

Form 26

**Purpose: to record an interest in a parcel; or
to record a power of attorney in the power of attorney roll**

Registration district: Hants
 Submitter's user number: 6791
 Submitter's name: Marc Dunning

In the matter of Parcel Identification Number (PID)

PID 45411170	
PID 45411162	
PID 45410115	

For Office Use

HANTS COUNTY LAND REGISTRATION OFFICE
 I certify that this document was registered or recorded
 as shown here.
 Penny Goodwin, Registrar

116810350

LR ☒ ROD ☐

Document #

AUG 14 2020

13:19

MM DD YYYY

Time CW

See Document Attachment:

Document # 116810368

Power of attorney (Note: completion of this section is mandatory)

☐ The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:

- ☐ recorded in the attorney roll
- ☐ recorded in the parcel register
- ☐ incorporated in the document

OR

☒ No power of attorney applies to this document

This form is submitted to record the attached document (select applicable box):

- ☒ in the parcel register as a recorded interest
- ☐ in the power of attorney roll
- ☐ in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

See Document Attachment:

Document # 116810384

See Document Attachment:

Document # 116810418

The following information relates to the interest being recorded:

Instrument type	Agreement
Expiry date (if applicable)	N/A
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	Municipality of the District of East Hants – Party To Agreement
Mailing address of interest holder to be added (for power of attorney, provide mailing address for donee)	230 - 15 Commerce Court Elmsdale, NS B2S 3K5
Name and mailing address power of attorney donor to be added (if applicable)	N/A

Name and mailing address power of attorney donee to be added <i>(if applicable)</i>	N/A
Reference to related instrument in names-based roll/parcel register <i>(if applicable) (for power of attorney to be duplicated, insert document/instrument number/year; include book/page if applicable)</i>	N/A

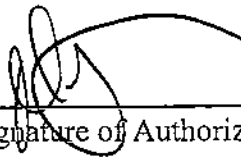
The textual qualifications in the above-noted parcel register(s) are to be changed as follows:

Textual qualification on title to be removed <i>(insert any existing textual description being changed, added to or altered in any way)</i>	N/A
Textual qualification on title to be added <i>(insert replacement textual qualification)</i>	N/A

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at Halifax, in the County of Halifax, Province of Nova Scotia, on July 30, 2020.



 Signature of Authorized Lawyer
 Marc Dunning
 1801 Hollis Street, Suite 300
 Halifax, Nova Scotia B3J 2X6
 e-mail: mdunning@wickwireholm.com
 Phone 429-4111
 Fax: 429-8215

- ☐ This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.



THE MUNICIPALITY OF THE DISTRICT OF EAST HANTS

Development Agreement

Between:

The Shaw Group 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 residential, commercial and open space uses on lands located along Highway 2, Lantz, Nova Scotia and identified as PID 45282167, PID 45411170, PID 45411162 and PID 45410115.

Original agreement approved by Municipal Council on the 25th day of June, 2020.

Signed and entered into this 23 day
of July, 2020.

This Agreement made this 23 day of July, 2020.

BETWEEN:

THE SHAW GROUP LIMITED. of Halifax, Nova Scotia,

hereinafter called the "DEVELOPER,"

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 DEVELOPER is the registered owner of certain lands located between Highway 102 and Highway 2 in Lantz, referenced by PID 45282167, PID 45411170, PID 45411162 and PID 45410115 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 DEVELOPER has requested that the MUNICIPALITY enter into a development agreement to allow for residential and commercial subdivision 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 25th day of June, 2020, approved the DEVELOPER'S request to enter into a development agreement to permit the development of mixed use master planned development, including a mixture of residential, commercial and open space 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; and
 - b. Use of the Lands in the development shall be limited to the following as defined by this Agreement and the Land Use Bylaw for the Municipality of East Hants, as amended.
 - i. single unit dwellings;
 - ii. semi-detached dwellings;
 - iii. garden homes - cluster townhouse dwellings;
 - iv. on-street townhouses;
 - v. on-street stacked townhouses;
 - vi. live/work townhouses;
 - vii. multiple unit dwellings;
 - viii. commercial uses and institutional uses as per Schedule "E";
 - ix. mixed-use buildings with commercial uses and multiple-unit dwellings;
 - x. parkland and open space uses;
 - xi. Non-disturbance areas;
 - xii. Temporary Construction Uses as per the Land Use Bylaw;
 - xiii. utility uses;
 - xiv. home-based business uses as per the General Provisions for all Residential Neighbourhood Zones of the East Hants Land Use Bylaw; and
 - xv. uses accessory to the foregoing uses as per the general provisions of the Land Use Bylaw, except where otherwise indicated by this development agreement.
 - c. The maximum number of dwelling units for the development area shall not exceed 1,500 units and each land use area shall not exceed the following:
 - i. For the Low Density Residential Area or Medium Density Area - 800 units;
 - ii. For the High Density Residential Area, Garden Homes Area, Village Centre Area and Commercial Areas - 1000 units.
 - d. Notwithstanding Section 1.1(a) the Development Officer may permit minor modifications to Schedule "B".
- 1.2 Except where specifically stated otherwise in this Agreement, all provisions of the General Provisions Section - Part 3, of the Municipal Land Use Bylaw and Subdivision Bylaw for the Municipality of East Hants, as amended, shall apply to this development.
- 1.3 All words unless otherwise specifically defined herein shall be as defined in the Municipal Land Use Bylaw and Subdivision Bylaw for the Municipality of East Hants, as amended. Definitions specific to the Agreement are as follows:

Central Park Area - Linear Parkland located between roundabout and Road 3.

Commercial Areas - an area of land on the concept plan identified as Schedule "B" where commercial uses identified in accordance with Schedule "E" are permitted.

Garden Homes - a use where one or more clusters of townhouse-style attached dwelling units having separate entrances are on a lot. Accessory facilities such as amenity areas, parking and driveways may be part of this use.

Garden Homes Area - an area of land identified on the concept plan where garden homes are permitted.

High Density Residential Area - an area of land identified on the concept plan where multiple unit dwellings, townhomes and garden homes are permitted.

Low Density Residential Area - an area of land identified on the concept plan where single unit dwellings are permitted.

Medium Density Residential Area - an area of land identified on the concept plan where single unit dwellings, semi-detached dwellings, Live/Work Townhouses, and townhouses are permitted.

Mixed-Use Area - an area of land identified on the concept plan as Block B1 and B2 where mixed-use, commercial and residential, buildings, are permitted.

Multiple Unit Dwellings - a building consisting of 6 or more dwelling units which has a common entrance and facilities such as amenity areas, parking and driveways.

Non-Disturbance Area - areas of land identified on Schedule "B" where no development, clearing, or infilling, shall be permitted, including but not limited to accessory structures or fencing.

Public Parkland - areas of land identified on the concept plan intended, through design and function, to provide opportunities for either active or passive recreational pursuits. Lands identified on the concept plan as Public Parkland include, but are not limited to, the central park area, Active Transportation Trail down to the River, and the two trail connections to the school property.

Townhouses - are defined in the East Hants Land Use Bylaw, and for the purposes of this agreement, can include any of the following:

Live/Work Townhouses - units that are designed to allow for a mix of residential and non-residential uses. The ground floor is typically designed to accommodate retail, commercial or office uses, while the upper floors are designed as dwelling units. Both uses have separate entrances.

On-Street Townhouses - blocks of attached units that are oriented to the public street.

On-Street Stacked Townhouses - blocks of attached units which are stacked one above the other. At least one unit in each stacked pair is oriented to the street and has its own entrance.

Stacked Townhouses - blocks of attached units which are stacked one above the other. These units may be oriented to the street, but may also have units that face the rear of the lot, depending on how they are configured.

PART 2: DETAILED PROVISIONS FOR LAND USE

Land Use Requirements

Single Unit Dwellings

- 2.1 Single unit dwellings shall be permitted in the Low Density Residential area and Medium Density Residential area, as shown on Schedule "B". No subdivision approval or development permit shall be granted for any single unit dwelling development except in accordance with the following provisions:

- a. Minimum lot frontage: 10.36 m
- b. Minimum lot area: 316 m²
- c. Minimum front yard: 3 m
- d. Minimum rear yard: 6 m
- e. Minimum side yard: 1.8 m
- f. Minimum flankage yard: 5 m
- g. Minimum separation between single unit dwellings: 3.6 m except for garages permitted under encroachments Section 2.40
- h. Maximum building height: 11 m or 12 m where a roof pitch of 8:12 or greater is provided.
- i. Maximum driveway width: 5.8 m
- j. Maximum width of an attached garage shall not exceed 60 % of the width of the single unit dwelling, measured from the exterior.
- k. Each dwelling unit shall have a driveway that shall accommodate a minimum of two vehicles with each parking space being a minimum of 2.8 m by 5.6 m measured from the Street Line.
- l. Lots with a lot frontage of equal to or greater than 16 m may contain an accessory dwelling unit in accordance with the Accessory Dwelling Unit provisions of the Land Use Bylaw. One additional parking space shall be provided for the accessory dwelling unit, if provided.
- m. Front, rear, and side yard setbacks shall be measured from the property line to the foundation wall of the dwelling unit and accessory buildings.
- n. The development conforms to the architectural design criteria for single unit dwellings under Schedule "F".

Semi-Detached Dwellings

- 2.2 Semi-detached dwellings shall be permitted in the Medium Density Residential area, as shown on Schedule "B". No subdivision approval or development permit shall be granted for any semi-detached dwelling development except in accordance with the following provisions:
- a. Minimum lot frontage: 17 m or 8.5 m per dwelling unit
 - b. Minimum lot area: 520 m² or 260 m² per dwelling unit
 - c. Minimum front yard: 3 m
 - d. Minimum rear yard: 6 m
 - e. Minimum side yard:
 - i. detached wall: 1.8 m
 - ii. common wall: 0 m
 - f. Minimum flankage yard: 5 m
 - g. Minimum separation between semi-detached dwellings: 3.6 m except for garages permitted under encroachments Section 2.40
 - h. Maximum building height: 11 m or 12 m where a roof pitch of 8:12 or greater is provided.
 - i. Maximum driveway width: 5.8 m
 - j. The width of an attached garage shall not exceed 60 % of the width of one unit in the semi-detached dwelling, measured from the exterior.
 - k. Each dwelling unit shall have a driveway that shall accommodate a minimum of two vehicles with each parking space being a minimum of 2.8 m by 5.6 m measured from the Street Line.
 - l. Semi-detached dwellings shall have paired/twinned driveways to accommodate on-street parking. One apron shall be used for a paired/twinned driveway. The Municipal Engineer may vary this requirement where Municipal Infrastructure or topographical constraints makes this requirement difficult.
 - m. Front, rear, and side yard setbacks shall be measured from the property line to the foundation wall of the dwelling unit and accessory buildings.
 - n. The development conforms to the architectural design criteria for semi-detached dwellings under Schedule "F".

