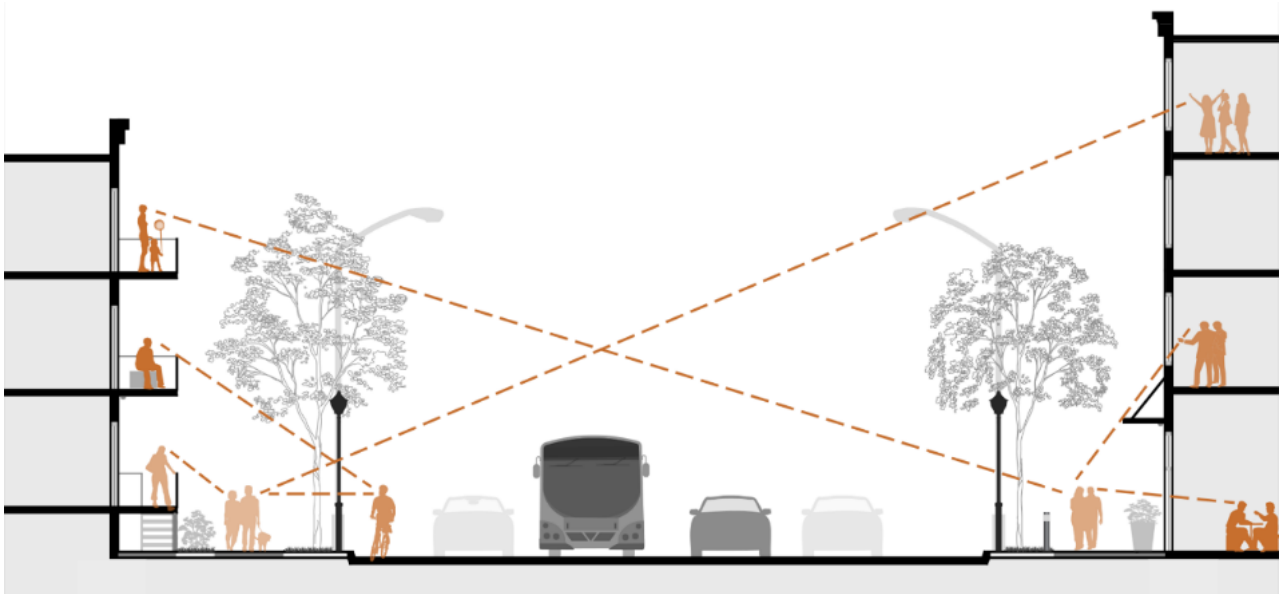


M District – Public Outdoor Space Design Guidelines

March 2024

3.2 Crime Prevention Through Environmental Design

- landscaping to be designed to meet CPTED guidelines
- minimize use of plants which will block sight lines
- provide outdoor lighting to meet security requirements



Source: <https://minneapolis2040.com/policies/public-safety-through-environmental-design/>

M District – Public Outdoor Space Design Guidelines

March 2024

3.3 Re-Wilding

- in project border areas and other non-functional spaces, introduce landscapes to promote natural regeneration and pollinators
- provide naturalized areas that support stormwater management objectives
 - see recommendations outlined in the Pollution Source Control Study for Lake Banook & Lake Micmac Final Report (2019) - cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/200929rc1114.pdf



M District – Public Outdoor Space Design Guidelines

March 2024

3.4 Tree Planting - Sodded Boulevards

- see HRM Design Guidelines Standard Detail 182

3.5 Tree Planting – Hardscapes and Limited Root Zones

- see HRM Design Guidelines Standard Detail 186 and 188

3.6 Maintenance

- all planting to conform with the Canadian Nursery Landscape Association's Canadian Nursery Stock Standard (latest edition)
- use only healthy top quality nursery stock
- minimize maintenance requirements by ensuring that plant species used are appropriate for the space
- ensure that the plants will not outgrow the space provided
- ensure an annual maintenance program is established
 - remove dead and hazardous wood when required
 - water during period of hot dry weather and during spring growth
 - replenish mulch
 - fertilize

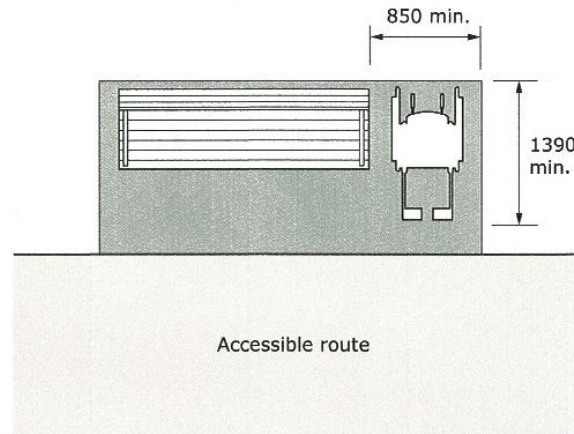
M District – Public Outdoor Space Design Guidelines

March 2024

4.0 Site Furnishings

General Requirements

- provide site furnishings where required to encourage and support the use of outdoor space
- design sitting spaces to meet requirements of CSA / ASC B651-latest edition



- site furnishings to be fabricated with long life, low maintenance materials (minimal wood content)

4.1 Benches

- locate benches in public spaces and along pedestrian routes
- use landscaping to create comfortable and interesting seating spaces
- ensure site is well lit
- locate waste receptacles nearby
- ensure sitting areas are secure with open casual surveillance and sufficient lighting
- provide skate deterrents on benches
- provide wind and weather protection and shade structures where practical
 - use materials and products that are available locally (and manufactured locally when possible)

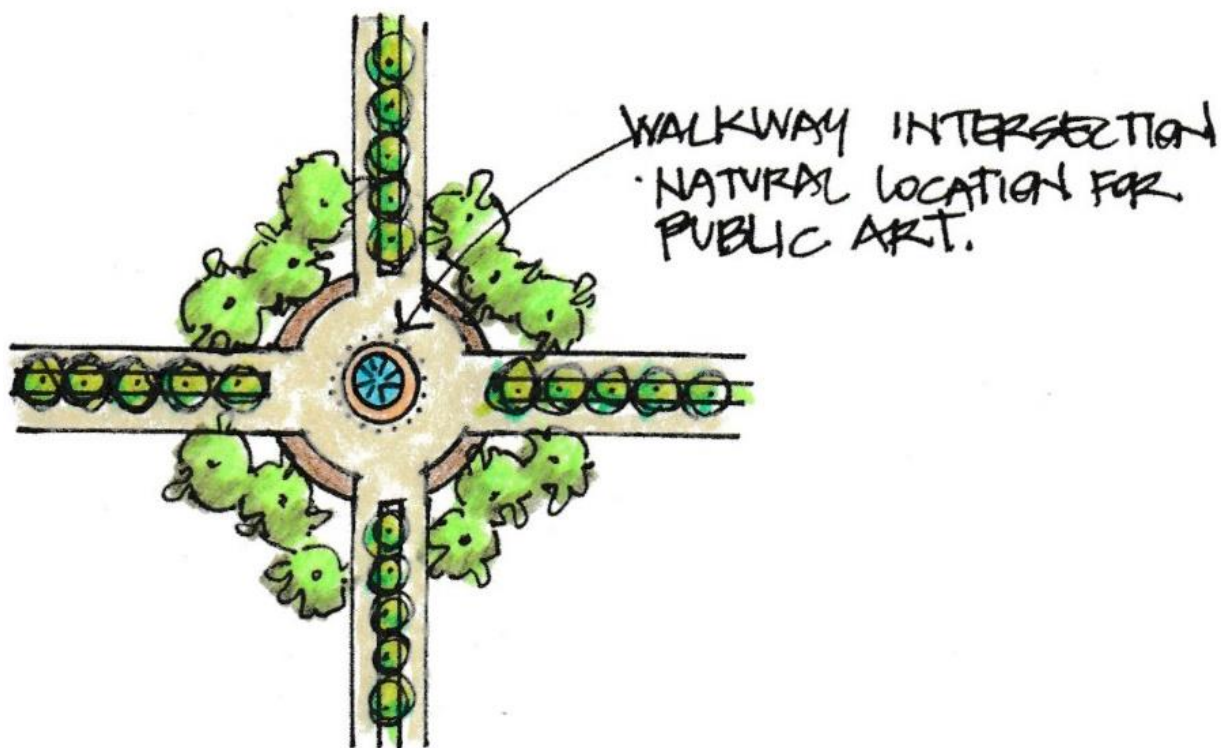


M District – Public Outdoor Space Design Guidelines

March 2024

4.2 Public Art

- provide opportunities for public art within the landscape
- create neighbourhoods that are a more pedestrian scale and are more liveable
- consider how vandal resistant a piece is and the longevity of the piece
- sculpture, memorials, integrated architectural or landscape architectural work, community art, digital new media, and even performances and festivals may be considered.
- public art's role serves multiple purposes, often simultaneously: to aesthetically beautify space, to educate, to commemorate important people and events, to act as a tool of political or social propaganda, to activate, to document daily life, and to represent a community's ethos.
- sites for public art are typically located in urban centres and may include squares, plaza or pedestrian areas, main thoroughfares, the approaches to public buildings



M District – Public Outdoor Space Design Guidelines

March 2024

4.3 Murals

- Large blank walls of the mall exterior offer an opportunity for public murals.



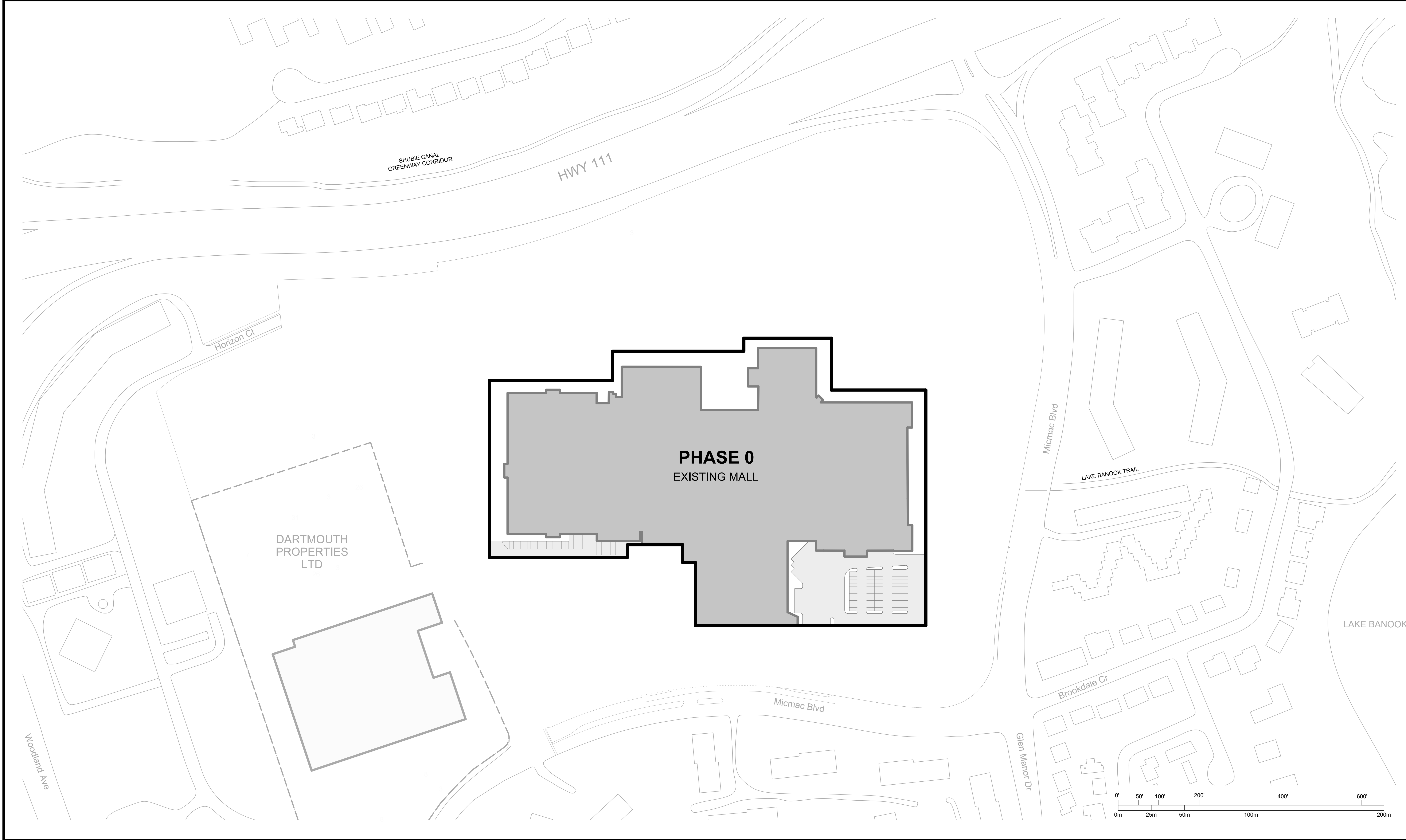
Existing blank walls at the Mic Mac Mall

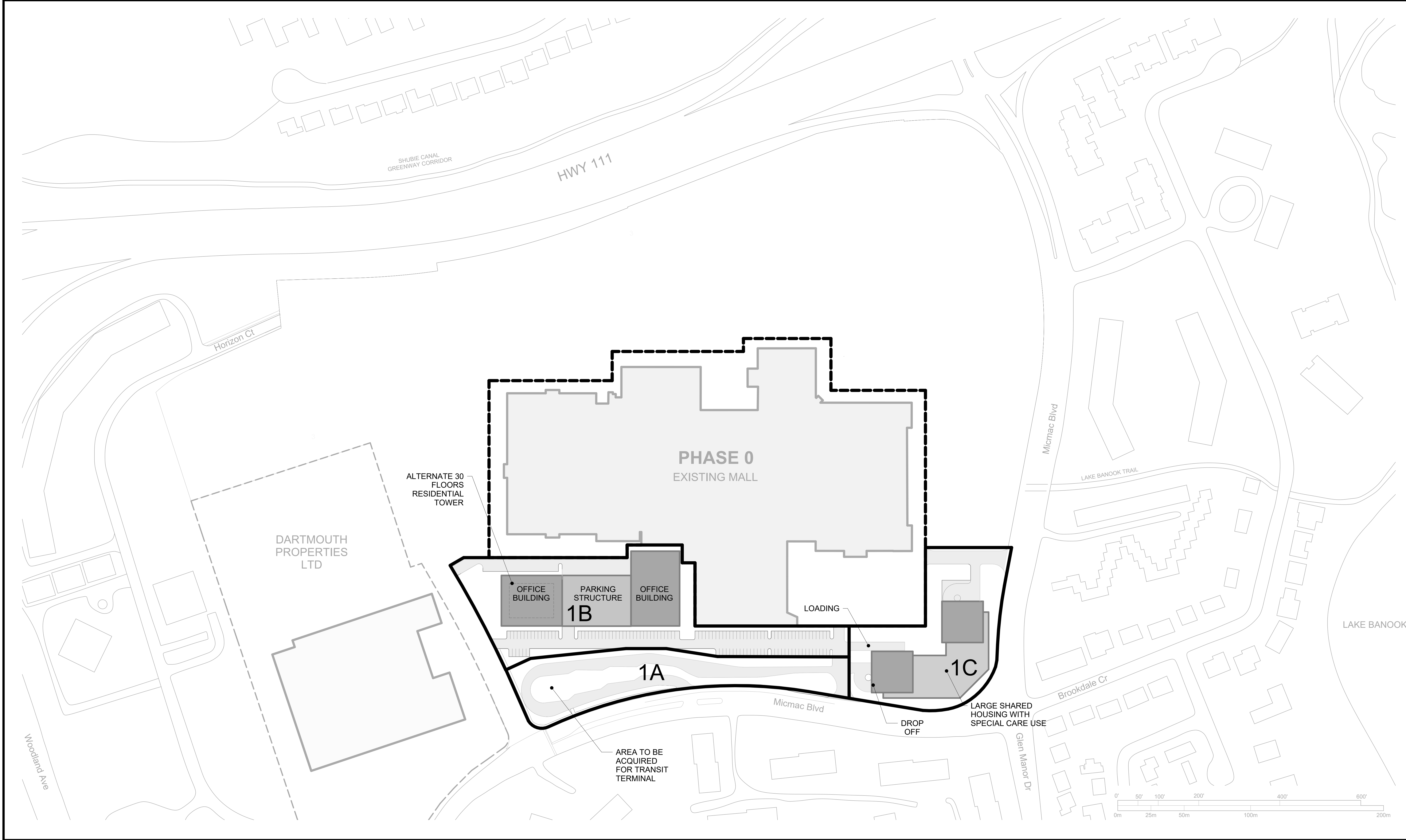
M District – Public Outdoor Space Design Guidelines

March 2024



Planting along blank walls helps to provide human scale and interest along the adjacent sidewalk.

