



THE MUNICIPALITY OF THE DISTRICT OF EAST HANTS

Draft Development Agreement

Between:

**Monk Mobile Corporation Limited and
Allison Land Surveys Limited**

And

**Municipal Council for the Municipality of
the District of East Hants, Nova Scotia**

To permit a mixed-use master planned development, including a mixture of townhouses, large multiplexes, and commercial space on lands located along Highway 2 and between White Road and Lacy Anne Avenue, Enfield, Nova Scotia and identified as PID 45329901, PID 45379864, and PID 45410503.

Original agreement approved by Municipal Council on the ___ day of _____, 2021.

Signed and entered into this ____ day of _____, 2021.

This Agreement made this ____ day of _____, 2021.

BETWEEN:

MONK MOBILE CORPORATION LIMITED of Colchester County, Nova Scotia, and
ALLISON LAND SURVEYS LIMITED of Hants County, Nova Scotia

hereinafter called the “**DEVELOPERS,**”

OF THE FIRST PART;

- and -

THE MUNICIPALITY OF THE DISTRICT OF EAST HANTS, a body corporate pursuant to the *Municipal Government Act* (SNS 1998, c. 18), having its chief place of business at Elmsdale, in the District of East Hants, Nova Scotia,

hereinafter called the “**MUNICIPALITY,**”

OF THE SECOND PART.

WHEREAS the **DEVELOPERS** are the registered owner of certain lands located between Highway 2, White Road and Lacy Anne Avenue in Enfield, referenced by PID 45329901, PID 45379864, and PID 45410503 and which said lands are more particularly described in Schedule “A” to this Agreement, hereinafter called the **LANDS**;

AND WHEREAS the **LANDS** are located within the designation and zone known as the Walkable Comprehensive Development District (WCDD) and all developments within this designation and zone are only permitted by development agreement;

AND WHEREAS the **DEVELOPERS** have requested that the **MUNICIPALITY** enter into a development agreement to allow for mixed use development on the **LANDS** pursuant to the provisions of the *Municipal Government Act*; and the *Municipal Planning Strategy Policies* UD35, UD37, UD38, UD42, IM27, and IM28; the *Land Use Bylaw*; and the *Subdivision Bylaw* for the *Municipality of East Hants* so that the **DEVELOPER** may develop and utilize the **LANDS** in a manner not otherwise permitted by the *Land Use Bylaw*;

AND WHEREAS the Council of the **MUNICIPALITY**, hereinafter called the **COUNCIL**, at its meeting held the ____ day of _____, 2021, approved the **DEVELOPERS’** request to enter into a development agreement to permit the development of mixed use development, including a mixture of residential and commercial uses, hereinafter called the **DEVELOPMENT**, subject to the registered owners of the **LANDS** entering into this agreement,

THEREFORE in consideration of the covenants, promises and agreements contained herein, the Parties agree as follows:

PART 1: GENERAL DESCRIPTION OF LAND USE

- 1.1 The use(s) of the Lands permitted by this Agreement are the following:
- a. A mixed-use development as enabled by this Agreement and as generally illustrated on the Schedules as attached to this Agreement as:

Schedule A Legal Description of the Lands
Schedule B Site Plan
Schedule C Architectural Criteria
Schedule D Commercial Uses
 - b. The use(s) of the Lands permitted by this Agreement are the following:
 - i. On-Street Townhouse Units;
 - ii. Three (3) Large Multiplex Buildings; and
 - iii. Ground Floor Commercial Uses.
 - c. The maximum number of dwelling units for each type of residential building shall not exceed the following:
 - i. On-Street Townhouses (including a 2 unit building) 18 units; and
 - ii. Large Multiplexes 180 units in total.
- 1.2 Except where specifically stated otherwise in this Agreement, all provisions of the Municipal Land Use Bylaw and Subdivision Bylaw for the Municipality of East Hants, as amended, shall apply to this development.

