

Proposed Development Agreement to permit a Mixed Use Development (Residential, Commercial, and Open Spaces Uses)

Pictou Road & Vimy Road, Bible Hill

December 2025



Development Agreement
PIDs: 20067658, 20069027 & 20408456



Planner's Report

**Pictou & Vimy Roads, PID's 20067658, 20069027, and 20408456
Lands of 4432357 Nova Scotia Limited and Andrew Blackburn**

**Application for a Development Agreement to allow a Mixed Use Planned
Development (residential, commercial, and open space) at Pictou & Vimy Roads,
Bible Hill**

December 2025

Application:

Council is in receipt of an application from Chris Markides of zzap Architecture + Planning, representing 4432357 Nova Scotia Limited. They are requesting Council to consider a development agreement to enable a multi-unit dwelling development with a maximum of 2,790 units which would be developed in a phased approach. The proposed development agreement would be associated with PIDs 20067658, 20069027, and 20408456 located on Pictou and Vimy Roads once known as the former Bates Property.

Background:

Comprehensive Development Districts provide a flexible approach to developing large tracts of land within existing communities, particularly where there is a high degree of planning required for the design of service infrastructure, roads and recreation amenities and where careful integration is needed to ensure a proper fit of the development with its surroundings to mitigate impacts. As this approach relies on the use of a development agreement, project outcomes can offer a high degree of assurance to the Municipality, residents and the developer, which makes it an attractive option for large and often complex developments.

In 2023, Council approved amendments to the former Central Colchester Municipal Planning Strategy and Land Use Bylaw (2002) that created polices to enable the rezoning of the lands as a Comprehensive Development District. The property was previously designated as "Low Density Residential" and zoned "R-2, Double Dwelling Residential." The Municipality of Colchester Municipal Planning Strategy (2025) provides policy for Council to consider a development agreement on Lands designated Comprehensive Development District and zoned Comprehensive Development District, which these properties are.

Site Characteristics:

As previously outlined, the land subject to this application includes PIDs;

- 20067658, owned by 4432357 Nova Scotia Limited (former Bates property) comprising 157 acres;
- 20408456, owned by 4432357 Nova Scotia Limited consisting of 0.06 acres; and
- 20069027, owned by Andrew Blackburn consisting of 2.72 acres. It should be noted there is currently a Memorandum of Understanding to purchase this parcel of land between the owner, Andrew Blackburn and 4432357 Nova Scotia Limited;
 - It is assumed this parcel of land will be conveyed to 4432357 Nova Scotia Limited and the risk of this not occurring is minimal; and
- The total area of the subject properties included in the Development Agreement is 159.78 acres.

PID 20067658, known as the Bates property was once farmed and the gentle undulating topography is suitable for development although there are areas along Farnham Brook where steep slopes and seasonal high water makes it difficult to establish infrastructure and is generally unsuitable for development other than for passive recreation purposes.

PID 20408456, a relatively small parcel of land located on the southern end of Elizabeth Drive is owned by 4432357 Nova Scotia Limited and they have been in preliminary discussions with the owner of PID 20069084, VIDA Living 2.0 Inc. regarding potentially acquiring some of this much larger parcel of land. The reasoning for including PID 20408456 is to provide access to Elizabeth Drive should the development be expanded to include PID 20069084.

As previously detailed, a Memorandum of Understanding is in place between 4432357 Nova Scotia Limited and Andrew Blackburn regarding PID 20069027. This parcel will provide for an opportunity for future access to Vimy Road.

Site Location Map



Land uses in the immediate area are residential, ranging from residential single unit dwellings along Vimy Road and Pictou Road, to a mix of residential/commercial uses, senior's buildings on Allision Avenue and multi-unit buildings on Vimy Road. There are also numerous commercial uses that front primarily on Pictou Road and Jennifer Drive as well as several institutional uses, such as the Nova Scotia Public Works depot and offices on St. David's Avenue, the ballfields on Jennifer Drive, Abundant Life Victory Church (former St. David's Church), and the adjacent Tru-Fel Masonic Building located on Pictou Road.

The development area is within the serviceable area for sanitary sewer and central water. Stormwater management in the area has always been challenging due to topography and access to Farnham Brook but future development on this land could significantly improve the design and functionality of drainage systems. The proposed development has frontage on Pictou Road, Rosemount Drive, Popular Drive and Farnham Road through

the road reserve purchased by the Municipality. Additionally, should the land identified as PID 20069027 be purchased and consolidated, there is potential access to Kimberley Drive.

Proposal:

The permitted uses include a wide variety of residential housing forms from low density single unit dwellings to high density multi-use dwellings along with mixed commercial/residential, commercial, recreation, institutional uses as well as open spaces and environmental protection areas.

Schedule G, Master Plan, dated November 7, 2025, provides a graphical illustration of the zoning for the overall development. The development agreement outlines the permitted parameters for development.

As outlined above, the maximum number of dwelling units permitted is 2,790 units and it will be developed with a phased approach. Schedule H, Phasing Plan, dated November 7, 2025 provides the proposed phasing plan as outlined:

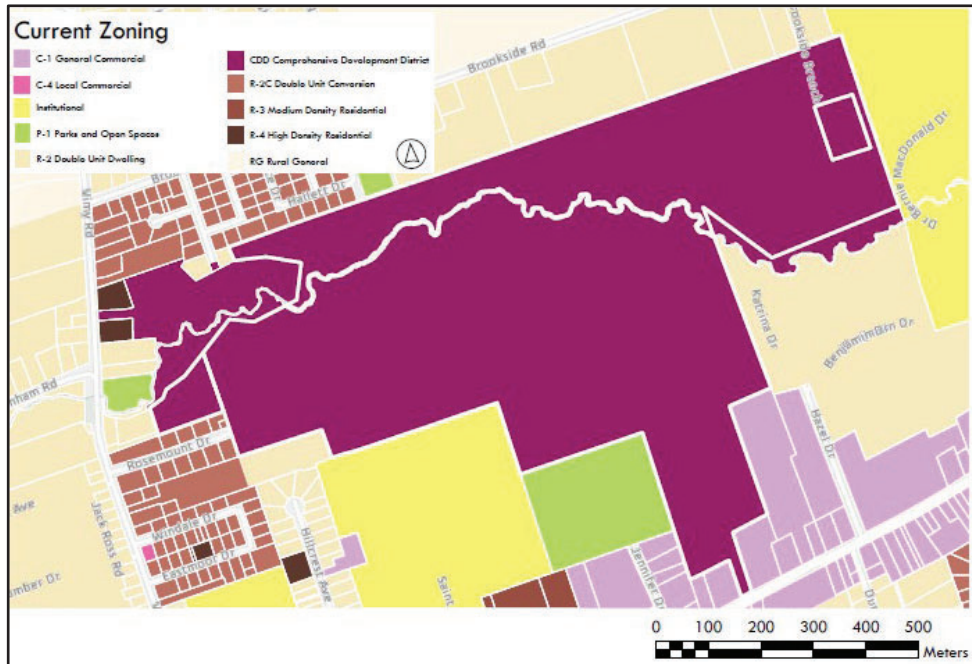
UNIT SUMMARY	
PHASE	
1a	45
1b	100
1c	80
2	170
3	1,500
4a	425
4b	470
Total	2,790

It should be noted that the design of this concept involved considerable consultation and interests of various interest groups. The Bible Hill Village Core Plan was used as a reference point.

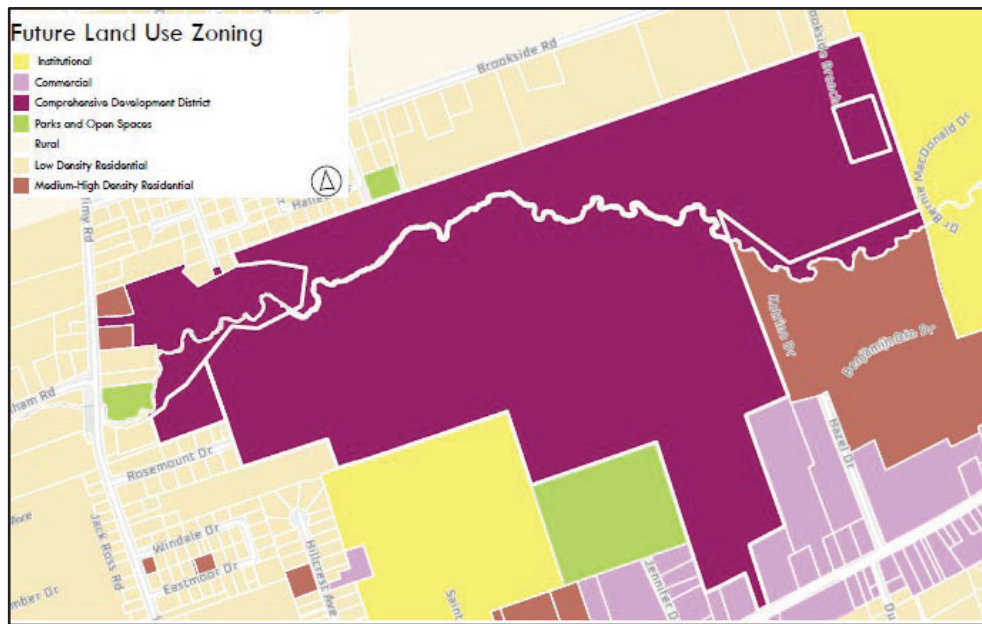
2025 Municipal Planning Strategy and Land Use By-law:

This property is currently zoned CDD, Comprehensive Development District, in Schedule A of the Land Use By-law and designated as CDD, Comprehensive Development District on the Future Land Use Map, Schedule B, of the Municipal Planning Strategy (MPS).

Current Zoning



Current Designation



There are numerous Planning Strategy policies relevant to this application.

Policies 4-108, 4-109, 4-110, 4-111, 6-22, 6-23, 6-24, 6-25, 6-26, 6-27, and 6-28 provide general criteria to consider when evaluating all Land Use Bylaw amendments and development agreement proposals.

In the MPS, Policy 4-110 sets out the requirement of a development agreement within the CDD Zone

1 Policy 4-110: ... Development within the Comprehensive Development District Zone shall only be permitted by development agreement, with the exception of single unit dwellings and small residential facilities which shall be permitted by development permit....

Policies 6-23 through 6-27 outline the criteria for consideration as part of the Development Agreement process. Based on these criterium, the following observations are offered:

Compliance with Municipal Planning Strategy (MPS) and other Applicable Bylaws

- The proposal conforms to the MPS and all other applicable bylaws

Compatibility of the Proposal

Municipal Services

- Municipal water, wastewater and stormwater systems shall conform to the standards as set out by the Municipality and Town of Truro Water Utility
- Prior to subdivision approvals for any phase as shown on Schedule H, Phasing Plan, dated November 7, 2025 the following conditions must be met:
 - Municipality and/or Town of Truro are satisfied that existing municipal service systems have sufficient capacity or the Developer has entered into an agreement with the Municipality and/or the Town of Truro for construction of the necessary upgrades
 - Stormwater collection located on private property shall be owned and maintained by the property owner
- Dispersion of stormwater into Farnham Brook is subject to approval by Nova Scotia Environment and Climate Change and subject to an approved stormwater management plan in accordance with the *Standard Specification for Municipal Services* as amended from time to time
- Municipal water services are available and water system design is subject to approval by the Town of Truro

1 *Municipality of Colchester Municipal Planning Strategy (2025)*

Streets

- Streets, sidewalks and walkways shall conform to the locations and alignments as illustrated on Schedule G, Master Plan, dated November 7, 2025
- Proposed Roads as identified in Schedule G shall be built in accordance with the road cross-sections, Schedule I and per the Municipality's Standard Specification for the Design and Construction of Municipal Services
- No more than 200 dwelling units can be serviced by a single local road having access to a collector street
- Phases 2, 3, and 4 as illustrated on Schedule H, Phasing Plan, dated November 7, 2025 will not be permitted to proceed until the road and infrastructure connections are made with Vimy Road. The Developer will be responsible for acquiring the necessary area of land on PID # 20069084 to facilitate this connection

Parkland

- The proposal provides for the provision of open space and amenities as outlined on Schedule G, Master Plan, dated November 7, 2025
- The parkland dedication will include identified parkland, and site development including but not limited to neighbourhood park facilities, and trails. All site preparation and development shall meet the requirements as set out by the Municipality

Environmental Protection Matters

- Any alteration of wetlands is subject to an approved application from Nova Scotia Environment and Climate Change
- Prior to approval of any tentative subdivision approval, a report as prepared by a qualified person outlining the potential impacts and mitigations on known habitat for species at risk, as identified in the Department of Natural Resources Significant Species and Habitats Database, or any successor database will be submitted for review

Existing Neighbourhood

- The proposed development is relatively dense as compared to existing housing stock in the area. Currently, Rosemount Drive is generally comprised of a mix of residential single unit and two-unit dwellings. To mitigate the impact of this proposed development the permitted housing forms on the extension of Rosemount Drive are limited to:
 - Single Unit Dwelling
 - Two Unit Dwelling

- Triplex or Four Plex
- The Development Standards, such as, minimum lot area, minimum lot frontage, and minimum front and side yard setbacks are reduced as compared to the Land Use Bylaw; however, these are the minimum requirements, and the free market will play a role in determining the built form
- Additionally, the MPS outlines the Municipality's vision of encouraging higher densities of development and more intensive uses directed to Growth Centres resulting in efficient uses of infrastructure investments and discourage spawl development
- This proposal provides diversified types of housing which is also supported in the Municipal Planning Strategy and by Council
- In 2021, the Municipality assisted in a housing supply and demand study which attempted to quantify some of the anecdotal information on the state of housing in the region. It concluded there is a housing shortage along the entire housing continuum and it is evident in terms of affordable housing choices. One of the report recommendations was the addition of new market and/or affordable housing stock would assist in improving rental vacancy rates