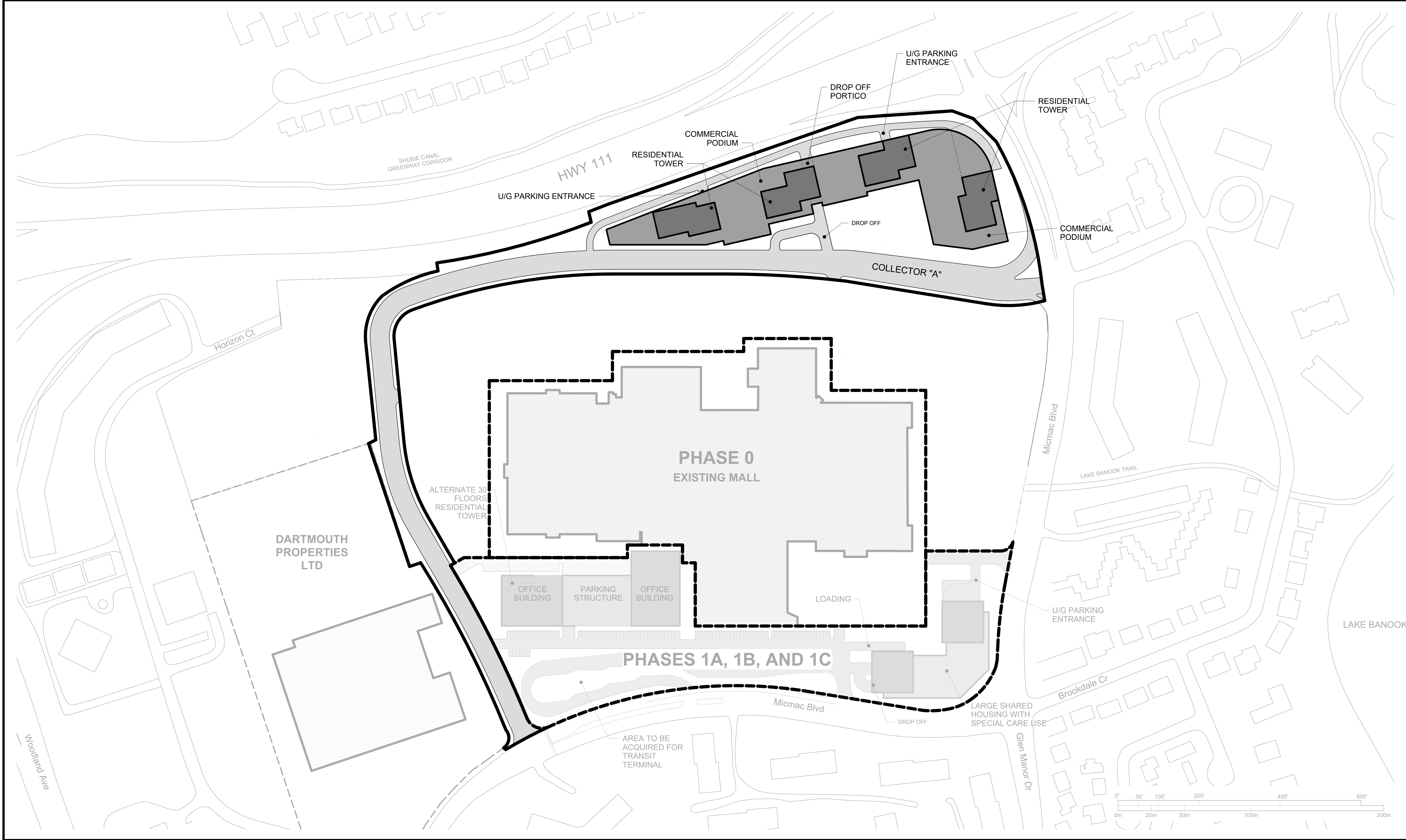




M DISTRICT

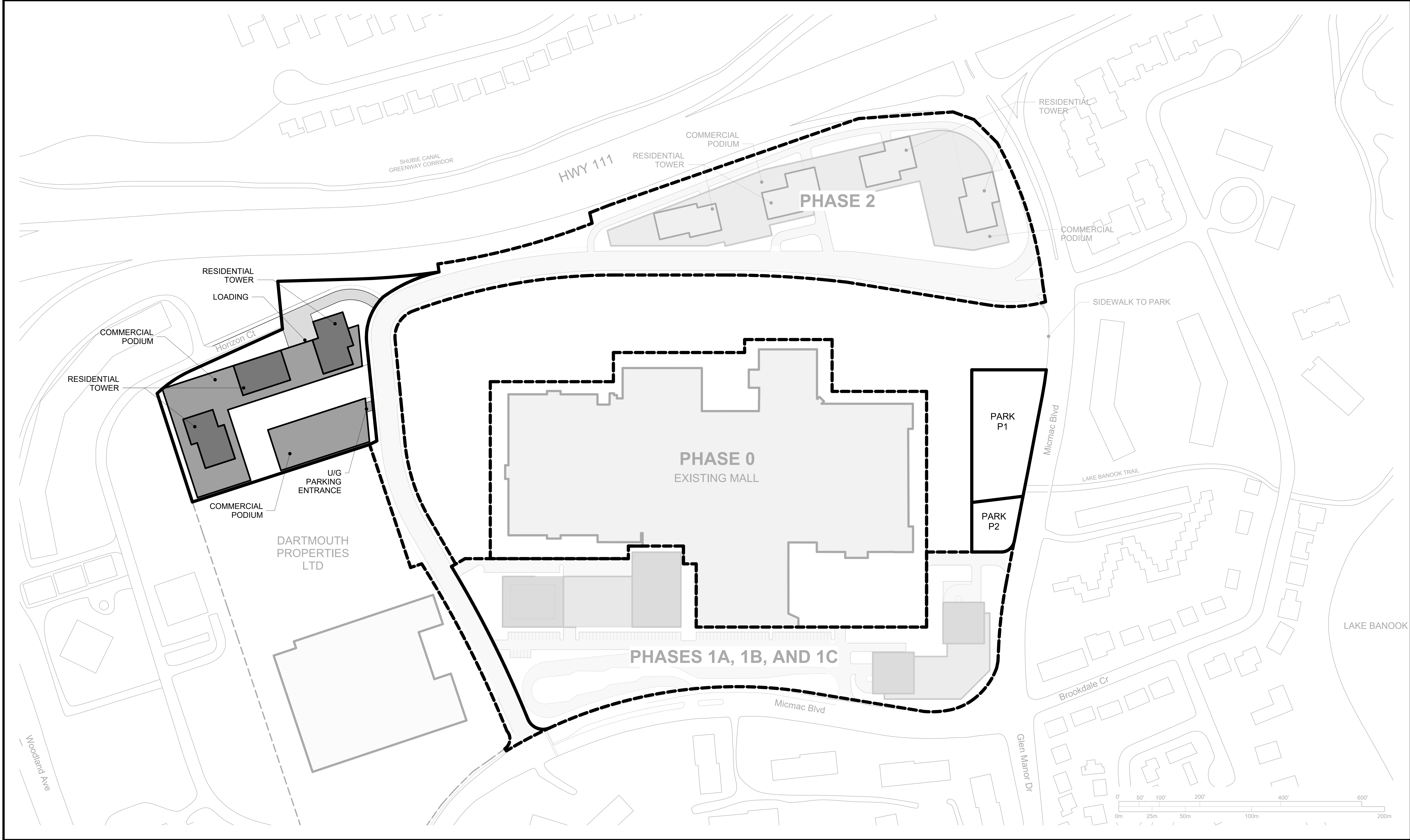
PHASING PLAN - PHASES 1A, 1B, AND 1C

SCHEDULE D-1



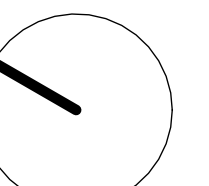
M DISTRICT
PHASING PLAN - PHASE 2

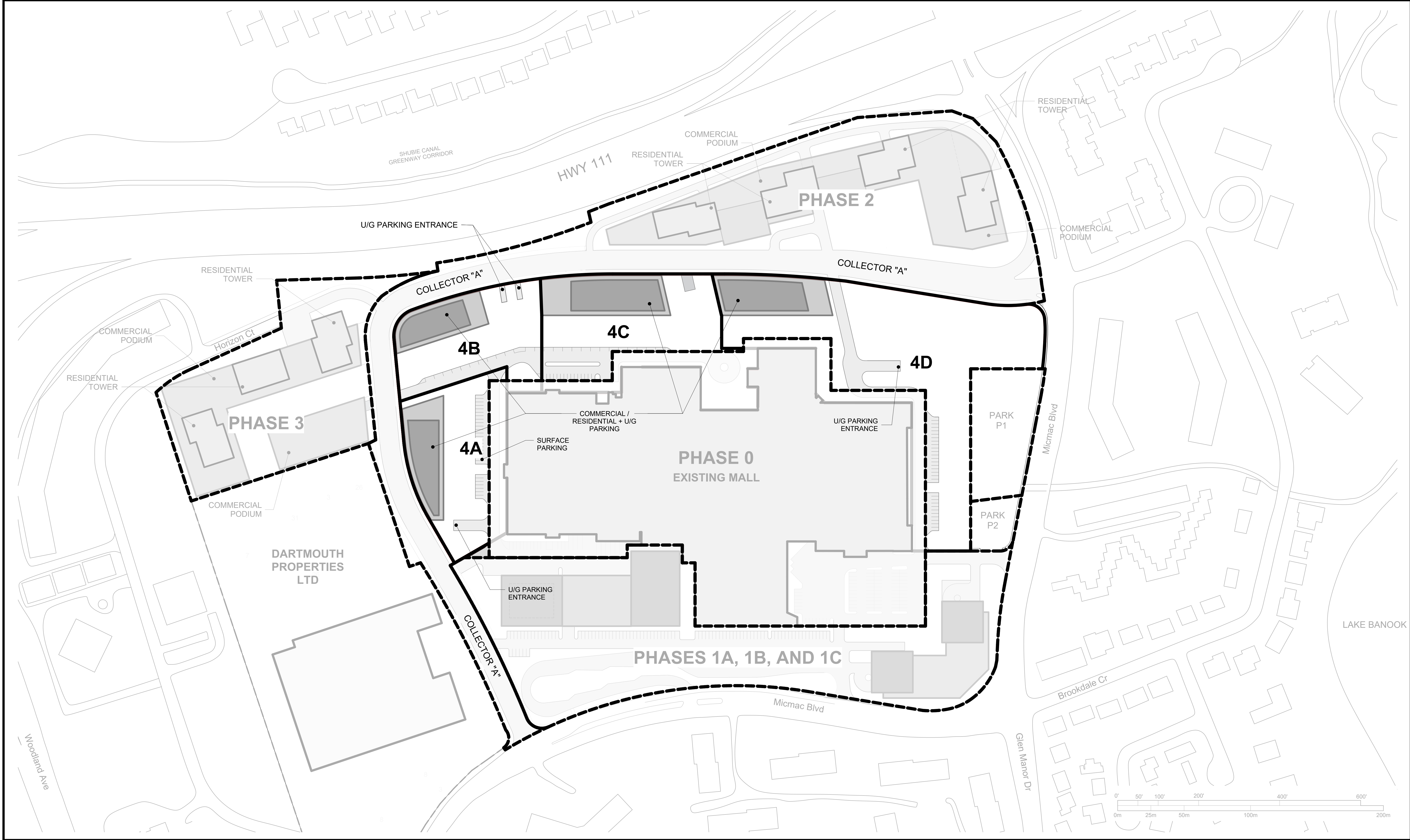
**SCHEDULE
 D-2**



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PHASING PLAN - PHASE 3

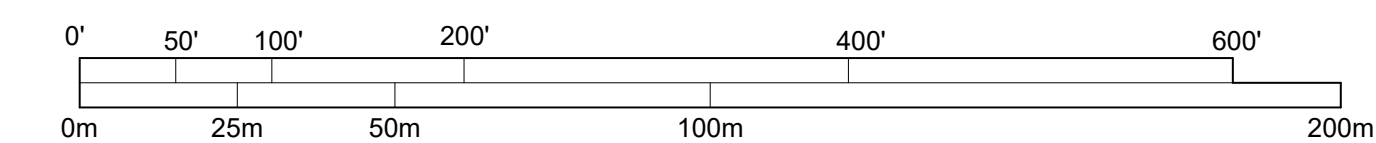
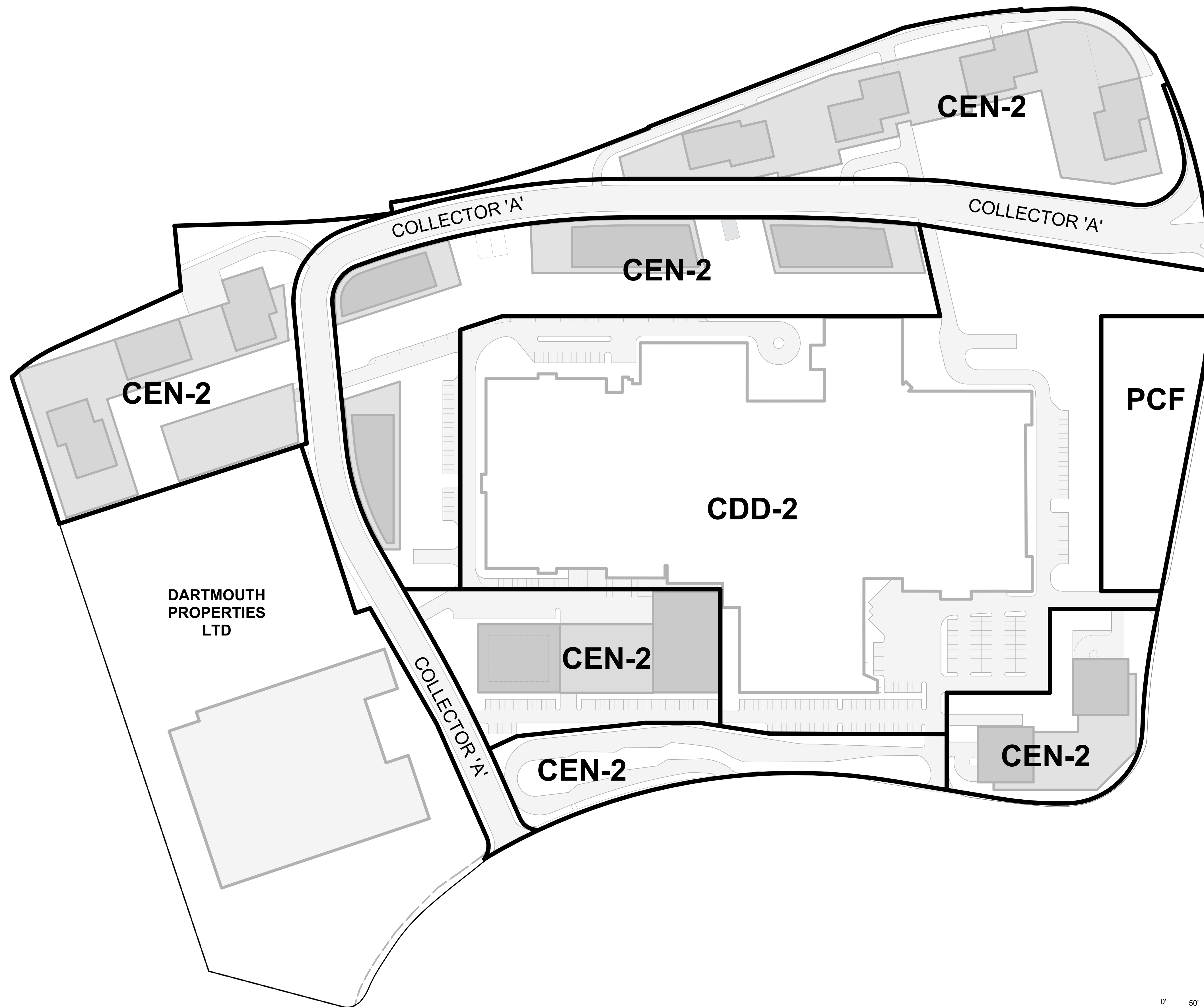
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 D-3**





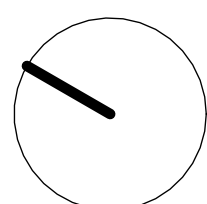
M DISTRICT
PHASING PLAN - PHASES 4A, 4B, 4C AND 4D

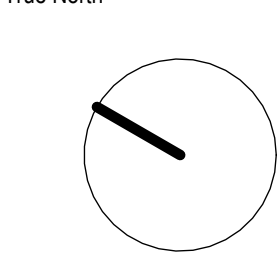
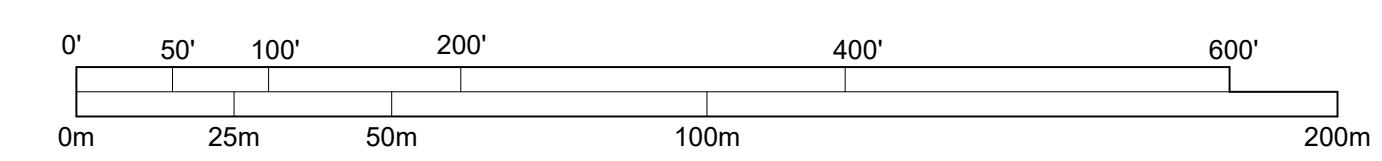
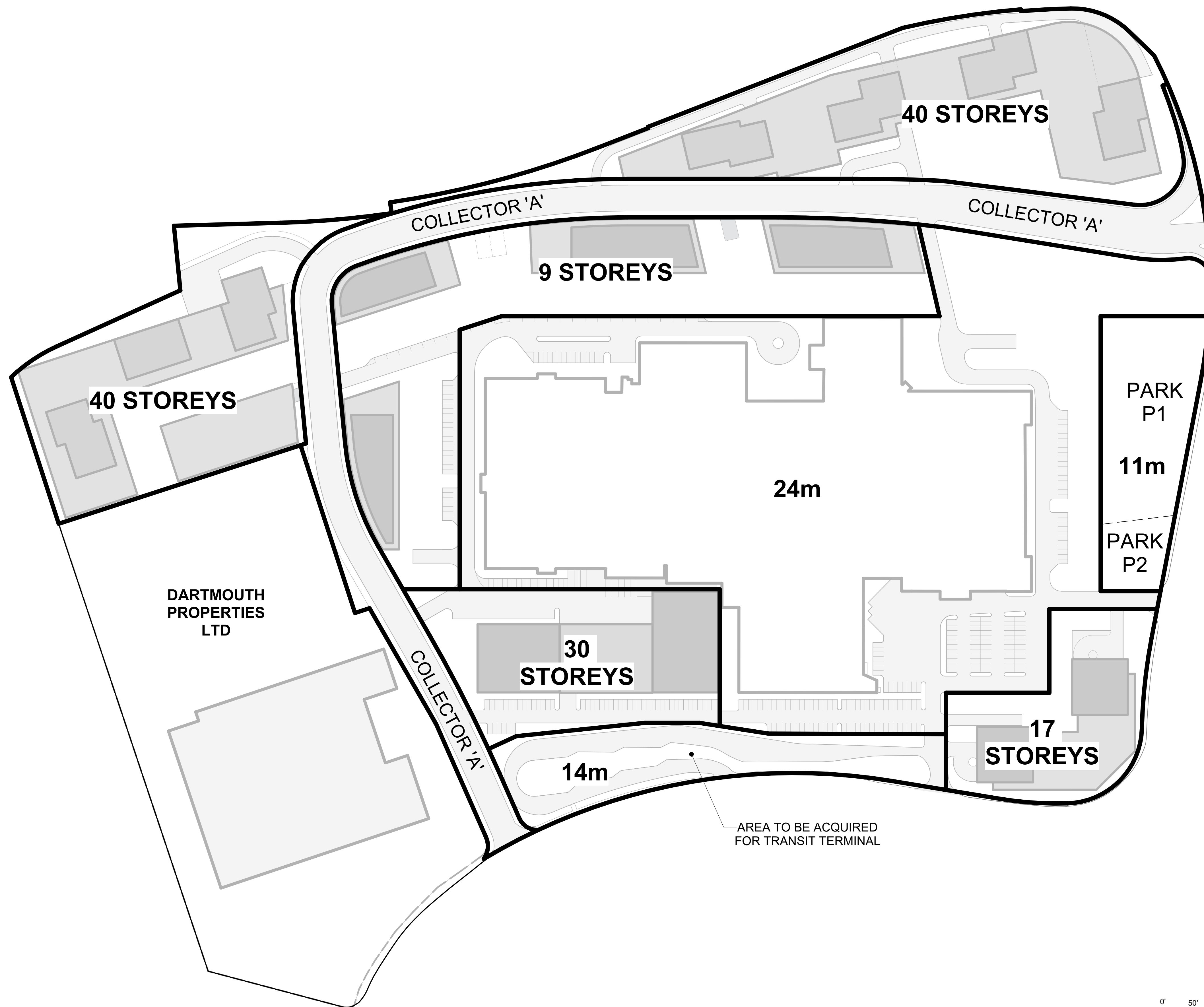
**SCHEDULE
D-4**