PART 2: DETAILED PROVISIONS FOR LAND USE

Land Use Requirements

On-Street Townhouse Dwellings

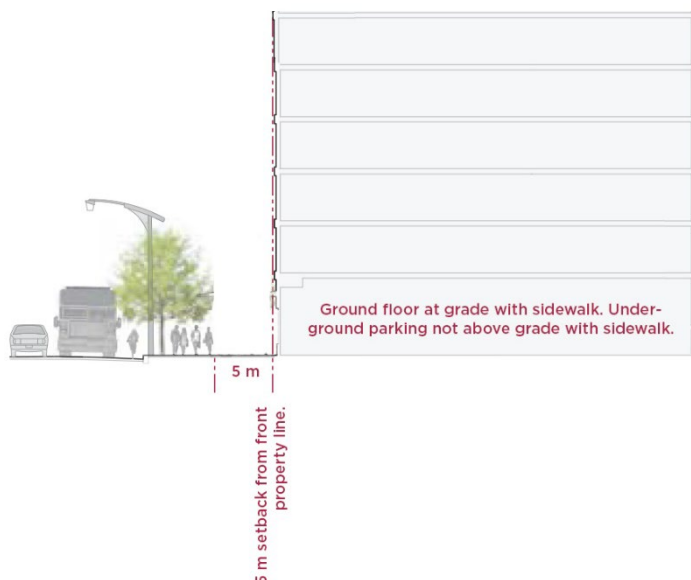
- 2.1 On-street townhouse dwellings shall be permitted as shown on Schedule "B". No subdivision approval or development permit shall be granted for any on-street townhouse dwelling development except in accordance with the following provisions:
- a. Minimum lot frontage: 6 m per dwelling unit
 - b. Minimum lot area: 150 m² per dwelling unit
 - c. Minimum front yard: 3.5 m
 - d. Minimum rear yard: 6 m
 - e. Minimum side yard
 - i. detached wall: 3 m or 2.4 m for townhouses adjacent to open space walkway
 - ii. common wall: 0 m
 - f. Minimum flankage yard: 5 m
 - g. Maximum building height: 11 m
 - h. Maximum number of joined on-street townhouse dwelling units: 6
 - i. An attached garage must not be wider than half of the townhouse unit's width and must not project more than 1 m in front of the building face.
 - j. The front face on an attached garage shall integrate glass panels, smaller divisions and architectural details to present an attractive public appearance.
 - k. Articulate building mass with projections, recesses, varied rooflines, chimneys, windows, entrances, balconies and/or porches. At least one architectural projection per unit is required.
 - l. Include windows, doors, where appropriate, and other façade details on the flanking wall at the end of a building block comparable in composition and quality with the main building façade.
 - m. No structures shall be clad completely in vinyl siding.
 - n. Windows and doors shall be well proportioned for the townhouse unit. The minimum street-facing façade transparency shall be 25%.
 - o. Townhouse units located on Lacy Anne Avenue shall have paired/twinned driveways. One apron shall be used for a paired/twinned driveway. There shall be a minimum of 6 m between driveways of end townhouse units and driveways of neighbouring buildings.

- p. Townhouse units located on White Road shall have a driveway that accesses the rear of the townhouse units. The units shall be designed with the front of the units facing White Road with a pedestrian walkway connecting the front entrance to White Road.
- q. An opaque buffer shall be erected in accordance with the General & Vegetated Buffer Requirements options identified in Part 7 of the Land Use Bylaw. A buffer shall be located along the north property line of Lot 1 and Lot 3; along the eastern property line of Lot 1; and along the southern property line of Lot 2. All other property lines shall have trees planted in accordance with Schedule “B”.