Correspondence from Internal Departments and External Agencies:

- **Nova Scotia Public Works (NSPW)** have reviewed the proposal and offered the following comments:
 - Proposed access locations on Pictou Road and Vimy Road directly opposite Farham Road are acceptable from a conceptual perspective. Detailed designs will be required for review prior to final approval
 - The proposed roundabout is the preferred option to accommodate the buildout on Pictou Road; however, a detailed analysis will be completed and other options may be acceptable
 - Signalized intersection on Vimy with Farnham is acceptable on a conceptual/operational level
 - Extension of Rosemount Drive is acceptable; however, it is limited to an additional 100 units and additional connections to the internal street network will not be permitted and the primary access on Vimy must remain opposite Farnham Road
 - Detailed designs for access are required for approval at each phase of development
 - Rosemount Drive may be developed independently with current stop-control condition on Vimy Road to the maximum 100 unit count
 - Based on the analysis by Griffin Consulting, development from Pictou Road may occur with a stop-control condition to a maximum of 80 mid-rise, apartment style units

- Additional units will require construction of a left-turn lane on Pictou Road. It is assumed construction of signals is warranted at this stage. Detailed drawings from a qualified consultant will be required for Public Works approval, including signal timing and Synchro analysis
 - A maximum of 300 total residential units regardless of form may be constructed with the single signalized access point on Pictou Road
 - Any additional phase(s) will require a secondary connection on Vimy Road incorporating Farnham Road. Detailed design and analysis as prepared by a qualified consultant would be required for approval by Public Works
- **Town of Truro - Water Services** have reviewed the proposal and provided the following comments:
 - The conceptual water distribution plan is acceptable in its current form with more detailed designs required at each phase of development
 - Detailed designs as prepared by a qualified consultant will be required at each stage of development for approval by Truro Water Utility
 - All detailed plans will include the hydrant locations and valves (among other details) which will be subject to approval by the Truro Water Utility
 - The Town of Truro will retain ownership of the complete water system
 - Any necessary upgrades involving a new water tower will be subject to approval from Truro Water Utility
 - **Chignecto Central Regional Centre for Education (CCRCE)** have been advised of the proposed development and responded they would include this planned development as part of their overall considerations as they move forward with facility planning. CCRCE will be advised at each development phase of the proposed number of units and the building type
 - **The Village of Bible Hill** has been actively engaged throughout the process and have reviewed the proposed Development Agreement
 - The proposed parkland as outlined on Schedule G, Master Plan and dated November 7, 2025 and further outlined in the Draft Agreement is acceptable

Municipal Public Works has reviewed the proposal, and their comments have been incorporated within the proposed Development Agreement.

Conclusions / Recommendation:

The application by 4432357 Nova Scotia Limited to enter into a development agreement to permit a mixed use master planned area, including a mixture of residential, commercial and open space uses on lands located along Pictou Road, Bible Hill and identified as PIDs 20067658, 20069207, and 20408456 is properly before Council.

In 2023, Council approved amendments to the former Central Colchester Municipal Planning Strategy and Land Use Bylaw (2002) that created polices to enable the rezoning of the lands as a Comprehensive Development District (CDD). The intent of the rezoning to CDD was to enable consideration of large-scale developments through the development agreement process. This approach was carried over into the Municipal Planning Documents (2025).

The attached draft development agreement has been prepared with consideration given to environmental matters, and service capacity issues while recognizing the guiding vision of the Colchester Municipal Planning Strategy and Council in densifying housing development in growth areas to maximize existing infrastructure.

Staff would therefore recommend Council approve the attached development agreement.

Respectfully submitted,

Jill McGillicuddy

APPENDICES

Appendix 1.....Draft Development Agreement

Appendix 2.....Planner’s Report: Comprehensive Development Districts, June
2023

Draft Development Agreement

Between:

4432357 NOVA SCOTIA LIMITED

And

**The Municipality of the County of
Colchester, Nova Scotia**

To permit a mixed use master planned development, including a mixture of residential, commercial and open space uses on lands located along Pictou Road, Bible Hill, Nova Scotia and identified as PIDs 20067658, 20069027, and 20408456.

Original agreement approved by Municipal Council on the ____ day of _____, 2026.

Signed and entered into this ____ day of _____, 2026.

This Agreement made this ____ day of _____, 2025.

BETWEEN:

4432357 NOVA SCOTIA LIMITED of Truro, Nova Scotia,

hereinafter called the “**DEVELOPER,**”

OF THE FIRST PART;

- and -

THE MUNICIPALITY OF THE COUNTY OF COLCHESTER, a body corporate pursuant to the *Municipal Government Act* (SNS 1998, c. 18), having its chief place of business, in the Town of Truro, Nova Scotia,

hereinafter called the “**MUNICIPALITY,**”

OF THE SECOND PART.

WHEREAS the **DEVELOPER** is the registered owner of certain lands located along Pictou Road in Bible Hill PIDs 20067658, 20069027, and 20408456 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 Comprehensive Development District (CDD) 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 4-108, 4-109, 4-110, 4-111, 6-22, 6-23, 6-24, 6-25, 6-26, 6-27, and 6-28 the *Land Use Bylaw*, and the *Subdivision Bylaw* for the *Municipality of Colchester* so that the **DEVELOPER** may develop and utilize the **LANDS** in a manner not otherwise permitted by the *Land Use Bylaw*;

AND WHEREAS the Council of the **MUNICIPALITY**, hereinafter called the **COUNCIL**, at its meeting held the ____ day of _____, 2025, 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 as generally illustrated on the Schedules attached hereto; and
 - b. Use of the Lands in the development shall be limited to the following as defined by this Agreement in Schedule D and the Land Use Bylaw for the Municipality of the County of Colchester, as amended.
 - c. The maximum number of dwelling units for each land use area shall not exceed the following:
 - i. Residential Neighbourhood 1 (RN-1) area 20 units;
 - ii. Residential Neighbourhood 2 (RN-2) area 770 units; and
 - iii. High Density Residential (HDR) and Mixed Use (MU) area 2,000 units
 - d. The location of land uses shall generally comply with Schedule G. Notwithstanding Schedule G, the Development Officer may permit minor modifications to the location of land uses.
- 1.2 Except where specifically stated otherwise in this Agreement, all provisions of the Municipal Land Use Bylaw and Subdivision Bylaw for the Municipality of the County of Colchester, 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 the County of Colchester, as amended, unless specified in Schedule E. In the event of a conflicting definition, the definition found in Schedule F shall take precedence.
- 1.4 In the event of a conflict between the written text of this Agreement and the schedules of this Agreement the written text shall take precedence.

Part 2: Detailed Provisions for Land Use

Permitted Land Uses

- 2.1 Permitted Land Uses in each area shall be as identified in Schedule C.
- 2.2 Notwithstanding Section 2.1, in the Cluster Housing Special Area, no development permit shall be issued for any use except for a Cluster Residential Development.
- 2.3 Development of the land are subject to the general provisions outlined in Schedule B.
- 2.4 Where indicated in Schedule C, identified uses are subject to the site plan criteria outlined in Schedule E.

2.5 The Development Officer shall not issue a development permit for uses requiring Site Plan Approval unless the site plan criteria in Schedule E have been met.

2.6 Notwithstanding subsection 2.3, the Development Officer may issue a variance to the site plan criteria if the intent of the criteria is met.

Parkland

2.7 Parkland and open space dedication via land acquisition shall substantially conform with the locations, dimensions, site improvements and site preparation areas illustrated on Schedule G prior to subdivision approval being granted. The Development Officer 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. The parkland dedication shall include identified parkland, site development including but not limited to neighbourhood park facilities, and trails as indicated in Section 2.8 of this Agreement. All site preparation and development shall meet the requirements of the Municipality.

2.8

Park	Size	Anticipated Purpose	Condition when deeded to the Village of Bible Hill	Phase Parkland will be Conveyed
Park A	~3,500 m ²	Small playground and passive recreation (e.g., relaxing, walking).	To be kept predominantly in its natural state.	2
Park B	~5,500 m ²	A central park with a larger playground/play area and some parking.	To be transferred cleared of vegetation and free of any legal claims (encumbrances).	3
Park C	Total: ~33,000 m ²	Northern Section: Naturalized, passive area with a walking trail. Southern Section: ~16,000 m ² designated for a future recreation facility.	Access: Has road frontage on Road A and a ~12 m wide access strip. Condition: Southern part transferred cleared; Northern part remains naturalized except for a 3 m wide cleared trail.	3
Park D	~2,100 m ² (10 m wide)	A park space designed as a walkway connector.	The land will be transferred cleared and will include a water easement (granting rights for	2

			water infrastructure).	
Parking Area	~1,400 m ²	A designated gravel parking lot with parking for approximately 14 vehicles. Includes an access path connecting to the existing Farnham Brook Trail	The lands will be transferred cleared with a gravel parking lot and 10m trail connection to the existing Farnham Brook Trail.	4B

2.9 All multi-use paths, and pedestrian walkway connections to parks, both within and outside of the Development shall be accepted as parkland by the Municipality.

Part 3: Subdivision of Lands

3. Tentative subdivision applications shall be submitted to the Development Officer in accordance with the phasing sequence identified in Schedule H and the Development Officer shall grant subdivision approval subject to and in accordance with the following terms and conditions:

- 3.1 All subdivision of the Lands shall meet the requirements of the Subdivision Bylaw except where varied by this Agreement.
- 3.2 Final subdivision applications shall be submitted to the Development Officer in accordance with the phasing plan presented as part of Schedule H and the Development Officer shall grant subdivision approvals for the phase for which approval is sought subject to and in accordance with the following terms and conditions:
 - a. Applications for tentative subdivision approval shall encompass the entire phase of the development as indicated on Schedule H;
 - b. Applications for tentative subdivision approval shall be submitted in the order of their sequence identified on Schedule H;
 - c. Final subdivision approval for a phase shall not be granted until final approval has been granted for the previous phase;
 - d. The Development Officer may grant final subdivision approval for partial phases of the development;
 - e. Notwithstanding 3.3.b, the Development Officer, in consultation with the Municipal Engineer, and the Nova Scotia Department of Works, may authorize variations the sequence of phasing.
 - f. Notwithstanding Section 3.1, the Development Officer, in consultation with the Municipal Engineer, and the Nova Scotia Department of Public Works, may authorize variances to the alignment of road right of ways indicated on Schedule H.

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's Standard Specification for the Design and Construction of Municipal Services.
- 4.2 No more than 200 dwelling units shall be serviced by a single local road having access to a collector street.

Off- Site Disturbance

- 4.3 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sanitary sewers, storm sewers, waterlines, 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, the Nova Scotia Department of Public Works, Nova Scotia Power and / or other public utilities.

Site Preparation

- 4.4 The Developer shall not commence excavation activities required for the installation of Municipal services prior to receiving tentative approval of the subdivision design unless otherwise permitted by the Development Officer, in consultation with the Municipal Engineer.
- 4.5 Alteration of wetlands through an approved application from Nova Scotia Environment and Climate Change is permitted prior to receiving tentative approval of the subdivision design.
- 4.6 Clearing and grubbing are permitted prior to receiving tentative approval of the subdivision design unless otherwise prohibited under this Agreement (ie. Paragraph 2.8).

Streets

- 4.7 Streets, sidewalks and walkways shall conform to the locations and alignments illustrated on Schedule G and in accordance with the following:
 - 4.7.1 Road A and D Street identified in Schedule G shall be built in accordance with the road cross-sections attached as Schedule I. All poles, hydrants and other related design elements shall be as per standards of the Municipality, Nova Scotia Power, and the Town of Truro Water Utility.
 - 4.7.2 Remaining Roads identified in Schedule G shall be constructed as Class 2 Roads per the Municipality's Municipal Service Specifications. A 1.8 metre wide sidewalk shall be provided where indicated on the concept plan.
 - 4.7.3 Street, parking and traffic signs shall be supplied and installed by the Developer as per municipal standards.

- 4.7.4 Private Driveways shall be constructed as Class 2 Roads per the Municipality's Municipal Service Specifications.
- 4.7.5 If a proposed private driveway serves greater than 45 dwelling units, it shall be constructed in accordance with a Class 2 Road as identified in the Municipality's Municipal Service Specifications with a 1.8 metre wide sidewalk.
- 4.7.6 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.
- 4.7.7 No more than 100 new dwelling units may be accessed solely from the extension of Rosemont Drive.
- 4.7.8 Notwithstanding anything in this agreement, Phases 2, 3 and 4 of the development shall not be permitted to proceed until road and infrastructure connections are made with Vimy Road. The Developer will be responsible for acquiring the necessary area of land on PID# 20069084 to facilitate this connection.

Tree Retention

- 4.8 No trees shall be cut within the Parkland area illustrated on Schedule G except as provided for by this Agreement to allow for the installation of Municipal services or to allow for the construction of trail or parkland facilities or as may otherwise be required for access or safety reasons. The Developer agrees to show the Parkland areas on any subdivision grading plan and any subdivision plan submitted for final approval with a note indicating that no trees are to be cut within these areas.

Water, Wastewater, and Stormwater Systems

- 4.9 Municipal water, wastewater and stormwater systems shall conform to standards of the Municipality, and the Town of Truro Water Utility.
- 4.10 Dispersion of stormwater into Farnham Brook is permitted subject to Nova Scotia Environment and Climate Change approval and subject to an approved stormwater management plan that provides adequate retention that reflects a balance between pre and post development flows for the appropriate design storm standards referenced in the Standard Specification for Municipal Services as amended from time to time.
- 4.11 No tentative subdivision approvals shall be granted for any phase as shown on Schedule H of this Agreement unless:
 - 4.11.1 the Municipality and /or the Town of Truro is satisfied that existing municipal service systems have sufficient capacity; or
 - 4.11.2 the Developer has entered into an agreement with the Municipality and / or the Town of Truro for construction of the necessary upgrades.
 - 4.11.3 Stormwater collection located on private property shall be owned and maintained by the property owner.