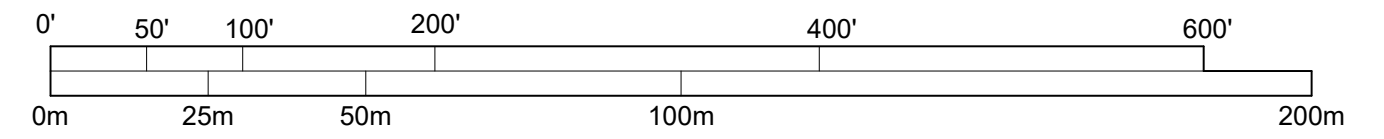
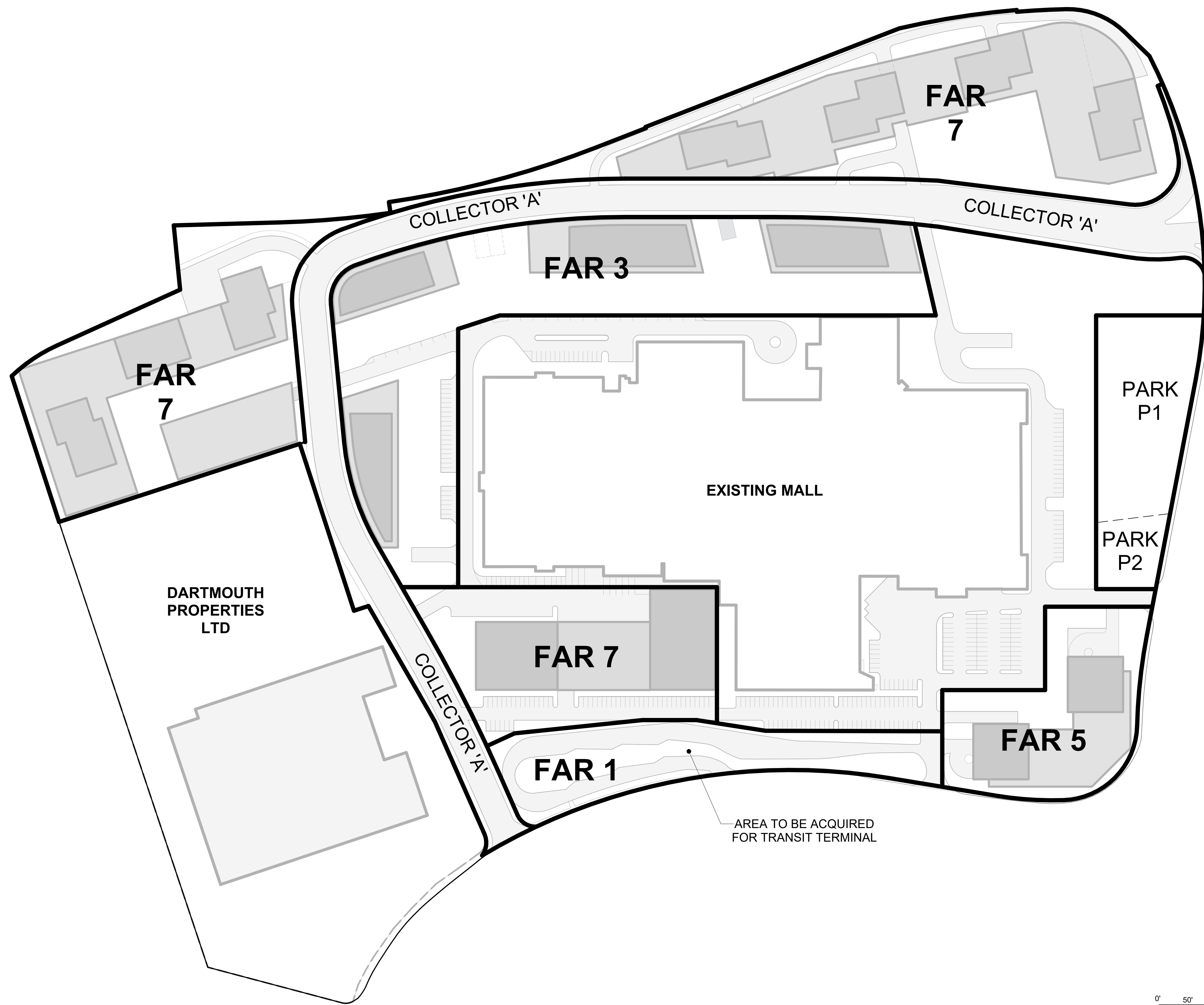


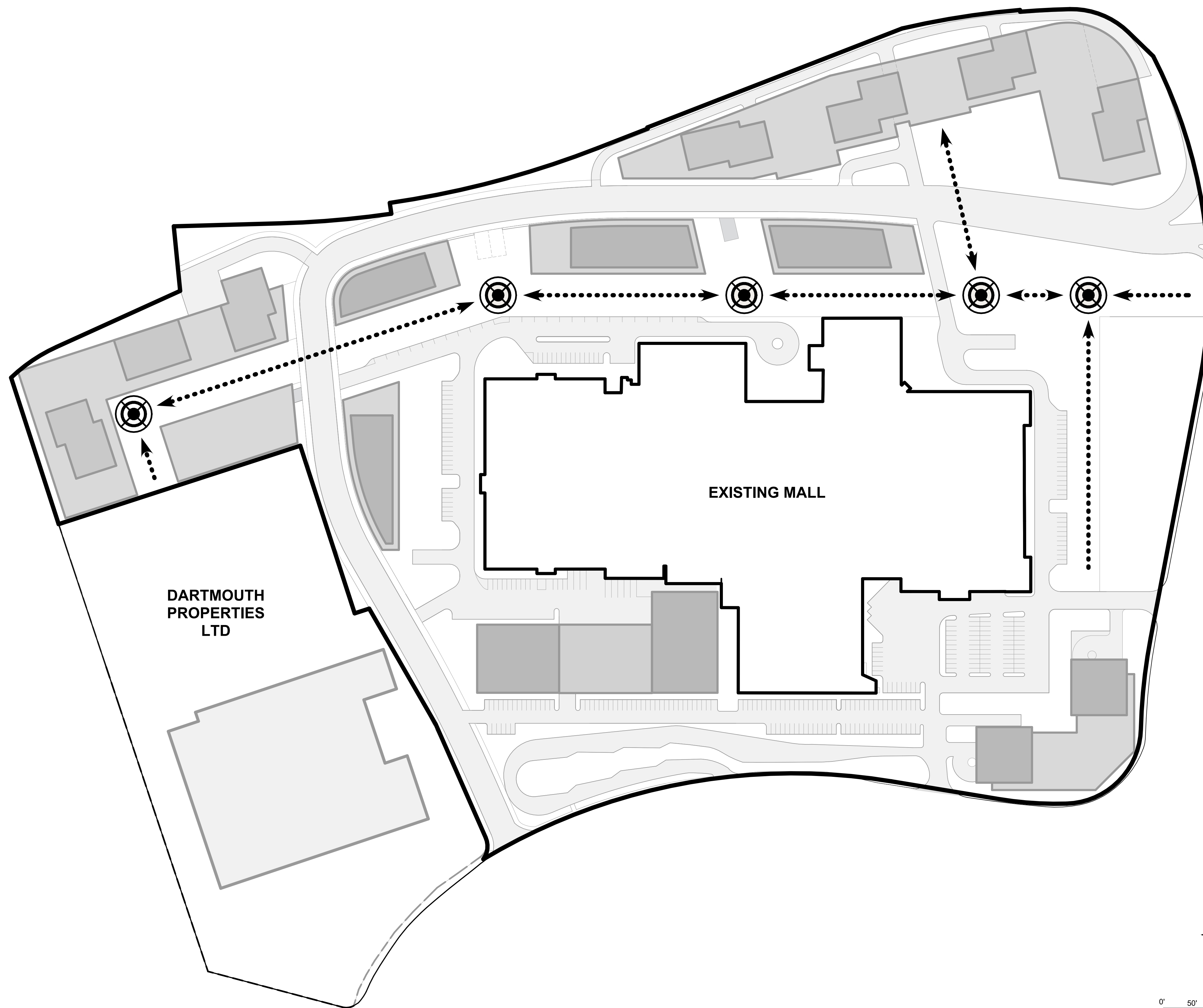
M DISTRICT
LAND USE PLAN

**SCHEDULE
 E**








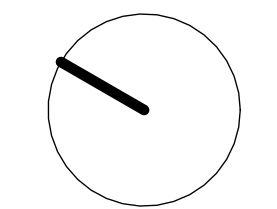
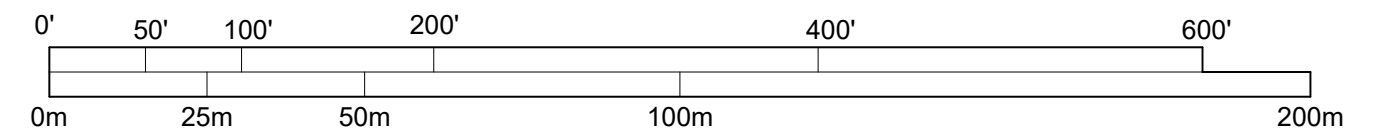


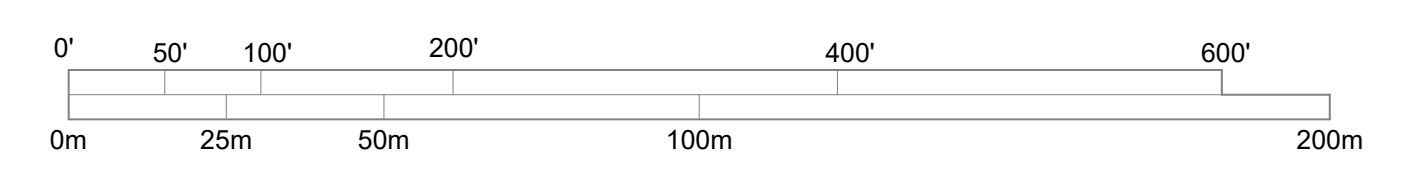
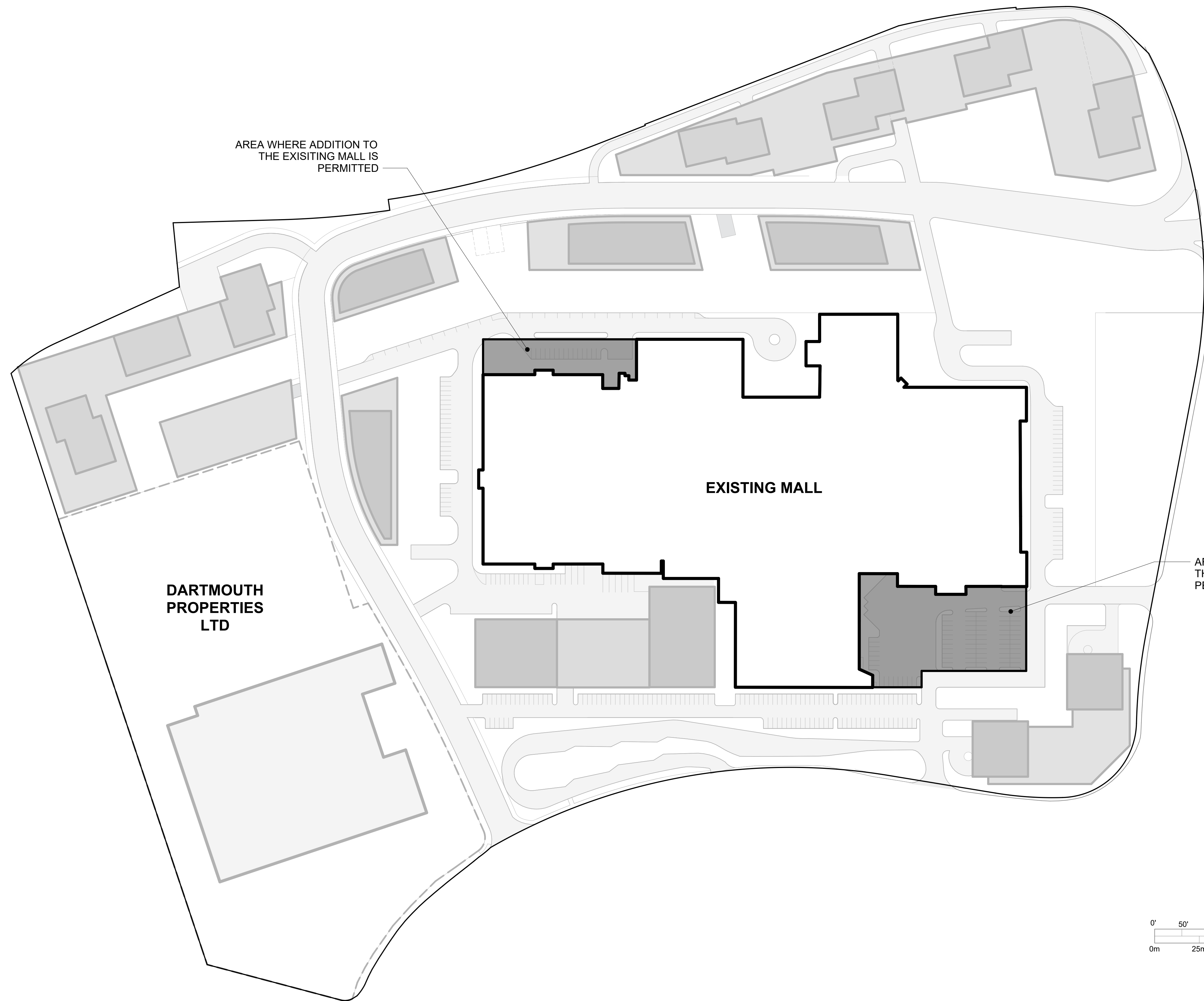


DARTMOUTH PROPERTIES LTD

EXISTING MALL

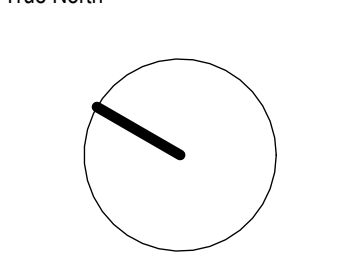
-  PUBLIC ART OR LANDSCAPING LANDMARK SITES
-  VIEW LINE AND
-  DIRECTION

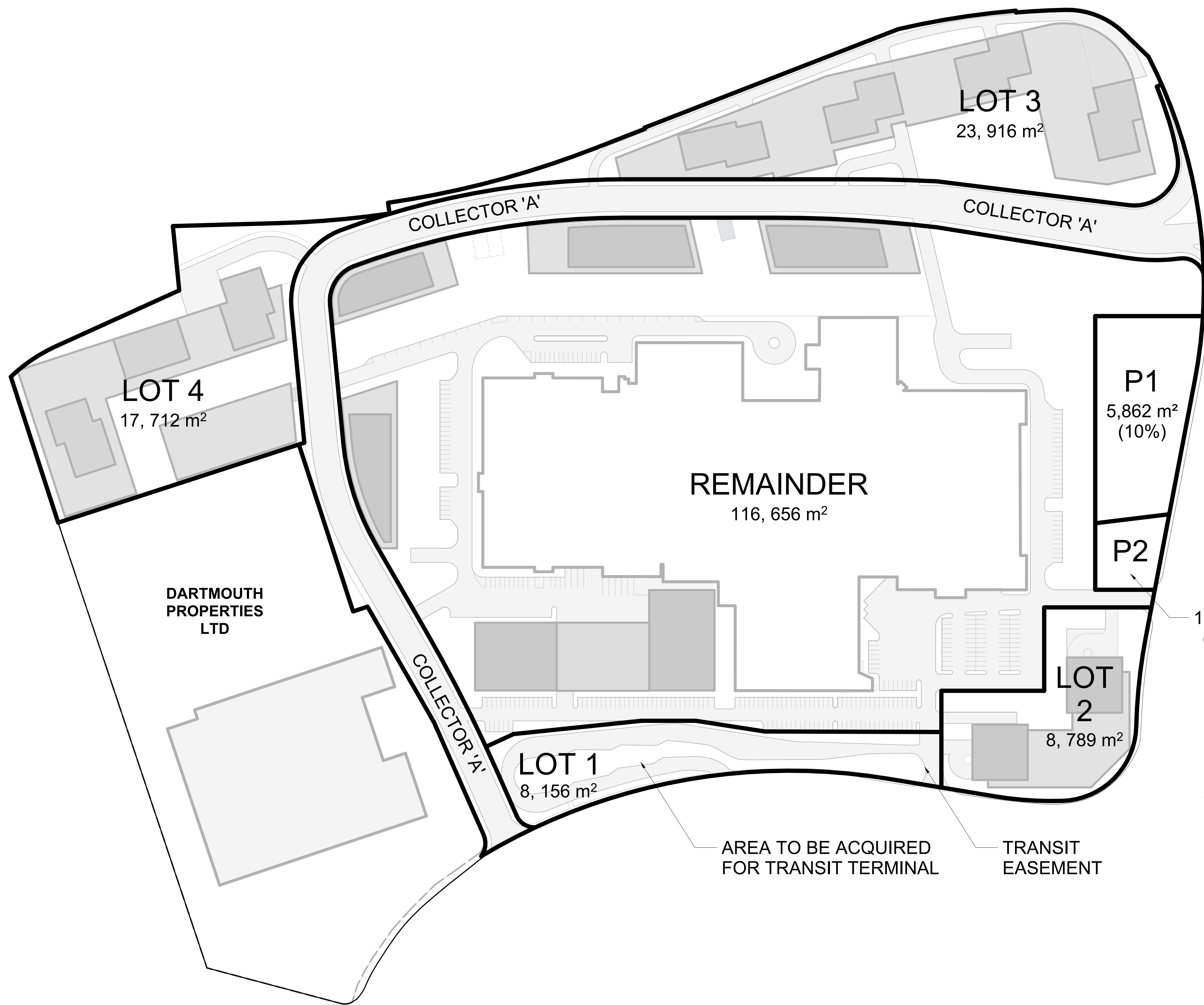




M DISTRICT
AREAS WHERE ADDITIONS TO THE EXISTING MALL ARE PERMITTED

SCHEDULE I





AREA OF NEWLY SUBDIVIDED LOTS:
 LOT 1: 8,156 m²
 LOT 2: 8,789 m²
 LOT 3: 23,916 m²
 LOT 4: 17,712 m²
 TOTAL: 58,573 m²
 PARKLAND 10% REQ: 5,857 m²
 PARKLAND PROPOSED: 7,333 m²
 P1 PROPOSED: 5,862 m²
 P2 PROPOSED: 1,417 m²
 PARKLAND PROPOSED %: 12.82 %
 P1 PROPOSED: 10%
 P2 PROPOSED: 2.5%

M DISTRICT
SUBDIVISION OF LANDS

**SCHEDULE
 J**

Schedule K: Standards for Common Shared Driveway

1. All Common Shared Private Driveways shall have a minimum clear width of 10.8 metres (21.98 feet) as follows:
 - (a) Travel lanes shall be a minimum of 3 metres (9.84 feet) for each direction of travel (not including curb and gutter) and shall not include parking areas. Travel lanes shall be designed and constructed, complete with a paved asphalt surface, to adequately support the loads produced by all emergency vehicles.
 - (b) A minimum 1.5 metre (4.92 feet) boulevard shall be provided on both sides of the travel lanes and shall be designed and constructed of sod to adequately separate travel lanes and sidewalk.
 - (c) A minimum 1.8 metre (5.91 feet) sidewalk shall be provided on at least one side of the travel lanes and shall be designed and constructed with concrete surface.
2. All Common Shared Private Driveways shall be constructed so as to prevent the accumulation of water and ice on any section of the driveway. Where the driveway grades are less than 0.5 percent, the Common Shared Private Driveway shall be crowned in the centre to prevent pooling of water in a travelled way. Swales shall be installed if required to prevent erosion of the shoulders.
3. Provisions for drainage systems, snow banks, utilities, and the like shall be provided and shall not be located within the required 10.8 metres (21.98 feet) Driveway.
4. At least 5 metres (16.4 feet) nominal vertical clearance shall be provided and maintained over the full width of the Common Shared Private Driveway.
5. Common Shared Private Driveways shall not have grades greater than 10% with no change in grade over 8% in 15 metres (49.21 feet) of travel distance.
6. All cul-de-sacs shall be constructed with a minimum radius of 13 metres (42.65 feet) to the edge of asphalt and 15 metres (49.21 feet) to outside of shoulder.
7. All travel lane curves and turns at intersection, are to have a minimum 12 metre (39.37 feet) centreline travel radius. Curves and turns shall not reduce the clear width of the driveway.
8. The angle of approach and the angle of departure shall not exceed 8 degrees at any point of the driveway or its intersection with another driveway.
9. Sight distance shall be incorporated into the design of intersections.
10. If speed bumps are going to be constructed; acceptable warning signs shall be required.
11. Where there is a conflict between the requirements above and the National Building Code of Canada requirements for Access Route Design, the more stringent requirements shall apply.