Large Multiplex Dwellings

2.2 Large multiplex buildings shall be permitted, as shown on Schedule “B” and in accordance with the following provisions:

- a. The large multiplex building on Lot 5 shall have a maximum of 4 storeys and a maximum of 48 dwelling units.
- b. The large multiplex building on Lot 7 shall have a maximum of 6 storeys and a maximum of 60 dwelling units and the entire ground floor (approximately 1,115 m²) shall be used for commercial ground floor area.
- c. The large multiplex building on Lot 8 shall have a maximum of 6 storeys and a maximum of 72 dwelling units.
- d. Common outdoor amenity space shall be located in accordance with Schedule “B” and shall have a minimum area of 465 m² and shall have the following amenities for residents:
 - i. The entire common amenity area shall be landscaped;
 - ii. The developer shall construct a BBQ area with a shade pergola or gazebo;
 - iii. A courtyard seating area shall be provided; and
 - iv. A garden shall be provided for the use of residents, if residents are not interested in using the garden area the developer shall keep the area planted and maintained.
- e. No Development Permit shall be issued except in conformity with the following requirements:
 - i. Minimum lot frontage: 25 m
 - ii. Minimum lot area: 900 m²
 - iii. Minimum front, side, rear and flankage yard as per Schedule “B”
 - iv. Setbacks from property lines shall be measured from the building face and not the footings or foundation wall to allow for the underground parking to expand beyond the ground floor area of the main building.
 - v. Underground parking shall be permitted to extend horizontally beyond the ground floor area of the multiplex, to allow for a podium effect. Underground parking shall not extend vertically beyond the established grade. The ground floor of the building shall be at grade with the sidewalks and a berm shall not be permitted to be placed around the building to artificially change the grades surrounding the buildings.



- vi. All building pedestrian entrances shall be at the established grade.

- vii. The main entrances to the buildings on Lot 7 and Lot 8 shall be emphasized by architectural detailing. The facades facing Highway 2 shall be detailed as primary facades.
- viii. The ground floor commercial uses shall front on Highway 2 and shall be designed with the main entrance fronting on Highway 2.
- ix. Common parking areas shall be designed and constructed in accordance with Parking Requirements of the Land Use Bylaw and Bicycle Parking Requirements. Bicycle parking for the ground floor commercial uses shall be located along the side of the mixed-use building facing Highway 2.
- x. The surface parking area shall be shared between all three large multiplex buildings and the layout may be altered as long as the minimum number of parking stalls required by the Land Use Bylaw are provided through a combination of surface parking and underground parking.
- xi. As shown on Schedule "B", the driveway connecting White Road to the Lacy Anne Avenue extension shall be designed to allow for emergency vehicle access. All other vehicle accesses shall be prevented through the use of attractive removable bollards. The bollards shall be located to allow for safe pedestrian crossing from the common outdoor amenity area to Lot 5.
- xii. Stop signs shall be installed to the common driveway ingress/egress on White Road and Lacy Anne Avenue.
- xiii. Building features such as elevator enclosures, mechanical features, common shared amenity spaces, solar collectors, staircases or staircase enclosures, skylights, rooftop greenhouses, railing systems and landscaping may exceed the maximum number of habitable storeys by a maximum of 4.5 m provided the features do not occupy more than 30% of the building rooftop area and are setback a minimum of 3 m from the roof edge, excluding staircases or staircase enclosures.
- xiv. Trees shall be planted in accordance with Schedule "B".
- xv. The development shall conform to the architectural design criteria for Large Multiplex Buildings under Schedule "F".

Open Space Dedication

- 2.3 As per Section 13 Open Space of the Municipal Subdivision Bylaw the Developers shall provide the following open space amenities:
- a. A walkway connecting Lacy Anne Avenue to the Municipal playground located on Concorde Way (PID 45395431). The minimum width of the walkway shall be 3 m. This provision shall supersede the minimum lot width requirements of 6 m from the Subdivision Bylaw.
 - b. The Municipality shall accept cash-in-lieu of parkland, or work-in-kind, or a combination of both, equal to 9.3% of assessed value of proposed lots at time of endorsement of approval of a final plan of subdivision. It shall be at the discretion of the Municipality whether to require cash-in-lieu or to consider work-in-kind. The cash-in-lieu value amount shall be determined by an assessor (as determined by the Municipality), based on the assessed value of the proposed lots excluding streets at time of request for final plan of subdivision. All cash-in-lieu accepted by the Municipality from the Developer shall be used for open space improvements within the communities of Enfield and Elmsdale.
 - c. Notwithstanding the above, the Municipality and the Developer at the time of Subdivision may negotiate for an additional piece of open space from Lot 1 and/or Lot 2 as shown on Schedule "B", to be consolidated with the Municipal open space located on Concorde Way. The percentage of the assessed value identified in 2.3.b. shall be adjusted to take into consideration any larger open space parkland donation. Final percentages shall be determined by the Municipality.