4.11.4 The water system design shall be subject to approval by the Town of Truro.

Part 5: Environmental Protection Measures

- 5.1 Ownership of the lands identified as Parkland Areas shown on Schedule G shall be deeded to the Village of Bible Hill upon approval of final plan of subdivision for each phase of the Development.
- 5.2 Nothing in this agreement shall exempt the Developer from complying with the requirements of Section 33 “Flood Zones and Overlays”, and Schedule B of the Colchester Land Use Bylaw, as amended from time to time.
- 5.3 No tentative subdivision approval shall be granted for any phase as shown on Schedule H of this agreement prior to the submission and review of a report as prepared by a qualified person that outlines the potential impacts and mitigations on known habitat for species at risk, as identified in the Department of Natural Resources Significant Species and Habitats Database, or any successor database.

Part 6: Amendments

Non-Substantive Amendments

- 6.1 The following items are considered by both parties to be non-substantive in nature and may be amended by resolution of Council:
 - 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 and Section 7.8 of this agreement.
 - c. Amendments to the development standards in Schedule B and Schedule D.
 - d. Amendments to the list of commercial uses permitted in Schedule C.
 - e. Amendments to the parkland provisions if the Municipality agree the proposed amendments are in its best interests.
 - f. Amendments to the Site Plan criteria identified in Schedule E.
 - g. The distribution of units as described in Section 1.1(c), provided the maximum number of overall units is not exceeded.
 - h. Changes to parking requirements.

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 Amherst, 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 three (3) 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 Section 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 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 twenty-three (23) 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 Assessment Act;
 - c. The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform 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;
 - 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.

Schedule A: Legal Description of the Lands

PID 20067658

ALL that certain lot, piece or parcel of land situate, lying and being on the North boundary of Pictou Road and the East boundary of Rosemount Drive, at Bible Hill, in the County of Colchester, Province of Nova Scotia and being lands of Frederick Gordon Bates, Ray Donald Bates, John Bernard Bates, Norman Robert Bates and Estate of Gary Wyman Bates (PID 20067658), bounded and described as follows:

BEGINNING at a point on the North boundary of Pictou Road being the Southwest corner of Lot H12 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 84545780 lands of Hub Craft Building Supplies Limited (PID 20246385);

THENCE along the North boundary of Pictou Road in a Westerly direction a distance of 76.4 feet to a point being the Southeast corner of lands of John Bernard Bates (PID 20067682);

THENCE along the East boundary of lands of John Bernard Bates (PID 20067682) North 10 degrees East (Magnetic) a distance of 244 feet to a point being the Northeast corner of lands of John Bernard Bates (PID 20067682);

THENCE along the North boundary of lands of John Bernard Bates (PID 20067682) North 89 degrees 19 minutes West (Magnetic) a distance of 182 feet to a point being the Northeast corner of lands of Halim Saba and Hanna Saba (PID 20067690);

THENCE along the North boundary of lands of Halim Saba and Hanna Saba (PID 20067690) in a Westerly direction a distance of 91 feet to a point on the East boundary of Lot B-1A2 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 108300006 lands of 1688989 Nova Scotia Limited (PID 20253597);

THENCE along the East boundary of Lot B-1A2 lands of 1688989 Nova Scotia Limited (PID 20253597) North 14 degrees 06.9 minutes West (Grid) to a point being the Southeast corner of Lot B-3B as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 7116 lands of Linair Holdings Limited (PID 20301040);

THENCE along the East boundary of Lot B-3B lands of Linair Holdings Limited (PID 20301040) North 14 degrees 04.0 minutes West (Grid) a distance of 53.0 feet to a point being the Southeast corner of Lot B-2B as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 7116 lands of 3085604 Nova Scotia Limited (PID 20253605);

THENCE along the East boundary of Lot B-2B lands of 3085604 Nova Scotia Limited (PID 20253605) North 14 degrees 04.0 minutes West (Grid) a distance of 110.0 feet to a point being the Southeast corner of Lot B-1D as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 4265 lands of Flagship Construction (NS) Limited (PID 20253613);

THENCE along the East boundary of Lot B-1D lands of Flagship Construction (NS) Limited (PID 20253613) North 9 degrees 30 minutes East (Magnetic) a distance of 100.5 feet to a point being the Southeast corner of lands of The Village Commissioners of Bible Hill (PID 20067765);

THENCE along the East boundary of lands of The Village Commissioners of Bible Hill (PID 20067765) North 9 degrees 55 minutes 30 seconds East (Magnetic) a distance of 644.4 feet to a point being the Northeast corner of said lands;

THENCE along the North boundary of lands of The Village Commissioners of Bible Hill (PID 20067765) North 81 degrees 05 minutes West (Magnetic) a distance of 800 feet to a point on the East boundary of lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20067856) being the Southeast corner of lot as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E578;

THENCE along the East boundary of lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20067856) North 9 degrees 57 minutes 30 seconds East (Magnetic) a distance of 475.0 feet to a point being the Northeast corner of said lands;

THENCE along the North boundary of lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20067856) North 81 degrees 05 minutes West (Magnetic) to a point being the Southeast corner of Lot B-C-D as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 8181 lands of Nabila Sleiman (PID 20330965);

THENCE along the East boundary of Lot B-C-D lands of Nabila Sleiman (PID 20330965) in a Northerly direction a distance of 197.70 feet to a point being the Northeast corner of Lot B-C-D;

THENCE along the North boundary of Lot B-C-D lands of Nabila Sleiman (PID 20330965) in a Westerly direction to a point being the Southeast corner of Lot 7 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 5280 lands of John Brandon Polley (PID 20249264);

THENCE along the East boundary of Lot 7 lands of John Brandon Polley (PID 20249264) North 14 degrees 29 minutes West (Grid) a distance of 131.04 feet to a point being the Southeast corner of Rosemount Drive as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 5280 lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20388302);

THENCE along the East boundary of Rosemount Drive lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20388302) North 14 degrees 29 minutes West (Grid) a distance of 66 feet to a point being the Southeast corner of a temporary turning area (PID 20449302);

THENCE along the East boundary of a temporary turning area (PID 20449302) and the East boundary of Lot 8 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 5280 lands of Peter Citulsky and Maxine Citulsky (PID 20249256) North 14 degrees 29 minutes West (Grid) a distance of 101.99 feet to a point being the Southeast corner of Lot 2 as shown on a plan of lands of Estate of Lawrence McCallum dated August 5, 1969 signed by Claude Bonnell NSLS, lands of Leslie Blackburn (PID 20069027);

THENCE along the East boundary of Lot 2 lands of Leslie Blackburn (PID 20069027) North 08 degrees 17 minutes East (Magnetic) a distance of 354.37 feet more or less to a point on the South boundary of the remainder of Lot No. 1 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E967 lands of Ron Wallace Realty Limited (PID 20069084);

THENCE along the South, East and North boundary of the remainder of Lot No. 1 lands of Ron Wallace Realty Limited (PID 20069084) North 51 degrees 22 minutes East (Magnetic) a distance of 106.45 feet to

a point, North 64 degrees 18 minutes East (Magnetic) a distance of 199.55 feet to a point, South 62 degrees 52 minutes East (Magnetic) a distance of 154.75 feet to a point, South 89 degrees 54 minutes East (Magnetic) a distance of 178.82 feet to a point, North 82 degrees 38 minutes East (Magnetic) a distance of 127.97 feet to a point, North 33 degrees 01 minutes East (Magnetic) a distance of 233.55 feet to a point, North 58 degrees 30 minutes West (Magnetic) a distance of 228.83 feet to a point and North 76 degrees 30 minutes West (Magnetic) a distance of 202.78 feet to a point being the Southeast corner of Lot B as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. P145 lands of William Joseph Boyle and Della Ann Boyle (PID 20069381);

THENCE along the East boundary of Lot B lands of William Joseph Boyle and Della Ann Boyle (PID 20069381) North 00 degrees 48 minutes East (Magnetic) a distance of 91.8 feet to a point being the Southwest corner of Lot 22 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of Jin Yue and Qiuxian Ling (PID 20069407);

THENCE along the South boundary of Lot 22 lands of Jin Yue and Qiuxian Ling (PID 20069407) South 80 degrees 21 minutes East (Magnetic) a distance of 50 feet to a point and South 81 degrees 36 minutes East (Magnetic) a distance of 40 feet to a point being the Southwest corner of Lot 37 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of James T. Boyle and Evelyn Louise Boyle (PID 20069415);

THENCE along the South boundary of Lot 37 lands of James T. Boyle and Evelyn Louise Boyle (PID 20069415) South 81 degrees 36 minutes East (Magnetic) a distance of 170.0 feet to a point being the Southwest corner of Lot 38 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of Earl M. MacQuarrie and Kimberly M. MacQuarrie (PID 20069522);

THENCE along the South boundary of Lot 38 lands of Earl M. MacQuarrie and Kimberly M. MacQuarrie (PID 20069522) South 81 degrees 17 minutes East (Magnetic) a distance of 135 feet to a point being the Southwest corner of lands as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. P533 lands of Her Majesty The Queen in right of the Province of Nova Scotia (also deeded to Earl M. MacQuarrie and Kimberly M. MacQuarrie);

THENCE along the South boundary of lands of Her Majesty The Queen in right of the Province of Nova Scotia (also deeded to Earl M. MacQuarrie and Kimberly M. MacQuarrie) South 81 degrees 17 minutes East (Magnetic) a distance of 15 feet to a point being the Southwest corner of Lot 48 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of Earl M. MacQuarrie and Kimberly Margo MacQuarrie (PID 20069530);

THENCE along the South boundary of Lot 48 lands of Earl M. MacQuarrie and Kimberly Margo MacQuarrie (PID 20069530) South 81 degrees 17 minutes East (Magnetic) a distance of 100 feet to a point being the Southwest corner of Lot 49 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of Roderick Russell Kinnear (PID 20069548);

THENCE along the South boundary of Lot 49 lands of Roderick Russell Kinnear (PID 20069548) South 81 degrees 17 minutes East (Magnetic) a distance of 85 feet to a point being the Southwest corner of Lot 58 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of Rebecca Dawn White (PID 20069555);

THENCE along the South boundary of Lot 58 lands of Rebecca Dawn White (PID 20069555) South 81 degrees 17 minutes East (Magnetic) a distance of 85 feet to a point being the Southwest corner of Lot 59 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of Jeffrey Arthur Gillespie (PID 20069563);

THENCE along the South boundary of Lot 59 lands of Jeffrey Arthur Gillespie (PID 20069563) South 80 degrees 39 minutes East (Magnetic) a distance of 80 feet to a point being the Southwest corner of Lot 60 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of Kurt Rodney Harper and Carrie Lynn Saunders (PID 20069571);

THENCE along the South boundary of Lot 60 lands of Kurt Rodney Harper and Carrie Lynn Saunders (PID 20069571) South 80 degrees 39 minutes East (Magnetic) a distance of 100.1 feet to a point being the Southwest corner of a proposed portion of Poplar Drive (lands of Weir and Toole Ltd.) as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R;

THENCE along the South boundary of a proposed portion of Poplar Drive (lands of Weir and Toole Ltd.) South 80 degrees 39 minutes East (Magnetic) a distance of 50 feet to a point being the Southwest corner of Lot 69 & 70 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E591R lands of The Village Commissioners of Bible Hill (PID 20069712);

THENCE along the South boundary of Lot 69 & 70 lands of The Village Commissioners of Bible Hill (PID 20069712) South 80 degrees 39 minutes East (Magnetic) a distance of 220.05 feet to a point being the Southwest corner of the remainder of Lot BC-91 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 6896 lands of David Franklyn MacKay and Mary Alice MacKay (PID 20297107);

THENCE along the South boundary of the remainder of Lot BC-91 lands of David Franklyn MacKay and Mary Alice MacKay (PID 20297107) North 75 degrees 31 minutes East (Grid) a distance of 229.93 feet to a point, North 74 degrees 47 minutes East (Grid) a distance of 319.89 feet to a point and North 75 degrees 03 minutes East (Grid) a distance of 208.56 feet to a point being the Southwest corner of lands of Karen A. McMaster (PID 20069761);

THENCE along the South boundary of lands of Karen A. McMaster (PID 20069761) in an Easterly direction to a point being the Southwest corner of Lot 1A as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 4115 lands of Jody G. Smallman and Erin L. Smallman (PID 20255006);

THENCE along the South boundary of Lot 1A lands of Jody G. Smallman and Erin L. Smallman (PID 20255006) North 75 degrees 00 minutes East (Grid) a distance of 562.4 feet to a point being the Southwest corner of the remainder of Lot No. 1 as shown on a plan filed in the Colchester County Registry of Deeds Office in Book 372 at Page 67 lands of Jody G. Smallman and Erin L. Smallman (PID 20069779);

THENCE along the South boundary of the remainder of Lot No. 1 lands of Jody G. Smallman and Erin L. Smallman (PID 20069779) in an Easterly direction a distance of 287.6 feet more or less to a point being the Southwest corner of Lot 1 & 4 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 5579 lands of Brian Stevens and Sherry OBrien Stevens (PID 20407490);

THENCE along the South boundary of Lot 1 & 4 lands of Brian Stevens and Sherry OBrien Stevens (PID 20407490) North 74 degrees 18 minutes East (Grid) a distance of 156.70 feet to a point being the Southwest corner of the remainder of Lot No. 2 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 89951595 lands of Jody Vincent Upham (PID 20069795);

THENCE along the South boundary of the remainder of Lot No. 2 lands of Jody Vincent Upham (PID 20069795) in an Easterly direction a distance of 223.2 feet more or less to a point on the West boundary of lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20067542);

THENCE along the West boundary of lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20067542) in a Southerly direction to a point being the Northeast corner of Lot 11-GPL-2 as shown on a plan filed in the Colchester County Land Registration Office as Plan No. 99611544 lands of Gardiner Properties Ltd. (PID 20337077);

THENCE along the North boundary of Lot 11-GPL-2 lands of Gardiner Properties Ltd. (PID 20337077) South 71 degrees 51 minutes West (Grid) a distance of 684.4 feet to a point, South 71 degrees 51.0 minutes West (Grid) a distance of 176.50 feet to a point and North 49 degrees 46.0 minutes West (Grid) a distance of 535.50 feet to point being the Northwest corner of Lot 11-GPL-2;

THENCE along the West boundary of Lot 11-GPL-2 lands of Gardiner Properties Ltd. (PID 20337077) South 16 degrees 46.5 minutes East (Grid) a distance of 1209.83 feet more or less to a point being the Northeast corner of Lot 96-CDE as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 8015 lands of John Bernard Bates (PID 20323739);

THENCE along the North boundary of Lot 96-CDE lands of John Bernard Bates (PID 20323739) South 70 degrees 16.0 minutes West (Grid) a distance of 285.9 feet to a point being the Northwest corner of Lot 96-CDE;

THENCE along the West boundary of Lot 96-CDE lands of John Bernard Bates (PID 20323739) South 15 degrees 36.0 minutes East (Grid) a distance of 717.0 feet to a point being the Northeast corner of Lot H12 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. 84545780 lands of Hub Craft Building Supplies Limited (PID 20246385);

THENCE along the North boundary of Lot H12 lands of Hub Craft Building Supplies Limited (PID 20246385) South 66 degrees 04.5 minutes West (Grid) a distance of 246.53 feet to a point being the Northwest corner of Lot H12;

THENCE along the West boundary of Lot H12 lands of Hub Craft Building Supplies Limited (PID 20246385) South 13 degrees 54.6 minutes East (Grid) a distance of 386.38 feet to a point and place of beginning.