SCHEDULE L - EXCEPTIONS TO THE REGIONAL CENTRE LAND USE BY-LAW FOR PHASES 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, AND 4D

General CEN-2 Zone Exceptions

- 1.1 Sections 1.2 to 1.12 of this Schedule shall only apply to areas designated as CEN-2 on Schedule E of this Agreement, and which fall under Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D.
- 1.2 Notwithstanding Subsection 89(3) of the Regional Centre Land Use By-law, more than one main building is permitted on a lot.
- 1.3 Notwithstanding Section 157 of the Regional Centre Land Use By-Law, the maximum building height shall be as specified on Schedule F of this Agreement. For an addition to a building, the height shall be measured from the average finished grade abutting the addition.
- 1.4 Notwithstanding Subsection 158(1) of the Regional Centre Land Use By-law, the maximum FAR value shall be as specified on Schedule G of this Agreement.
- 1.5 Notwithstanding Subsection 159(2) of the Regional Centre Land Use By-Law, if a minimum required front or flanking setback has not been specified on Schedule 18 of the Regional Centre Land Use By-law, the minimum required front or flanking setback shall be 0.5 metre.
- 1.6 Sections 160 and 161 of the Regional Centre Land Use By-law shall not apply.
- 1.7 Notwithstanding Subsection 164(1) of the Regional Centre Land Use By-Law, and unless otherwise specified in this Schedule for a particular phase, the maximum streetwall height shall be 4 storeys.
- 1.8 Subsection 167(3) of the Regional Centre Land Use By-law shall not apply.
- 1.9 Notwithstanding Subsection 169(1) of the Regional Centre Land Use By-Law, a ground floor shall be established along any streetline (excluding 100-Series Highways as shown on Schedule 52 of the Regional Centre Land Use By-Law and the streetline identified on Schedule M of this Agreement as the "extension of area considered under 100 series highway precinct"), transportation reserve, or key pedestrian walkway shown on Schedule B or N of this Agreement.
- 1.10 Notwithstanding Subsection 170(1) of the Regional Centre Land Use By-Law, grade-oriented premises shall:
 - (a) excluding any building in Phase 1B, as shown on Schedule D-1 of this Agreement, or along any streetline identified on Schedule M of this Agreement, be located along any streetline or key pedestrian walkway shown on Schedules B and N of this Agreement;
 - (b) be required for the full width of the streetwall or wall facing a key pedestrian walkway as shown on Schedules B and N of this Agreement, excluding:
 - (i) entrances to internal parking located above or below the ground floor,
 - (ii) a portal,
 - (iii) an emergency exit, or
 - (iv) an entrance to a room dedicated to a solid waste management area;
 - (c) not exceed a maximum width of 24.0 metres for each premise facing a streetline or wall facing a key pedestrian walkway as shown on Schedules B and N of this Agreement, unless used as a grocery store use; and
 - (d) contain an independent pedestrian entrance for each premise facing a streetline or key pedestrian walkway as shown on Schedules B and N of this Agreement.

- 1.11 For the purpose of measuring building dimensions in Subsection 174(1) of the Regional Centre Land Use By-law, individual above-ground portions of main buildings connected by an underground structure shall be measured separately.
- 1.12 Sections 359, 360, and 361 of the Regional Centre Land Use By-law shall not apply.

Phase 1B

- 2.1 In addition to the exceptions provided under Sections 1.1 to 1.12 of this Schedule, the following exceptions contained in Sections 2.2 to 2.5 shall only apply to buildings within Phase 1B, as shown on Schedule D-1 of this Agreement.
- 2.2 Sections 160, 164, 165, 166, 167, 169, 170, and 174 of the Regional Centre Land Use By-Law shall not apply.
- 2.3 Subject to Section 2.4 of this Schedule, the portion of any new building or addition greater than 7 storeys above the average finished grade of the new building or addition shall not exceed the following building dimension requirements:
- (a) floor plate dimensions, excluding balconies, of 38 metres by 56 metres and a floor area of 2,128 square metres per storey for one portion; and
 - (b) floor plate dimensions, excluding balconies, of 38 metres by 47 metres and a floor area of 1,786 square metres per storey for a second portion.
- 2.4 If the primary use of the portion of any new building or addition greater than 7 storeys above the average finished grade of the new building or addition is to be a multi-unit dwelling use, then the following building dimension requirements, excluding balconies, shall apply to that portion of any new building or addition greater than 7 storeys above the average finished grade of the new building or addition:
- (a) a building width of 35 metres;
 - (b) a building depth of 40 metres; and
 - (c) an average floor area of 1,400 square metres per storey.

Phase 1C

- 3.1 In addition to the exceptions provided under Sections 1.1 to 1.12 of this Schedule, the following exceptions contained in Sections 3.2 to 3.5 shall only apply to buildings within Phase 1C, as shown on Schedule D-1 of this Agreement.
- 3.2 The maximum streetwall height shall be 5 storeys.
- 3.3 Sections 169, 170, and 171 of the Regional Centre Land Use By-Law shall not apply.
- 3.4 Notwithstanding Clause 173(2.5)(f) of the Regional Centre Land Use By-law, the minimum separation distance between a high-rise typology and another high-rise typology shall be 21.0 metres.
- 3.5 Notwithstanding Subsections 174(1) and 174(2) of the Regional Centre Land Use By-Law, the following requirements shall apply:
- (a) Excluding any structure below 0.6m above the average finished grade or any public building use, any main building shall not exceed:

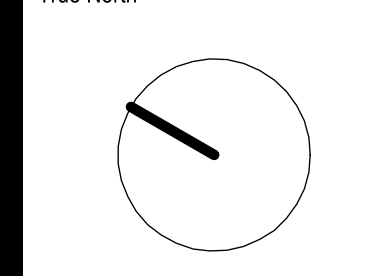
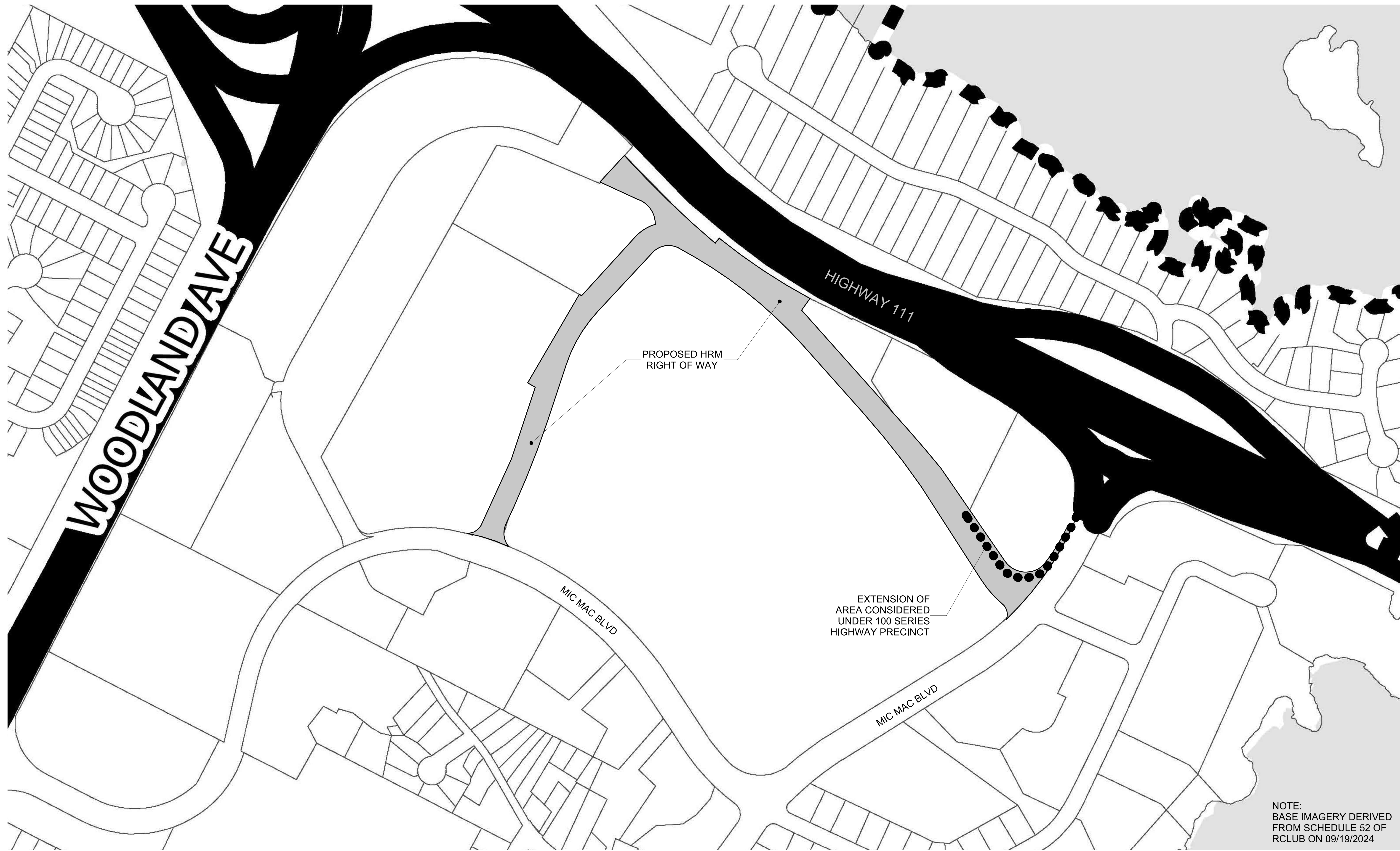
- (i) a building width of 90 metres; and
 - (ii) a building depth of 90 metres
- (b) The tower portion of any high-rise building shall not exceed a floor area of 950 square metres per storey.




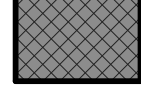


Phases 2 and 3

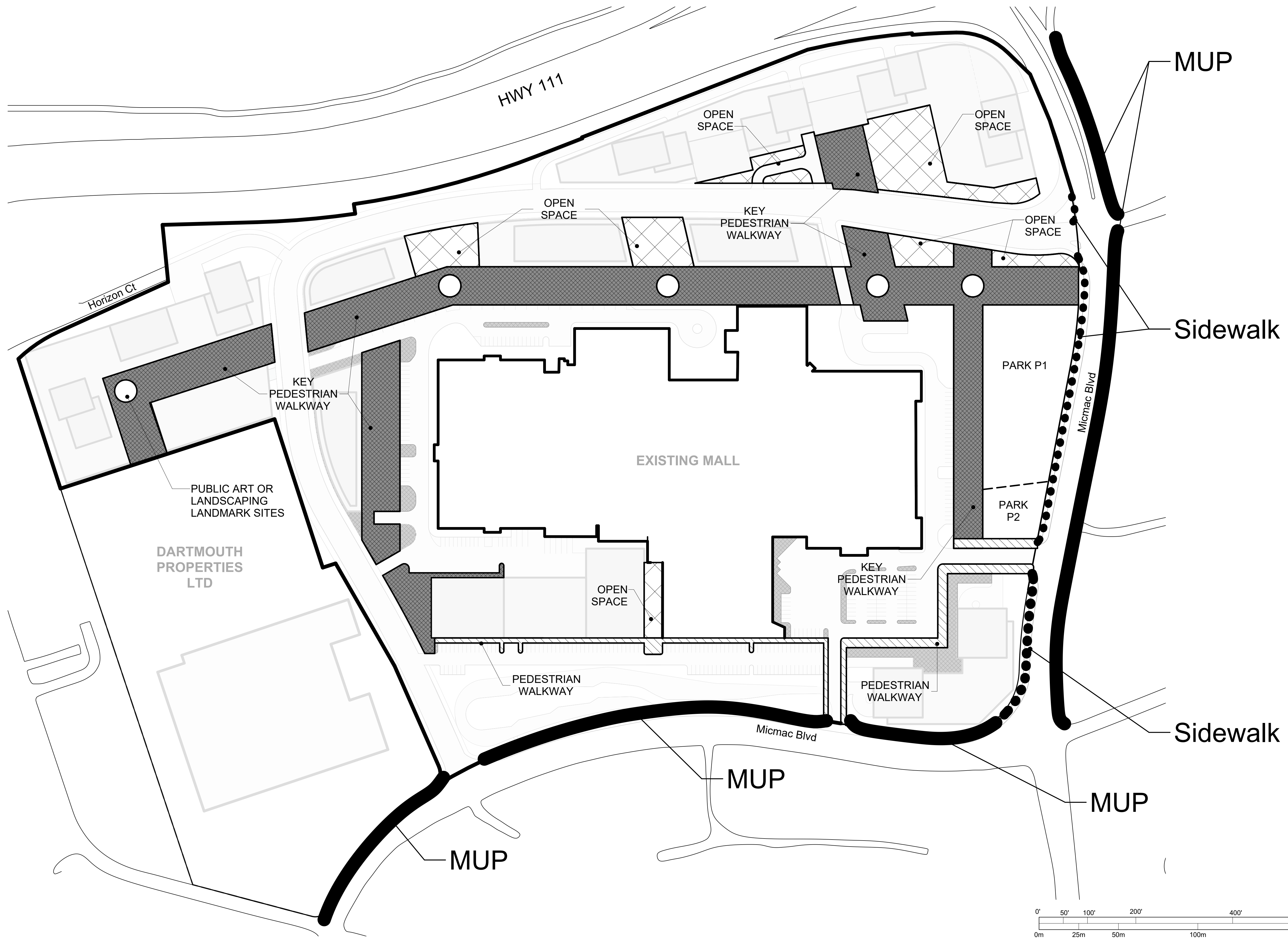
- 4.1 In addition to the exceptions provided under Sections 1.1 to 1.12 of this Schedule, the following exceptions contained in Sections 4.2 to 4.5 shall only apply to buildings within Phases 2 and 3, as shown on Schedules D-2 and D-3 of this Agreement.
- 4.2 Notwithstanding Clause 96(1)(a) of the Regional Centre Land Use By-law, balconies will be allowed to encroach into a required setback by up to 2.5 metres.
- 4.3 Notwithstanding Subsection 166(3) of the Regional Centre Land Use By-Law, the following requirements shall apply:
 - (a) No streetwall setback is required for a maximum of 20% of the length of any main building facing each streetline or transportation reserve, provided that each section of the streetwall without a 4.5 metre setback does not exceed 35 metres in length and 7 storeys in height above the streetline grade; and
 - (b) There shall be a minimum required separation distance of 14 metres, along the streetline or transportation reserve, between sections not having a streetwall setback.
- 4.4 Subsection 174(1) of the Regional Centre Land Use By-law shall not apply.
- 4.5 Notwithstanding Subsection 174(2) of the Regional Centre Land Use By-Law, the following requirements shall apply:
 - (a) Subject to Clause 4.5(b), the portion of any high-rise building that exceeds a height of 7 storeys above the average finished grade shall not exceed the following building dimension requirements, excluding balconies:
 - (i) a building width of 45 metres, and
 - (ii) a building depth of 35 metres; and
 - (b) The portion of any high-rise building that exceeds a height of 7 storeys, above the average finished grade, shall not exceed an average floor area of 900 square metres per storey.

Phases 4A, 4B, 4C, and 4D

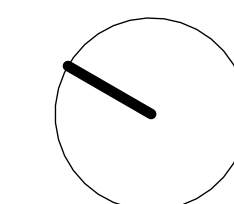
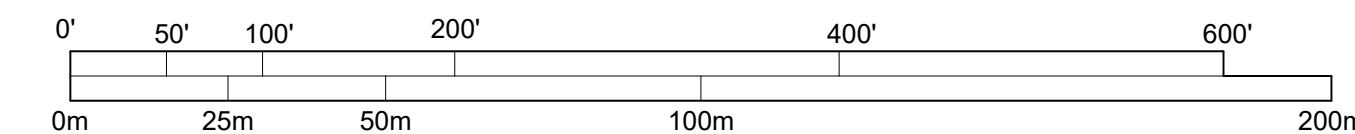
- 5.1 In addition to the exceptions provided under Sections 1.1 to 1.12 of this Schedule, the following exceptions contained in Sections 5.2 to 5.3 shall only apply to buildings within Phases 4A, 4B, 4C, and 4D, as shown on Schedule D-4 of this Agreement.
- 5.2 Notwithstanding Subsections 172(1) and 172(3) of the Regional Centre Land Use By-Law, side and rear setbacks of at least 2 metres shall be required above the height of the streetwall.
- 5.3 Notwithstanding Subsection 174(1) of the Regional Centre Land Use By-Law, and excluding any structure below 0.6m above the average finished grade or any public building use, any main building shall not exceed:
 - (a) a building width of 90 metres; and
 - (b) a building depth of 90 metres.



-  PUBLIC ART OR LANDSCAPING LANDMARKS SITES
-  PEDESTRIAN SIDEWALK
-  OPEN SPACE
-  KEY PEDESTRIAN WALKWAY
-  MUP IN ROW
-  SIDEWALK IN ROW



NOTE:
PEDESTRIAN INFRASTRUCTURE ALONG COLLECTOR 'A' WILL BE DETERMINED AT THE SUBDIVISION STAGE



ATTACHMENT D: REVIEW OF 4239474 CANADA INC DEVELOPMENT AGREEMENT AGAINST REGIONAL CENTRE SECONDARY MUNICIPAL PLANNING STRATEGY POLICIES (with proposed amendments)

Planning Policy Review		
Policy Number	Policy Provision	Staff Comment
F-6	(1) Subject to Policy F-5, in considering a development agreement for any lands zoned CDD-2 and CDD-1, Council shall consider the following:	Staff comments can be found below in conjunction with Clauses a) to n).
	a) the applicable Site-Specific CDD Requirements set out in Section 2.9.1 of this Plan;	See staff comments below under Policy F-13.
	b) all applicable policies of the Regional Plan and of this Plan;	Staff have identified the relevant policies of the Regional Plan and of this Plan and have included them in this Attachment.
	c) the subdivision of land;	Captured under Section 3.7 and Schedule J (Subdivision of Lands) of the proposed development agreement.
	d) the phasing of development;	Captured under Section 3.4 and Schedules D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), and D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D) of the proposed development agreement.
	e) the proposed development's road and walkway network, and the location of transit facilities;	<p>Captured under Clause 2.2.1(h); Sections 3.2, 3.4, 3.14, 4.5, and 4.6; and on Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), J (Subdivision of Lands), K (Standards for Common Shared Driveway), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.</p> <p>The development agreement will require the Developer to build a new collector road, a new sidewalk abutting their lands along Micmac Boulevard from the Glen Manor Drive intersection to the Collector A intersection (near Highway 111 overpass). The Developer will also be required to contribute money-in-lieu to the construction of two segments of a new multi-use pathway from Horizon Court to the Highway 111 overpass.</p> <p>The development agreement will also reserve land for the future acquisition of a</p>