Signage

- 2.4 Signage shall be permitted in accordance with the following provisions:
- a. Signs identifying the residential development shall comply with Part 4: Signage of the Land Use Bylaw.
 - b. Signage advertising commercial uses shall include:
 - i. Facial wall signs
 - ii. Awning signs
 - iii. Projecting wall signs

- c. Signage identified under above section shall comply with the Mixed Use Centre (MC) Zone signage provisions.
- d. No ground signs shall be permitted.

PART 3: STREETS AND MUNICIPAL SERVICES

General Provisions

- 3.1 Design and construction of Municipal roads and service systems shall meet the requirements of the Municipality, Nova Scotia Environment and Climate Change and Nova Scotia Department of Public Works.

Off-Site Disturbance

- 3.2 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 Municipal Engineer.

Streets

- 3.4 All poles, hydrants and other related design elements shall be as per Municipal standards.
- 3.5 Street parking and traffic signs shall be supplied and installed by the Developer per Municipal standards.
- 3.6 Intersection improvements are required in consultation with Nova Scotia Public Works:
 - a. A signalized intersection is required at the intersection of White Road and Highway 2. The intersection design shall incorporate left turn lanes at the signalized intersection with an access management exercise being conducted in the area along the east side of Highway 2 to improve safety and increase traffic flow for all users. Any proposed access management improvements must be approved by NSPW.
 - b. Lacy Anne Avenue shall be extended to Highway 2 and the intersection shall be designed as a right-in/right-out intersection. A curbed raised median on Highway 2 shall be required where the right-in/right-out intersection will be placed to prevent left turns.
 - c. An agreement for intersection funding between Nova Scotia Public Works, the Municipality, and the Developers shall be agreed upon prior to the Development Officer issuing a development permit for the Development.

Water, Wastewater and Stormwater Systems

- 3.7 Municipal water, wastewater and stormwater systems shall conform to Municipal standards.

PART 4: DEVELOPMENT PERMIT

- 4.1 This development agreement shall be administered by the Development Officer as appointed by the Council of the Municipality of East Hants.
- 4.2 The development described in this agreement shall not be commenced until the Development Officer has issued a development permit. A development permit for the land use described in Section 1 of this agreement shall not be issued until the Development Officer is satisfied that the detailed plans are generally in conformance with the site plan attached as Schedule "B" and the requirements for the components in Schedule "B". In addition, the Development Officer shall not issue a development permit until:
 - a. Nova Scotia Public Works has granted positive recommendation on all transportation issues within their responsibility and has given their approval if any is required;

- b. Nova Scotia Environment and Climate Change has granted positive recommendation on all environmental issues within their responsibility and has given their approval if any is required;
- c. The Municipality has reviewed the detailed design of the water, sanitary and storm water drainage.
- d. A stormwater management plan has been submitted and has been accepted by the Municipal Engineer;
- e. An agreement for intersection funding between Nova Scotia Public Works, the Municipality, and the Developers has been approved by all parties.
- f. Payment for all required permit fees, registration of the document at the Registry of Deeds, and costs associated with advertising and processing the application have been received by the Municipality's Planning and Development Department;
- g. A lot grading plan, prepared in accordance with the Municipal standards by qualified individuals shall be submitted;
- h. The Municipality has confirmed that there is sufficient capacity to service the development with municipal water and wastewater; and
- i. All matters dealing with existing drainage easements have been resolved.