SAVING AND EXCEPTING Lot B as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. P328 lands of Brookside Abattoir Co-operative Limited (PID 20249892).

SUBJECT HOWEVER TO a right of way 66 feet wide leading from the South side of Brookside Road to the North side of Lot B (PID 20249892) granted for access to Lot B filed in the Colchester County Registry of Deeds Office in Book 382 at Page 87.

SUBJECT HOWEVER TO a right of way granted to Maritime Telegraph and Telephone Company Limited filed in the Colchester County Registry of Deeds Office in Book 209 at Page 566.

SUBJECT HOWEVER TO a right of way granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 274 at Page 278.

SUBJECT HOWEVER TO a right of way granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 348 at Page 489.

SUBJECT HOWEVER TO a right of way granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 355 at Page 371.

SUBJECT HOWEVER TO an easement granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 533 at Page 1499.

SUBJECT HOWEVER TO a right of way granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 535 at Page 414.

PID 20069027

ALL that certain lot, piece or parcel of land being to the East of Vimy Road, Bible Hill, in the County of Colchester and Province of Nova Scotia, more particularly bounded and described as follows:

BEGINNING at a point at the intersection of the Northeast corner of Lot #1 and the Southern sideline of the lands of Arnold Crowe;

THENCE North seventy-six degrees thirty-three minutes East a distance of one hundred and thirty-six point five eight (136.58) feet to a point;

THENCE North fifty-nine degrees forty-five minutes East (N 59 degrees 45 minutes E) a distance of forty-one (41) feet to a point;

THENCE North eighty-one degrees sixteen minutes East (N 81 degrees 16 minutes E) a distance of one hundred and forty-four (144) feet to a point;

THENCE North seventy degrees thirty-three minutes East (N 70 degrees 33 minutes E) a distance of one hundred and fifty-five point seven (155.7) feet to a point on the Western sideline of the lands of Wyman Bates;

THENCE South zero eight degrees seventeen minutes West (S 08 degrees 17 minutes W) a distance of three hundred and fifty-four point three seven (354.37) feet along the Western boundary of the lands of Wyman Bates to a point;

THENCE North eighty-three degrees zero minutes West (N 83 degrees 00 minutes W) a distance of four hundred and thirty-five point eight (435.8) feet to a point;

THENCE North zero eight degrees forty minutes East (N 08 degrees 40 minutes E) a distance of one hundred and seventy-three point four five (173.45) feet to the place of beginning.

BEING AND INTENDED TO BE Lot #2 in a plan showing Lots #1 and 2 of the Estate of Lawrence McCallum of Vimy Road, Bible Hill, Colchester County, Nova Scotia, which plan is dated August 5, 1969 and prepared by Claude Bonnell, N.S.L.S.

PID 20408456

ALL that certain lot, piece or parcel of land situate, lying and being on the South boundary of Kimberley Drive, at Bible Hill, in the County of Colchester, Province of Nova Scotia and being lands of Frederick Gordon Bates, Ray Donald Bates, John Bernard Bates, Norman Robert Bates and Estate of Gary Wyman Bates (PID 20408456), bounded and described as follows:

BEGINNING on the East boundary of Lot A as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. P145 lands of Wayne Bates (PID 20069290) at a point being the Southwest corner of Kimberley Drive (extension) as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. P303 lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20408449);

THENCE along the South boundary of Kimberley Drive lands of Her Majesty The Queen in right of the Province of Nova Scotia (PID 20408449) in an Easterly direction a distance of 60 feet to the West boundary of Lot B as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. P145 lands of William Joseph Boyle and Della Ann Boyle (PID 20069381) to a point being the Southeast corner of Kimberley Drive;

THENCE along the West boundary of Lot B lands of William Joseph Boyle and Della Ann Boyle (PID 20069381) South 7 degrees 54 minutes West (Magnetic) a distance of 46.65 feet to a point on the North boundary of the remainder of Lot No. 1 as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. E967 lands of Ron Wallace Realty Limited (PID 20069084) being the Southwest corner of Lot B;

THENCE along the North boundary of the remainder of Lot No. 1 lands of Ron Wallace Realty Limited (PID 20069084) South 89 degrees 45 minutes West (Magnetic) a distance of 60.67 feet to a point being the Southeast corner of Lot A as shown on a plan filed in the Colchester County Registry of Deeds Office as Plan No. P145 lands of Wayne Bates (PID 20069290);

THENCE along the East boundary of Lot A lands of Wayne Bates (PID 20069290) North 7 degrees 54 minutes East (Magnetic) a distance of 55.9 feet to a point and place of beginning.

SUBJECT HOWEVER TO a right of way granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 274 at Page 278.

SUBJECT HOWEVER TO a right of way granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 348 at Page 489.

SUBJECT HOWEVER TO an easement granted to The Village Commissioners of Bible Hill filed in the Colchester County Registry of Deeds Office in Book 533 at Page 1499.

SCHEDULE B: GENERAL REQUIREMENTS

Development of lands encompassed by this Agreement shall abide by “Part 6: General Provisions for All Zones” as outlined in the Land Use By-law for The Municipality of Colchester, notwithstanding the following:

1. No person shall erect more than one (1) main building on a lot, except in the High Density Residential Area and the Mixed-Use Area.
2. The following table outlines features which are exempt from the maximum height requirements for Multi-Unit Dwellings, as outlined in Schedule B.

Feature	Maximum Height Exemption	Maximum Percentage of Roof Area	Required Front Setback from Roof Edge
Church Spires	Unlimited		
Water Tanks	6 metres		3 metres
Elevator Enclosures	6 metres	30%	3 metres
Flagpoles	Unlimited		
TV or Radio Antennae to support uses or activities in the building	Unlimited		3 metres
Building Mechanical Equipment	5.5 metres	30%	3 metres
Skylights	1.5 metres		3 metres
Chimneys	Unlimited		
Solar Collector	4.5 metres		
Stair Enclosures	5.5 metres		
Amenity Penthouses	4 metres	40%	2 metres
Parapets and/or clear glass guard and railing system	3 metres		
Pergolas	4 metres	30%	
Hard or soft landscaping	4.5 metres		
Greenhouses	6 metres	30%	3 metres
Windscreen	4.5 metres		

3. The following table outlines features which are permitted encroachments into required yards:

Feature	Permitted Encroachment
Eaves	0.5 metres
Cornices	0.5 metres
Bay Windows	1.5 metres
Porches	2 metres
Staircases	1.5 metres (rear and side yard only)
Balconies	2 metres

4. Within the following zones, the minimum number of automobile parking spaces required for a use, as outlined in the Municipality’s Land Use Bylaw, may be reduced by one (1) for every four (4) bicycle parking spaces provided that meets the standards for bicycle parking spaces in the Municipality’s Land Use Bylaw:
- a. Residential Neighbourhood 2 (RN-2) Zone
 - b. Higher Density Residential (HDR) Zone
 - c. Mixed Use (MU) Zone
5. The maximum reduction of automobile parking spaces provided by Section 4 shall be limited to 6 spaces or 10% of the required automobile parking spaces, whichever is greater.

SCHEDULE C: PERMITTED USES

1. The following table outlines permitted land uses within each area of the development:

P: Permitted as-of Right SP: Site Plan Approval

Use	RN-1	RN-2	HDR	MU	PRK
Accessory Dwelling Unit	P	P	P	P	
Accommodations, Bed & Breakfast	P	P	P	P	
Cluster Housing			P	P	
Dwelling, Single Unit	P	P	P		
Dwelling, Two Unit	P	P	P		
Dwelling, Triplex or Fourplex	P	P	P	P	
Dwelling, Multi Unit		P (5-12) SP	P (5-12) SP	P (5-12) SP	
Dwelling, Townhouse		P (1-4)	P (1-4)	P (1-4)	
Dwelling, Stacked Townhouse		P (1-4)	P (1-4)	P (1-4)	
Residential Care Facilities	P	P	P	P	
Home-Based Business	P	P	P	P	
Religious Institutions		P	P	P	
Schools		P	P	P	
Recreational Uses, Parks, Playgrounds	P	P	P	P	P
Commercial MU				SP	
Commercial HDR (<i>* indicates ground floor only</i>)			SP*		
Commercial RN-2 (<i>* indicates ground floor only</i>)		SP*			

2. The following table outlines permitted commercial uses within applicable areas. Definitions of specific commercial uses can be referenced in the Land Use By-law.

Commercial Uses	MU	HDR	RN-2
Animal Care	X	X	
Animal Shelters	X		
Automobile Sales, Repair & Service Stations	X		
Accessory Trade Shops	X		
Banks & Financial Institutions	X		
Business & Professional Offices	X	X	

Cafes	X	X	X
Commercial Schools	X	X	
Courier & Delivery Services	X		
Craft Shops & Studios	X	X	
Daycare Centres	X	X	X
Drive-in Restaurants	X		
Drycleaning & Laundry Establishments	X		
Funeral Homes	X		
Garden & Nursery Sales	X		
Hotels & Motels	X	X	
Laundromats & Drycleaning Depots	X	X	
Medical Clinics	X	X	
Model Home Use	X	X	
Night Clubs, Lounges, & Beverage Rooms	X		
Outdoor Commercial Displays	X		
Accessory Parking Lots	X		
Parks & Open Space	X	X	X
Places of Entertainment, Recreation, & Assembly	X		
Private & Service Clubs & Fraternal Orgs.	X	X	
Printing Establishments	X		
Restaurants	X		
Retail Lumber & Building Supplies	X		
Retail Stores	X	X	
Neighbourhood Convenience Stores	X	X	X
Institutional Uses	X	X	X
Service & Personal Service Shops	X	X	X
Shopping Centres	X		
Taxi & Bus Stations	X	X	
Warehouse, Personal Storage	X		

SCHEDULE D: LOT AND BUILT FORM REQUIREMENTS

Residential Neighborhood 1

RN-1 AREA	REQUIREMENT
Minimum Lot Frontage (<i>Single Detached or Duplex</i>)	10 metres
Minimum Lot Frontage (<i>Semi Detached</i>)	10 metres per unit
Minimum Lot Frontage	6 metres per unit
Minimum Lot Area	325 square metres
Maximum Lot Coverage	50%
Maximum Number of Habitable Storeys	3 storeys
Minimum Front/Flanking Yard Setback	3 metres
Minimum Side Yard Setback (<i>Common Wall</i>)	0 metres
Minimum Side Yard Setback (<i>Non-Common Wall</i>)	1.5 metres
Minimum Rear Yard Setback	4 metres

Residential Neighborhood 2

RN-2 AREA	REQUIREMENT
Minimum Lot Frontage (<i>Single Detached or Duplex</i>)	10 metres
Minimum Lot Frontage (<i>Semi Detached</i>)	10 metres per unit
Minimum Lot Frontage (<i>Townhouse</i>)	5 metres per unit
Minimum Lot Frontage (<i>Multi-Residential</i>)	12 metres
Minimum Lot Area (<i>Townhouse</i>)	137 square metres per unit
Minimum Lot Area (<i>Other than Townhouse</i>)	325 square metres
Maximum Lot Coverage (<i>Lots under 325 sq m</i>)	50%
Maximum Lot Coverage (<i>Lots 325 sq m or greater</i>)	60%
Maximum Number of Habitable Storeys	4 storeys
Minimum Front/Flanking Yard Setback	2 metres
Minimum Side Yard Setback (<i>Common Wall</i>)	0 metres
Minimum Side Yard Setback (<i>Non-Common Wall</i>)	1.5 metres
Minimum Rear Yard Setback	4 metres
Maximum Building Length or Depth	36 metres

HDR (High Density Residential) Area

HDR	REQUIREMENT
Maximum Number of Main Buildings Per Lot	N/A
Minimum Lot Frontage	12.2 metres
Minimum Lot Area	558 square metres
Maximum Lot Coverage	N/A
Maximum Number of Habitable Storeys	6 storeys
Maximum Streetwall Height	4 storeys
Minimum Streetwall Stepback	2 metres
Minimum Front/Flanking Yard Setback	3 metres
Maximum Front/Flanking Yard Setback	10 metres for building closest to the street. N/A otherwise
Minimum Side Yard Setback	3 metres
Minimum Rear Yard Setback	6 metres
Maximum Building Length or Depth	64 metres
Minimum Separation (<i>Buildings on same lot</i>)	4.5 metres