		<p>portion of the site by the Municipality for an expanded transit terminal. The acquisition needs to occur before the issuance of a Certificate of Occupancy for any building in either Phase 1B or 1C.</p>
	<p>f) the adequacy of public parks, open spaces and community facilities that meet the objectives of this Plan and the requirements of the Regional Subdivision By-law;</p>	<p>Captured under Sections 2.2.1, 3.2, 3.4, 3.7, 3.8, 3.10, and 3.12.10; and Schedules B (Site Plan), C (Preliminary Landscaping Design Guidelines), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), E (Land Use Plan), J (Subdivision of Lands), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.</p> <p>Through the subdivision process, the Municipality will be acquiring a public park having a minimum area of 5,862 square metres and a minimum frontage along Micmac Boulevard of 113 m. Additional parkland acquisition is possible under the development agreement. In addition, 40% of the public benefit value from the incentive or bonus zoning program will be directed towards parkland site development on the Lands.</p> <p>The agreement proposes an extensive network of “Key Pedestrian Walkways” and other open spaces that will supplement the public park. The lands under consideration are also located near existing municipal and provincial parks, including Maybank Park, Brookdale Crescent Park, Birch Cove Park, and Shubie Park.</p>
	<p>g) the built form and land use requirements applied to the site through references to appropriate zones and sections of the Land Use By-law, including site plan approval provisions, with limited site specific adjustments to meet the applicable Site-Specific CDD Requirements set out in Section 2.9.1 of this Plan;</p>	<p>Captured under Sections 1.2, 2.3, 3.3, 3.5, and 3.6; and Schedules B (Site Plan), E (Land Use Plan), F (Maximum Building Height Precincts), G (Maximum Floor Area Ratio Precincts), I (Areas where Additions to the Existing Mall are Permitted), L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D), M (Additional Streetlines Not Requiring the Establishment of Ground Floors and Grade-Oriented Premises), and O (Regional Centre Land Use By-law in effect as of the date of approval of the development agreement) of the proposed development agreement.</p>
	<p>h) the identification of any Pedestrian-Oriented Commercial Street, Waterfront View Corridor, and View Terminus Site;</p>	<p>The site is not abutting a waterfront area, which negates the need to identify waterfront view corridors under the proposed development agreement. Staff are</p>

		of the opinion that a pedestrian-oriented commercial street is not warranted on this site due to the proposal to provide “Key Pedestrian Walkways”, which will serve a similar function [see Clause 2.2.1(h), Schedule C (Preliminary Landscaping Design Guidelines), and Schedule N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway)]. However, the proposed development agreement does identify a form of view terminus sites through Section 3.8.8 and Schedule H (Public Art or Landscaping Landmark Sites).
	i) provisions to exceed the maximum building height framework, provided the proposals comply with the Pedestrian Wind Impact Assessment Protocol and Performance Standards, and the Shadow Impact Assessment Protocol and Performance Standards of the Land Use By-law and the Citadel View Planes and Ramparts Sight Lines, Dartmouth View Planes, and Waterfront View Corridors;	Captured under Sections 1.2.2, 3.5.3, and 3.6.2; and Schedule F (Maximum Building Height Precincts) of the proposed development agreement. The agreement negotiated does not exempt the proposed development from complying with the Pedestrian Wind Impact Assessment Protocol and Performance Standards, and the Shadow Impact Assessment Protocol and Performance Standards of the Regional Centre Land Use By-law. This site is not impacted by Citadel View Planes, Citadel Ramparts Sight Lines, Dartmouth View Planes, and Waterfront View Corridors.
	j) provisions for incentive or bonus zoning, consistent with Part 9 of this Plan and the method for calculating bonus zoning values set out in the Land Use By-law;	Captured under Section 3.12 of the proposed development agreement.
	k) impacts to Municipal infrastructure and the need, if any, to concurrently approve by-laws to pay for growth related municipal infrastructure;	Captured under Sections 3.2.1, 3.2.6, 4.1, 4.2, 4.5, and 4.6 of the proposed development agreement. There will be impacts to Municipal off-site infrastructure. Staff have identified one off-site improvement that the Developer will be solely responsible for, a sidewalk abutting their lands along Micmac Boulevard from the Glen Manor intersection to the Collector A intersection (near Highway 111 overpass). Additionally, the Developer will be required to provide a money-in-lieu contribution towards upgrades to the Micmac Boulevard, Glen Manor Drive, and Brookdale Crescent intersection, as well as money-in-lieu contributions towards two segments of a multi-use pathway (Horizon Court to Glen Manor Multi-Use Pathway and Glen Manor to Highway 111 Multi-Use Pathway).
	l) the distribution of overall densities intended for the Node, and between different development blocks, phases and land owners;	The lands making up the M District Future Growth Node are held by two different property owners. Staff negotiated the distribution of densities between the two

		land holdings and between different blocks and phases under each land holding. Captured under Sections 3.3.4, 3.4, 3.5.4, and 3.6.2; and Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), F (Maximum Building Height Precincts), and G (Maximum Floor Area Ratio Precincts).
	m) provisions to enable discharging the agreement when all terms and obligations are fulfilled; and	Captured under Section 7.5 of the proposed development agreement.
	n) the general development agreement criteria set out in Policy IM-7 in Part 9 of this Plan.	See staff comments below under Policy IM-7.
F-13	When considering one or more development agreements for the M District Lands Future Growth Node, Council shall consider the following:	The application before Council is a request to enter into a development agreement for a portion of the lands making up the M District Lands Future Growth Node. Staff comments can be found below in conjunction with Clauses a) to e).
	a) That the transportation network within the Future Growth Node prioritizes pedestrian safety and comfort, walking, the easy use of mobility devices, cycling, and transit use by:	Staff comments can be found below in conjunction with Subclauses i) to vi).
	i) providing generous pedestrian walkways, in the locations generally shown on Map 26, to make mid-block connections and create an active pedestrian realm throughout the Future Growth Node,	Captured under Clause 2.2.1(h); Sections 3.2.6, 3.2.7, and 3.2.8; and Schedules B (Site Plan), C (Preliminary Landscaping Design Guidelines), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	ii) providing a public street in the location generally shown on Map 26,	Captured under Sections 3.2.1 and 4.5, and Schedules B (Site Plan) and D-2 (Phasing Plan – Phase 2) of the proposed development agreement.
	iii) maintaining adequate space for a new off-street transit terminal at the location generally shown on Map 26, which has direct and accessible pedestrian connections to the existing mall and pedestrian walkways. The actual size, frontage, and configuration of the space to be reserved for a new off-street terminal shall be determined through the development agreement process,	Captured under Sections 3.2.6, 3.14, and 4.6, and Schedules B (Site Plan), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), Schedule J (Subdivision of Lands), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	iv) maintaining and enhancing existing pedestrian pathways that provide	Captured under Sections 3.2, 3.4, and 4.6, and Schedules B (Site Plan), D-0 (Phasing

	connections to lands outside of the Future Growth Node, and	Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	v) minimizing surface parking and interruptions to pedestrian mobility;	Captured under Sections 3.2, 3.4, 3.9 and 4.6, and Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), I (Areas where Additions to Existing Mall are Permitted), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	b) A site and building design that responds to the unique context of the site and that contributes to the creation of a mixed-use, pedestrian-friendly, high-density, and human-scale neighbourhood with a variety of built forms and land uses by:	Staff comments can be found below in conjunction with Subclauses i) to xvii).
	i) generally meeting the requirements of the Regional Centre Land Use By-Law, including the built form, siting, and land use regulations applicable to the CEN-2 Zone, except where varied under Sub-clauses ii) to xi) to support the unique site layout and uses associated with this Future Growth Node,	Captured under Sections 3.3 and 3.5, and Schedules B (Site Plan), E (Land Use Plan), F (Maximum Building Height Precincts), G (Maximum Floor Area Ratio Precincts), L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D), and O (Regional Centre Land Use By-law in effect on the approval date) of the proposed development agreement.
	ii) supporting the unique functionality of a large shared housing with special care facility, including exempting the development from meeting ground floor and grade-oriented premises requirements, reducing the minimum separation distances between high-rise typologies to 21.0 metres, and allowing flexibility on maximum building dimensions, including average floor area requirements for tower portions,	Captured under Sections 3.1, 3.2, 3.3, 3.4, and 3.5 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D) of the proposed development agreement.
	iii) allowing maximum building dimensions and average floor area requirements for tower portions to be increased for new buildings attached to the existing commercial mall, provided visual and shadow impacts are mitigated by maximum building heights, setbacks, and building spacing,	Captured under Sections 1.3, 2.1, 2.2, 2.3, and 2.4 of Schedule L (Exceptions to the Regional Centre Land Use By-Law), as well as on Schedules B (Site Plan) and F (Maximum Building Height Precincts) of the proposed development agreement.
	iv) allowing for wider podium dimensions where a building abuts Highway 111, or provides a significant at grade open space	Captured under Sections 4.1, 4.4, 5.1, and 5.3 of Schedule L (Exceptions to the Regional Centre Land Use By-Law); and Schedules B (Site Plan), D-2 (Phasing Plan

	between above grade portions of the building which enhances walkability,	– Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), and Schedule N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	v) subject to Subclauses vi) and vii), limiting maximum streetwall heights to 4 storeys to support an enhanced pedestrian experience by limiting building massing at the sidewalk level and to mitigate shadow and wind impacts,	Captured under Sections 1.7, 2.2, 3.2, and 4.3 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D), as well as Schedules B (Site Plan), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	vi) exempting the existing commercial office building and the existing commercial mall, and any expansions thereof, including an attached office building and parking structure with the existing commercial mall, from having to provide any streetwall,	Captured under Section 3.6.2 of the agreement and Section 2.2 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D), as well as Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0) and D-1 (Phasing Plan – Phases 1A, 1B, and 1C) of the proposed development agreement.
	vii) allowing additional streetwall height up to a maximum 7 storeys,	Captured under Sections 3.2 and 4.3 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D), as well as Schedules B (Site Plan), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	viii) exempting the existing commercial office building and the existing commercial mall and any expansions, including an attached office building and parking structure with the existing commercial mall, from meeting ground floor and grade-oriented premises requirements,	Captured under Section 3.6 of the agreement, Sections 2.1 and 2.2 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D), as well as Schedules B (Site Plan) and D-1 (Phasing Plan – Phases 1A, 1B, and 1C) of the proposed development agreement.
	ix) allowing flexibility on the landscaping requirements of the Regional Centre Land Use By-law in favour of a more customized approach to landscaping for the M District Lands Future Growth Node,	Captured under Section 3.8 and Schedules B (Site Plan), C (Preliminary Landscaping Design Guidelines), H (Public Art or Landscaping Landmark Sites), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	x) being flexible on the location and configuration of surface parking to meet the continuing needs of the existing commercial	Captured under Section 3.9 and Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and

	mall and the existing commercial office building,	1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), and D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D) of the proposed development agreement.
	xi) allowing balconies to encroach into streetwall setbacks by up to 2.5 metres for buildings located adjacent to Highway 111, to account for unique site conditions,	Captured under Section 4.2 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D) of the proposed development agreement. Balconies will be allowed to encroach into a required setback by up to 2.5 metres in Phases 2 and 3.
	xii) establishing side and rear yard setbacks, above the height of the streetwall, of at least 2 metres for buildings facing private walkways and amenity areas, to enhance pedestrian experience along these spaces by limiting building massing and to mitigate shadow and wind impacts,	Captured under Section 5.2 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D) and Schedules D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D) and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	xiii) employing built form and siting requirements that complement parks and open spaces, and contribute to an active and vibrant public realm along public streets and pedestrian walkways, as generally shown on Map 26,	Captured under Sections 3.5 and 3.6 of the agreement, Sections 1.7, 4.5, 5.2, and 5.3 of Schedule L (Exceptions to the Regional Centre Land Use By-Law for Phases 1A, 1B, 1C, 2, 3, 4A, 4B, 4C, and 4D), and Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), and D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), F (Maximum Building Height Precincts), G (Maximum Floor Area Ratio Precincts), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.
	xiv) identifying strategic view terminus sites to enhance prominent sites,	Captured under Section 3.8.8 of the proposed development agreement. Schedule H identifies five public art or landscaping landmark sites on the lands that are to be addressed by placing public art or landscaping landmarks in at-grade open spaces within the sites. The Municipality will allow the Developer to change the public art or landscaping landmarks periodically throughout the year to celebrate or accommodate holidays and special events.
	xv) permitting a wide range of commercial, residential, and institutional uses,	Captured under Sections 3.3.2, 3.3.3, and 3.6.3 of the proposed development agreement.
	xvi) planning for a mix of mid to high-rise buildings, and	Captured under Section 3.5.3, and Schedules B (Site Plan) and F (Maximum Building Height Precincts) of the proposed development agreement. Heights across the site will vary from 4 to 40 storeys.

	<p>xvii) allowing building heights up to 40 storeys and floor area ratios up to 7, in a way that minimizes the impact of shadow and wind on parks and open spaces;</p>	<p>Captured under Sections 3.5.3 and 3.5.4, and Schedules B (Site Plan), F (Maximum Building Height Precincts), G (Maximum Floor Area Ratio Precincts), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement. Heights will vary across the site from 4 to 40 storeys and the floor area ratio values will vary between 1 and 7.</p>
	<p>c) New parks and/or open spaces that enhance the public realm and provide adequate access to recreational opportunities for a high-density neighbourhood by:</p>	<p>Staff comments can be found below in conjunction with Subclauses i) to vi).</p>
	<p>i) designing and locating pedestrian walkways, as generally shown on Map 26, to support opportunities for recreation, shopping, and mobility,</p>	<p>Captured under Clause 2.2.1 (h); Sections 3.2.6, 3.2.7, and 3.2.8; and Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.</p>
	<p>ii) strategically locating parks and/or open spaces to connect, extend, and enhance existing pedestrian networks,</p>	<p>Captured under Clause 2.2.1(h), Sections 3.2.6, 3.2.7, 3.2.8, 3.4, 3.8, and 3.10; as well as Schedules B (Site Plan), C (Preliminary Landscaping Design Guidelines), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), H (Public Art or Landscaping Landmark Sites), J (Subdivision of Lands), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement.</p>
	<p>iii) providing private open space, throughout the development, with a mix of passive and programmed recreational activities,</p>	<p>The proposed development agreement will provide a generous amount of private open spaces and landscaped “Key Pedestrian Walkways”, as shown on Schedule N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) and which are further captured in Clause 2.2.1(h), Sections 3.2.6, 3.2.7, and 3.2.8, and Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), and H (Public Art or Landscaping Landmark Sites). These private open spaces and Key Pedestrian Walkways are envisioned by the Developer</p>

		to provide a mix of passive and programmed recreational activities.
	iv) requiring that a minimum of 10% park dedication be required for any subdivision within the M District Lands Future Growth Node,	Captured under Sections 3.7 and 3.10.7, and Schedule J (Subdivision of Lands) of the proposed development agreement.
	v) requiring that park dedication be calculated based on the total area of all lots shown to be approved on a final plan of subdivision, with subdivision in this case defined to also include boundary alterations and lot consolidation, and	Captured under Sections 3.7 and 3.10.7, and Schedule J (Subdivision of Lands) of the proposed development agreement.
	vi) providing a public park in the space generally shown on Map 26, with the actual size, frontage, and configuration to be determined through the development agreement process;	Captured under Sections 3.7 and 3.10, and Schedules B (Site Plan), D-3 (Phasing Plan – Phase 3), E (Land Use Plan), and J (Subdivision of Lands) of the proposed development agreement.
	d) That environmental protection and climate resiliency objectives are supported by:	Staff comments can be found below in conjunction with Subclauses i) to iii).
	i) mitigating the effects of the urban heat island effect through landscaping and use of high-albedo materials,	Captured under Schedule C (Preliminary Landscaping Design Guidelines) of the proposed development agreement.
	ii) contributing to the tree canopy targets of the Urban Forest Master Plan, and	Captured under Schedule C (Preliminary Landscaping Design Guidelines) of the proposed development agreement.
	iii) developing a stormwater master plan that includes water quality objectives with the goal of reducing nutrient loading and sediment run-off into nearby watercourses with consideration given to the recommendations outlined in the Pollution Source Control Study for Lake Banook & Lake Micmac Final Report (2019); and	Captured under Section 5.2 of the proposed development agreement.
	e) Supporting housing needs in the municipality by requiring that a minimum of 60% of the required Public Benefit Value go toward money-in-lieu for affordable housing, or for an equivalent value to be provided in the form of on-site affordable housing or land contribution.	Captured under Section 3.12.9 and Clause 6.1.1(h) of the proposed development agreement.
IM-7	In considering proposals to amend the Land Use By-law, amend the zoning boundaries, or enter into development agreements, Council shall consider that:	The application before Council is a request to enter into a development agreement. Staff comments can be found below in conjunction with Clauses (a) to (d).
	a) the proposal is consistent with the Vision, Core Concepts, Urban Design Goals, and all applicable objectives and policies set out in the Regional Plan and this Plan;	The proposal is reasonably consistent with the Vision, Core Concepts, Urban Design Goals, and all applicable objectives and policies set out in the Regional Plan and this Plan.
	b) the proposal is appropriate and not premature by reason of:	Staff comments can be found below in conjunction with Subclauses (i) to (v).
	i) the financial capacity of the Municipality to absorb any costs relating to the development,	The HRM costs associated with processing the SMPS amendments and the development agreement application can be accommodated within the approved 2025-

		<p>2026 operating budget for Planning and Development. The Developer will be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred in order to satisfy the terms of the proposed development agreement. The administration of the proposed development agreements can be carried out within the approved 2025-2026 budget and with existing resources.</p> <p>Most off-site upgrades to area infrastructure, including streets, traffic signals, pedestrian and active transportation facilities, as well as water, sanitary and stormwater infrastructure, that are needed to accommodate the developments will be borne by the landowner. However, the Municipality will be cost sharing on three off-site improvements and will be fully responsible for a fourth off-site improvement. For the multi-use pathway (MUP) required on Micmac Boulevard, from the intersection with Glen Manor Drive to the Highway 111 overpass, which is planned for the opposite side of the street from the M District FGN, the Developer as well as the neighbouring property owner are required to contribute a combined total of 40% of the costs, with the remaining 60% to be covered by the Municipality. For the upgrades to the Micmac Boulevard/Glen Manor Drive/Brookdale Crescent intersection, the Developer and the neighbouring property owner are required to contribute a combined 40% of the costs, with the remaining 60% to be covered by the Municipality. For the multi-use pathway (MUP) required on Micmac Boulevard, from the intersection with Horizon Court to the Glen Manor Drive intersection, the Developer and the neighbouring property owner are required to contribute a combined total of 90% of the costs, with the remaining 10% to be covered by the Municipality. The Municipality will be responsible for the full cost of asphalt painting and signage related to the introduction of transit priority lanes on Micmac Boulevard.</p> <p>The municipal costs above reflect the broader community benefits the MUPs, intersection upgrades, and transit priority lanes will provide to surrounding residents and are consistent with municipal capital cost contribution policies. The municipal</p>
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		<p>portion of the costs for the Micmac Boulevard MUP, the costs for the upgrades to the Micmac Boulevard/Glen Manor Drive/Brookdale Crescent intersection, and the costs for introducing the transit priority lanes will be incorporated into future capital budget processes.</p> <p>To accommodate these two developments and future area growth in the region, the Municipality will need to construct a new off-street transit terminal at M District. The current transit terminal is inadequate to meet future growth in the area. In preparation for this need, an area of land has been set aside by 4239474 CANADA INC to be acquired by the Municipality to construct a new off-street transit terminal. The Municipality budgeted for the land acquisition cost of the new transit terminal as part of the 2025/26 budget. The cost to the Municipality for the construction of the new transit terminal will be incorporated into future capital budget processes.</p> <p>Sport courts, a small play lawn, plaza space, and seating are envisioned within the parkland of the development. The capital costs for the parkland would need to be planned for and included in future capital budgets. Part of the costs may be offset from incentive or bonus zoning funding that could be directed towards the intended parkland improvements.</p> <p>A pedestrian bridge connecting M District to Shubie Park above Highway 111 has been identified as a future desired improvement in the area. The proposed development agreement with 4239474 CANADA INC sets land aside for the entrance of this potential pedestrian bridge. However, the potential future construction of the pedestrian bridge would require a partnership between the Municipality and the province, given that it would need to cross Highway 111 and connect to provincially owned land. In 2023, a Class D cost for the construction of this pedestrian bridge was estimated at approximately 3.5 million dollars. Any municipal contribution for this potential pedestrian bridge may be considered through future budget and business planning processes.</p>
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		<p>Long-term, the Municipality will be responsible for the operation and maintenance of a new collector street (Collector A), additional roadway along Micmac Boulevard, additional traffic signals, additional pedestrian and active transportation facilities, a new parkland and assets, as well as an expanded transit terminal. The M District development may also require additional firefighting equipment and increased staffing at area fire stations. Over the long-term, these operational costs are expected to be offset by new property tax revenues generated by the new developments.</p>
	<p>ii) the adequacy of municipal wastewater facilities, stormwater systems or water distribution systems,</p>	<p>The site is currently serviced by municipal wastewater facilities, stormwater systems, and water distribution systems. The Developer has submitted a Downstream Wastewater Sewer Analysis, which indicates that upgrades will be required to the wastewater system once a certain population threshold is reached. Section 1.5.1 of the proposed development agreement requires the developer be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred in order to satisfy the terms of the agreement. Any system upgrades required to accommodate the proposed development will be the responsibility of the developer. No issues were identified with the local water distribution and stormwater systems.</p>
	<p>iii) the proximity of the proposed development to schools, parks, and community facilities, and the capability of these services to absorb any additional demands,</p>	<p>The proposed development was circulated to the Halifax Regional Centre for Education (HRCE) for comments. It is the responsibility of the HRCE to find capacity within area schools for all students. HRCE has indicated that it will be directing new M-District students to Crichton Park Elementary, Bicentennial School, and then Dartmouth High.</p> <p>The development site is near three municipal parks (Maybank Park, Brookdale Crescent Park, and Birch Cove Park) and one provincial park (Shubie Park). A new park (more than 5,862 square metres) will be set aside on the site to serve the immediate needs of the new residents. The site is also located near the Zatzman Sportsplex</p>
	<p>iv) the adequacy of transportation infrastructure for pedestrians, cyclists, public transit and vehicles for travel to and within the development, and</p>	<p>A Growth Area Mobility Analysis (GAMA) was submitted and reviewed as part of the consideration of this development. The GAMA confirmed the need for a new</p>