On-Street Townhouse Dwellings and On-Street Stacked Townhouses

- 2.3 On-street townhouse dwellings shall be permitted in the Medium Density Residential and High Density Residential area, 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: 5.5 m
 - b. Minimum lot area: 150 m² per dwelling unit
 - c. Minimum front yard: 3 m
 - d. Minimum rear yard: 6 m
 - e. Minimum side yard
 - i. detached wall: 3 m
 - ii. common wall: 0 m
 - f. Minimum flankage yard: 5 m
 - g. Minimum separation between buildings: 6 m
 - h. Maximum building height: 12 m for On-Street Townhouse; and 15 m for On-Street Stacked Townhouses.
 - i. Maximum number of joined on-street townhouse dwelling units: 6
 - j. Maximum number of joined on-street stackable townhouse dwelling units: 8
 - k. Maximum driveway width per unit: 3.65 m unless there is no garage, then the driveway shall be a maximum of 5.8 m.
 - l. The width of an attached garage shall not exceed 60% of the width of the unit.
 - m. Each dwelling unit shall have a driveway that shall accommodate a minimum of two vehicles with each parking space being a minimum of 2.8 m by 5.6 m measured from the Street Line. Or each dwelling unit shall have a garage that shall accommodate a minimum of one vehicle and a driveway that shall accommodate one parking space being a minimum of 2.8 m by 5.6 m measured from the Street Line.
 - n. Townhouse units with individual driveways shall have paired/twinned driveways. One approach 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.
 - o. Notwithstanding clause (k), (m) and (n) above, a shared parking area may be provided to the rear of the buildings, driveways shall have a minimum width of 6 m for a two-way lane, 3 m for a one-way lane, and parking areas may include shared visitor parking. Where shared parking areas are used a minimum of two

- parking spaces per unit shall be provided including any parking provided as per (m) above.
 - p. If a shared parking area is provided, the parking area shall be on the same property as the townhouse units.
 - q. The development shall conform to the architectural design criteria for townhouses under Schedule "F".
- 2.4 Notwithstanding Section 2.3 no type of townhouse dwellings shall be permitted on Road 4, as shown on Schedule "B". Only single unit dwellings or semi-detached dwellings shall be permitted in this area.
- 2.5 Live/Work Townhouses shall be permitted for Townhouse Units which have frontage on Road 5 as identified by Schedule "B". Live/Work Townhouse units shall comply with the Municipality of East Hants Land Use Bylaw requirements regarding Live/Work Townhouses.

Garden Homes - Cluster Townhouses

- 2.6 Garden Homes shall be permitted in the Garden Homes area, as shown on Schedule "B", where each unit is not on an individual lot. No subdivision approval or development permit shall be granted for any Garden Homes development except in accordance with the following provisions. Subdivision for larger lot and not for individual units:
- a. Minimum lot frontage: 18 m
 - b. Minimum lot area: 2,000 m²
 - c. Minimum per unit area: 1 unit per 270 m² of lot area
 - d. Minimum front yard: 3 m
 - e. Minimum rear yard: 6 m
 - f. Minimum side yard: 6 m
 - g. Minimum flankage yard: 5 m
 - h. Minimum separation between buildings: 6m
 - i. Maximum building height: 11 m
 - j. Maximum number of cluster townhouse dwelling units per building: 6
 - k. Maximum number of stacked cluster townhouse dwelling units per building: 8
 - l. Each dwelling unit shall have a minimum of two parking spaces, with each parking space being a minimum of 2.8 m by 5.6 m. Or each dwelling unit shall have a garage that shall accommodate a minimum of one vehicle and a parking space being a minimum of 2.8 m by 5.6 m.
 - m. Common parking areas shall be designed and constructed in accordance with Parking Requirements of the Land Use Bylaw and Bicycle Parking Requirements of the Land Use Bylaw.
 - n. The driveway shall conform to the following requirements:
 - i. the Developer shall construct the driveway through the Block with a minimum width of 3 m if for one-way traffic, and a minimum width of 6 m if for two-way traffic. The maximum width of the driveway through the Block shall be 7.5 m.
 - ii. groups of parking stalls shall be broken up with landscaped buffers; and
 - iii. the driveway shall be paved, as a minimum, with materials and thickness of materials as per the Municipal public road standards.
 - o. Multiple main buildings are permitted on a lot.
 - p. The development shall conform to the architectural design criteria for Garden Homes under Schedule "F".

Multiple Unit Dwellings

- 2.7 Multiple unit dwellings shall be permitted in the High Density Residential area, as conceptually shown on Schedule "B". No subdivision approval or development permit shall be granted for any multiple unit dwelling development except in accordance with the following provisions:
- a. Minimum lot frontage: 25 m, except for block H which may have an 18 m frontage.
 - b. Minimum lot area: 930 m²
 - c. Minimum front yard: 3 m
 - d. Minimum side or rear yard: 3 m or one half the height of the building, whichever is greater
 - e. Minimum flankage yard: 5 m

- f. Maximum lot coverage: 50%
- g. Minimum building height: 3 habitable storeys, excluding underground parking areas.
- h. Maximum building height: 6 habitable storeys
- i. Where two or more multiple unit dwellings are located on the same lot the minimum distance between the buildings shall be 11 m.
- j. Bicycle parking shall be provided in accordance with the bicycle parking requirements of the Municipality of East Hants Land Use Bylaw.
- k. Vehicular parking shall be provided in accordance with the parking supply requirements of the Municipality of East Hants Land Use Bylaw.
- l. Underground or enclosed parking shall be permitted.
- m. Common parking areas shall be designed and constructed in accordance with Parking Requirements of the Land Use Bylaw and Bicycle Parking Requirements.
- n. The development shall conform to the architectural design criteria for Multiple Unit Dwellings under Schedule "F".
- o. Multiple unit uses may include Seniors Residential Complexes or Residential Care Facilities.
- p. Buildings shall be permitted to have ground floor commercial within the main buildings. Commercial uses shall be uses permitted in accordance with Schedule "E".
- q. Notwithstanding Section 2.7 (h) 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 railing systems, staircases or staircase enclosures.
- r. Multiple main buildings are permitted on a lot.
- s. Notwithstanding Schedule "B" the location of the multi-unit residential building driveway nearest to Road 1, may be moved to accommodate an amended driveway location onto Highway 2.

Village Centre Area

- 2.8 Mixed-use buildings shall be permitted in the Village Centre area (Block B1 and Block B2), as shown on Schedule "B". No subdivision approval or development permit shall be granted for any mixed-use building except in accordance with the following provisions:
- a. Minimum lot frontage: 15 m
 - b. Minimum lot area: 700 m²
 - c. Minimum front yard: 1 m - No encroachments shall be permitted into the front yard setback.
 - d. Maximum front yard: 6 m
 - e. Minimum side yard: 0 m unless adjacent to Townhouse Dwellings area then 6 m
 - f. Minimum rear yard: 6 m
 - g. Minimum flankage yard: 3.6 m
 - h. Maximum ground floor finish level: 0.5 m which may be varied at the discretion of the Development Officer.
 - i. Building height: Minimum of 2 habitable storeys and maximum of 4 habitable storeys.
 - j. Commercial uses permitted in accordance with Schedule "E".
 - k. Bicycle parking shall be provided in accordance with the bicycle parking requirements of the Municipality of East Hants Land Use Bylaw.
 - l. Vehicular parking shall be provided in accordance with the parking supply requirements of the Municipality of East Hants Land Use Bylaw.
 - m. No parking shall be permitted between the street and the building front. Parking lots shall be located to the side or rear of the building.
 - n. A main entrance shall be located to face the street, per unit, for each street facing retail unit. Entrances shall be connected to the sidewalk (or the 3 metre Active Transportation trail) or road curb with a minimum 1.8 m width walkway constructed of concrete, bricks, set natural stone, or pavers.
 - o. The ground floor of the Village Centre Buildings (Block B1 and Block B2) shall be commercial aside from interior circulation and entrances. A mixture of commercial and/or multi-unit residential may be provided on the floors above the ground floor commercial.
 - p. The development shall conform to the architectural design criteria for the Village Centre area, in accordance with Schedule "F".
 - q. Notwithstanding Section 2.8 (i) 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 railing systems staircases or staircase enclosures.

Commercial Areas - Blocks E, F and I

- 2.9 Commercial use buildings shall be permitted in the Commercial Areas Blocks E, F and I, as shown on Schedule "B". No subdivision approval or development permit shall be granted for any building except in accordance with the following provisions:
- a. Minimum lot frontage: 23 m
 - b. Minimum lot area: 700 m²
 - c. Minimum front yard: 4.5 m
 - d. Minimum side yard: 1.8 m or one half the height of the building, whichever is greater. Side yard setback along a common wall shall be 0 m.
 - e. Minimum rear yard: 4.5 m
 - f. Minimum flankage yard: 6 m
 - g. Maximum Building height: 6 storeys
 - h. Commercial uses permitted in accordance with Schedule "E".
 - i. For lots with frontage onto Road 5, buildings shall orientate a minimum of one public entrance facing toward Road 5 if any portion of the building is within 40 m of Road 5, and not located behind another main building.
 - j. Vehicular parking shall be provided in accordance with the parking supply requirements of the Municipality of East Hants Land Use Bylaw.
 - k. Bicycle parking shall be provided in accordance with the bicycle parking requirements of the Municipality of East Hants Land Use Bylaw.
 - l. The development shall conform to the architectural design criteria for the Commercial Area, in accordance with Schedule "F".
 - m. Multiple main buildings are permitted on a lot.
 - n. Drive-Thru's will be permitted as-of-right (no site plan approval required) as per the requirements of Section 8.2.6 of the Land Use Bylaw.
 - o. All private driveways shall have a minimum 1.8 m wide asphalt or concrete walkway, and shall be provided generally alongside one side of the driveway. The walkway shall provide connection from Road 5, from transit stops and throughout the commercial development to provide safe pedestrian circulation.

Commercial Area - Block 3

- 2.10 Commercial use buildings, mixed use buildings, mixed use capable buildings, and live/work townhouse buildings. shall be permitted in the Commercial Area, Block 3, as shown on Schedule "B". No subdivision approval or development permit shall be granted for any building except in accordance with the following provisions:
- a. Minimum lot frontage: 25 m
 - b. Minimum lot area: 700 m²
 - c. Minimum front yard: 5 m
 - d. Minimum side yard: 3 m, except 0 m for common walls.
 - e. Minimum rear yard: 6 m
 - f. Minimum flankage yard: 5 m
 - g. Maximum ground floor finish level: 0.5 m
 - h. Maximum Building height: 4 habitable storeys
 - i. Commercial uses permitted in accordance with Schedule "E".
 - j. No parking shall be permitted between Highway 2 and the building front. Parking lots shall be located to the side or rear of the building.
 - k. A main entrance shall be located to face the street. Entrances shall be connected to the sidewalk (or the 3 metre Active Transportation trail) with a minimum 1.8 m width walkway constructed of concrete, bricks, set natural stone, or pavers.
 - l. The first floor of any main Buildings shall be commercial or 'mixed-use capable'. A mixture of commercial and/or multi-unit residential may be provided on the floors above the first floor.
 - m. The first floor of a 'mixed-use capable' building, shall have a floor-to-floor height of no less than 3.05 m. The first-floor entryways must be street or driveway facing.
 - n. Vehicular parking shall be provided in accordance with the parking supply requirements of the Municipality of East Hants Land Use Bylaw.
 - o. Bicycle parking shall be provided in accordance with the bicycle parking requirements of the Municipality of East Hants Land Use Bylaw.
 - p. The development shall conform to the architectural design criteria for the Commercial Area, Block 3, in accordance with Schedule "F".

- q. Notwithstanding Section 2.10 (h) 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.
- r. Multiple main buildings are permitted on a lot.

Parkland

- 2.11 No subdivision approval or development permit shall be granted for any parkland use except in accordance with the following provisions:
 - a. Minimum lot frontage for the Central Park on the roundabout, at the joining of Road 1 and Road 2, shall be a minimum of 55 m. The minimum lot frontage onto Road 3 shall be 54 m.
 - b. Minimum width of the Central Park, between Block B2 and B1 shall be a minimum of 55 m.
 - c. Minimum frontage of the trail (from Road 2 to the Maple Ridge School) shall be 11 m onto Road 2.
 - d. The development conforms to the Parkland uses under Section 2.21.

Off-Street Lighting

- 2.12 Lighting shall be directed to driveways, parking areas, loading areas, building entrances and walkways and shall be arranged to divert light away from streets, adjacent lots and buildings.
- 2.13 Security lighting for multiple unit dwellings and Mixed-Use areas shall be directed to all walkways and parking areas. All exterior lighting shall be directed downwards with luminaries shielded to prevent unnecessary glare.
- 2.14 In order to preserve the night sky, the Developer is encouraged to use sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare, particularly adjacent to Municipal parks and trails.