MU (Mixed Use) Area

MU	REQUIREMENT
Maximum Number of Main Buildings Per Lot	N/A
Minimum Lot Frontage	12.2 metres
Minimum Lot Area	558 square metres
Maximum Lot Coverage	N/A
Maximum Number of Habitable Storeys	8 storeys
Maximum Streetwall Height	4 storeys
Minimum Streetwall Stepback	2 metres
Minimum Front/Flanking Yard Setback	3 metres
Minimum Side Yard Setback	0 metres
Minimum Rear Yard Setback	6 metres
Maximum Building Length or Depth	64 metres
Minimum Separation (<i>Buildings on same lot</i>)	4.5 metres

SCHEDULE E: SITE PLAN APPROVAL REQUIREMENTS

For uses requiring site plan approval (referenced in Schedule C), the following criteria shall be met:

1. Outside storage or garbage storage shall be screened and located in the side or rear yard.
2. Any exterior lighting shall be top shielded and arranged in a way which will deflect light away from the adjacent residential zone.
3. A 2m (6.5') high opaque fence may be required along any lot boundaries between abutting HDR or MU lots and any other area. Preference shall be given to a wood fence.
4. Where unique site conditions exist (e.g. steep slopes, adjacent land uses), the Site Plan Approval process may vary the built-form requirements in Schedule B and Schedule D including but not limited to step backs, setbacks, fence requirements, parking locations and other matters provided the intent of the designated area is maintained.
5. Streetwalls along adjacent sloping streets may step up the grade following the street grade in 12m horizontal building intervals.
6. The streetwall width may be reduced to no less than 70 % of the width of the building abutting a streetline, allowing the midrise portion of the buildings (above the streetwall height) to extend to the ground.
7. Balconies shall be permitted encroachments into a setback, stepback or separation distance, at or above the level of the second storey of a building, provided that the protrusion of the balcony is no greater than 2 metres from the building face and the aggregate length of such balconies does not exceed 50% of the horizontal width of that building face.
8. Underground parking structures are not required to meet the minimum front, side or rear setbacks, providing they do not protrude more than 0.6 metre above the average finished grade in any front yard.
9. Building massing should be varied by employing variations to architectural style such as wall breaks, facade materials, recessed and projection areas, roof changes, distinct colour schemes and roof treatments.
10. Streetwalls that abut a front or flanking yard, shall be divided into distinct sections no less than 12 metres in width, extending from the ground to at least one floor below the top of the streetwall.
11. Each distinct section required under Subsection (2) above shall be differentiated from abutting distinct sections by using a minimum of one of the following methods:
 - (a) different colours;
 - (b) different materials;
 - (c) different textures;
 - (d) living walls;
 - (e) projections not less than 0.15m (1') deep;
 - (f) recesses not less than 0.15m (1') deep.
12. Pedestrian entrances in the streetwall shall be distinguished from the streetwall by using a minimum of one of the following methods:
 - i) different colours;
 - ii) different materials;
 - iii) projections not less than 0.15m (1') deep;
 - iv) recesses not less than 0.15m (1') deep;
 - v) a change in height; or
 - vi) a change in the roofline.

13. Any multi-unit building shall provide amenity space, at a rate of 5.0 square metres per dwelling unit, for use by the building's residents. No less than 50% of all required amenity space shall be provided within the building, including individual unit balconies.
14. An addition to a multi-unit building shall be required to provide amenity space, for the addition only, at a rate of 5.0 square metres per dwelling unit, for use by the building's residents. No less than 50% of all required amenity space shall be provided within the building, including individual unit balconies.
15. Residential uses shall have direct access to the exterior ground level separate from any non-residential use.
16. All at-grade residential units must have front door walk-out access for all units fronting streetlines, except in a case where a building's streetline grade is more than 4%. These units shall use walls, landscape buffers, fencing or grade changes to provide privacy from adjacent sidewalks.
17. In any HDR or MU Area, any portion of a front, flanking, side, or rear yard that is not used for driveways, parking, off-street loading spaces, walkways, wheelchair ramps, stairs, or accessory structures shall be hard landscaped or soft landscaped.
18. Invasive or highly toxic plant species are prohibited as soft landscaping material. Native plants are preferred.
19. Trees shall be planted at a rate of not less than one 50mm caliper or greater per every 500 m² of plate area of the building footprint.
20. Shrub beds shall be planted at not less than 2 sq m for every 500 sq m of ground floor area of the building. Stormwater gardens can be considered as part of this calculation. Rooftop plantings may be used to meet this requirement.
21. All soft landscaping specified on a landscape plan shall comply with the latest edition of the Canadian Landscape Standard.
22. Site elements such as storage, shipping and loading areas, transformers and meters, bay doors and garbage receptacles shall be screened from adjacent streets.

SCHEDULE F: DEFINITIONS

Average Finished Grade means the elevation of the finished ground abutting a structure, averaged around the perimeter of the structure.

Café means an establishment primarily serving coffee or tea and may also serve light meals, sandwiches and/or deserts.

Cluster or Clustering means a site planning technique that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, and/or preservation of features and/or structures with environmental, historical, cultural, or other significance.

Cluster Housing Dwelling Unit means a non-movable dwelling unit that:

- (a) has an independent pedestrian entrance; and
- (b) may be attached to another cluster housing dwelling unit on the same lot.

Cluster Residential Development means a land development project for more than two residential use buildings on the same lot in which the site planning technique of clustering dwelling units is employed and where each building do not exceed a height of 3 storeys.

Stepback means a horizontal recess that breaks the vertical plane of an exterior wall on a main building.

Storey means a portion of building between a floor and another floor including a mezzanine. Any portion of a building partly below the average finished grade will not be deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

Streetwall means the wall of a building, or the portion of a wall of a building, that:

- (a) faces the streetline and;
- (b) is located below the height of a specified stepback;
- (c) or where no specified stepback is required, the streetwall is the wall facing the streetline.

Streetwall Height means the vertical distance between:

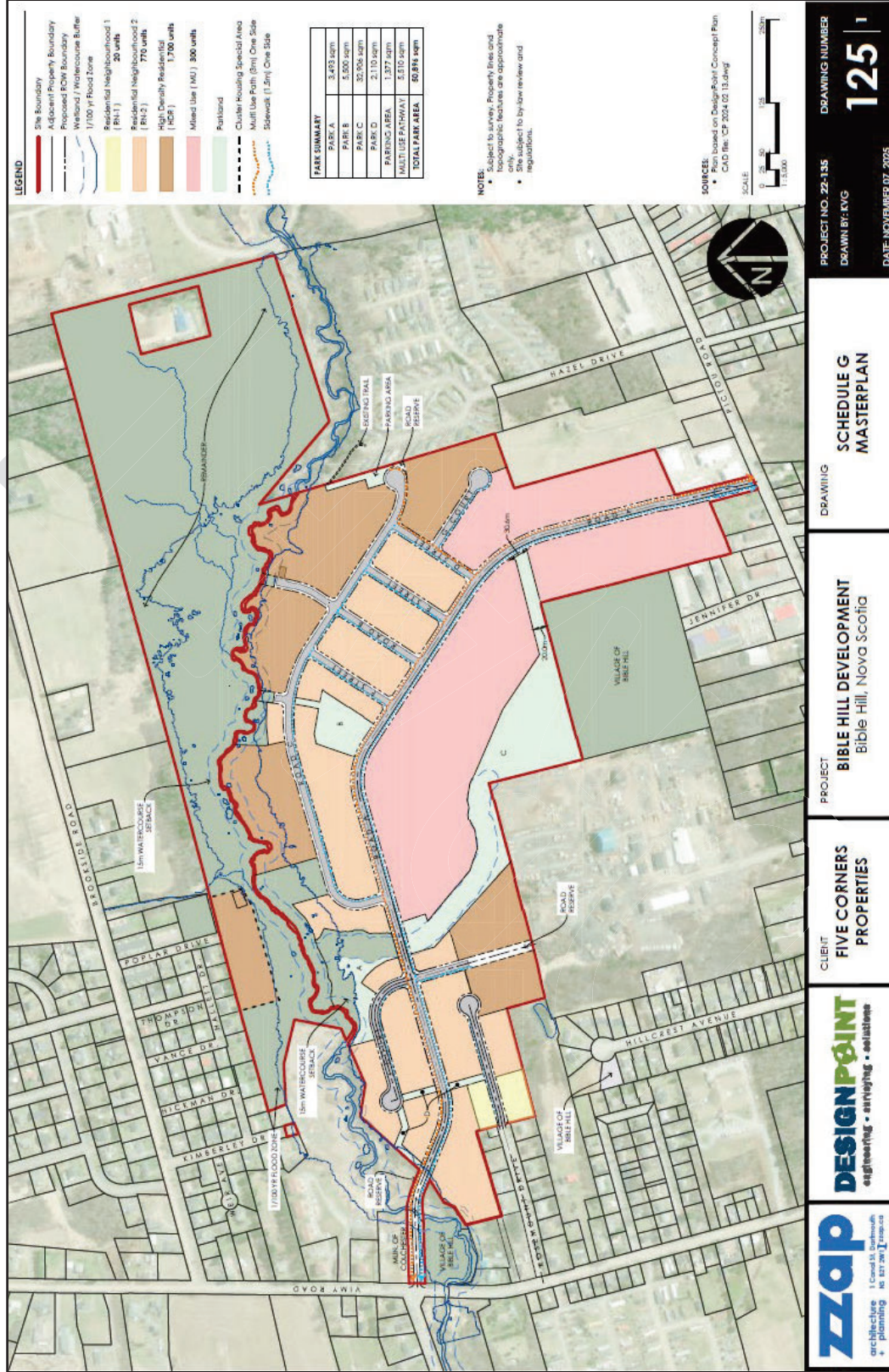
- (a) the streetline grade and the top of the streetwall, extending across the width of the streetwall;
- (b) where a municipal or provincial transportation or utility easement abuts the streetline and extends the full lot width, the grade at the edge of the easement that is located farthest from the streetline and the top of the streetwall, extending across the width of the streetwall.

Streetwall Stepback means the required setback of a building above a streetwall, measured from the face of the streetwall.

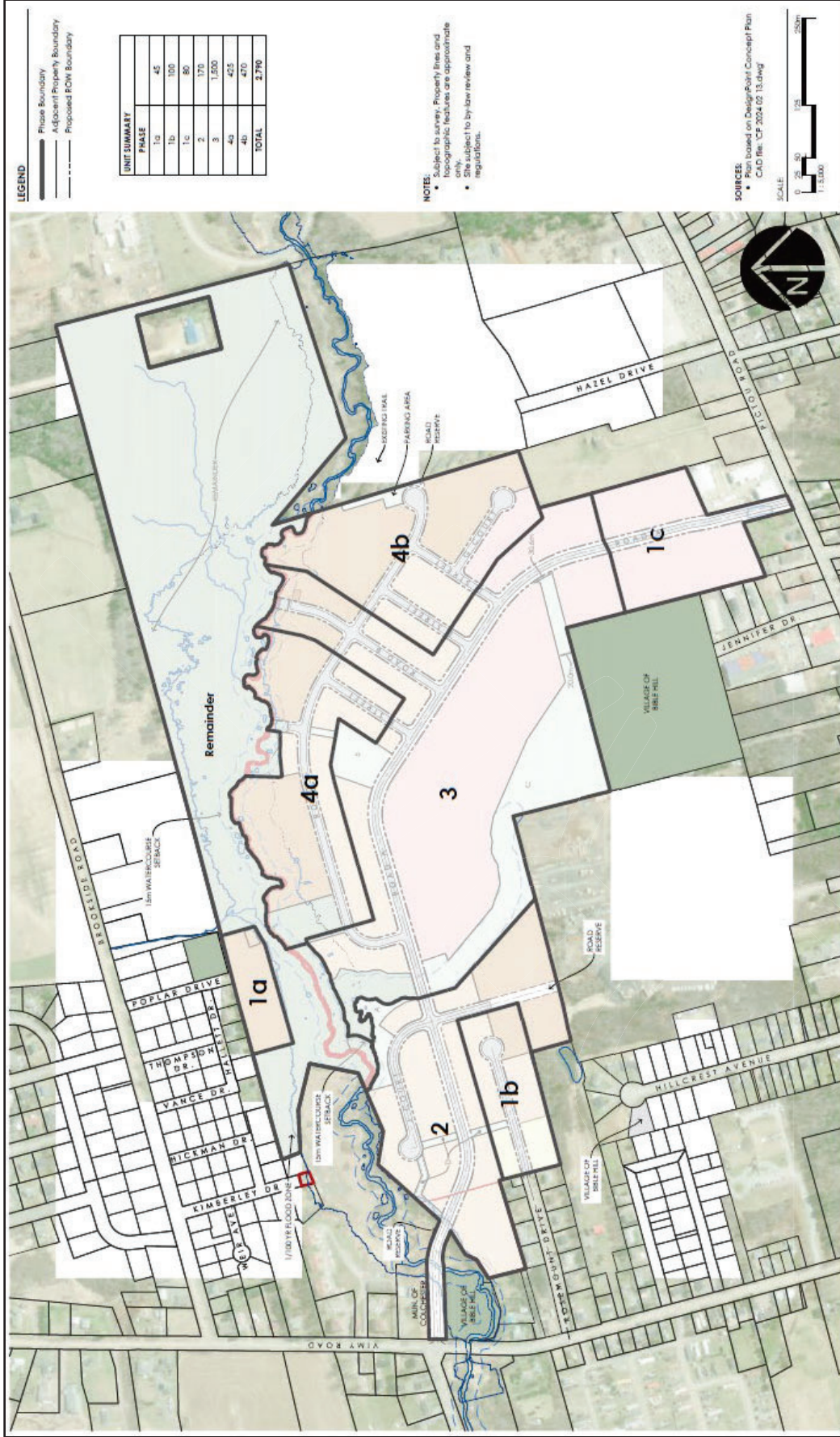
Streetline means any lot line dividing a lot from a street or private road.