		<p>Collector A street and the extensive pedestrian network (walkways and Key Pedestrian Walkways) being proposed on the Lands. It also recommended five off-site transportation infrastructure improvements. These are:</p> <ul style="list-style-type: none">• transit priority lanes on Micmac Boulevard;• a sidewalk in the right-of-way along Micmac Boulevard, fronting on the Lands, from the Glen Manor Drive intersection to the Collector A intersection (near the Highway 111 overpass);• a multi-use pathway (MUP) along Micmac Boulevard from Horizon Court to the Glen Manor Drive intersection;• a multi-use pathway (MUP) along Micmac Boulevard from the Glen Manor Drive intersection to the overpass for Highway 111 (opposite side of Micmac Boulevard as the M District Future Growth Node lands); and• upgrades to the Micmac Boulevard, Glen Manor Drive, and Brookdale Crescent intersection. <p>The development agreement will require the Developer to pay for the construction of Collector A, which will include physically separated unidirectional cycling lanes. The development agreement will require the Developer to build the extensive pedestrian network (walkways and Key Pedestrian Walkways) being proposed on the Lands. The development agreement will require the Developer to build the sidewalk along Micmac Boulevard from the Glen Manor Drive intersection to the Collector A intersection (near the Highway 111 overpass). The development agreement will require the Developer to make money-in-lieu contributions for both MUP segments, as well as the upgrades to the Micmac Boulevard, Glen Manor Drive, and Brookdale Crescent intersection.</p> <p>To accommodate this development and future area growth in the region, the Municipality will need to construct a new off-street transit terminal at M District. The current transit terminal is inadequate to meet future growth in the area. In preparation for</p>
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		<p>this need, an area of land has been set aside by 4239474 CANADA INC to be acquired by the Municipality to construct a new off-street transit terminal.</p>
	<p>v) the impact on registered heritage buildings, heritage streetscapes, and heritage conservation districts;</p>	<p>There are no registered heritage buildings, heritage streetscapes, or heritage conservation districts on the Lands or on properties abutting the Lands.</p>
	<p>c) the subject lands are suitable for development in terms of the steepness of grades, soil and geological conditions, locations of watercourses, wetlands, and susceptibility to flooding;</p>	<p>A Land Suitability Analysis (LSA) was submitted and reviewed as part of the consideration of this development. The site is fairly flat and does not contain steep grades. The LSA did not indicate any issues in terms of soil and geological conditions, locations of watercourses, wetlands, and susceptibility to flooding.</p>
	<p>d) that development regulations in the proposed rezoning or development agreement will adequately mitigate potential conflict between the proposed development and nearby land uses, by reason of:</p>	<p>Staff comments can be found below in conjunction with Subclauses (i) to (vi).</p>
	<p>i) type of use(s),</p>	<p>The type of uses being proposed through the negotiated development agreement are the same as those allowed under the CEN-2 Zone. The CDD-2 Zone currently applied to the site allows, as-of-right, all commercial and institutional uses allowed under the CEN-2 Zone. The only additional uses that will be allowed through this development agreement, above and beyond the as-of-right uses, will be residential uses. The additional uses allowed under the CEN-2 Zone are not expected to cause any conflict with nearby land uses.</p>
	<p>ii) built form of the proposed building(s),</p>	<p>The enabling policy set, Policy F-13, contains built form controls that were specifically approved by Council for the site and the proposal under consideration, in order to mitigate potential conflict between the proposed development and nearby land uses. The staff review of the evaluation criteria for those policies is contained above.</p>
	<p>iii) impacts on adjacent uses, including compatibility with adjacent residential neighbourhoods, parks, community facilities, and railway operations,</p>	<p>The enabling policy set, Policy F-13, was developed after substantial public engagement and discussion. The enabling policy set envisioned the proposal that is now under consideration. The enabling policy set has built-in controls to mitigate impacts on adjacent uses, including compatibility with adjacent residential neighbourhoods, parks, and community facilities. There are no railway operations in the immediate area of the subject site.</p>

	<p>iv) traffic generation, safe access to and egress from the site, and parking,</p>	<p>Clause 2.2.1(h); Sections 3.2, 3.4, 3.9, 3.14, 4.5, and 4.6; and Schedules B (Site Plan), D-0 (Phasing Plan – Phase 0), D-1 (Phasing Plan – Phases 1A, 1B, and 1C), D-2 (Phasing Plan – Phase 2), D-3 (Phasing Plan – Phase 3), D-4 (Phasing Plan – Phases 4A, 4B, 4C, and 4D), J (Subdivision of Lands), K (Standards for Common Shared Driveway), and N (Pedestrian Walkways + Open Spaces + Multi-Use Pathway) of the proposed development agreement cover various aspects of access and egress, circulation, and parking on the site.</p> <p>A Growth Area Mobility Analysis (GAMA) was submitted as part of this proposal. The GAMA was reviewed by HRM engineering staff. HRM engineering staff have indicated that they have no concerns with the proposal regarding traffic generation and safe access to and egress from the site.</p>
	<p>v) open storage and signage, and</p>	<p>Section 3.13 of the proposed development agreement stipulates that signage must follow the requirements of the Regional Centre Land Use By-law, as may be amended from time to time.</p> <p>Regarding open storage, a storage yard use is not permitted in the CDD-2, CEN-2, or PCF zones that are identified on Schedule E as the only three zones that will apply to the lands of the proposed development agreement. Furthermore, Sections 48 and 424 of the Regional Centre Land Use By-law place controls over the location and screening of outdoor solid waste management areas. Both these two sections will continue to apply with the proposed development agreement in place.</p>
	<p>vi) impacts of lighting, noise, fumes and other emissions.</p>	<p>The Regional Centre Land Use By-law incorporates controls over lighting (Section 41) to mitigate potential conflicts with nearby land uses. The development agreement does not exempt the proposed development from meeting the requirements of Section 41. The development is not expected to generate any noise, fumes, or other emissions that would be unusual or problematic in the context of surrounding land uses.</p>



Photo Credit: Google Earth

**ATTACHMENT E: WHAT WE HEARD REPORT - PHASE
1 PUBLIC ENGAGEMENT**

M DISTRICT FUTURE GROWTH NODE PHASE 1 ENGAGEMENT SUMMARY

August 29, 2023

HALIFAX

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PLANNING PROCESS

Halifax Regional Council initiated the M District Comprehensive Neighbourhood Planning program on December 13, 2022.

The lands are designated “Future Growth Node (FGN)” under the Regional Centre Secondary Municipal Planning Strategy (Centre Plan) which requires a comprehensive neighbourhood planning process to be completed before development can take place. The planning process will address what is needed for a new complete community through the creation of a neighbourhood plan for the entire FGN.

The planning process includes public engagement, background studies (land suitability, transportation, archaeological resource impact, potable water and wastewater servicing) and detailed review by HRM staff and other review agencies. The purpose of the planning process is to create “complete communities” – neighbourhoods with housing, employment and recreation for current and future residents within walking distance.

The planning process is initiated by a development application but considers all properties within the FGN comprehensively. At the time of Phase 1 public engagement, one application was received from WM Fares Architects, on behalf of Rank Inc.

THIS DOCUMENT

This document provides a summary of engagement activities and feedback received during Phase 1 of the M District Future Growth Node (FGN) public engagement process.

The **SUMMARIZED FEEDBACK** section provides a summary of all feedback and ideas received from the primary forms of public engagement – the online survey, public meeting, and correspondence. Feedback is summarized into key themes which emerged through the engagement process. Throughout this section, the **blue text boxes** highlight resident quotes extracted from submissions to the online survey.

The **NEXT STEPS** section briefly highlights the next steps of the planning process and future public engagement opportunities.



The site today (Google Earth)

HOW WE ENGAGED

This report summarizes a seven month engagement process which employed the engagement methods indicated on this page. The statistics on this page are accurate to August 1st, 2023.



Project Website

4,900 visits
575 Document Downloads
104 FAQ Page Visits
345 Video Views



Public Meeting

May 17th, 2023
212 attendees across three public open house sessions



Signage Posted on Site

May 9th, 2023



Mailouts

1,711 Notices Mailed



Online Survey

153 Surveys submitted by residents



Correspondence

8 emails received (unique email addresses)
1 phone call



Social Media

Posts on municipal accounts
Advertising on Facebook

HOW WE HEARD YOU

1. The three **PUBLIC OPEN HOUSE** sessions held on May 17th, 2023 had 212 attendees who asked questions, shared their opinions, and expressed their concerns. This meeting had HRM Planning Staff in attendance to discuss the application and planning process, as well as representatives from the applicant's team to explain their proposal.

2. The **ONLINE SURVEY** received 153 responses from residents who answered eight questions regarding what aspects of the existing site they valued most, what they hoped to see in a future redevelopment of the site, and what concerns and questions they believed still needed to be addressed.

3. Staff received **CORRESPONDENCE** by email and phone throughout the first phase of public engagement. The majority of this correspondence was with residents who live close by to the M District site and were concerned about the potential impact of the development on their property. Information gathered from the public open house sessions, the online survey, and correspondence were summarized into the themes that make up this report.



Lake Banook with the M District in the background (Discover Halifax)

FEEDBACK CATEGORIES

Throughout the engagement process, feedback was sought on topics which planning policy can address. These categories are shown below.

DENSITY



LAND USE



TRANSPORTATION



PARKS AND LANDSCAPING



BUILDING DESIGN



HERITAGE AND CULTURE



COMMUNITY FACILITIES



PHASE 1 TIMELINE

Below is a timeline of Phase 1 engagement. This phase took place between January and July 2023.

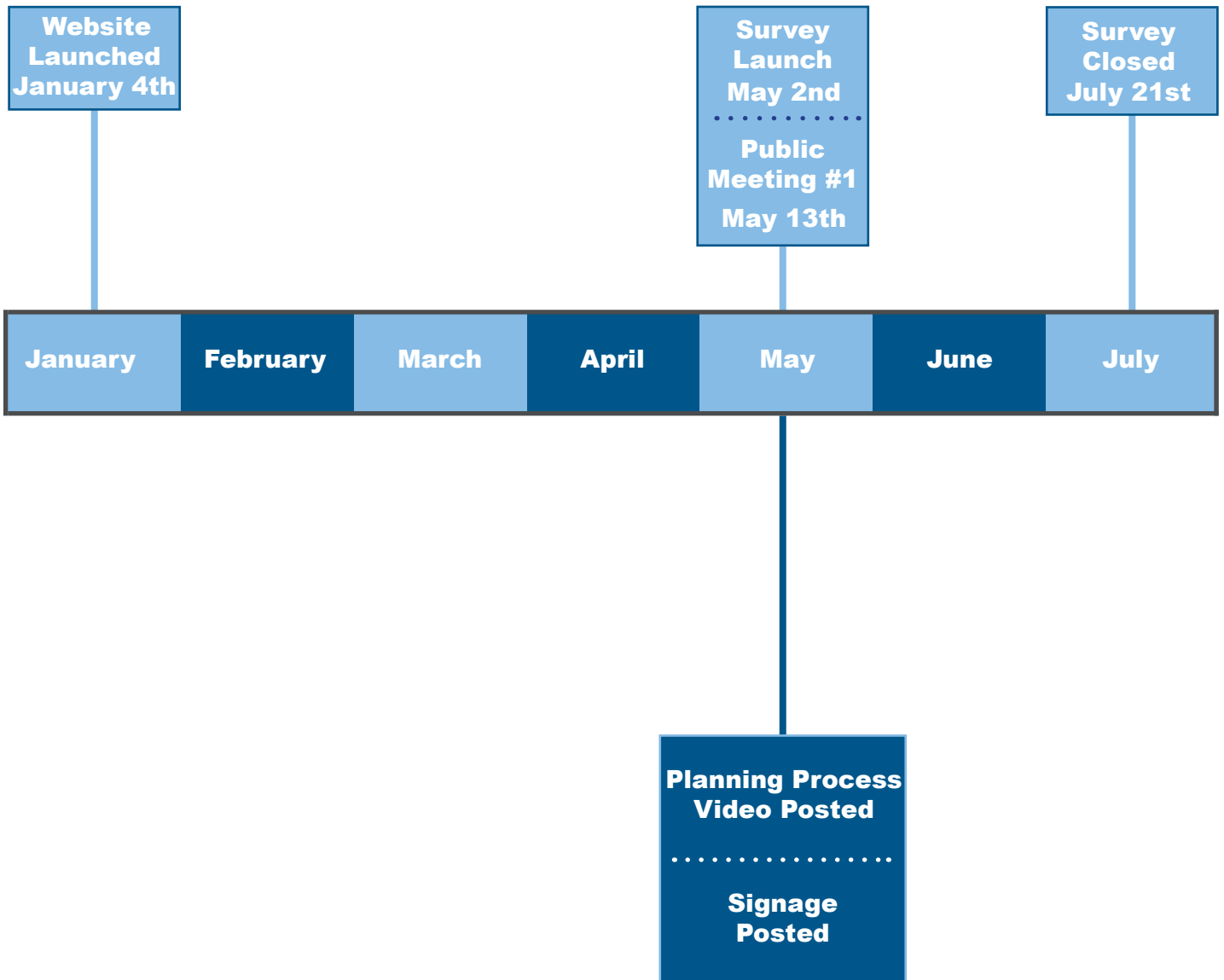




Photo Credit: HRM Planned Growth

SUMMARIZED FEEDBACK THEMES

CURRENT STATE

When asked about what aspects of the existing site were important to them, many residents highlighted that the existing transit services, retail shopping, and highway access were important to them. However, residents frequently mentioned that they placed little value on what they perceived to be an overabundance of surface parking lots.

Many residents saw the current site as a great opportunity for redevelopment to provide services, housing, and additional retail opportunities. While there was some disagreement about the exact shape and form of this redevelopment and what elements ought to be included, a large majority of residents were in favour of some form of change. Different points and considerations brought forward by residents are described in the following pages.

Key Points

- » Residents generally placed little value on the existing conditions of the site.
- » Residents value the opportunity to improve the existing site through redevelopment.



Existing Site Conditions (HRM Planned Growth)

“It’s a mall, an ugly mall, nostalgia isn’t a real thing, let’s move forward shall we? What is with the giant swaths of parking lot? The parking requirements the city requires is far too high. The Mic Mac parking lot was last filled on the 70s...”

“Some existing services are important to me in the mall such as the drugstore. I live very close to the mall and often pop in to access these retail spaces for errands.”

“I have no sentimental attachment to parking lots”

HOUSING AND BUILT FORM

Among residents, apartments were the most preferred type of housing within M District. There was a particular emphasis on larger 2 and 3-bedroom units suitable for families. There was also strong support for townhouse style development. A small number of residents expressed support for lower density housing such as single unit dwellings, however others still were expressly against this idea.

A mixture of rental units and condominiums was favoured by residents to address the housing needs of a diverse population. There was also general support for the inclusion of seniors housing in the proposal. Some residents felt that the amenities to support seniors were not adequately provided in the proposal.

Residents held a range of views regarding the height of the proposed buildings within M District. Some expressed concerns that 30-36 storey buildings might create unsafe wind conditions, block sunlight, and obstruct lake views. There was also a general concern from residents that the nature of the proposed high-rise buildings did not respect the character of the surrounding neighborhood. Residents with this perspective suggested that it would be more appropriate to have low to mid-rise buildings or to set a maximum height of 20 storeys.

In contrast to this perspective, many residents were in favour of the proposed heights and advocated for maximizing the density of the site. Some argued that maximizing density on the site was a better alternative than a pattern of urban sprawl.

The issue of housing affordability was frequently mentioned by residents. Some residents felt that the construction of new high-end buildings would serve only to make housing more expensive in the area while others felt that a high density development could help to alleviate the acute housing shortage in HRM. There was a consistent and strong emphasis that the M District needed to include an affordable housing component to help combat rising housing costs. Definitions of affordable housing varied. To some residents, affordable meant below-market housing such as “rent geared to income” units

while to others it meant having generally low rents requested at \$800-\$1,000 / month.

“It makes sense to increase residential density at this site but NOT on the scale proposed. Massive towers are out of scale to the neighbourhood. And there are no jobs/industries nearby (. . .)”

“Medium to high density rental and condos, with affordable housing. It’s a beautiful area of Dartmouth (well, the lakes, not the parking lots!) and is far too low density for “inside the Circ.”

“The proposal should have more density and taller residential towers. The current proposal is not ambitious enough, and does not do enough to help with the housing shortage that Halifax is facing.”

Key Points

- » Residents had diverse perspectives on what housing types are most appropriate.
- » The majority of residents felt that the site should have high density housing with units large enough for families.
- » Residents had differing views on appropriate height maximums.
- » Residents generally agreed that affordable housing is an important consideration.

ENVIRONMENTAL SUSTAINABILITY

Residents showed significant interest in the environmental sustainability of the proposed M District development. Concerns were broadly related to the potential impact of the development on water quality, wind conditions, and greenhouse gas emissions.

Citing a 2019 Stantec report on the source of pollution in Lake Banook and Lake Micmac, some residents emphasized the need for environmental assessments and additional measures to mitigate any negative impacts on the local water bodies.

Some residents raised concern about a potential underground watercourse that daylights off-site and feeds directly into Lake Banook. Accounts from residents described witnessing the impact of nearby construction on Lake Banook due to sediment runoff. Other concerns include the potential impact of wind being generated between the proposed buildings creating wind tunnels. Some residents feared that the tall buildings might create unsafe conditions in an area that is considered to be already windy. Other concerns regarding wind included the potential for wind impacts on the Lake Banook paddling course. Some residents were generally dismayed at a

perceived lack of green space. Different tools to promote sustainability were suggested by residents including the planting of additional trees, natural park space, and green stormwater infrastructure. Multiple residents also expressed an interest in the use of green roofs, energy efficient building standards, and low carbon emission building practices.

“The Englobe report did not take note of the water course that daylights on the eastern side of the development area(. . .) The watercourse parallels a public walkway before draining into Lake Banook. All efforts should be made to protect that watercourse during construction activities.”

Key Points

- » Residents had concerns about the impact of the redevelopment on water quality, wind conditions, shadows, and climate change.



Potential Watercourse surfaces out of stormwater culvert across Mic Mac Boulevard (HRM Planned Growth)

A MIXED-USE COMMERCIAL CENTRE

Many residents noted the opportunity for the M District to become a complete community with a mix of commercial, residential, recreational and institutional uses. Some residents expressed a desire that the redevelopment of the site would transform the M District into a new urban centre for Dartmouth within which most of one's daily needs could be met without the need of a personal automobile. Some residents identified this as a 15-minute city concept, while others simply expressed a desire for being able to access a wide variety of services, shops, and destinations by walking or rolling.

Residents identified a variety of different land uses that should be included within M District in order for it to live up to this vision including public art, medical and health services, fitness facilities, restaurants, cafes, and shopping. The most frequently desired land use, however, was a grocery store. Many residents felt that the current access to groceries in the community was inadequate and that if M District were to be developed without one, that it would be necessary for future residents to own a personal motor vehicle.