Signs

- 2.15 Except where specifically stated otherwise in this Agreement, all signage provisions of the Municipal Land Use Bylaw, as amended, shall apply to this development.
- 2.16 Low Density; Medium Density; and Garden Homes (Block GH-2 and Block GH-3) as shown on Schedule "B"- Notwithstanding 2.15 the signage provisions of the Two Dwelling Unit Residential (R2) Zone in the Municipality of East Hants Land Use Bylaw shall apply.
- 2.17 Block B1 and Block B2; the Multiple Unit Dwellings properties identified as Block A, Block C, Block D, Block G, and Block H; and the Commercial area identified as Block 3, as shown on Schedule "B" - Notwithstanding 2.15, the signage provisions of the Mixed Use Centre (MC) Zone in the Municipality of East Hants Land Use Bylaw shall apply to:
- 2.18 Commercial areas identified as Block E, Block F and Block I, as shown on Schedule "B" - Notwithstanding 2.15, the signage provisions of the Regional Commercial (RC) Zone in the Municipality of East Hants Land Use Bylaw shall apply. Excepting the following:
 - a. Signs may relate to any business or use located in Block E, Block F and Block I.
 - b. The following maximum number of signs will be permitted:
 - i. One (1) projecting sign or ground sign per street facing façade for every main building;
 - ii. Two facial wall or awning signs per business premises; and
 - iii. One (1) temporary sign for every multiple tenancy building.
- 2.19 Two (2) ground signs for the community name shall be permitted, in conformance with the following requirements:

- a. A sign shall be permitted at the one of the two entrances to the Lands from Highway 2; and a sign shall be permitted at the entrance to the lands from the Lantz Interchange Connector Road. The signs shall be located on the lands owned by the developer and the specific location of such a sign is subject to approval by the Development Officer. The location of the community name signs may require approval from Nova Scotia Transportation and Infrastructure Renewal;
- b. The height of the sign shall not exceed 4.6 m inclusive of support structures;
- c. The face area of the sign shall not exceed 4.7 m²;
- d. The face area of the sign shall be constructed of natural materials such as brick, wood or stone;
- e. The supports of the sign shall be constructed of brick, wood, stone or metal;
- f. Illumination of the sign shall include only down-pointing, full cut-off fixtures or back-lit channel cut letters, or similar back-lit lettering;
- g. Ornamental plants may be planted and maintained by the Developer around the base of the sign; and

Parkland

2.20 Parkland dedication via land acquisition shall substantially conform with the locations, dimensions, site improvements and site preparation areas illustrated on Schedule "B" with the final adjustments to configuration and grades of the site preparations areas to be agreed upon by the Municipality and the Developer prior to subdivision approval being granted. The Development Officer, in consultation with municipal parks staff, may permit variations to lot configuration provided appropriate access and road frontage is maintained, the total area of land is not reduced and the proposed parkland meets the requirements of the Municipality.

2.21 The Developer shall provide the following, as shown on Schedule B:

	Approximate Park Area or Trail length	Required Work within Park	Phase to Deed Parkland to the Municipality (Upon final plan of Subdivision)
Riverside Parkland	Approximate area of 20.6 hectares (50.9 acres).	None.	Land to be deeded over to the Municipality prior to final approval of any portion of Phase 1
Upgrade section of Road 4, to provide 3 metre AT trail	Approximate length of 131 m.	Section of 1.8 metre sidewalk along Local - Road 4 on the same side of the road as the Active Transportation Trail to the Nine Mile River will be upgraded to 3 metre AT trail to link AT trail along Road 1 with AT Trail down to the River.	To be constructed at the same time as the road construction is completed for Phase 2.
Trail from Road 5 through Block GH-3, to edge of Maple Ridge School Property	1.8 metre wide trail from Road 5 to the edge of school property, with an approximate length of 352 m. Trail to run through Block GH-3 and then through land identified as Open Space to the edge of the school property.	Asphalt or concrete trail to be constructed in accordance with final location and cross section to be approved by the Municipality.	Phase 2 If area of land to the rear of school property, identified as Open Space on Schedule "B" has not yet been deeded over to the Municipality the trail shall be located within a six metre wide easement and deeded to the Municipality for access, recreation and maintenance purposes. An easement shall be deeded to the Municipality for access, recreation and maintenance purposes on any part of the trail which runs through Block GH-3.
Trail from Road 2 to edge of Maple Ridge School Property	1.8 m wide trail from Road 2 to the edge of school property, with an approximate length of 155 m. To be located between Block GH-2 and Block D as identified on Schedule	Asphalt or concrete trail to be constructed in accordance with final location and cross section to be approved by the Municipality. The	Phase 3 If the area of land that the trail is located in has not yet been deeded over to the Municipality the trail shall be located within a six metre wide easement deeded to the

	"B".	slope of the ditch adjacent to the trail shall be at least a 3:1 slope.	Municipality for access, recreation and maintenance purposes.
3 metre wide asphalt trail from Road 4, down to the Nine Mile River	Approximate length of 480 m.	Active Transportation Trail to be constructed	Phase 3. For any part of the trail which is located outside of the Riverside Park, a 6 metre wide easement for access, recreation and maintenance purposes shall be deeded to the Municipality at phase 3. The trail shall be constructed to same standard as identified in the cross section for the 3m multi-use asphalt trail, identified within Schedule "C"
Bridge over the Nine Mile River	The final location of the bridge crossing to be determined by the Municipality.	Bridge to be designed and constructed by the developer unless Municipality exercises its option in s. 2.22.	Bridge design prior to tentative subdivision approval of Phase 4. The construction of the bridge shall be completed prior to final subdivision approval of any portion of Phase 4.
Central Park Area	Linear Parkland located between roundabout and Road 3, with an approximate area of 1.17 hectares (2.9 acres)	Land to be grubbed, levelled and seeded. Developer to design the park. Final park design to be approved by the Municipality. The design of the park shall be approved prior to final approval of subdivision for Phase 3.	Land to be deeded to the Municipality upon final subdivision approval of Phase 2.
Playground in Central Park Area		Phase 4 - Developer to provide a cash dedication or work in kind to the Municipality of a value of \$150,000.00, plus inflation. Inflation will be calculated as per Section 2.25. The Municipality, at its sole discretion, reserves the right to determine whether the dedication shall be a cash amount, work in kind, or a combination of the two but after 10 years from the date of final subdivision approval of any portion of Phase 1 the Developer shall have no option to provide work in kind and shall only provide a cash contribution of \$150,000 plus inflation.	Prior to final subdivision approval of any portion of phase 4.
Active Transportation Sidewalk - 3 m HMAC asphalt	To be constructed within road ROW - location as identified on the Lantz Street Network Plan in Schedule "C", with an approximate length of 1,262 m.	To be constructed in accordance with the Road Cross Sections and location as detailed in Schedule "C"	To be completed at the same time as the road construction is completed for each phase of the development or as otherwise noted in this agreement.
Second Concrete 1.8 m Sidewalk Portland Cement	To be constructed within road ROW - location as identified on the Lantz	To be constructed in accordance with the Road Cross Sections	To be completed at the same time as the road construction is completed for each phase of the

Concrete	Street Network Plan in Schedule "C", with an approximate length of 707 m.	and location as detailed in Schedule "C"	development.
Remaining Open Space Land	Identified as Open Space on Schedule "B" and is located to the rear of the Maple Ridge School, with an approximate area of 10.9 hectares (27 acres).	Leave Natural - no vegetation removal, except for land needed to construct and maintain the trails as identified within 2.21	Prior to final subdivision approval for any portion of Phase 7

- 2.22 After 10 years from the date of final subdivision approval of any portion of Phase 1 but before the Developer applies for final subdivision approval of any portion of Phase 4, the Municipality has, at its sole discretion, the option of constructing the bridge over the Nine Mile River.

If the Municipality chooses to exercise this option:

- a. the Municipality shall provide written notice to the Developer; and
 - b. the \$736,000 plus inflation for the bridge shall be paid by the Developer to the Municipality prior to the Municipality granting final subdivision approval of any portion of Phase 4. The Municipality shall withhold final subdivision approval of any portion of Phase 4 until the Developer has made such payment. If the Developer does not apply for final subdivision approval of any portion of Phase 4 the Developer shall make no such payment.
- 2.23 Up to 10 years from the date of date of final subdivision approval for any portion of Phase 1 but before the Developer applies for final subdivision approval for any portion of Phase 4, the Developer may provide a cash contribution of \$150,000 plus inflation, work in kind or a combination of both with a value not exceeding \$150,000 plus inflation, for the playground in the Central Park. The Municipality, at its sole discretion, reserves the right to determine whether the dedication shall be a cash amount, work in kind, or a combination of the two.
- 2.24 After 10 years from the date of final subdivision approval of any portion of Phase 1 but before the Developer applies for final subdivision approval for any portion of Phase 4, the Developer shall only provide a cash contribution of \$150,000 plus inflation for the playground in the Central Park, which shall be paid by the Developer to the Municipality prior to the Municipality granting final subdivision approval of any portion of Phase 4. The Municipality shall withhold final subdivision approval of any portion of Phase 4 until the Developer has made such payment. If the Developer does not apply for final subdivision approval of any portion of Phase 4 the Developer shall make no such payment.
- 2.25 The inflation referred to in section 2.22, 2.23 and 2.24 shall be calculated based on the Consumer Price Index ("CPI") for Nova Scotia and compounded annually from the date the development agreement was entered into.

Examples:

As examples of how the payment in section 2.22(d), 2.23 and 2.24 shall be calculated, assume the following:

- the development agreement is entered into in year 1
- the CPI for years 1 through 11 is as set out below
- it has been 10 years from the date of final subdivision approval of any portion of Phase 1
- the Municipality chooses to construct the bridge in year 11
- the Developer is preparing to apply for final subdivision approval for a portion of Phase 4

Year	Interest Rate (CPI)	Bridge Principal plus interest	Playground Principal plus interest
1	1.0%	\$783,760	\$151,500
2	2.0%	\$799,435	\$154,530
3	2.5%	\$819,421	\$158,393
4	2.6%	\$840,726	\$162,511
5	1.4%	\$852,496	\$164,787
6	1.5%	\$865,284	\$167,258
7	1.3%	\$876,532	\$169,433
8	1.2%	\$887,051	\$171,466
9	1.5%	\$900,356	\$174,038
10	1.7%	\$915,663	\$176,997
11	1.9%	\$933,060	\$180,360

The original principal is \$736,000 for the bridge and \$150,000 for the playground

Prior to obtaining final subdivision approval for any portion of Phase 4, the Developer would pay the Municipality \$933,060 for the bridge and \$180,360 for the playground, as per the above table

If, in the above example, the Developer provided a cash contribution for the playground at year 5, the Developer would pay the Municipality \$164,787

- 2.26 If the Municipality chooses not to exercise its option in section 2.22 to build the bridge, the Developer shall be responsible, at its sole cost and expense, to carryout and complete that work prior to the Municipality granting final subdivision approval of any portion of Phase 4.
- 2.27 The Municipality shall ensure that the cash dedication, or work in kind to the Municipality, of a value of \$150,000.00 plus inflation for the playground in the Central Park area, shall be used for the building of playground equipment for the Central Park Area.
- 2.28 The construction of the Central Park Playground shall be procured through the Municipality.
- 2.29 The Bridge must be able to be connected to the western side of the Nine Mile River within an area, as identified by the Map in Schedule "J". The Municipality shall determine the final location of the bridge.
- 2.30 If the Municipality cannot secure the land or easements required for the bridge on the other side of the river, for any reasons, including in the opinion of the Municipality an unfeasible cost, prior to Phase 4 tentative, the \$736,000 plus inflation, calculated as per Section 2.25, changes to a Cash Contribution required prior to the approval of the final plan of subdivision for any portion of Phase 4.
- 2.31 The design of the bridge, including foundations, shall be prepared by a Professional Engineer, licensed to practice in Nova Scotia. The engineer shall have errors and omissions insurance of at least \$2,000,000 and such insurance shall name the Municipality as "Additional Insured". The bridge design shall be as per the requirements in Schedule "K":
- 2.32 Once the bridge has been constructed and accepted by the Municipality, the Developer shall maintain and warranty the bridge for two years with respect to all costs to maintain the bridge for its intended use, repair defects or correct deficiencies in any work pertaining to the bridge.
- 2.33 If the Municipality constructs the bridge, the Municipality will determine the design of the bridge and shall not be required to build to the design prepared by the Developers' professional engineer.
- 2.34 The above parkland requirements may be dedicated early if agreed to in writing by the developer and the Municipality.