PART 5: IMPLEMENTATION

- 5.1 Upon breach of this agreement, the Municipality may proceed in accordance with Section 264 of the *Municipal Government Act*.
- 5.2 Subject to the provisions of this agreement, the Developer shall be bound, unless specifically stated otherwise in this agreement, by all Bylaws and regulations of the Municipality as well as to any applicable statutes, policies, and regulations of the Province of Nova Scotia or the Government of Canada.
- 5.3 This agreement shall run with the land and be binding upon the Developer, its leases, and the occupiers of the land.
- 5.4 This agreement shall be filed by the Municipality in the Registry of Deeds at Lawrencetown, Nova Scotia, and shall form a charge or encumbrance upon the property as described in Schedule "A" attached hereto.
- 5.5 The costs of recording and filing all documents in connection with the agreement shall be paid by the Developer.
- 5.6 The provisions of this agreement are severable from one another and the invalidity or unenforceability of one provision shall not prejudice the validity or enforcement of any other provisions.
- 5.7 The Developer shall at all times indemnify and save harmless the Municipality from and against all claims, demands, losses, costs, damages, actions, suits or other proceedings by whomever made, brought or prosecuted to the extent that the foregoing are based upon, occasioned by or attributable to anything done or omitted by the Developer or his servants or his agents or his employees in the fulfillment of any of his obligations under this Agreement.

PART 6: TIME LIMITS

- 6.1 The parties shall enter into this agreement within one (1) year of Council's approval to enter into this agreement.

Commencement of Development

- 6.2 In the event that development on the Lands has not commenced within four years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use Bylaw.
- 6.3 For the purpose of this section, commencement of development shall mean tentative subdivision approval.

Completion of Development

- 6.5 Upon the completion of the whole development, or after seven years, Council may review this Agreement, in whole or in part, and 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 are completed, discharge this Agreement and apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use Bylaw, as may be amended from time to time.

Discharge of Agreement

- 6.6 If the Developer fails to complete the development after 7 years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office, Council may review this Agreement, in whole or in part, and may:
- a. retain the agreement in its present form;
 - b. negotiate a new Agreement; or
 - c. discharge this Agreement.

PART 7: UNSUBSTANTIAL AMENDMENTS

- 7.1 Any amendment to this agreement, whether substantive or otherwise, must be approved by both parties in writing.
- 7.2 Any unsubstantial amendment to either the terms of this agreement or to any Schedules shall be subject to the amendment procedures set out in the *Municipal Government Act*. Amendments which are considered unsubstantial are the following:
- a. A written request to have the time limits identified in Section 6 of this agreement extended by a period to be decided by Council.
 - b. Signage provisions.
 - c. Changes to the site plan that are necessary to accommodate features that are subject to approval or authorization by other authorities such as, but not limited to, the Nova Scotia Department of Public Works and Nova Scotia Environment and Climate Change.
 - d. Conversion of ground floor residential uses to ground floor commercial uses for the multiplex on Lot 8.
 - e. Matters dealing with parking and parking lot circulation.
 - f. Architectural design criteria.
 - g. Matters dealing with the private driveway.
 - h. Matters dealing with landscaping.
 - i. Additions to Schedule "D" Local Commercial Uses.

**PROVINCE OF NOVA SCOTIA
HANTS COUNTY**

I HEREBY CERTIFY that on this ___ day of _____, 2021, the Municipality of the District of East Hants, one of the parties hereto, caused the foregoing Indenture to be executed in its name and on its behalf by its proper officer(s) in my presence I have signed as a witness to such execution.

A Commissioner of the Supreme
Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
HANTS COUNTY**

I HEREBY CERTIFY that on this ___ day of _____, 2021, Monk Mobile Corporation Limited, one of the parties hereto, caused the foregoing Indenture to be executed in its name and on its behalf by its proper officer(s) in my presence I have signed as a witness to such execution.