There was a general shared interest between residents that the development should be more community-focused, with suggestions such as outdoor event spaces, playgrounds for kids, a community pool, a library, and green spaces. These facilities were suggested to support not just the future residents, but also the residents within the existing neighbourhoods adjacent to the M District.

Key Points

- » Residents were generally supportive of increasing the diversity of commercial, residential, recreational, and institutional land uses within the M District.
- » In particular, many residents identified the need for a grocery store within the M District.
- » Residents identified the potential for the M District to become a new urban centre in Dartmouth.

“Definitely a grocery store!!!! At the very least a convenience store with sufficient grocery products! This is way overdue for this area and the biggest complaint heard by my neighbourhood.”

“This is a generational opportunity for improvement. Please use it to make the M district as well as the nearby neighbourhood of Crichton Park a fifteen-minute, active transit friendly community.”

“This is an opportunity for HRM to build a sustainable community in the heart of Dartmouth for families, seniors, and singles in all stages of life... HRM has the choice to approve a “future urban concrete jungle” or make changes to ensure the development is sustainable and suitable for all citizens well into the future.”

HERITAGE AND CULTURE

Some residents felt very strongly that addressing the anglicized spelling of Mi'kmaq, "Mic Mac", which the mall, street, and lake take their name from, was an integral part of the planning process for M District. Residents felt that the mall, street and lake needed to be renamed in consultation with Indigenous voices as a part of the planning process for the M District. While the choice to refer to the future growth node as the "M District" is a tacit recognition of the controversy surrounding the name, some felt that it was not an appropriate replacement.

Residents also noted the presence of the African Nova Scotian community known as "The Avenue" located at the end of Crichton Avenue. Residents felt that the community, which has been historically displaced by development and municipal activities, should be considered in this planning process.

Through survey responses and conversations with residents, it was clear that many residents felt that the M District is integral to the community identity of Dartmouth. Some residents went so far as to refer to the neighbourhoods in this area as "The Heart of Dartmouth". Mic Mac Mall, while considered by many to be less culturally influential than in the past, is still valued as a commercial institution that provides opportunities for employment, shopping, and services. Notably, to those which the mall held cultural value, this value did not extend to the parking lots which are proposed to be redeveloped.

Some residents felt that the M District should incorporate art and murals as well as venues for performing arts. This may be a good opportunity to highlight the cultural values and heritage of the site and surrounding area.

Key Points

- » Residents felt that consideration for the Mi'kmaq and African Nova Scotian communities was integral to any planning process for the M District.
- » Many residents feel that the existing mall and the surrounding neighbourhoods have a cultural importance to Dartmouth as a whole.

"This area MUST be renamed (especially if we're calling it something like "M District"). If this hasn't been done, this project should be put on a full stop until proper consultation can be done."

"I would like to see the architectural design to take into account the Mi'kmaq culture and natural and anthropocentric history of the area and the surrounding beauty of the area."

"I grew up in a neighbourhood near Mic Mac Mall and would go to the mall with my dad to go to the food court, and play games in the arcade when there was still an arcade there. It was a really fun place to go and be around other people, with plenty of entertainment. I would love if some of this character remained here."



*Mic Mac Mall Construction, 1972
(Halifax Municipal Archives)*

ACTIVE TRANSPORTATION

On the topic of active transportation, residents emphasized the importance of enhancing the pedestrian accessibility of M District. There was a common desire that the redevelopment provide infrastructure to enable one to comfortably meet all of their basic needs by walking or rolling. In contrast to this vision, the existing site was felt to have severely inadequate pedestrian infrastructure.

Despite the lack of adequate pedestrian infrastructure, many residents recognized the value of existing informal pathways on the site. They viewed these pathways as valuable assets that should be protected and integrated into any redevelopment plans. Specific pathways that were identified included a pathway to Horizon Court near the Irving Shipbuilding office, and a path from the Glen Manor and Micmac Boulevard intersection to the front entrance of the Mall.

Residents identified safety and accessibility concerns with the existing crosswalks along Mic Mac Boulevard, and with the existing underpass beneath Highway 111 to access Shubie Park. Multiple residents also expressed concern about the lack of pedestrian infrastructure along Brookdale Crescent. There was also some concern about the safety of children in the area due to traffic along Mic Mac Boulevard.

To improve the pedestrian accessibility of the Future Growth Node, residents called for a direct connection from the Lake Banook multi-use trail to the mall, sidewalks along Mic Mac Boulevard, Brookdale Crescent and Crichton Avenue, a pedestrian pathway to Horizon Court, and separated biking facilities within the Future Growth Node and along surrounding streets. Residents also identified the need for improved markings and lighting at existing crosswalk locations and for a new crosswalk to be located to connect to the existing bus terminal.

The inclusion of a pedestrian bridge across Highway 111 as shown in the originally submitted site plan had significant and widespread support. Residents felt that the bridge should be bike friendly and that it would significantly improve access to Shubie Park.

There was, however, some concern regarding the impact on privacy for households along Lakeshore Park Terrace.

“Accessing Shubie park requires traveling along busy roads and cutting across the highway. It is tricky at best on a bicycle.”

“Build it like a small city centre where you can walk to everything you need. Less car centric.”

“No easy access from Micmac to bluenose building (Irving shipbuilding). No sidewalks. I am blind and need to walk either on the road or through a parking lot.”

Key Points

- » Residents felt that the existing site and surrounding neighbourhood was severely inadequate, causing dangerous situations.
- » Opportunities for specific improvements to pedestrian infrastructure were identified.



On-site crosswalk ends at inaccessible curb (HRM Planned Growth)

PUBLIC TRANSIT

Many residents believed that the existing transit terminal provides significant value to the mall, and the wider community. Despite its prominent role in connecting residents to services, employment, and destinations, the terminal was commonly referred to as “a terminal in name only” due to a lack of facilities for riders. Residents noted that the current terminal has a limited number of seating and shelters and that the shelters should offer better weather protection and heating. Residents called for better integration of the terminal with the mall to provide easy, direct and convenient access to the mall entrance.

Multiple residents identified the need for a substantially expanded terminal that would feature a new terminal building, restrooms and a place to buy tickets. Weather protection for transit riders was commonly requested including a covered access to the mall from the terminal to protect riders from rain. Accessibility and safety were both highlighted as important considerations for the design of any new transit terminal.

Suggestions for improved accessibility included a raised pedestrian crosswalk connecting the transit terminal to the mall entrance to eliminate the need for pedestrians to cross through parking lots. The current lack of pedestrian infrastructure to connect the terminal to various destinations within the site and across Micmac Boulevard was highlighted as a serious accessibility concern.

Residents felt that the increased population of the site warranted an improved level of transit service by increasing the frequency and number of routes. Suggested routes included connections to the Penhorn Terminal, ferry terminals, and the airport express route. Other suggestions to improve the service included the addition of bus rapid transit lanes, bus stops throughout the M District, and route maps at stops. Residents also suggested the need for on-site security and police presence for the new terminal so that riders feel safe.

“Oh - it would be amazing if there was some walking shelter made between the mall and the bus terminal so people walking wouldn't get wet when it rains!”

“The terminal should have direct connections (road crossings included) with the surrounding area and the mall property. It should have protected waiting areas (shelters and/or building), and screens to update the bus schedule.”

“Halifax Transit has been my major mode of travel within the city for nearly 4 decades for work. If it is too far to walk, I hop on a bus and taxis are too expensive. The Mic Mac Mall terminal is advertised as a “Major transit hub”. My question is where is the shelter with heat at this terminal???”

Key Points

- » Residents value the existing transit terminal while noting that there are many opportunities for improvements.
- » Residents believe that transit is an important component of the redevelopment of the site and that the level of service should be increased accordingly.

INFRASTRUCTURE CAPACITY AND DENSITY

There was a general concern among many residents that the scale of the proposed redevelopment would have impact on services in the area. Residents frequently believed that the M District development would cause an increase in traffic on Micmac Boulevard, particularly at the on and off ramps from Highway 111. Some residents felt that the existing on and off ramps were already dangerous due to the spacing of highway exits.

Residents were also concerned about the potential impact on traffic at the Woodland Avenue and Micmac Boulevard intersection. In particular, some residents felt that vehicle queuing would increase and that the ability for pedestrians to cross the intersection would be made worse. Regarding the proposed roundabout at this intersection, some welcomed the planned infrastructure improvement while others were concerned that it would be inadequate to handle the volume of traffic. Many identified the current intersection as being a barrier to pedestrians crossing Woodland to access the mall.

Traffic along Crichton Avenue was of particular concern for residents who feared that the additional density would increase the use of Crichton Avenue as a shortcut to Downtown Dartmouth and the Macdonald Bridge. To counter this, residents suggested employing traffic calming strategies such as the addition of bike lanes and sidewalks on both sides of the street along Crichton Avenue. Multiple residents wanted to see an analysis of how traffic along Crichton Avenue would change as a result of the development included in the traffic impact study.

Another concern that residents frequently expressed was that the local school system, including Crichton Park Elementary, does not have the capacity to support the proposed development. Some residents felt that the existing schools in the area are already over capacity and do not provide adequate before and after school programming. Suggested solutions were to construct a new school on the M District site, or to renovate and expand the existing schools to accommodate the increased population. Similar concerns about the capacity of the healthcare system were also raised.

“Traffic study...how are you going to move all these people. Present infrastructure won't cut it!”

“This will create too much neighborhood traffic thru Crichton park area.”

“How is the traffic going to be handled. People are already driving too fast on Creighton ave. Are there going to be more schools built to accommodate the people?”

Key Points

- » Many residents had concerns about the capacity of roads in the surrounding neighbourhoods and that traffic would increase as a result.
- » Residents were generally concerned about the ability of social services such as schools, hospitals, libraries and recreation facilities to accommodate the proposed population increase.



Icon by Freepik

PARKS, RECREATION, AND LANDSCAPING

There was strong interest in the subject of parks, recreation, and landscaping within the M District. While many residents acknowledged the value of having the Lake Banook trail and Shubie Park within close proximity to the M District, many feared that the additional population would result in these parks being overused. Many residents were concerned by a lack of park space within the M District proposal, stating that pedestrian boulevards are not a suitable substitute for natural park space, playgrounds, and programmed recreation space.

Some residents wished to see improvements to the existing parks in the neighbourhood including the construction of a pedestrian bridge across Highway 111 to provide a connection to Shubie Park, an improved connection between the M District and the Lake Banook trail, and pedestrian infrastructure improvements along MicMac Boulevard to connect to the Maybank Fields. Additionally, some suggested providing public bathrooms at the former YMCA site located at the end of Brookdale Court.

Several residents expressed concerns about environmental sustainability and the impact of the development on natural ecosystems, lakes, and wildlife. The use of landscaping was suggested by residents to mitigate the potential impact by incorporating green roofs, green park space, and retaining space for natural habitats. There was also a significant desire for extensive tree planting throughout the M District.

Residents expressed a high demand for the addition of community and recreation facilities within the proposal. Potential facilities that were suggested included a library, theatre, recreation centre, swimming pool, curling club, community garden and multi-functional community space. These facilities were suggested to be important for providing outlets for youth, and for the seniors living in the proposed retirement facility and in the surrounding neighbourhood.

“I agree that the area needs more housing, but if that housing is high-density high rises, there needs to be a commitment to green space for those individuals to use. Right now, the only “green space” this proposal has is a bunch of pedestrian walkways and a bridge to go OFF of the property.”

“I would like to see more green space. While Shubie is nearby, more green space could reduce the negative impacts associated with large concrete structures and parking garages.”

“Parks, a community garden, and a library. The closest library, Alderney Gate, is a 30 minute walk away, which is too far to be practical for many”

Key Points

- » Residents placed a high level of importance on the incorporation of green space within the M District.
- » Recreation facilities including a library, theatre, swimming pool, and recreation centre were identified by residents as being desirable within the M District.
- » Residents believed that the provision of green park space would benefit recreation opportunities as well as environmental sustainability.

DISRUPTION AND NUISANCE

Residents had concerns regarding the impact that the construction timeline would have on the neighbourhood. As a result of the M District redevelopment timeline, residents who live nearby would experience some form of disruption from construction for the next 10 – 20 years. The impact of trucks bringing construction materials and taking away fill, noise from blasting or digging, noise from construction, and dust and sediment runoff were all mentioned as potential negative impacts from construction to local residents. There was also some concern about the physical impact of blasting on properties in the neighbourhood and on service pipes in the area.

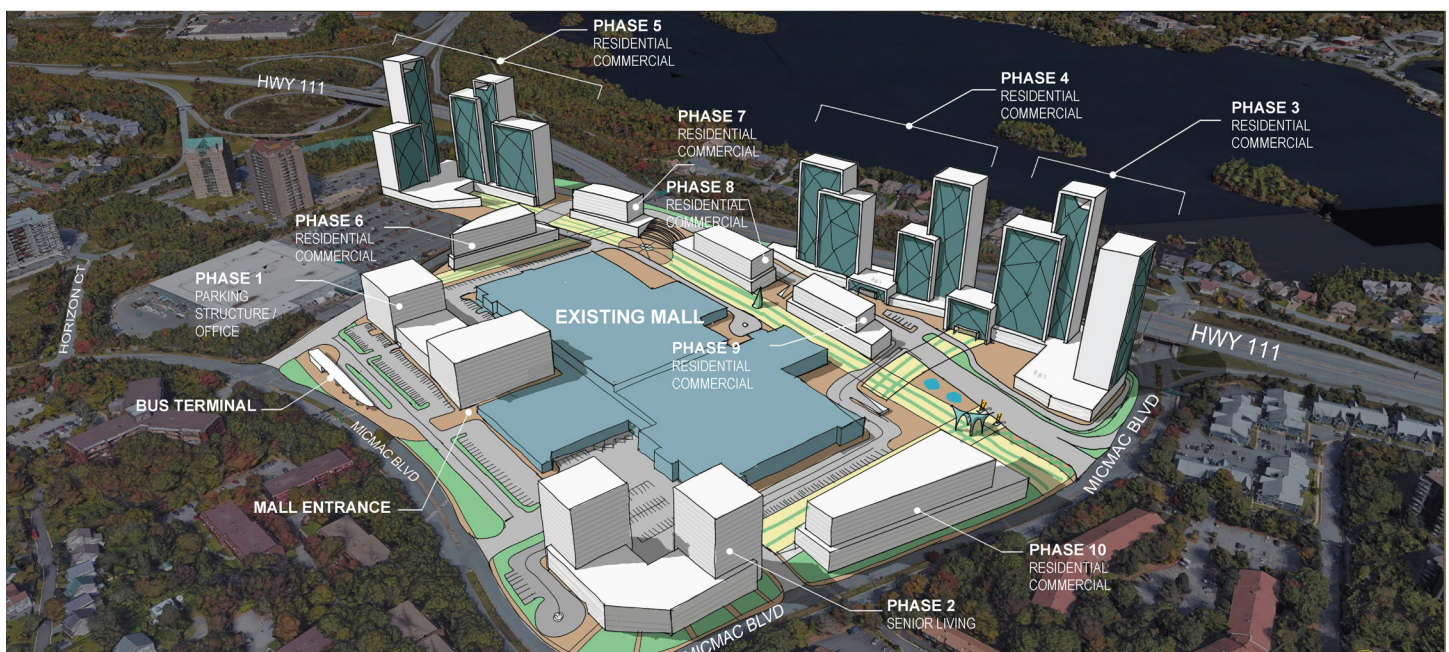
Some residents were concerned about the impact of the new development on noise and light pollution. In particular, it was noted that recently constructed buildings have included lighting on their rooftops which has contributed to light pollution in the area. Residents, particularly those who live along Lakeshore Park Terrace and Horizon Court were concerned that the buildings would limit the enjoyment of their housing due to the casting of shadows. Some residents requested that the applicant complete shadow studies to ensure that the proposed high-rises would not adversely impact their properties. Similarly, some residents had concerns

that the proposal to construct tall apartment buildings would reduce the privacy of their properties.

“I am apprehensive about how the construction is going to impact the surrounding neighbourhood where I live - noise, increased traffic etc. I recently bought a townhouse in the area because it was quiet, there were trees, lakes, walking paths, low rise buildings. Now there is going to be high rise buildings, increased traffic both on the roads and on footpaths, and noise. I am fearful that the construction noise and related traffic issues will persist for years.”

Key Points

- » Residents who live within close proximity of the M District were concerned about the impact of construction on their quality of life.
- » Residents who live along Lakeshore Park Terrace and Horizon Court expressed concerns that the proposed high-rises would cause shadows and reduce privacy on their properties.



M District Proposal 3D Context View, WM Fares Architects



Photo Credit: Google Earth

NEXT STEPS

HALIFAX

PLANNING PROCESS & ENGAGEMENT

The next steps of the planning process include the following:

- » Additional information is required from the applicant including a preliminary landscaping plan, shadow study, wind impact assessment.
- » Adjustments to the proposal will be required to address comments made by various HRM departments, external review agencies, and public feedback.
- » HRM will draft policies for the future growth node to outline the requirements for the consideration of a development agreement.
- » Depending on the outcome of the review and policy drafting stages, and the developer's readiness, HRM may also draft development agreements or land use by-law regulations to enable development on the site or a portion of the site.
- » Phase 2 of public engagement will invite the public to review and comment on the draft policies and a revised development proposal for the site.
- » Finally, staff will draft a report for Regional Council and make a recommendation.

Phase 2 of public engagement will commence once draft planning documents are ready for public review. The public will be notified about engagement by mailouts to nearby residents, social media posts by the municipality, social media advertising and updates to the project website. The project website is updated regularly with documents, general updates, and public engagement information.



**ATTACHMENT F: WHAT WE HEARD REPORT - PHASE 2
PUBLIC ENGAGEMENT**

M DISTRICT FUTURE GROWTH NODE

PHASE 2

ENGAGEMENT SUMMARY

July 11, 2024

HALIFAX

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PLANNING PROCESS

Halifax Regional Council initiated the M District Comprehensive Neighbourhood Planning Program on December 13, 2022.

The lands are designated “Future Growth Node (FGN)” under the Regional Centre Secondary Municipal Planning Strategy (Centre Plan) which requires a comprehensive neighbourhood planning process to be completed before development can take place.

The planning process includes public engagement, background studies (land suitability, transportation, archaeological resource impact, potable water and wastewater servicing) and detailed review by HRM staff and other review agencies. The planning process will address what is needed for a new complete community through the creation of a neighbourhood plan for the entire FGN, comprehensively considering all properties within the area.

The planning process of the M District includes two phases of public engagement. During phase 1, residents were invited to share their vision for the area. This phase took place between January and July 2023. The ‘What We Heard Report’ summarizing all the feedback is available on the Shape Your City website. Phase 2 of public engagement aimed to provide an opportunity for the public to review and comment on the draft policies and revised development proposals for the site.

During Phase 1 of public engagement, HRM received one proposal from WM Fares Architects, acting on behalf of Rank Inc. Following the closure of Phase 1, HRM received a submission from ZZAP Architecture and Planning, representing Dartmouth Properties Limited, the second property owner within the M District FGN.

THIS DOCUMENT

This document offers a summary of engagement activities and feedback received during Phase 2 of the M District FGN public engagement process.

The “**SUMMARIZED FEEDBACK**” section provides an overview of all feedback and ideas collected from the online survey found on the “Shape Your City” website. This feedback was received on the draft planning policy and updated proposal documents. The feedback is organized into key themes that emerged from the responses received. Within this section, blue text boxes highlight resident quotes extracted from submissions to the online survey.

The “**NEXT STEPS**” section briefly outlines the upcoming stages of the planning process.

HOW WE ENGAGED

This section presents a summary of the one-month engagement process utilizing various methods outlined below. The statistics provided on this page are accurate as of May 29th, 2024.