- 2.35 Parkland shall be completed and deeded to the Municipality prior to the completion of each subdivision stage.
- 2.36 The Developer shall have the privilege at any time and from time to time during the term of this Agreement to enter upon, use and occupy Municipality of East Hants land, including the Riverside Parkland and Central Park Area for the purpose of developing the site in accordance with this Development Agreement.
- 2.37 Prior to entering upon any Municipality of East Hants land, for the purpose of carrying out the requirements of this agreement, the Developer and any contractor and subcontractors engaged to perform the work will, at minimum:
 - a. Have and maintain Good Standing with Worker's Compensation Board of Nova Scotia (WCBNS) workplace injury insurance;
 - b. Execute an agreement appropriate to the nature of the work from the contract forms available from the Canadian Construction Documents Committee (CCDC) or equivalent acceptable to the Municipality;
 - c. Provide the Municipality with proof, satisfactory to the Municipality that it carries and has in full force and effect, general liability insurance in respect of injury of one or more persons, and property damage in connection with the use of the site in an amount not less than \$5,000,000; and
 - d. Provide to the Municipality a certificate of insurance listing them as an "Additional Insured".
- 2.38 The Developer agrees to indemnify the Municipality, its officers, employees, licensees, tenants, and invitees and save it harmless from and against any and all claims, actions, damages, liability and expenses in connection with loss of life, personal injury and/or damage to property arising from or out of any work carried out under this development agreement by the Developer, its servants, agents, employees, contractors and subcontractors except for any such claims, actions, damages, liability and expense arising from the negligence or wilful misconduct of the Municipality or those for whom it is in law responsible.
- 2.39 Vegetation may be removed from the Riverside Park: as required for stormwater management infrastructure; as required for the Active Transportation Trail; and as required for the construction of the Bridge over the Nine Mile River. Any vegetation removed from the park by the developer shall be removed from the site or an alternative option may be approved by the Municipality. If in the opinion of the Municipality, excessive vegetation has been removed, remediation by the developer will be required, with replanting to replace the removed vegetation. The replanting shall be in accordance with a plan submitted by the developer and approved by the Municipality. The Municipality may remove vegetation as required for any recreation or infrastructure purposes. The Municipal Development Officer, in consultation with the Municipal parks staff may approve the removal of vegetation to create additional open space amenities, or to assist in site levelling.

Encroachments

- 2.40 Encroachments into required yards, not including easements, may be permitted in accordance with and subject to the following:
 - a. Chimneys, and outdoor fire place shall be permitted to encroach 0.61 m into any yard.
 - b. Attached garage (not including habitable space) shall be permitted to encroach 0.61 metres into the side yard setbacks, except for townhouses.
 - c. Decorative features, window bays, exterior staircases, balconies and attached enclosed or roofed decks, verandahs, carports, and terraces shall be permitted to encroach 1.2 m into the front or rear setback.

PART 3: SUBDIVISION OF THE LANDS

- 3.1 All subdivision of the Lands shall meet the requirements of the Subdivision Bylaw except where varied by this Agreement.
- 3.2 Subdivision applications shall be submitted to, and approved by the Development Officer in accordance with the following terms and conditions:
- a. Applications for tentative subdivision approval shall encompass an entire phase of the development in accordance with Schedule "I".
 - b. Applications for subdivision approval shall be submitted in numerical order in the order of their sequence identified on the Phasing Plan identified as Schedule "I".
 - c. Final subdivision approval for a phase shall not be granted until final approval has been granted for the previous phase;
 - d. Final subdivision approval for a phase shall not be granted until Nova Scotia Transportation and Infrastructure Renewal has granted approval;
 - e. The Development Officer may grant final subdivision approval for partial phases of the development;
 - f. Notwithstanding 3.2.b and 3.2.c, the Development Officer, in consultation with the Municipal Engineer, the Municipal department responsible for open space and Nova Scotia Transportation and Infrastructure Renewal, may authorize variations to the sequence of phasing and/or the sequence of final plan of subdivision approval.
 - g. Notwithstanding 3.2.b, the Development Officer, in consultation with the Municipal Engineer, the Municipal department responsible for open space and Nova Scotia Transportation and Infrastructure Renewal, may authorize the development of concurrent phases.
 - h. Non-disturbance areas shall be identified on the tentative and final plans of subdivision.

PART 4: STREETS AND MUNICIPAL SERVICES

General Provisions

- 4.1 Design and construction of Municipal roads and service systems shall meet the requirements of the Municipality, Nova Scotia Environment and Nova Scotia Transportation and Infrastructure Renewal.

Off-Site Disturbance

- 4.2 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.

Site Preparation

- 4.3 The Developer shall not commence grubbing or excavation activities unrelated to site construction purposes prior to receiving tentative approval of the subdivision design unless otherwise permitted by the Development Officer, in consultation with the Municipal Engineer.

Streets

- 4.4 Streets, sidewalks and walkways shall generally conform to the locations and alignments illustrated on Schedule "C".
- 4.5 Streets with a radius of curvature of less than 85 m shall require acceptance by the Municipal Engineer. The Developer shall present a design supported by The

- 4.6 Streets, sidewalks and walkways shall be built in accordance with the road cross-sections attached as Schedule "C". All poles, hydrants and other related design elements shall be provided in accordance with the current standards of the approving authority. Mountable curbs shall be permitted in consultation with the Municipal Engineer.
- 4.7 Notwithstanding 4.6 any proposed road cross sections with parking on both sides of the street shall have an 11.0 m wide travelled way with bump outs at either end and at crosswalks, if applicable.
- 4.8 Sidewalks shall be 150 mm reinforced concrete at driveways.
- 4.9 Minimum culvert diameter is 450 mm. Culvert sizes are to be determined by the Design Engineer and specified on the Stormwater Management Plan.
- 4.10 The Municipality requires a minimum 3.0 m offset where cut slopes don't end at the street line.
- 4.11 On Road 10 as identified by Schedule "C" a culvert and walkway shall be provided to fire hydrants.
- 4.12 Street, parking and traffic signs shall be supplied and installed by the Developer per Municipal standards.
- 4.13 Where any private driveway is proposed to service more than one building, no subdivision approvals shall be granted with lot frontage on the private driveway and a note shall be placed on the subdivision plan indicating that the Municipality does not own or maintain the private driveway.
- 4.14 Any proposed private driveways for the Garden Homes Areas shall be paved, as a minimum with materials and thickness of materials as per the Municipal public road standards. Further, if a proposed private driveway serves greater than 30 dwelling units, a minimum 1.8 m wide asphalt or concrete walkway, shall be provided generally alongside one side of the driveway.

Street Trees

- 4.15 Street trees shall be planted on at least one side of all public streets identified on the Street Network Plan and Cross Sections attached as Schedule "C" and shall be planted in accordance with Schedule "D" and the following:
 - a. Species for street trees must be chosen from the approved Street Tree Species List attached as Schedule "D". The species of tree may be varied with approval by the Municipality;
 - b. Trees under 9 m mature height (Class 3) shall be used in instances where there are overhead utility lines;
 - c. Selecting more than one species from the Street Tree Species List is encouraged in order to reduce the number of street trees susceptible to any one insect or disease outbreak;
 - d. Street trees shall adhere to the spacing requirements found in the Street Tree Spacing Chart attached as Schedule "D".
 - e. Notwithstanding 4.15.d, the Development Officer, in consultation with the Municipal Engineer, may vary the requirements of the Street Tree Spacing Chart attached as Schedule "D";
 - f. Trees shall be 45-60 mm caliper at time of planting;
 - g. Street trees shall conform to the newest edition of the *Canadian Nursery Stock Standard*. Street trees shall be nursery grown and not collected from the natural environment.
 - h. Once the street trees have been planted, inspected, and accepted, the Developer shall maintain and warranty the trees for two complete growing seasons.

Nova Scotia Transportation and Infrastructure Renewal Requirements

- 4.16 The Developer shall be responsible for the Design and Construction of all intersections to Nova Scotia Transportation and Infrastructure Renewal roadways including a roundabout at the connection of Road 5 to the Lantz Connector Road and the right in/right out access configuration of Road 10.
- 4.17 The Developer shall supply Nova Scotia Transportation and Infrastructure Renewal an acceptable roundabout design for the initial connection of Road 5 to the Lantz Connector Road. An interim intersection treatment is not permitted at this location. Approval of the Final Plan of Subdivision for Phase 1 shall not be granted until Nova Scotia Transportation and Infrastructure Renewal has given their positive recommendation for their acceptance of the roundabout design.
- 4.18 The Developer shall supply Nova Scotia Transportation and Infrastructure Renewal an approved intersection design at Trunk 2 for Road 1 and Road 2. Nova Scotia Transportation and Infrastructure Renewal will require an assessment of the operational needs at the intersections of Trunk 2 with Road 1 and Road 2, including the Developers collection of turning movement counts and reassessment of turn lane and signal warrants, when 550 dwelling units receive a development permit. A maximum of 600 dwelling units shall receive a development permit until the assessment is complete and Nova Scotia Transportation and Infrastructure Renewal consents to additional dwelling units. Additionally, a maximum of 750 dwelling units shall receive a development permit until the required intersection upgrades are completed, unless otherwise communicated by Nova Scotia Transportation and Infrastructure Renewal. A reassessment, with updated turning movement counts, shall be required upon completion of the roadway connection from Road 5 to Roads 1 and 2 (through Zone 3 between Zones 1 and 2), as identified by Schedule "G". No development permits shall be issued for development within Phase 6 or Phase 7 as identified in the Phasing Plan, Schedule "I" until intersection upgrades have been completed, if required by Nova Scotia Transportation and Infrastructure Renewal. The Developer shall be responsible for the design, land acquisitions and construction of any intersection upgrades based on the reassessed evaluations.
- 4.19 The creation of ROW plans and acquisition of properties required for intersection upgrades are the responsibility and cost of the Developer. Ownership of these lands will be transferred at no cost to Nova Scotia Transportation and Infrastructure Renewal after the construction, commissioning, and approval of the intersection upgrades.
- 4.20 The minor access southwest of Road 2 as identified by Schedule "B" shall be acceptable until the opening of Phase 3, at which point the access shall be removed, unless otherwise approved by Nova Scotia Transportation and Infrastructure Renewal.
- 4.21 Notwithstanding Schedule "B" the location of the minor access northeast of Road 1 shall be approved by Transportation and Infrastructure Renewal.
- 4.22 The Developer shall supply Nova Scotia Transportation and Infrastructure Renewal a revised traffic analysis should the developer wish to increase the units from 1241. The analysis shall include; turn lane warrants, Synchro & Simtraffic analysis of intersections, signal warrants. The analysis shall not occur for a period of at least 3 years from the date the connection from Road 5 to Roads 1 and 2 is complete and open to the public, unless otherwise approved by Nova Scotia Transportation and Infrastructure Renewal. The Developer shall be responsible for the design, land acquisitions and construction of any intersection upgrades based on the reassessed evaluations.

Clearing or Infilling

- 4.23 No clearing or infilling shall take place within the non-disturbance areas illustrated on Schedule "B" except as provided for by this Agreement and to allow for the installation of Municipal services, or as may otherwise be required for access or safety reasons. The Developer agrees to show the non-disturbance areas on any subdivision grading plan and any subdivision plan submitted for tentative and final approval, with a note indicating that no clearing or infilling shall take place within these areas.