A Commissioner of the Supreme
Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
HANTS COUNTY**

I HEREBY CERTIFY that on this ___ day of _____, 2021, Allison Land Surveys Limited, one of the parties hereto, caused the foregoing Indenture to be executed in its name and on its behalf by its proper officer(s) in my presence I have signed as a witness to such execution.

A Commissioner of the Supreme
Court of Nova Scotia

SCHEDULE A

Legal Description of the Lands

PID 45410503

Parcel Description
<p>Registration County: HANTS COUNTY Street/Place Name: HIGHWAY 2 /ENFIELD Title of Plan: PLAN OF SURVEY SHOWING LOT 19-1A S/D & CONSOLIDATION OF LAND OF MONK MOBILE CORP LTD WHITE RD & HWY 2 ENFIELD Designation of Parcel on Plan: LOT 19-1A Registration Number of Plan: 115793250 Registration Date of Plan: 2020-01-22 09:50:54</p> <p>*** Municipal Government Act, Part IX Compliance ***</p> <p>Compliance:</p> <p>The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act Registration District: HANTS COUNTY Registration Year: 2020 Plan or Document Number: 115793250</p>

PID 45329901

Parcel Description
<p>Designation of Parcel on Plan - Lot 2A Remaining Land of Monk Mobile Corporation Limited Title of Plan - Plan Showing Block 2AB, Consolidation of Block 2A, Land of Elegant Acreage Land Company and Lot B, Subdivision of Land of Monk Mobile Corporation Limited; said plan dated April 29, 2003 and certified by Michael Allison, N.S.L.S. Place Name - Enfield Municipality - East Hants Date of municipal approval - May 13, 2003 Registration County - Hants Registration Number of Plan - 8815</p> <p>First Burden SUBJECT TO A DRAINAGE EASEMENT over Parcel DE-1, created by deed registered in Book 897 Page 374, in favor of Block 2A for future development purposes. (Block 2A [being a portion of retired PID 45075546] has been subdivided. The easement remains attached to infant parcels Lot LA-1 [PID 45357035], Lot TS-1 [PID 45358231], Lot 110 [PID 45357134], Lot 111 [PID 45357142], and Lot 112 [PID 45357159].) The easement is over, along and upon that portion of Parcel 2 (Parcel 2 being conveyed by deed registered in Book 897 Page 374) having a perpendicular width of 20 feet and being designated as Parcel DE-1, having an area of 12,940 square feet, more or less, and being shown on a plan entitled Plan of Survey of Block 2A and Lot 2A and Lot 3A being a Subdivision of Lands of Olga Florence Helen Lucas and Alfred Lucas, Consolidated with Lands of Monk Mobile Corporation Limited and Lands of Alfred Malcom Lucas and Glenda Marie Lucas; said plan dated August 10, 2000, certified by Harold S. Lively, N.S.L.S. and filed at the Hants Registry of Deeds as Plan 8407.</p> <p>Second Burden SUBJECT TO A WATER EASEMENT over Parcel DE-2, created by Water Easement recorded in Book 898 Page 964, in favor of the Grantees. (The Grantees were Olga Lucas and Alfred Lucas. They owned Remaining Lands Block 2A, Lands of Olga Florence Helen Lucas and Alfred Lucas, shown on Plan 8407. Remaining Lands Block 2A [being a portion of retired PID 45075546] has been subdivided. The easement remains attached to infant parcels Lot LA-1 [PID 45357035] and Lot TS-1 [PID 45358231].). The Water Easement grants the right, at any time, to enter on Parcel DE-2, being the lands</p>

described in the Schedule A attached to the Water Easement recorded in Book 898 Page 964, for the purpose of constructing, maintaining, altering, repairing, and inspecting the water line or drainage pipes.