Project Website

- 17,400 total visits
- 4,080 document downloads
- 240 FAQ page visits
- 220 engaged visitors
- 3,227 informed visitors
- 13,765 aware visitors
- 1,240 video views



Mailouts

1,646 notices mailed



Online Survey

76 survey responses submitted by residents



Correspondence

1 email received



Social Media

Facebook and Instagram ads posted on April 29th – May 19th 2024.

- 6,652 clicks
- 37,383 reach
- 139 comments
- 51 shares
- 101 reactions

HOW WE HEARD YOU

1. The **ONLINE SURVEY** received 76 responses. In this survey, respondents provided their feedback on the draft planning policies and the updated landowners' submissions.

2. HRM staff received **CORRESPONDENCE** via one email.



Lake Banook with the M District in the background (Discover Halifax)

FEEDBACK CATEGORIES

Throughout the engagement process, feedback was sought on topics which planning policy can address. These categories are shown below.

DENSITY



LAND USE



TRANSPORTATION



PARKS AND LANDSCAPING



HERITAGE AND CULTURE



BUILDING DESIGN



COMMUNITY FACILITIES



PHASE 2 TIMELINE

Below is the timeline of Phase 2 engagement, which took place between April 19, 2024 to May 20, 2024.

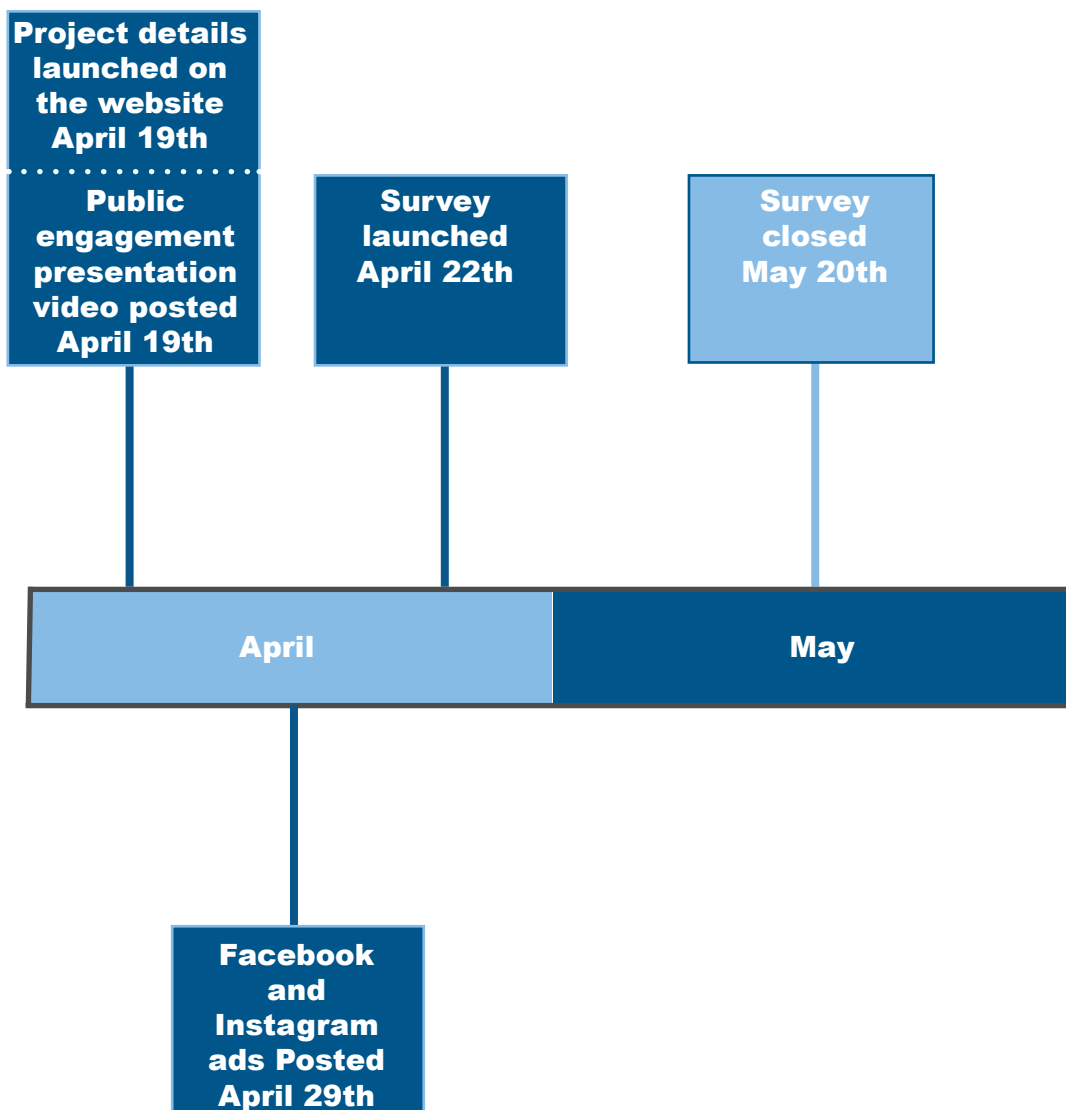




Photo Credit: HRM Planned Growth

SUMMARIZED FEEDBACK THEMES

HALIFAX

GENERAL FEEDBACK ON POLICIES AND SUBMISSIONS

Overall, residents provided positive comments about the proposed policies and the submissions by landowners. Some residents appreciated the proposed development, saying it would create a good, complete community. Additionally, pedestrian-oriented features and proposed housing developments were viewed positively. Comments indicated that the proposed development would revitalize the existing mall and the surrounding area.

The feedback also provided suggestions and areas for HRM staff to reconsider. Some residents thought that the proposed development brings too much density in terms of population and construction. The majority of responses said some buildings are too tall and disregard the character, scale, and proportion of the M District community. Another common point raised by the residents was that this development should consider providing all necessary infrastructure and services for the existing and proposed community of M District. Concern about schools, which are currently at capacity were a common example under this topic.

In addition to these points, many residents were worried about construction noise, dust, and traffic affecting local residents. They emphasized that there should be a proper plan to address these concerns, especially if the construction activities are carried out over multiple years.

Key Points

- » Residents appreciated many features of the proposed development.
- » Numerous comments were received on areas that need improvement or reconsideration. These include the proposed high-density, high-rise structures, infrastructure provision, and construction-related inconveniences.

“I think the submissions are well thought out and will create a great mixed-use community.”

“I love how pedestrian oriented this plan is. More plans need to be like this.”

“The policy does not address the amount of time this project will take and the effect of construction noise and construction traffic on local residents, for years to come.”

“The population density and building height is much too large for the chosen site.”



Irving site concept plan (ZZAP Architecture and Planning)

AFFORDABLE HOUSING

All the comments from the residents clearly showed acceptance of the housing-related developments within the site. However, many comments expressed significant concerns regarding the affordability of the proposed housing development and were unclear about how affordability would be maintained.

Many emphasized the need for a substantial portion of the development to be affordable, particularly for individuals and families with incomes under \$50,000 a year. The lack of affordable housing was a recurring theme, with several residents highlighting the disparity between median incomes and the high cost of rent in Nova Scotia. Questions were raised about the absence of a concrete plan for affordable housing within the development, with some suggesting that at least 15% of the units in the towers should be affordable.

There was also a strong call for the development to accommodate a diverse range of demographics, including families, seniors, and bachelors. Extending retirement buildings was seen as a wise decision given the large demographic of baby boomers in the province, but it was stressed that these units should be affordable.

Residents highlighted the need for a mix of housing types within the development. High-density housing, such as apartment towers, was deemed essential, particularly for transforming underutilized spaces like parking lots. Additionally, there was an interest for smaller townhouses.

Key Points

- » Residents stressed the importance of ensuring a significant portion of the new housing is affordable.
- » There is a strong desire for the development to include a variety of housing types to accommodate different groups, such as families, seniors, and single individuals.

“I do support the project and we do need the housing desperately.”

“The extension of retirement buildings are very wise as we have an incredible large demographic in this province of boomers but I hope they will be affordable.”

“As for housing, I don’t see anything specifically addressed at the real issue which is affordability of housing.”



BUILDING HEIGHTS AND BUILT FORM

A considerable number of comments were received regarding the proposed height and built form, specifically about the proposed 40-story buildings. The majority of residents expressed significant concerns that the buildings are too high. Only two comments were in favor of the proposed 40-story building height.

Many suggested reducing the height of the proposed buildings to a maximum of 15-20 stories to improve the aesthetic harmony of the area. There were also concerns about further limiting the building height to a maximum of 7-8 stories.

The main concern raised by residents was the shadows created by the proposed buildings. Some comments noted that tall buildings may cast too much shade on homes along Lakeshore Park Terrace during the winter months. Others suggested placing tall buildings only along the highway and reducing the height towards residential neighbourhoods. Residents were also worried that the building heights would be unusual compared to the rest of the landscape.

Residents also raised concerns about tall buildings creating wind tunnels and affecting views. Some mentioned that these buildings would block the nice view from their houses. Other concerns included complaints about LED lighting on buildings disturbing nearby residents.

“There are times when my backyard will be completely in the dark, on some very pleasant fall evenings possibly up until Christmas.”

“Doesn’t it strike it odd that the highest buildings in HRM are not going to be 1) in Halifax, or 2) Downtown. Where are the 40 floor skyscrapers there?”

“The buildings are too tall and there are too many units. Already when walking between apartment buildings on Horizon Court there is often a significant wind tunnel effect.”

Key Points

- » Many residents were concerned that the proposed 40-story buildings are too tall.
- » Main concerns included shadows cast by tall buildings, potential wind tunnels, and blocked views for nearby homes.
- » Residents also suggested placing taller buildings along the highway and lowering the height towards residential areas.



Perspective view - Mic Mac Boulevard - North (ZZAP Architecture and Planning)

DENSITY

Opinions about the increasing density of the M District were mixed. Some residents viewed it positively, believing it could help combat urban sprawl and create a more cohesive community. Additionally, a few responses saw the area as suitable for more density and growth.

Residents also expressed concerns about the proposed density. They felt that increasing density in neighbourhoods like Crichton Park might be excessive and mentioned that high-rise development and high density in other parts of the city have led to higher crime rates. Some suggested having fewer residential units to address these concerns. They also raised worries about congestion in the neighbourhood and the negative impact on natural surroundings like Lake Banook, Lake Micmac and Shubie Park. Additionally, they were concerned that the area's infrastructure might not support the increase in population density.

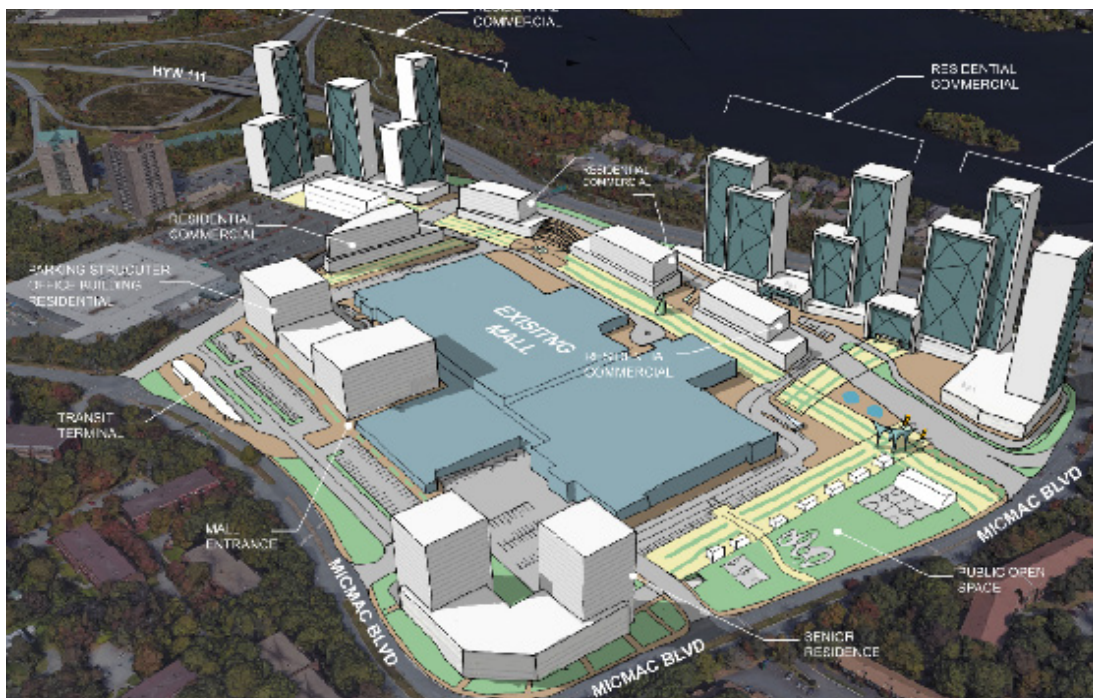
Key Points

- » Some residents were concerned that increasing the density in the M District could lead to higher crime rates and strain the neighbourhood's infrastructure, suggesting a need for fewer residential units to address these issues.

“Improved density is key to rescuing the city from the hands of the car-driven agenda of sprawl because that’s the way we’ve always done it.”

“Too many high rise buildings!!!
Infrastructure in area will not support this degree of increase in population density!!!”

“Adding all these new constructs will definitely compromise an already congested neighbourhood.”



3D context view - M District (WM Fares Architects)

TRAFFIC AND TRANSPORTATION

Residents were worried about increasing traffic congestion, pointing out that the current road infrastructure might not handle the expected rise in traffic. Concerns were also raised about the lack of sidewalks and safe pedestrian crossings, particularly in areas like Horizon Court. Some residents stressed the need for upgrades to transportation infrastructure, including intersections like Glen Manor Drive and Crichton Avenue.

Residents also commented on the traffic study, highlighting that it did not include existing active transportation connections from the site to Lake Banook or the Shubie Canal Greenway. They also noted that the study missed analyzing the intersection of Glen Manor Drive and Crichton Avenue.

Residents proposed several measures such as implementing one-way streets, permit parking, and separated bike lanes to manage traffic flow and provide safe pathways for pedestrians and cyclists. They suggested the separated bike lanes to connect existing cycling routes and key destinations like Lake Banook and downtown Dartmouth. Some residents proposed bike-friendly bridges across Highway 111 and elevated connections over Mic Mac Boulevard.

Many residents appreciated the pedestrian-oriented design of the project but raised concerns about slip lanes that could risk pedestrian safety. Residents also recommended incorporating pedestrian-friendly features like weather-protected walkways and shared multi-use paths to reduce reliance on vehicles and promote active transportation.

Key Points

- » Residents are concerned about increased traffic congestion and inadequate road infrastructure.
- » Suggested transportation network improvements include adding one-way streets, permit parking, separated bike lanes, bike-friendly bridges, weather-protected walkways, and shared multi-use paths.

“I love how pedestrian oriented this plan is. More plans need to be like this.”

“There does not seem to be a comprehensive plan for dealing with the volume of traffic that will result.”

“I’m going to advocate for an elevated connection over Mic Mac Blvd to the Lake Banook trail, which is a major AT corridor.”

“First, the ‘potential bike friendly bridge across HWY 111. That needs to happen, the HWY is the great wall of car dependency, we need safe and efficient passages over it.”

ENVIRONMENTAL SUSTAINABILITY

Residents expressed several environmental concerns about the proposed project.

Several comments stressed the importance of protecting the water quality of Lake Micmac and Lake Banook, which have faced issues such as blue-green algae in recent years. There were also worries about increased wastewater runoff and its effects on nearby creeks and drainage systems, which are already under strain.

Additionally, residents highlighted the potential stress on Shubie Park due to the anticipated population increase, including the arrival of pets that could further impact the park's ecosystem. They suggested initiatives such as mailing information to new residents about proper wildlife treatment. Additionally, they recommended partnering with nonprofits for conservation education to promote responsible interaction with nature.

Some residents suggested having roof gardens for new constructions over six stories, similar to Toronto's requirements. They highlighted that roof gardens are important for water absorption, heat retention in winter, cooling in summer, and air purification and many other environmental benefits.

While some residents appreciated the inclusion of green spaces in the updated plans, they felt it was insufficient. Additionally, there were strong objections to cutting down mature trees around Micmac Mall, highlighting the importance of protecting these trees.

"I am pleased with the fact of the greenspace (park) that is in Phase 2 and it seems that a lot of the considerations that were in phase 1 have been addressed."

"I am not ok with you cutting down the mature trees surrounding Micmac mall. They need to be protected!!"

"Please be mindful in your submissions, more green space."

Key Points

- » The main concerns of residents were protecting the water quality of Lake Micmac and Lake Banook, and the impact of increased wastewater runoff.
- » Residents appreciated the green spaces, but felt that more were needed and strongly opposed cutting down mature trees.

PARKS AND RECREATION

Residents highlighted several key concerns and suggestions related to parks and recreational areas within the M District development. Many emphasized the need for more green spaces, walkways, communal gathering places, playgrounds and sports fields. Some residents specifically mentioned the importance of having green areas with large tree canopies.

Several comments pointed out the absence of a connection to Shubie Park in the current plans, stressing the importance of including such links for better access to outdoor spaces. Additionally, residents called for the inclusion of playgrounds suitable for all ages. They emphasized the need to maintain the current ratio of sports fields to residents to ensure adequate recreational facilities for the increased population.

Key Points

- » Overall, there was a strong desire for thoughtful planning to enhance green spaces and outdoor amenities, ensuring they meet the needs of the growing community.

“Would love to see the inclusion of more green spaces, walkways and a proper accessible playground for all ages.”

“Where are the sports fields? With all that space and that many people, surely the developers should be compelled to maintain the current ratio of residents to sports fields.”

“Better access to outdoor recreation for residents and visitors.”

INFRASTRUCTURE AND SERVICES

In general, the majority of the feedback received indicated that the proposed plan exceeded the infrastructure capacity of the area. Residents highlighted the need for more infrastructure and services.

Responses pointed out the need for increased garbage collection services to accommodate the growing population in the area. Many concerns were raised about the capacity of local hospitals, medical clinics, and schools. Residents highlighted that current school capacities are already full and the need for proper planning for new schools.

Several comments mentioned that the existing street, sewer, and water systems are inadequate to handle the increased load. There were also specific concerns about low water pressure in the community.

Many residents called for the addition of grocery stores and childcare centers within the development to meet the basic needs of the new residents.

Key Points

- » Residents emphasized the need for enhanced infrastructure and services.
- » Concerns were raised about the capacity of the current street, sewer, and water systems.

“Where are these new families going to send their children to school?”

“With this many new people moving to the area and so many current apartments/condos/homes in Crichton Park it is a great time to add a grocery store into the plan.”

“Love to see more units getting put in and a great mix of residential and commercial. I hope we see all our basic needs being met within M District - affordable gym, local grocery, pharmacy, day care.”



Photo Credit: Google Earth

NEXT STEPS

HALIFAX

PLANNING PROCESS AND ENGAGEMENT

The next steps of the planning process include the following:

- » HRM staff will work to incorporate public feedback into the draft planning policy and development agreements.
- » A Council report with proposed policy amendments will be prepared for the first reading of the Regional Council. The same report will contain recommendations to the Harbour East Marine Drive Community Council regarding the approval of development agreements for the subject lands.
- » A joint public hearing will be scheduled if the Regional Council gives the first reading to the policy amendments and if the Harbour East Marine Drive Community Council gives notice of motion on the proposed development agreements.
- » Residents within the notification area will be informed about the public hearing by mail. During the public hearing, members of the public can share their opinions with both Councils about the draft planning policy and development agreements.
- » If the proposed policy amendments are adopted by the Regional Council, the Harbour Marine Drive Community Council will be able to provisionally approve the development agreements.
- » The planning policy's approval depends on provincial review and approval. Approval or refusal of a development agreements can be appealed to the Nova Scotia Utility and Review Board.