Water, Wastewater and Stormwater Systems

- 4.24 Municipal water, wastewater and stormwater systems shall conform to Municipal standards.
- 4.25 Water mains of 150 mm diameter are permitted provided that service levels and fire flows are maintained at the discretion of the Municipal Engineer.
- 4.26 The Naturalized Stormwater Management Area, identified as 'Stormwater Area' on Schedule "B" shall be a shallow flow system with transplanted plants and soft side slopes to negate the need for fencing. Plantings shall be low maintenance plants. Interior side slopes for this area shall not be constructed steeper than 4:1.
- 4.27 The Stormwater Management for the site shall generally be in accordance with the Post Development Drainage Areas Plan prepared by Strum Consulting, identified as Schedule "H". Any amendments to this stormwater approach are subject to acceptance by the Municipal Engineer.
- 4.28 Detailed Stormwater Management Plans shall be submitted at each Tentative Subdivision Approval stage.
- 4.29 Stormwater infrastructure located on private property shall be owned and maintained by the property owner.
- 4.30 The Municipality does not guarantee any particular water pressure or flow to the Lands.
- 4.31 No subdivision approvals shall be granted for any phase as shown on Schedule "I" of this Agreement unless:
- a. the Municipal Engineer is satisfied that existing Municipal service systems have sufficient capacity; or
 - b. the Developer has entered into an agreement with the Municipality for construction of the necessary upgrades.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

Non-Disturbance Areas

- 5.1 Where any portion of a lot includes a non-disturbance area as shown on Schedule "B", the non-disturbance area shall be shown on any tentative and final plan of subdivision and no development, clearing or infilling shall be permitted within the non-disturbance area, including but not limited to accessory structures or fencing.
- 5.2 The Developer shall provide an access and service easement in favour of the Municipality over the non-disturbance areas to enable maintenance to protect the natural stormwater management function of these areas.
- 5.3 The Developer shall provide an access easement in favour of the Municipality to the non-disturbance areas from a public street.

PART 6: AMENDMENTS

Non-Substantive Amendments

- 6.1 Any amendment to this agreement, whether substantive or otherwise, must be approved by both parties in writing.
- 6.2 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.
- 6.3 The following items are considered by both parties to not be substantive:
 - a. The granting of an extension to the date of commencement of construction as identified in Section 7.4 of this Agreement;
 - b. The length of time for the completion of the development as identified in Section 7.7 of this agreement.
 - c. Amendments to the development standards in Sections 2.1 to 2.10 of this agreement.
 - d. Amendments to Section 1.1.c. to permit the maximum number of dwelling units for each land use area to be amended so long as the total combined number of dwelling units does not exceed 1,500 units.
 - e. Amendments to the sign requirements of this agreement.
 - f. Amendments to the list of commercial uses permitted as Schedule "E".
 - g. Amendments to the Architectural Design Criteria, identified in Schedule "F"
 - h. Amendments to reduce the minimum number of storeys for the Village Centre, Block B1 and Block B2, mixed use buildings.
 - i. Amendments to enable multi-unit residential in the commercial area Block I, as identified by Schedule "B"
 - j. Amendments to the parkland provisions if the Municipality is in agreement that the proposed amendments are in the best interest of the Municipality.
 - k. Amendments related to the requirements of Nova Scotia Transportation and Infrastructure Renewal or Nova Scotia Environment.

Substantive Amendments

- 6.4 Any substantive 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.
- 6.5 Amendments to any matters not identified under Section 6.3 shall be deemed substantive.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

Registration

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

Subsequent Owners

- 7.2 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 Council.
- 7.3 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).

Commencement of Development

- 7.4 In the event that development on the Lands has not commenced within five 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.
- 7.5 For the purpose of this section, commencement of development shall mean tentative subdivision approval of the first phase of the lands.
- 7.6 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Part 6, if the Municipality receives a written request from the Developer at least sixty (60) calendar days prior to the expiry of the commencement of development time period.

Completion of Development

- 7.7 Upon the completion of the whole development or complete phases of the development, or after twenty five 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

- 7.8 If the Developer fails to complete the development after 25 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 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

Enforcement

- 8.1 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 hours of receiving such a request.

Failure to Comply

- 8.2 If the Developer fails to observe or perform any conditions of this Agreement after the Municipality has given the Developer 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 defense 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 Municipal Government 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 to the provisions of the Land Use Bylaw;
- d. Where trees or other vegetation are removed in contravention to the requirements of this Agreement, the Development Officer shall direct that a site rehabilitation plan be prepared with measures including but not limited to, the replanting of trees or vegetation of a similar size, age, and appearance within the disturbed area. The property owner shall pay all expenses associated with preparing and undertaking the replanting; and
- e. In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the Municipal Government Act or Common Law in order to ensure compliance with this agreement.

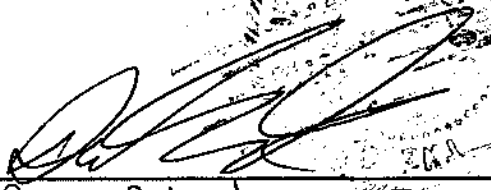
IN WITNESS WHEREOF the parties hereto for themselves, their successors and assigns have hereunto set their hands and seals as of the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:


The Shaw Group Limited
Developer



Witness


Lindsay Hawley, Secretary
The Shaw Group Limited


Dean Robertson, CEO
The Shaw Group Limited

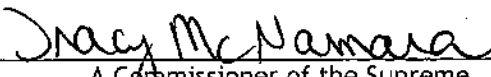
MUNICIPALITY OF EAST HANTS
Municipality


Witness


Kim Ramsay
Chief Administrative Officer & Municipal Clerk

Province of Nova Scotia, County of Hants

On this 17 day of July, 2020,
before me the, subscriber personally came
and appeared Stephanie Mah,
a subscribing witness to the foregoing
agreement, who having been by me duly
sworn, made oath and said that the
Developer, one of the parties thereto, signed,
sealed and delivered the same in his/her
presence.



A Commissioner of the Supreme
Court of Nova Scotia

Tracy McNamara
A Commissioner of the
Supreme Court of Nova Scotia

My Commission expires: Dec 2, 2020

Province of Nova Scotia, County of Hants.

On this 23 day of July, 2020,
before me, the subscriber personally came and
appeared Lisa Jobb, a
subscribing witness to the foregoing agreement,
who having been by me duly sworn, made oath
and said that Kim Ramsay, CAO & Municipal
Clerk, signing authority for the Municipality of
East Hants, one of the parties thereto, signed,
sealed and delivered the same in his/her
presence.


A Commissioner of the Supreme
Court of Nova Scotia

Pamela Harvie
"A Commissioner of the
Supreme Court of Nova Scotia"

Development Agreement:
The Shaw Group Limited.
and the Municipality of East Hants

SCHEDULE A

Description of Property

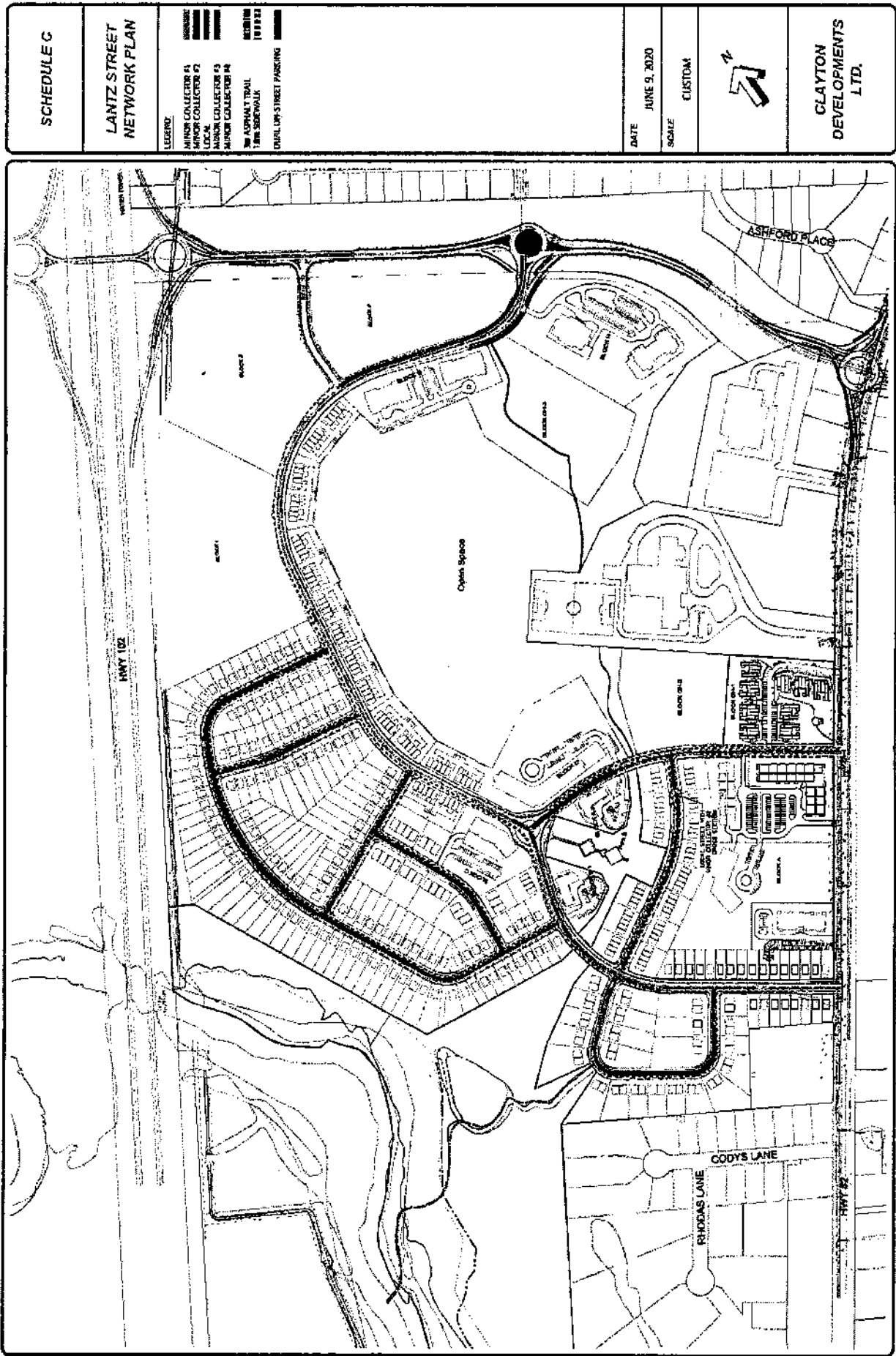
This agreement applies to property identified as PID 45282167, PID 45411170, PID 45411162 and PID 45410115 and further described by Plan filed at the Registry of Deeds Office for the registration district of Hants in Lawrencetown, Nova Scotia, registered under the *Land Registration Act*.