Parcel DE-2 is shown on a plan entitled Plan of Survey of Block 2A and Lot 2A and Lot 3A being a Subdivision of Lands of Olga Florence Helen Lucas and Alfred Lucas, Consolidated with Lands of Monk Mobile Corporation Limited and Lands of Alfred Malcom Lucas and Glenda Marie Lucas; said plan dated August 10, 2000, certified by Harold S. Lively, N.S.L.S. and filed at the Hants Registry of Deeds as Plan 8407.

Third Burden

SUBJECT TO A UTILITY ACCESS AND DRAINAGE EASEMENT over Parcel UA, created by deed registered in Book 998 Page 770, in favor of Lot B described in Schedule A of the deed in Book 998 Page 770. (Lot B was consolidated with Block 2A to form Block 2AB. Block 2AB [retired PID 45075546] has been subdivided. The easement remains attached to infant parcels Lot LA-1 [PID 45357035] and Lot TS-1 [PID 45358231].)

Parcel UA is 35 feet wide and shown as Parcel UA on a Plan Showing Block 2AB, Consolidation of Block 2A, Land of Elegant Acreage Land Company and Lot B, Subdivision of Land of Monk Mobile Corporation Limited; said plan dated April 29, 2003, certified by Michael Allison, N.S.L.S. and filed at the Hants Registry of Deeds as Plan 8815.

SAVING and EXCEPTING Lot 09-1 as shown on registered Plan No. 93793850 at the Land Registration Office for Hants County.

SAVING and EXCEPTING Lot 09-2 as shown on registered Plan No. 95920667 at the Land Registration Office for Hants County.

AND ALSO PARCEL B as shown on registered Plan No. 113503867 at the Land Registration Office for Hants County.

SAVING AND EXCEPTING Lot 19-1 as shown on registered plan no. 115132566 recorded in the Land Registration Office for Hants County.

SAVING AND EXCEPTING Parcel A as shown on registered plan no. 115793250 recorded in the Land Registration Office for Hants County.

*** Municipal Government Act, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

Registration District: HANTS COUNTY

Registration Year: 2020

Plan or Document Number: 115793250

The MGA compliance statement has been applied by SNSMR during the processing of Land Registration Plan.

PID 45379864

Parcel Description

Registration County: HANTS COUNTY

Street/Place Name: LACY ANNE AVENUE /ENFIELD

Title of Plan: PLAN SHOWING LOT 09-1, S/D OF LANDS OF MONK MOBILE CORP LTD, LACY ANNE AVE, ENFIELD

Designation of Parcel on Plan: LOT 09-1

Registration Number of Plan: 93793850

Registration Date of Plan: 2009-07-13 13:51:04

SAVING and EXCEPTING Parcel A as shown on registered Plan No. 101749241 at the Land Registration Office for Hants County.

Benefit 1

TOGETHER WITH AN ACCESS AND SERVICE EASEMENT as described in Document 93936384 (2009), over Parcel B. Parcel B (a portion of PID 45329901) is shown on Plan 93793850.

Benefit 2

TOGETHER WITH A DRAINAGE EASEMENT as described in Document 93936384 (2009), over Parcels DE-1 and DE-2. Parcels DE-1 and DE-2 (portions of PID 45329901) are shown on Plan 8407.

Burden 1

SUBJECT TO A DRAINAGE EASEMENT created in Book 897 Page 374 and described in Document 93936384 (2009), over a portion of Parcel DE-1. The portion of Parcel DE-1 that falls within Lot 09-1 is shown as 20 Foot Wide Drainage Easement on Plan 93793850.

Burden 2

SUBJECT TO A UTILITY ACCESS AND DRAINAGE RIGHT OF WAY EASEMENT created in Book 998 Page 770 and described in Document 93936384 (2009), over a portion of Parcel UA. The portion of Parcel UA that falls within Lot 09-1 is shown as Parcel UA Existing 35 Foot Wide Utility Access & Drainage Right of Way Easement on Plan 93793850.