Streetline Grade means the elevation of a streetline, or in the presence of a transportation reserve the elevation of the boundary of the transportation reserve that is closest to the development, located at a midpoint of a streetwall. For streetwalls that are greater than 10.0 metres in width, separate streetline grades are determined for the midpoint of each streetwall segment that is 10.0 metres wide, or a part thereof.

Schedule G – Master Plan



Schedule H – Phasing Plan



CLIENT
FIVE CORNERS PROPERTIES

PROJECT
BIBLE HILL DEVELOPMENT
Bible Hill, Nova Scotia

DRAWING
SCHEDULE H
PHASING PLAN

PROJECT NO. 22-135
DRAWN BY: KYG

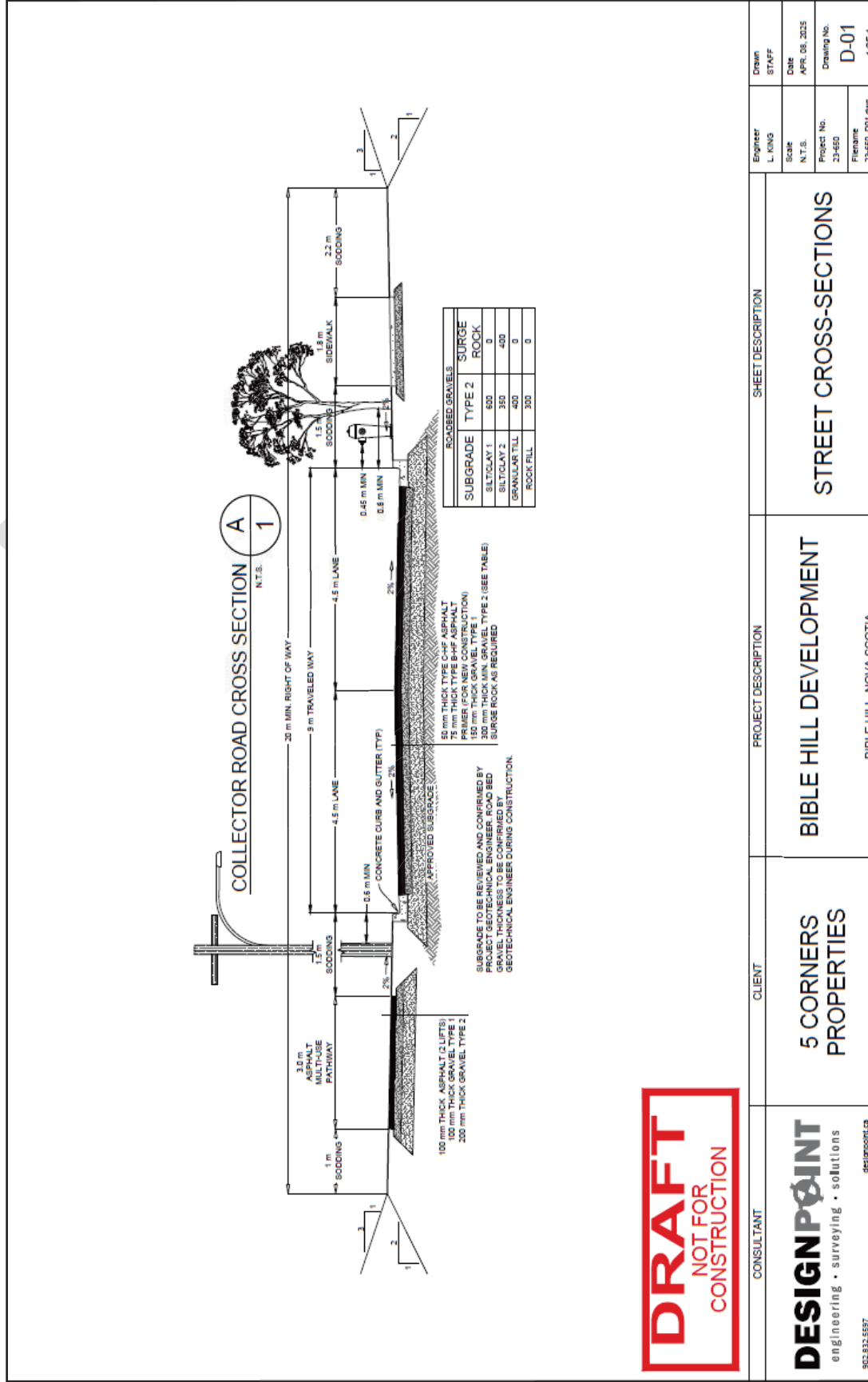
DRAWING NUMBER
125 | 2

DATE: NOVEMBER 07, 2025

DESIGNPOINT
engineering • surveying • estimating

Zap
architecture • planning • landscape • interior • exterior

Schedule I – Street Cross Sections



DRAFT
NOT FOR
CONSTRUCTION

CONSULTANT	CLIENT	PROJECT DESCRIPTION	SHEET DESCRIPTION	Engineer	Drawn
DESIGNPOINT engineering • surveying • solutions 902.832.5597 designpoint.ca	5 CORNERS PROPERTIES	BIBLE HILL DEVELOPMENT	STREET CROSS-SECTIONS	L. KING	STAFF
				SCM	DATE
				N.T.S.	APR. 08, 2025
				Project No.	Crawing No.
				23-450	D-01
				Filename	1 OF 1
				23-450_D01.dwg	

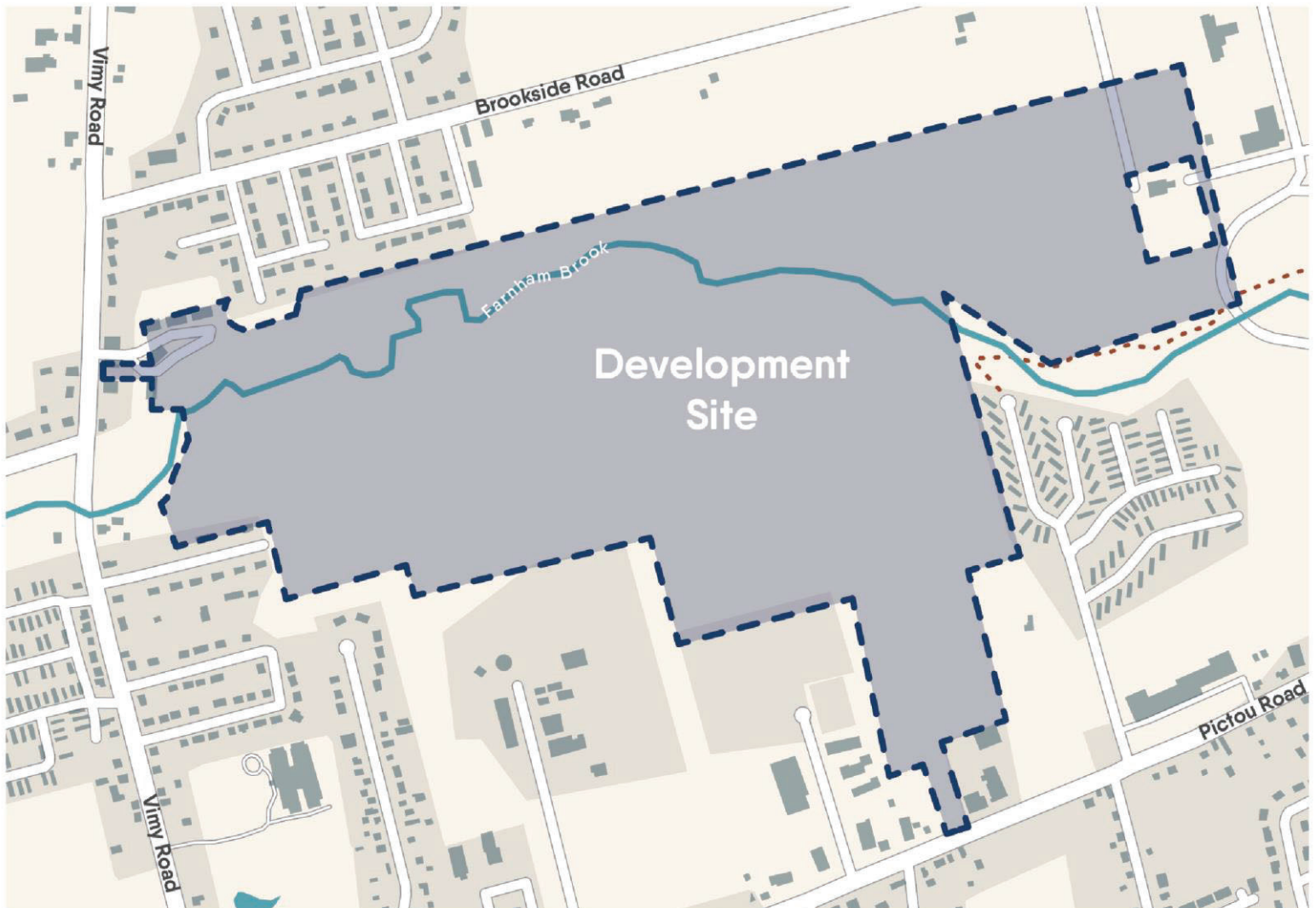
Planner's Report: Comprehensive Development Districts

Municipal Planning Strategy
Land Use Bylaw Amendments

June 2023



PID 20067658, 20069084
and 20069027
Pictou & Vimy Roads



Planner's Report

**Pictou & Vimy Roads, PID's 20067658, 20069084 and 20069027
Lands Five Corners Property (4432357 Nova Scotia Limited), Vida Living Inc. & Leslie Blackburn**

Municipal Planning Strategy / Land Use Bylaw Amendments Comprehensive Development Districts

June 2023

Application:

Council is in receipt of an application from Chris Markides of ZZAP, representing Five Corners Property, Vida Living and Leslie Blackburn who have requested Council to consider an amendment to the Central Colchester Municipal Planning Strategy and Land Use Bylaw that would create policies to enable the rezoning of land associated with PID#'s 20067658, 20069084 and 20069027 once known as the former Bates Property as a Comprehensive Development District. Once rezoned, new CDD policies would require an agreement to guide the development of these parcels of land.

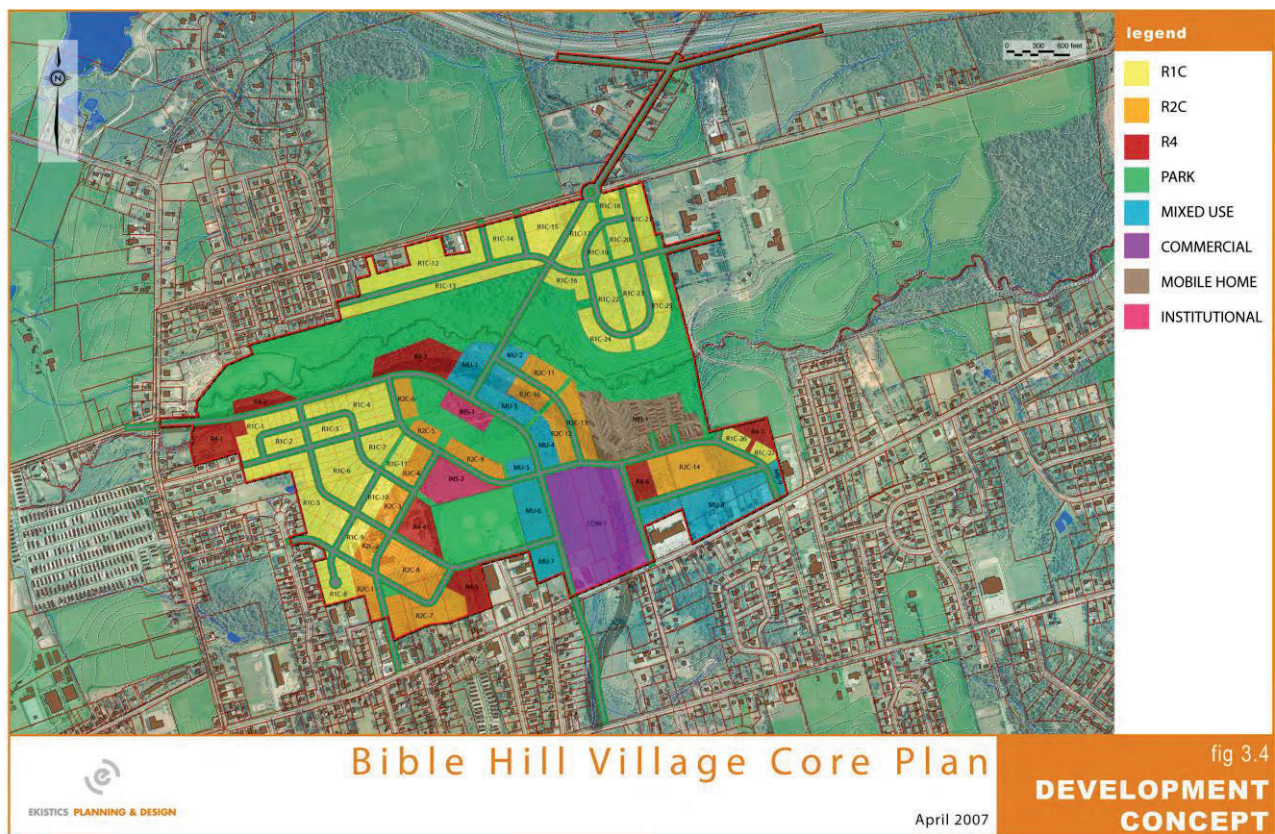
Background:

Comprehensive Development Districts have been used by several municipalities across Nova Scotia as a flexible approach to developing large tracts of land within existing communities, particularly where there is a high degree of planning required for the design of servicing infrastructure, roads and recreation amenities and where careful integration is needed to ensure a proper fit of the development with its surroundings to mitigate impacts. As this approach relies on the use of a development agreement, project outcomes can offer a high degree of assurances to the Municipality, residents and the developer which makes it an attractive option for large and often complex developments. The preamble in the attached draft amendments provides more information on the benefits and rationale for CDD's as a planning tool.