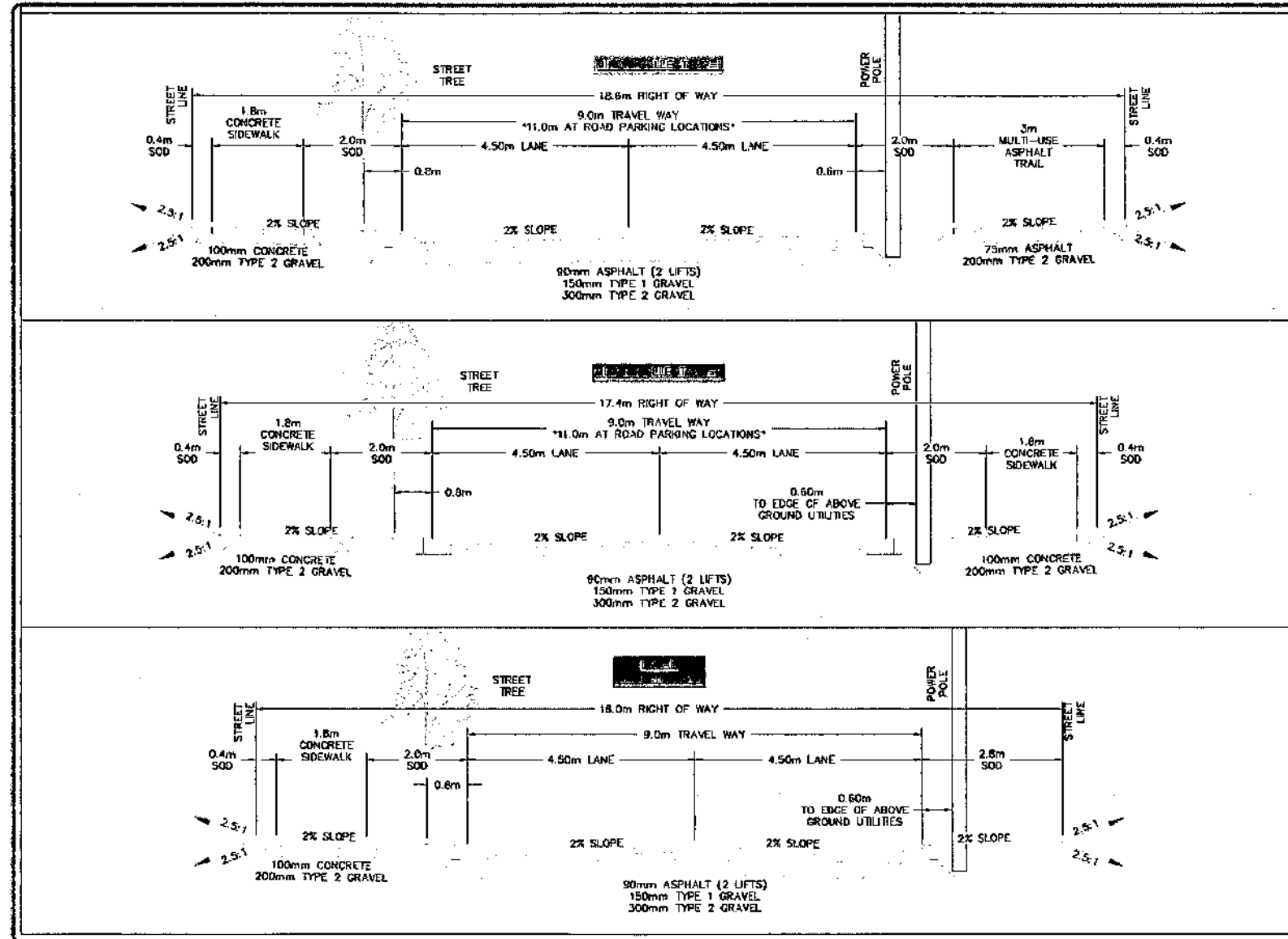
SCHEDULE B

Concept Plan

SCHEDULE C

Lantz Street Network Plan & Road Cross-Sections



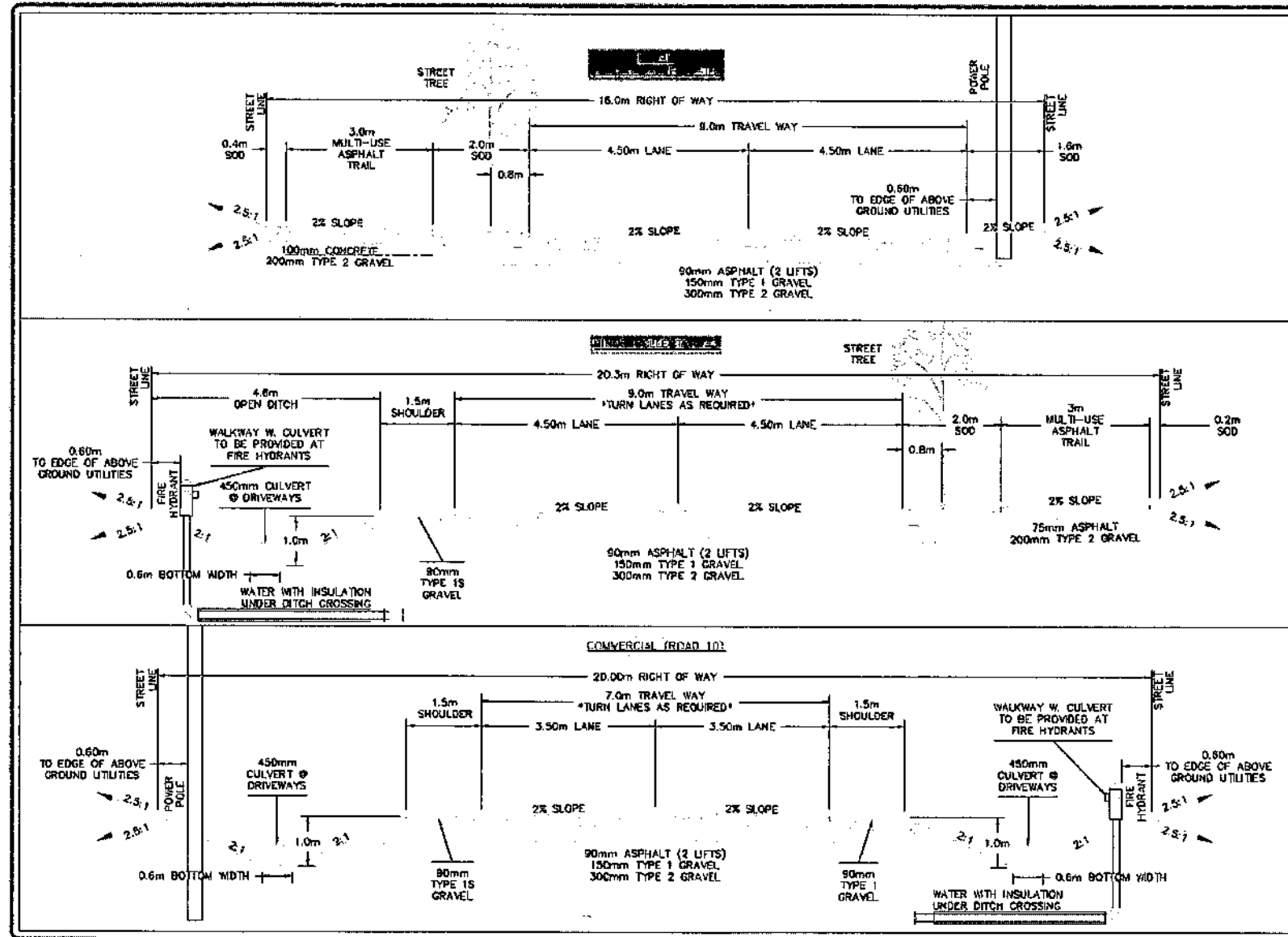


**LANTZ STREET
CROSS
SECTIONS 1**

DATE
JUNE 4, 2020

SCALE
NTS

**CLAYTON
DEVELOPMENTS
LTD**



**LANTZ STREET
CROSS
SECTIONS 2**

NOTES:

1. ASPHALT & GRAVEL THICKNESSES ARE CONCEPTUAL ONLY AND SUBJECT TO DETAILED DESIGN.

DATE
JUNE 4, 2020

SCALE
NTS

**CLAYTON
DEVELOPMENTS
LTD**

SCHEDULE D

Street Trees

STREET TREE SPECIES LIST

Class 1 Trees Over 18 m Mature Height Boulevard Minimum 3m length	Class 2 Trees 9 - 18 m Mature Height Boulevard Minimum 2.5 m length	Class 3 Trees Under 9 m Mature Height Boulevard Minimum 2 m length Suitable Under Utility Lines
Common Hackberry (Celtis occidentalis)	Katsura Tree (Cercidiphyllum japonicum)	Tree Lilac (Syringa reticulata)
Kentucky Coffee Tree (Gymnocladus dioica)	Turkish Filbert (Corylus cornuta)	Serviceberry (Amelanchier)
Swamp White Oak (Quercus bicolor)	Honeylocust (Gleditsia triacanthos var. inermis)	Persian Ironwood (Parrotia persica)
Bur Oak (Quercus macrocarpa)	Butternut (Juglans cinerea)	Amur Maple (Acer ginnala)
Pin Oak (Quercus palustris)	Ironwood (Ostrya virginiana)	Hedge maple (Acer campestre)
Chestnut Oak (Quercus prinus)	Columnar English Oak (Quercus robur 'Fastigiata')	Leonard Messel Magnolia (Magnolia x loebneri 'Leonard Messel')
Northern Red Oak (Quercus rubra)	Japanese Pagodatree (Sophora japonica)	Sun valley maple (Acer rubrum 'Sun Valley')
Black Locust (Robinia pseudoacacia)	Chinese Elm (Ulmus parvifolia)	
European Beech (Fagus sylvatica)	Amur Cork Tree (Phellodendron amurense)	
Red Maple (Acer rubrum)	Callery Pear (Pyrus calleryana)	
London Plane (Platanus x acerifolia)	Amur chokecherry (Prunus maackii)	
Ginkgo (Ginkgo biloba) - male trees only	Black Birch (Betula nigra)	
	Japanese Zelkova (Zelkova serrata)	
	Freeman Maple (Acer x Fremanii)	
	Princeton Sentry Ginkgo (Ginkgo biloba 'Princeton sentry')	

STREET TREE SPACING CHART

	Class 1 Trees Over 18 m Mature Height	Class 2 Trees 9 - 18 m Mature Height	Class 3 Trees Under 9 m Mature Height
On-Centre Spacing	Average of 9 m	Average of 7.5 m	Average of 6 m
Offset from Light Poles	1.5 m minimum	1.5 m minimum	1.5 m minimum
Offset from Driveways & Fire Hydrants	1.8 m minimum	1.8 m minimum	1.8 m minimum
Offset from Intersections	6 m - 12 m	6 m - 12 m	6 m

SCHEDULE E

Multi-Unit Residential Commercial Uses

Accommodations, General
Animal Hospitals & Veterinary Offices
Bakery or the Manufacture of Candy, Confectionary, Ice Cream, and Jam
and other similar or like uses.
Bank & Financial Institutions
Brewery, Distillery & Winery
Business Support Services & Printing
Commercial Club
Couriers & Messengers
Daycare, General
Drinking Establishment, Minor (Tavern or Beverage Room)
Health Care Services
Live/Work Units
Memory Care Facility
Micro-breweries and micro-distilleries
Office & Professional Services
Personal Care Services
Recreation Facility, Indoor
Repair & Maintenance
Restaurant, Full & Limited Service
Restaurant, Take-Out
Retailers & Rental Services
Tradesperson & Craftsperson Businesses & Offices
Other Institutional and Open Space Uses:
 Community Centre
 Cultural Facilities
 Educational Services
 Emergency Services
 Government Offices & Facilities
 Utilities and Municipal Infrastructure
 Memorials
 Park (Private and Public)
 Place of Worship (including Clergy House)
 Special Care (Nursing Homes, Residential Care Facility, Home for Special Care or
 Group Home)

Village Square Area Commercial Uses

Accommodations, Bed & Breakfast
Accommodations, Employee
Accommodations, General
Animal Hospitals & Veterinary Offices
Bakery or the Manufacture of Candy, Confectionary, Ice Cream, and Jam
and other similar or like uses.
Bank & Financial Institutions
Brewery, Distillery & Winery
Business Support Services & Printing
Commercial Club
Couriers & Messengers
Daycare, General
Drinking Establishment, Minor (Tavern or Beverage Room)
Funeral Services
Health Care Services
Hospital
Live/Work Units
Memory Care Facility
Micro-breweries and micro-distilleries
Movie Theatre
Office & Professional Services
Outdoor Market
Personal Care Services
Recreation Facility, Indoor
Repair & Maintenance
Restaurant, Full & Limited Service
Restaurant, Take-Out
Retailers & Rental Services
Temporary Commercial Uses
Tradesperson & Craftsperson Businesses & Offices
Other Institutional and Open Space Uses:
 Community Centre
 Cultural Facilities
 Educational Services
 Emergency Services
 Government Offices & Facilities
 Utilities and Municipal Infrastructure
 Memorials
 Park (Private and Public)
 Place of Worship (including Clergy House)
 Special Care (Nursing Homes, Residential Care Facility, Home for Special Care or
 Group Home)