Burden 3

SUBJECT TO A UTILITY SERVICE EASEMENT described in Document 93936384 (2009), in favour of Nova Scotia Power Inc. and Aliant Telecom Inc. over Parcel C. The location is Parcel C, 20 foot Wide Easement in favor of Aliant Telecom Inc. and Nova Scotia Power Inc. on Plan 93793850.

*** Municipal Government Act, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

Registration District: HANTS COUNTY

Registration Year: 2012

Plan or Document Number: 101749241

The MGA compliance statement has been applied by SNSMR during the processing of Land Registration Plan

SCHEDULE B

Site Plan

DRAFT



LOT INFORMATION

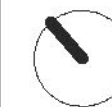
LOT NUMBER	TYPE	UNITS
LOT 1	TOWNHOMES	4
LOT 2	TOWNHOMES	4
LOT 3	TOWNHOMES	4
LOT 4	SEMI-DETACHED	2
LOT 5	RESIDENTIAL MULTI-UNIT	48
LOT 6	TOWNHOMES	4
LOT 7	MIXED-USE	60 UNITS/12 000sf COMMERCIAL
LOT 8	RESIDENTIAL MULTI-UNIT	72

Project Name
Enter address here

SITE DEVELOPMENT PLAN

Project No:
Scale:
Date:

Project Number
As indicated
2021-12-01
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WM FARES
ARCHITECTS

D1

SCHEDULE C

Architectural Design Criteria

- a. Large Multiplex Buildings:
- i. Architectural detailing including, but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, cornerboards, frieze, fascia boards, shall be incorporated on all façades of the building.
 - ii. No structures shall be wrapped completely in vinyl siding.
 - iii. Buildings with street frontage on the side of a building shall have upgraded side elevations with windows and details consistent with front elevations.
 - iv. Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These facilities shall be screened by means of opaque fencing, structural walls or view obstructing landscaping.
 - v. Pedestrian walkways shall be provided from the street to the main entrance of the multiple unit dwelling. Such walkways shall be a minimum of 1.5 m in width.
 - vi. Indoor amenity space shall be required and shall be located to maximize access to sunlight. Amenity space may include, but is not limited to recreation rooms, libraries, exercise rooms and swimming pools. The amount of indoor amenity space required shall be 2 m² per dwelling unit with a minimum total area of 50 m².
 - vii. Each dwelling unit shall have an exterior balcony.
 - viii. All disturbed areas surrounding buildings shall be landscaped with grass or perennial ground cover and trees shall be planted to provide shade for pedestrians and to reduce the heat island affect in exterior parking lots. Vegetation and trees native to Nova Scotia shall be used where possible to promote healthy ecosystems and natural habitats.
 - ix. Maximum building height of 18.5 m for the 6-storey buildings and maximum height of 15 m for the 4-storey building.
- b. Lot 7 shall comply with the architectural requirements listed under Section a. and in addition shall comply with the following items:
- i. Large hardscaped plazas shall be provided between the building and the front property line and shall be of a similar size and location as shown in accordance with Schedule “B” and the plazas shall be constructed of concrete or pavers.
 - ii. A separate entrance shall be provided to each ground floor retail unit that is identifiable and directly accessible from the public sidewalk or plaza.
 - iii. The ground floor commercial shall have a minimum of 40% transparency (no tinted, textured, reflective, or dark glass shall be permitted).
 - iv. The minimum ground floor commercial ceiling height shall be 3.05 m.

SCHEDULE D

Local Commercial Uses

Animal Hospitals & Veterinary Offices
Bank & Financial Institutions
Business Support Services & Printing
Daycare
Drinking Establishment, Minor (Tavern or Beverage Room)
Educational Services
Government Offices & Facilities
Health Care Services
Computer & Small Electronic Repair
Office & Professional Services
Personal Care Services
Recreation Facility, Indoor
Restaurant, Full & Limited Service
Restaurant, Take-Out
Retailers & Rental Services
Bakery or the Manufacture of Candy, Confectionary, Ice Cream, and Jam
and other similar or like uses.