Colchester has not used CDD's in the past planning documents, which has been largely due to a lack of interest and a modest rate of growth in sewer serviced areas. However, post pandemic has resulted in a surge of development activities, many of which are large in scale and have the potential to significantly change communities. While this CDD amendment has been brought to the forefront by a development group who recently purchased the former Bates property in Bible Hill, there remains potential for land assemblies in other Growth Centers such as Lower Truro / Truro Heights, Salmon River and Hilden that could also warrant a CDD approach if appropriate.

The purpose of this request is to evaluate the merits of a CDD zone and if determined to be appropriate, create policies to zone land accordingly and provide for a development agreement that would apply to the land in question. Thus, this initial step in the process will provide Council and the public with a framework to evaluate future proposals and the opportunity to help shape criteria for development agreements that represent community and broader public interests.

A masterplan for the area north of Pictou Road in Bible Hill was prepared in 2007 with a view to conceptualizing how the largely vacant land mass might evolve and be integrated with existing land use patterns in the Village. While mostly focussed on land associated with the former Bates property, the study also included land adjacent to Perennia, south of Brookside Road and behind the Bible Hill Center shopping plaza. Some key points to the plan included a concentration of mixed uses (ie. commercial and residential) with a variety of housing options recognizing the need for a diverse and socially mixed community, respects existing residential neighborhoods while allowing medium to high density development in specific low impact areas, connected greenspace and integrated walking and active transportation routes, protection of natural features such as the Farnham Brook natural drainageway as well as a new arterial road that connects Pictou Road to Farnham Road which aims to alleviate traffic congestion at the Pictou Road – Main Street intersection. While dated, many elements of the masterplan remain relevant today and provides a good reference point from which a detailed plan can be advanced.



Finally, the Municipality helped lead a housing supply and demand study in 2021 which attempted to quantify some of the anecdotal information on the state of housing in the region. The results of the study confirmed that shortages exist along the entire housing continuum and are especially pronounced in terms of affordable housing choices. Among the recommendations in the report, the consultant concluded that the addition of new market and/or affordable housing stock would help improve rental vacancy rates and open new choices for individuals who are in a sense “stuck” at point on the housing continuum



Public Consultation:

The preparation of new planning policy properly relies on feedback from the communities who may be affected, and staff have historically solicited input prior to considering planning options. A well-attended community meeting was held on May 18, 2023 at the fire hall in Bible Hill where staff spoke to the application before Council, the CDD process, opportunities for public feedback and how the approach could align with concepts developed through work on the 2006 Bible Hill Masterplan. Generally, concerns were expressed about the overall fit within the existing community, the potential for an increased strain on healthcare and education, who would pay for additional infrastructure and maintenance, environmental impacts, and traffic congestion. Several acknowledged the need for affordable and attainable housing choices given the current crisis and a development such as this could assist in addressing shortages. A summary of input can be referenced at the back of this report.

Site Characteristics:

As indicated previously, the majority of land subject to this application for a MPS / LUB amendment involves the former Bates property in Bible Hill comprising 157 acres which could be potentially expanded to include additional land if opportunities arise. The land was once farmed and the gentle undulating topography is quite suitable for development although there are areas along Farnham Brook where steep slopes and seasonal high water make it difficult to establish infrastructure and generally unsuitable for development other than for passive recreational purposes. The Vida Living Property on Vimy Road is partially developed with several multiunit buildings and is currently subject to a development agreement. A Memorandum of Understanding is in place between Five Corners Property and Vida Living Inc. as well as Leslie Blackburn to acquire sufficient that will enable a connection to Vimy and Farnham Roads.

Land uses in the immediate area are residential, ranging from single unit homes along Vimy Road and Pictou Road, to a mixed residential / commercial, senior's buildings on Allison Ave. and multi-unit rental buildings on Vimy Road. There are also numerous commercial uses that front primarily on Pictou Road and Jennifer Drive as well as several institutional uses, such as the NSPW depot and offices on St. David's Ave., the ballfields on Jennifer Drive, St. David's church, and the adjacent Tru-Fel Masonic Building located on Pictou Road.

The area is capable of being fully serviced with sanitary sewer and central water. Stormwater management in the area has always been difficult due to topography and access to Farnham Brook but future development on this land could vastly improve the design and functionality of drainage systems. The lot also has frontage on Pictou Road, Rosemount Drive, Popular Drive and an opportunity to access Farnham Road through a parcel of land purchased by the Municipality as a future road reserve as well as a small area of adjacent land owned by Vida Living Inc. and Leslie Blackburn for which Five Corners Property has a Memorandum of Understanding to purchase.

Proposal:

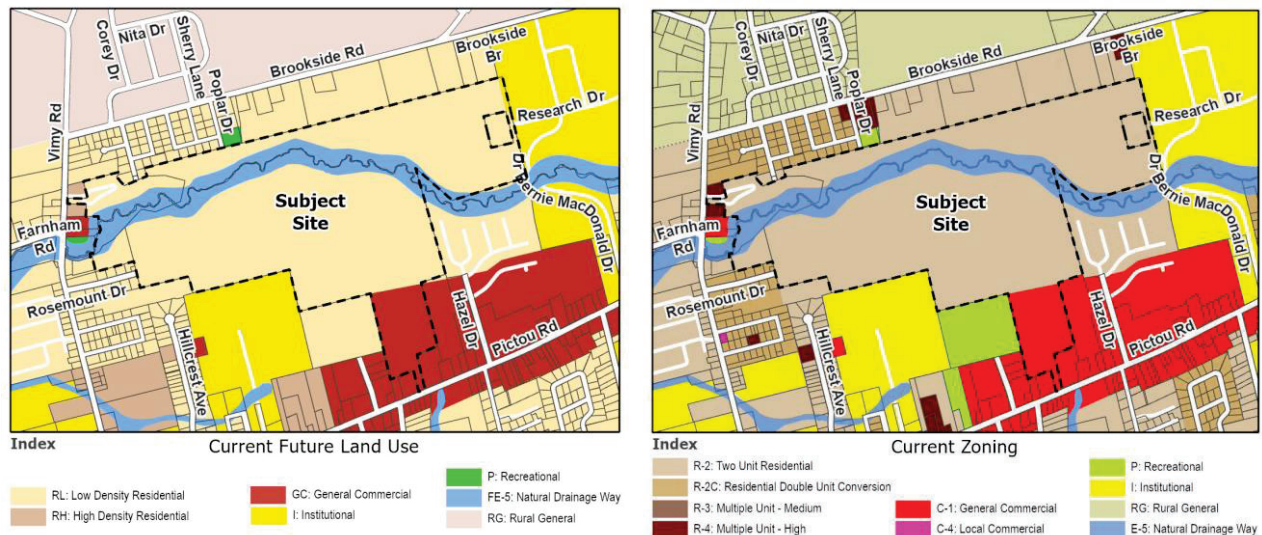
The proposed uses include a wide variety of residential housing forms from low density single detached units to high density multi-use apartment buildings along with mixed commercial / residential (above ground floor), some standalone commercial buildings as well as recreational,

institutional and environmental protection areas. While some high-level concepts have been developed, the purpose of this set of amendments has to do with whether a CDD zone is appropriate for the land in question.

It should also be noted that while designing a masterplan for the lands, the Bible Hill Village Core Plan will be used a key reference. The development of this concept involved considerable consultation and the outcomes represented the interests of a variety of stakeholders. To ensure these objectives remain current, a more definitive masterplan will be developed in the future and incorporated into a development agreement, a process that will allow for additional opportunities for community engagement prior to Council deciding on such.

2002 Municipal Planning Strategy and Land Use By-law:

This property is currently designated as “Low Density Residential” on the Future Land Use Map, Schedule 1, of the Planning Strategy and accordingly zoned, “R-2, Double Dwelling Residential” in Schedule 3 of the Land Use By-law.



This amendment is unique to others Council has considered in the past; first, the application requests for consideration of introducing a new CDD planning approach within the MPS and, secondly, consider the concurrent rezoning of the identified properties to the CDD zone. While the CDD zone will allow for R-2 Double Dwelling Unit and C-1 General Commercial uses by development permit as identified on the current zoning map, any intensification would trigger a requirement for the owners to enter into a development agreement that will guide future development of the land. The agreement will run with the land and any successive owners will be bound by the same contract.

Policies RP-3, IMP-3 and IMP-4 of the MPS provide some guidance to evaluate the timeliness of land use policy amendments. Recent changes in housing demand, increased development interests in serviced areas (notwithstanding service capacity issues) coupled with the recent sale of the former Bates property have highlighted a need to revisit planning policy with a view

to modernizing the Municipality's approach to managing large-scale developments. This is important as these need to be carefully planned and integrated into existing infrastructure networks and land use patterns. The Bible Hill Village Core Plan highlights some of these potential challenges and advances a micro-planning approach to safeguard the interests of all stakeholders in a reasonable, pragmatic, and financially sustainable manner. A CDD has the capability of accomplishing this objective by providing for an orderly and phased development process that can meet community expectations while ensuring any future public financial obligations can be managed responsibly.

Specific considerations Council should be mindful of as it considers the suitability of the proposed changes include:

- Section 2.2, Municipal Services, of the MPS speaks to the infrastructure investments made in each of the Growth Centers and the need to fully utilize these to enable better economies of scale. Policy MS-1 specifically states Council will “Encourage development requiring an extensive range of municipal services to establish in Growth Centers to achieve sustainable and efficient development patterns”.
- Section 4.4 of the MPS also speaks to residential land uses in Growth Centers and notably, the need to consider housing initiatives that respond to trends and changes in housing markets, particularly as the housing mix needs to accommodate affordable and special needs housing demands. Policies RP-2 and RP-3 signify Council's intentions to “Encourage the continued development of a diverse housing stock that offers a range of residential choices targeting a variety of needs” and “Monitor changes in housing markets and consider amendments to this Strategy that would expand residential development opportunities”. The CDD approach will provide an excellent development option to encourage a range of housing choices that are near many community services and amenities.
- Council's Service Delivery Strategy (1997) rationalizes the provision of all municipal services to residents and businesses within Colchester. While dated, many of the objectives outlined in the document remain relevant. For reasons expressed in the Central Colchester MPS, Council wishes to intensify development within suburban areas as a means to achieve economies of scale since major infrastructure investments have been made in wastewater collection and treatment, protective services, waste management, active transportation infrastructure, etc. Moreover, Policy SC-3 states Council “...will encourage and promote development in the existing sewer serviced areas of Central Colchester...” implying a desire to infill vacant serviced land in each Growth Center to maximize infrastructure investments.
- A Traffic Impact Study was completed by the Applicant in April 2023 which examined the proposed land uses and a total build-out of 2800 new residential units with 40,000 sq. ft. of relative to existing road networks on the general area including the potential for new intersections at Vimy, Farnham, and Pictou Road. The Study was completed with oversight by NSDPW who have reviewed and accepted the recommendations. NSDPW also acknowledge a more detailed level of transportation design will be required prior to approving any application for a development agreement.

- The Director of Public Works has reviewed the general development concept from a servicing perspective noting the properties fall within the Bible Hill Sewer District and, as such, would be required to connect to the public sewer system. The site has convenient access to the main trunk sewer line located adjacent to Farnham Brook which eventually leads to the wastewater treatment facility in Lower Truro. The Municipality is in the process of completing a sewage system capacity study to help identify and prioritize capital improvements to the system.
- While most of Bible Hill is currently serviced by on-site wells, the Applicant would prefer to service the development with a central water system. The Town of Truro Water Utility extended its water system into Bible Hill several years ago when well water contamination became evident by salt storage at the NSDPW depot on St. David's Avenue and farming practices by the former NSAC. The Water Utility has indicated an extension of the existing water system in Bible Hill is possible however a detailed engineering design will be required as a masterplan is developed, and once demand quantities can be projected.
- The Village of Bible Hill have reviewed the concept and were invited to a joint presentation by Five Corners Property with Colchester Council several months ago. The response to the CDD approach was generally favorable while acknowledging future public consultation will be useful once a more detailed masterplan has been developed during the agreement process.
- There will be no new public costs associated with the proposed policy changes as these are simply enabling. Council will have additional opportunities to assess cost implications through the development agreement process when planning and design advances and more details become known about infrastructure and servicing requirements.

Conclusions / Recommendation:

Five Corners Property application to amend the Central Colchester MPS and LUB to provide for Comprehensive Development Districts (CDD's) and enable consideration of large-scale developments through the development agreement process is properly before Council. While unusual, Policy IMP-3 contemplates amendments when circumstances change and a response is needed to address emerging community issues or when better planning tools can be utilized to better meet the needs and expectations of residents, government and developers. Certainly, the last number of years has brought about new challenges to many municipalities in Nova Scotia and it has become clear new approaches are much needed to manage unprecedented growth, housing shortages, and an interest in preserving the distinct qualities our communities have come to value. This has been a prominent and resounding message staff have heard throughout it community engagement efforts for both this application and as foundations are laid for a county-wide plan.

Introducing CDD's as a tool to better manage community growth can be an effective approach to address the issues described above and can protect the financial interests of governments who will assume new ownership and maintenance responsibilities of infrastructure. The associated development agreement process will provide a higher degree of certainty that

traditional zoning practices cannot guarantee while providing opportunities for community feedback prior to Council making any commitments. Phasing of the development is an important element to this approach in that that it allows the Municipality or Village to identify potential service capacity issues and respond to these incrementally and in a manner that responsibly plans for necessary capital improvements.