Block E, F and I Commercial Area Commercial Uses

Accommodations, Employee
Accommodations, General
Animal Hospitals & Veterinary Offices
Automobile Dealer and Rentals
Automobile Service Station
Automobile Vehicle Repair and Maintenance
Bakery or the Manufacture of Candy, Confectionary, Ice Cream, and Jam
and other similar or like uses.
Bank & Financial Institutions
Brewery, Distillery & Winery
Business Support Services & Printing
Car Wash
Commercial Club
Commercial Greenhouse
Commercial Parking Lot
Couriers & Messengers
Cremation (no assembly)
Daycare, General
Drinking Establishment, Major
Drinking Establishment, Minor
Forestry Uses and Structures
Funeral Services
Gambling Industries
Health Care Services
Hospital
Movie Theatre
Office & Professional Services
Outdoor Market
Personal Care Services
Recreation Facility, Indoor
Repair & Maintenance
Restaurant, Drive-Thru
Restaurant, Full & Limited Service
Restaurant, Take-Out
Retailers & Rental Services
Shopping Centre
Temporary Commercial Uses
Tradesperson & Craftsperson Businesses & Offices
Transportation and Warehousing
Transit terminals and park and ride facilities
Waste Management, Recycling Depot
Other Institutional and Open Space Uses:
 Community Centre
 Cultural Facilities
 Educational Services
 Emergency Services
 Government Offices & Facilities
 Utilities and Municipal Infrastructure
 Memorials
 Park (Private and Public)
 Place of Worship (including Clergy House)
 Special Care (Nursing Homes, Residential Care Facility, Memory Care Facility, Home
 for Special Care or Group Home)

Block 3 Commercial Area Commercial Uses

Accommodations, Bed & Breakfast
Accommodations, Employee
Accommodations, General
Animal Hospitals & Veterinary Offices
Automobile Service Station
Bakery or the Manufacture of Candy, Confectionary, Ice Cream, and Jam
and other similar or like uses.
Bank & Financial Institutions
Brewery, Distillery & Winery
Business Support Services & Printing
Commercial Club
Couriers & Messengers
Daycare, General
Drinking Establishment, Minor (Tavern or Beverage Room)
Funeral Services
Gambling Industries
Health Care Services
Live/Work Units
Memory Care Facility
Micro-breweries and micro-distilleries
Multiple Unit Residential Uses
Movie Theatre
Office & Professional Services
Outdoor Market
Personal Care Services
Recreation Facility, Indoor
Repair & Maintenance
Restaurant, Full & Limited Service
Restaurant, Take-Out
Retailers & Rental Services
Temporary Commercial Uses
Tradesperson & Craftsperson Businesses & Offices
Other Institutional and Open Space Uses:
 Community Centre
 Cultural Facilities
 Educational Services
 Emergency Services
 Government Offices & Facilities
 Utilities and Municipal Infrastructure
 Memorials
 Park (Private and Public)
 Place of Worship (including Clergy House)
 Special Care (Nursing Homes, Residential Care Facility, Home for Special Care or
 Group Home)

SCHEDULE F

Architectural Design Criteria

- a. Single Unit Dwellings:
 - i. Width to Length Ratio for Residential Buildings, of the Land Use Bylaw, applies to single unit dwellings.
 - ii. Attached garages shall not extend more than 0.6 m from any other façade element of the building.
- b. Semi-Detached Dwellings:
 - i. Attached garages shall not extend more than 0.6 m from any other façade element of the building.
- c. Townhouse Dwellings:
 - i. Attached garages shall not extend more than 0.6 m from any other façade element of the building.
 - ii. Buildings shall be sited with the front façade facing the public street.
 - iii. Architectural detailing per unit is required, which could be with projections, recesses, varied rooflines, chimneys, windows, frieze boards, sill/corner boards, entrances, balconies and/or porches. At least one architectural projection per unit is required.
 - iv. 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.
 - v. No structures shall be wrapped completely in vinyl siding.
 - vi. A backyard for at grade townhouse units shall be designed to provide an entrance to only one unit, have access to sunlight, and provide functional outdoor space with greater than 2.5 m in horizontal depth and a minimum area of 12 m² per unit.
 - vii. A patio or balcony for above grade townhouse units shall be designed to provide an entrance to only one unit, have access to sunlight and shall have a minimum area of 4.5 m² per unit.
 - viii. Windows and doors shall be well proportioned for the townhouse unit. The minimum front street-facing façade transparency at grade shall be 20%, excluding garage doors, stairways, and patio elevations.
 - ix. Townhouse buildings shall have their front entrance onto the street. For Stacked Townhouse buildings, ground floor units shall have their front entrance onto the street; where rear laneway/parking is provided a walkway connection to the sidewalk (or the 3 metre Active Transportation trail) shall be provided for each unit.
- d. Multiple Unit Residential Buildings:
 - i. Architectural detailing including, but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, sill/corner boards, frieze, fascia boards, shall be incorporated on all façades of the building.
 - ii. No structures shall be wrapped completely in vinyl siding.
 - iii. 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.
 - iv. Exposed underground parking shall not exceed 1.2 m above grade facing a public street.
 - 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. For Block G and Block H - Multiple unit dwellings with greater than 24 units shall include a minimum of 3 m² of common amenity space per dwelling unit. Common amenity space may include:
 - a. Common indoor amenity space - Amenity space includes, but is not limited to recreation rooms, libraries, exercise rooms and swimming pools. The minimum amount of indoor amenity space required shall be 2 m² per dwelling unit.
 - b. Common outdoor amenity space - with a minimum area of 50 m². Common outdoor amenity space can be provided but is not required.
 - c. A combination of outdoor and indoor common amenity area may be provided.
 - vii. For Block A, Block C and Block D - Multiple unit dwellings with greater than 24 units shall include a minimum of 2 m² of common indoor amenity space per dwelling unit. Common indoor amenity space may include, but is not limited to recreation rooms, libraries, exercise rooms and swimming pools.
 - viii. Each dwelling unit shall have an exterior patio or balcony with a minimum depth of 1.53 m and a minimum area of 4.65 m².
 - ix. All disturbed areas surrounding multiple unit 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.
 - x. Any buildings with commercial uses shall also meet the following:
 - a. The ground floor of mixed-use buildings shall have a minimum street-facing facade transparency of 30% (no tinted, textured, reflective, or dark glass shall be permitted).
 - b. The minimum ground floor commercial ceiling height shall be 3.05 m.
 - c. A separate entrance shall be provided to each ground floor commercial unit that is identifiable and shall be directly accessible from the public sidewalk (or the 3 metre Active Transportation trail). The Municipal Development Officer may vary this requirement if the intent of the design requirement is being achieved in a manner that results in a better design of articulation of longer buildings.
- e. Garden Homes
- i. On Block GH-3, common amenity space shall be provided when more than eight units are developed. Common amenity space may be indoors or outdoors and shall be a minimum area of 325 m².
 - ii. Usable common outdoor amenity space may include but is not limited to communal gardens, playgrounds, and athletic facilities such as tennis courts or lawn bowls.
 - iii. Garden Home units shall be built to grade and shall not be constructed on piers.
- f. Village Square Commercial Area Buildings - Blocks B1 and B2:
- i. Architectural detailing including, but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, sill/corner boards, frieze, fascia boards, shall be incorporated on all façades of the building.
 - ii. No building shall be wrapped completely in vinyl siding.
 - iii. A separate entrance shall be provided to each first floor commercial unit that is identifiable and shall be accessible from the public sidewalk (or the 3 metre Active Transportation trail), with a 1.8 metre minimum width walkway.
 - iv. Any commercial units which have commercial space on the north and/or west elevation of the buildings shall have their main entrance on the north or west facing elevation of the building.
 - v. The first floor of commercial and mixed-use buildings shall have a minimum street-facing facade transparency of 30% (no tinted, textured, reflective, or dark glass shall be permitted).
 - vi. The north and west elevation of the buildings shall have upgraded elevations with windows and details consistent with front elevations.
 - vii. Garbage collection areas should be screened from streets and abutting parks.
 - viii. All disturbed areas shall be landscaped with pavers, grass or perennial ground cover and trees shall be planted to provide shade for pedestrians and to reduce the heat

island effect in parking lots. Vegetation and trees native to Nova Scotia shall be used where possible to promote healthy ecosystems and natural habitats.

- ix. The minimum ground floor commercial ceiling height shall be 3.05 m.
- x. Multiple unit dwellings with greater than 24 units shall include indoor amenity space. Amenity space may include, but is not limited to recreations rooms, libraries, exercise rooms and swimming pools. The amount of indoor amenity space required shall be 2 m² per dwelling unit.

g. Commercial Uses in Block E, F and I Commercial Areas

- i. The Outdoor Storage & Display Buffer Requirements; and Drive-Thru Design Requirements for the General Provisions of the Separated Commercial Zones of the Municipality of East Hants Land Use Bylaw shall apply. The Municipal Development Officer may vary the requirements of (g.i) if, in the opinion of the Municipal Development Officer, the intent of the design requirements is being achieved in a manner that results in a better design of the site and a better design of how the site works in regards to the surrounding community.
- ii. The Landscaping Requirements of the General Provisions of the Separated Commercial Zones of the Municipality of East Hants Land Use Bylaw shall apply to frontage along Road 5 and Road 10 as identified by Schedule "B".
- iii. For yards alongside on Highway 102, there shall be a landscaped area of at least 2 m in depth that runs between the length of any developed area and Highway 102. Required landscaping within this area shall include minimum of one evergreen and/or densely twigged deciduous shrub or tree planted with a maximum spacing of 3 m apart in the area. If dense vegetation exists on the site, this may be retained to meet this requirement.
- iv. Garbage collection areas shall be screened from streets.
- v. At least one pedestrian pathway, delineated with a walkway or paint (when crossing parking areas), with a minimum width of 1.8 metres, shall be provided between the public sidewalk (or the 3 metre Active Transportation trail) along Road 5, and every main building that is uninterrupted by surface parking and driveways. If a main building has one more than one public entrance a pedestrian pathway shall connect all of the public entrances.
- vi. Pathways should be distinctively paved, barrier free and well-lit.
- vii. Orient car parking spaces to minimize the number of traffic aisles that pedestrians must cross. Where possible, parking aisles should be perpendicular to major destinations. If parking aisles cannot be perpendicular to major destinations due to lot size, lot shape or location of buildings, alternative parking layouts shall provide delineated pedestrian walkways.
- viii. The length of parking rows on surface parking should be limited to 40 metres to create breaks for landscaping islands, including shade trees.
- ix. Parking landscaping islands shall include at least one tree for aesthetics and to reduce heat island effects. Tree species must be chosen from the approved Street Tree Species List attached as Schedule "D". The species of tree may be varied with approval by the Municipality;
- x. Landscape islands shall be provided at either ends of parking rows.
- xi. Parking lot landscape islands shall be a minimum size of 2 m x 5.75 m, excluding angled landscape islands, to insure proper growth and protection of the landscaping.

h. Commercial Uses in Block 3 Commercial Area

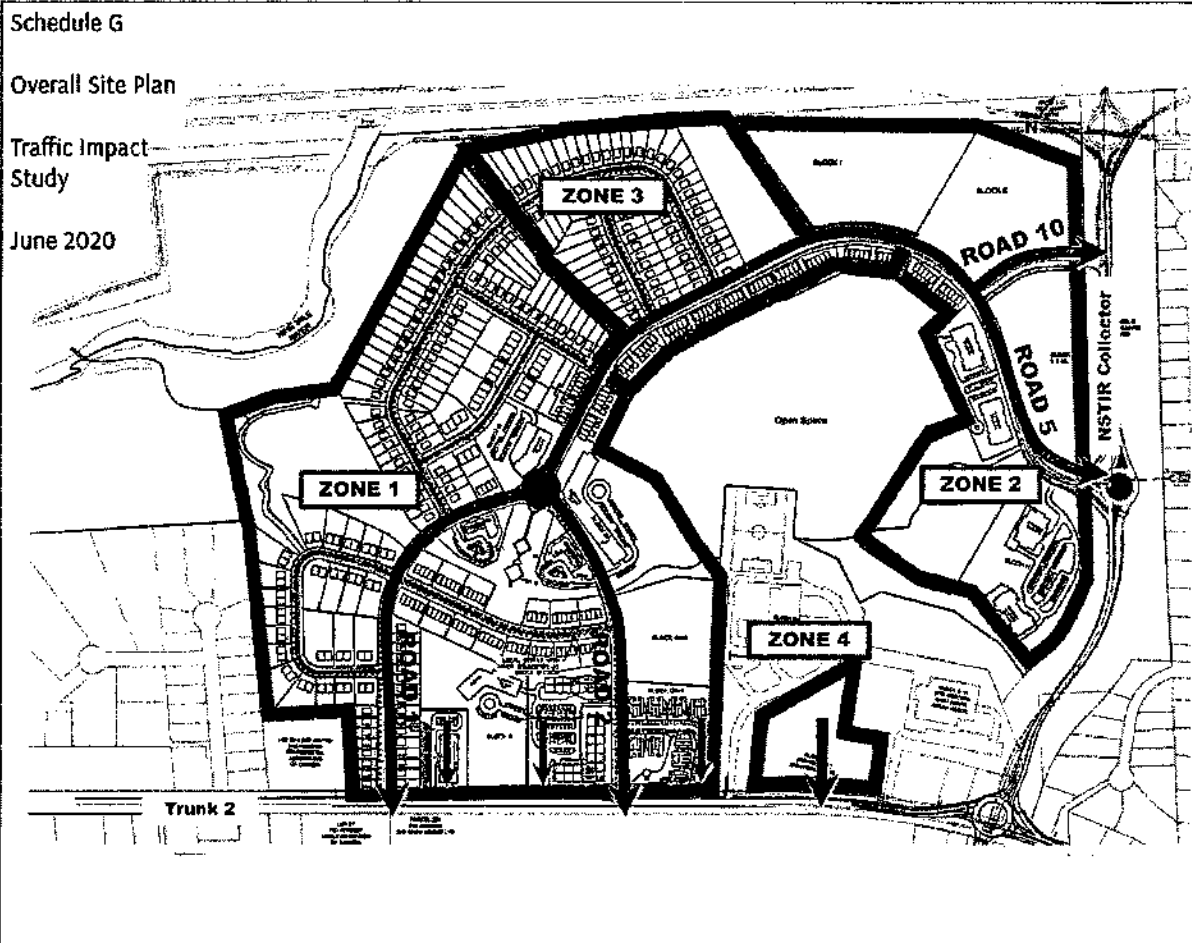
- i. The Landscaping Requirements; General & Vegetated Buffer Requirements; Outdoor Storage & Display Buffer Requirements; and Automobile Service Station Requirements for the General Provisions of Mixed Use Zones of the Municipality of East Hants Land Use Bylaw shall apply. The Municipal Development Officer may vary the requirements of (h.i) if, in the opinion of the Municipal Development Officer, the intent of the design requirements is being achieved in a manner that results in a better design of the site and a better design of how the site works in regards to the surrounding community.
- ii. Architectural detailing including, but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, corner boards, frieze, fascia boards, shall be incorporated on all street facing façades of the building.
- iii. No building shall be wrapped completely in vinyl siding.
- iv. Where commercial uses are part of the building, a separate entrance shall be

provided to each ground floor retail unit that is identifiable and directly accessible from the public sidewalk.

- v. First floor of commercial and mixed-use buildings shall have a minimum of 30% transparency (no tinted, textured, reflective, or dark glass shall be permitted).
- vi. Buildings with multiple unit dwelling units greater than 24 units shall include indoor amenity space. 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.
- vii. At least one direct pedestrian pathway, with a minimum width of 1.8 metres, shall be provided between the public sidewalk along Highway 2 and every main building entrance that is uninterrupted by surface parking and driveways.
- viii. Pathways should be distinctively paved and barrier free and well-lit.
- ix. No parking shall be provided between buildings and Highway 2.
- x. Where possible parking shall be provided to the rear or side of buildings.
- xi. Buildings with continuous street-facing facades of 20 m or greater in length shall be vertically articulated with projecting or recessed offsets not less than 1.25m deep, and at intervals of not greater than 15m to break up the apparent mass of the building and to add visual interest. Any buildings with continuous street-facing facades larger than 45m shall be designed to appear as a series of two or more separate buildings through articulation and differences in cladding materials and/or colour. The Municipal Development Officer may vary this requirement if the intent of the design requirement is being achieved in a manner that results in a better design of articulation of longer buildings.
- xii. Garbage collection areas shall be screened from streets.

SCHEDULE G

Traffic Impact Study - Zones 1, 2 and 3



SCHEDULE H

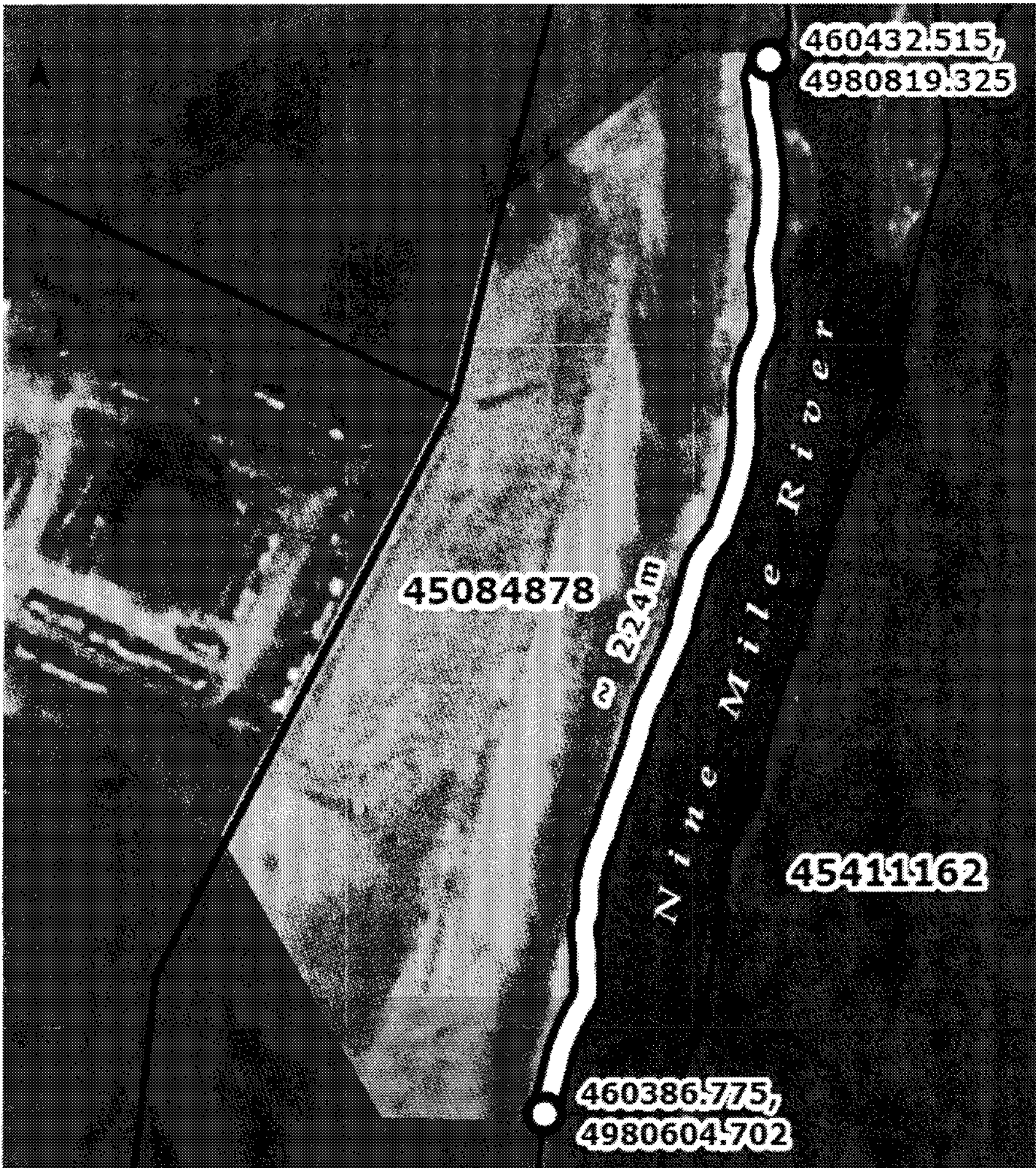
Post Development Stormwater Plan


SCHEDULE I


Phasing Plan

SCHEDULE J

Location of Bridge - Nine Mile River



 coordinates (metres)

 stretch of land for bridge crossing

Projected Coordinate System: NAD 1983 CSRS UTM Zone 20N



SCHEDULE K

Bridge Design Requirements

1. **DESIGN**
Bridge design is to be in accordance with the latest edition of CSA S6 Canadian Highway Bridge Design Code.
2. **AESTHETICS**
Consideration is to be given to aesthetics when preparing a design so that the bridge structure blends well with the surrounding environment.
3. **DURABILITY AND MATERIALS**
The Canadian Highway Bridge Code specifies a design service life of 75 years for new structures. Using materials such as galvanized steel and reinforced concrete, and with timely maintenance, the service life can be easily achieved. The use of less durable materials such as timber for wearing surfaces, decks and railing systems or synthetic mesh gabions for abutments will not achieve the desired service life.
4. **BRIDGE DESIGN LOADS**
 - 4.1 All to be in accordance with Canadian Highway Bridge Design Code.
 - 4.2 Minimum pedestrian live load of 5.0 kPa.
 - 4.3 Maintenance vehicle to meet the minimum loading requirements for the maintenance vehicle load as outlined in the Canadian Highway Bridge Design Code, S6-14, or as amended.
5. **HYDROTECHNICAL DESIGN**
Design of bridge at stream crossing requires the determination of water design flow characteristics. This information is required to ensure a sufficient cross sectional capacity is provided for the anticipated stream flow. Structure impact on hydraulics construction, ice, etc is to be considered.
6. **BRIDGE ELEVATION ABOVE WATER**
The elevation of the bridge must include distance above flood plain, anticipated amount of ice and freeboard.
7. **MINIMUM BRIDGE WIDTH**
A minimum clear bridge width of 3.2m between the inside of railings/barriers is required.
8. **GEOTECHNICAL INVESTIGATION**
A geotechnical investigation is required to provide foundation information to ensure foundations for the bridge are adequately designed.
9. **SHORELINE PROTECTION**
Adequate protection of the shoreline through riprap and or armour stone must be provided as required to protect the structure and the shoreline.
10. **BRIDGE APPROACH**
Each approach to the bridge is to have a uniform transition of both horizontal and vertical alignments along with placement of approach rail system as

required. Galvanized steel bollards in reinforced concrete foundations of adequate size and spacing to prevent motorized vehicles and all-terrain vehicles from crossing are required.

11. **GOVERNMENT APPROVALS**

Approvals for the design and construction of this project are required and to be provided. Watercourse Alteration Approval under the provincial Department of Environment will be required. It is to be established if the watercourse is considered navigable waters under the Canadian Navigable Waters Act. If so, approval through the Canadian Navigable Waters Act must be obtained. Obtain all relevant permits for design and construction of the works.