Staff would therefore recommend Council approve the attached amendments to the Central Colchester MPS and LUB that will enable CDD's to be used as an option to "as of right" zoning on larger (ie. 50+) acre parcels of land. Moreover, and due to some design and locational complexities, development of the Five Corners, Blackburn and a portion of the VIDA Living Inc. properties would benefit greatly from a CDD approach by offering an opportunity to design and integrate a fully functional "community within a community". For this reason, staff would also recommend that Council approve the redesignation and subsequent rezoning of land associated with PID's# 20067658, 20069084 and 20069027 from R-2 Residential Double Unit to the CDD zone acknowledging that the CDD zone will permit R-2 and C-1 uses by development permit. The development agreement that is currently in place for VIDA Living Inc.'s property will remain in effect in spite of the CDD Zone change and any changes would require a formal amendment process. Any intensification of the permitted land uses will require the applicant's entering into an agreement with the Municipality in advance of any development of these lands.

Respectfully submitted,

Paul Smith, MPA, LPP, MCIP
Director of Community Development

APPENDICES

Appendix 1.....Applications

Appendix 2.....Draft MPS & LUB Amendments

Appendix 3.....Public Participation Session Notes

APPENDIX 1



February 16, 2023

Municipality of the District of Colchester Council
Via email: PMacintosh@colchester.ca

**Re: Application for Municipal Planning Strategy Amendment for Bates Lands, Bible Hill
(PID: 20067658)**

Honorable Mayor Blair and Colchester Councillors:

We are submitting this letter on behalf of our client, 4432357 Nova Scotia Limited, operating under the name Five Corners Property. Our client owns a 157-acre property located in Bible Hill NS (PID 20067658) within the Village of Bible Hill growth centre. The property has multiple access points and is in close proximity to established collector roads, the Dalhousie Agricultural Campus, and existing shops and services along Pictou Road. We are pleased to submit a site-specific Municipal Planning Strategy (MPS) amendment application to change the designation and zone of the property to Comprehensive Development District (CDD).

Comprehensive Development Districts (CDD) are a land use planning tool that has been successfully used across the province in other jurisdictions. It is a flexible zoning district that allows for the consideration of relatively large-scale mixed-use and phased development proposals. Two examples are summarized below.

CDD's elsewhere in Nova Scotia

In the Municipality of East Hants, their Council's goal in establishing a CDD designation was to have greater control over these types of large scale developments, particularly with respect to active transportation and human-scaled design. When applied, the CDD zone helped establish visual interest at the street level and encouraged developers to adopt new urbanism development principles.

As a result of this approach, the community of Lantz has seen significant success with multiple new mixed-use communities currently under construction.

The Town of Wolfville has also completed a CDD designation, which allows for more flexible and innovative development proposals that meet the community's goals and objectives. This planning tool is beneficial because it promotes sustainable development that responds to the needs of the community while allowing for creative and thoughtful development. Additionally, the Town of Wolfville, through their CDD polices, are able to consider aspects of development proposals that a traditional land use bylaw framework is not able to consider. These include establishing a minimum net residential density, as well as policies addressing infrastructure, building design, connectivity, environmental and economic sustainability, and social equity.

Application Request

In Colchester County, and more specifically in the Village of Bible Hill, a CDD designation can provide flexibility with respect to road standards, architectural design, and other aspects of development, which are critical in meeting the challenges faced by a growing community such as Bible Hill. The CDD development agreement process will also ensure the creation of quality, livable neighborhoods, and enable the Municipality to negotiate and implement urban design principles for large developments. Due to their size, these developments have the potential to shape the character of their communities in an impactful way so allowing for community input into their design and development is of the utmost importance.

We understand that the Municipality does not currently have a CDD designation or accompanying policies. However, meeting the challenges faced by a growing community such as Bible Hill requires innovation and flexibility and the implementation of new planning tools like CDD's are an important step towards best practices in land use planning.

We are requesting that Colchester Council direct their staff to amend the Municipal Planning Strategy and adopt policies that align with the criteria for CDD designations outlined in Section 226 of the Municipal Government Act and apply the designation and zone to our client's subject lands. The CDD designation will allow our client the opportunity to collaborate with the Municipality through a development agreement process to create a master planned community on the subject property.

Creating a policy framework that gives the Municipality greater control and our client greater flexibility to work on a master plan for these lands that could align more closely with the existing Village of Bible Hill master plan is essential. A CDD designation could include the following provisions:

- Provide for a mix of land uses including residential, commercial, institutional, and community facilities.
- Ensure for a mix of residential and commercial land uses and ensure a minimum density per net acre to support existing and proposed municipal infrastructure improvements.
- Enable the ability to consider the future rezoning of properties abutting these lands to permit land uses that are compatible with any future proposed development agreement.

Additionally, our client would like to begin limited residential development on the site through an as-of-right process, and therefore, we request that any CDD policies applied to the subject properties also include provisions for a range of residential land uses permitted as-of-right under the Municipal Government Act Section 226(1)b.

Conclusion

In conclusion, we believe that a Comprehensive Development District is a valuable option for consideration in the Municipality of Colchester, as it promotes sustainable development and allows for greater control over large-scale mixed-use and phased development proposals. Its successful use in other jurisdictions makes it a useful tool for land use planning.

For this reason, we are requesting that that Colchester Council direct their staff to consider a Municipal Planning Strategy amendment to adopt a Comprehensive Design Development designation and policies and apply that designation to our client's lands.

Thank you for your time and consideration. We are looking forward to working collaboratively with the Municipality on this request.

Sincerely,



Chris Markides MCIP, LPP
Senior Planner
ZZap Consulting Inc.

Eric MacPherson CFA

CIO

A: 3600 Kempt Road, Halifax, Nova Scotia

M: 902-880-2357

E: eric@vidaliving.com W: www.vidaliving.com

June 13, 2023

Mr. Paul Smith
Director of Community Development
Municipality of Colchester
1 Church Street
Truro, NS B2N 3Z5
Nova Scotia, Canada

Dear Mr. Smith,

I am writing in reference to the proposed inclusion of my property at 23 Brooklyn Drive (PID: 20069084) in the Comprehensive Development District proposed by the Municipality. I wish to express my support for this initiative, recognizing its potential to contribute positively to our community.

Regarding the proposed bridge crossing over my property connecting to Vimy Road, I remain committed to engaging in further discussions. It is my intention to work collaboratively with all parties to reach an agreement that benefits our community, enhances connectivity, and respects the interests of all involved.

While this letter does not constitute a formal agreement, it signifies my willingness to continue negotiations and discussions on the matter.

Please do not hesitate to contact me if you require additional information or clarification.

Sincerely,



Eric MacPherson

VIDA Living 2.0 Inc.

Andrew Blackburn
Clifton, Colchester County, NS
Garden.rail98@gmail.com
1 (902) 899-3475

June 16, 2023

Mr. Paul Smith
Director of Community Development
Municipality of Colchester
1 Church Street
Truro, NS B2N 3Z5
Nova Scotia, Canada

Dear Mr. Smith,

I am writing in reference to the proposed inclusion of my property at Vimy Road (PID: 20069027) in the Comprehensive Development District proposed by the Municipality. I wish to express my support for this initiative, recognizing its potential to contribute positively to our community.

Regarding the proposed bridge crossing over my property connecting to Vimy Road, I remain committed to engaging in further discussions. It is my intention to work collaboratively with all parties to reach an agreement that benefits our community, enhances connectivity, and respects the interests of all involved.

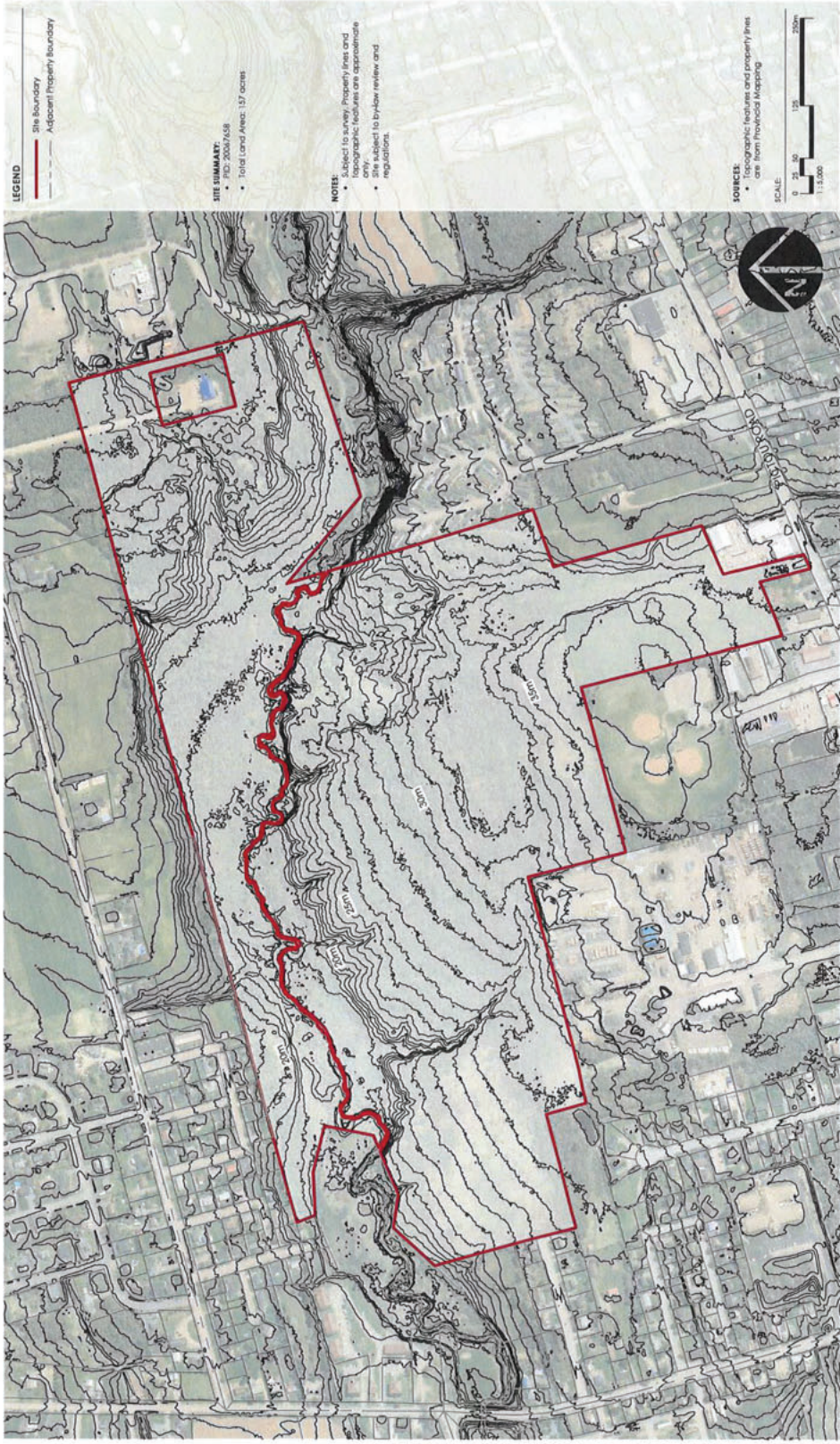
While this letter does not constitute a formal agreement, it signifies my willingness to continue negotiations and discussions on the matter.

Please do not hesitate to contact me if you require additional information or clarification.

Sincerely,



Andrew Blackburn



<p>PROJECT NO. 22-115 DRAWN BY: RM DATE: NOV 18, 2022</p>	<p>DRAWING NUMBER 100</p>
<p>DRAWING SITE PLAN</p>	
<p>CLIENT</p>	<p>PROJECT BIBLE HILL Pictou Road, Bible Hill, N.S</p>



APPENDIX 2: Draft Amendments

Central Colchester Municipal Planning Strategy Amendments:

4.4.4 Residential Development Options

iv) Comprehensive Development Districts (CDDs)

In recent times, Colchester has been faced with significant development pressures and meeting the needs of a growing community requires flexible and creative approaches, especially when responding to housing shortages and a corresponding requirement for commercial services and amenities. For many years, several communities across Nova Scotia have created policies enabling the establishment of Comprehensive Development Districts (CDDs) as a planning tool to better manage such challenges, especially for large tracts of land (50 acres+) where a thoughtful and phased approach is needed to blend new development within the communities in which they are situated. For this reason, CDD's can be an attractive alternative to traditional zoning standards since roads, infrastructure, amenity space and active transportation routes need to be carefully planned and integrated with surrounding neighborhoods. Given the detailed level of site-specific design, conventional zoning is replaced by a development agreement that will guide future development with a high degree of certainty. In the absence of a development agreement, R-2 Residential Double Unit and C-1 General Commercial uses will be allowed in the CDD Zone by development permit, the extent of such areas being defined as the underlying zone in effect at the time of adoption of this amendment.

Due to the complexities associated with developing large tracts of land, Council wishes to utilize Comprehensive Development Districts as a means of reconciling local needs with larger community and public infrastructure investments in stormwater systems, sanitary sewer collection and treatment, water distribution, waste collection, active transportation networks and recreation space while being mindful of the form, function and impact new developments may impose on adjoining lands. Since CDDs are often used to infill large vacant areas within sewer serviced areas that are proximate to many community services and amenities, establishing a minimum density will help maximize public investments in infrastructure while providing for an efficient and sustainable use of land. A few areas where a CDD option could be appropriate include the former Bates property in Bible Hill, land between Kent Road and Truro Heights Road in Lower Truro / Truro Heights, the Armco Developments Ltd. property in Truro Heights as well as areas of land east of Harmony Road in Salmon River and areas east and west of Truro Road in Hilden.

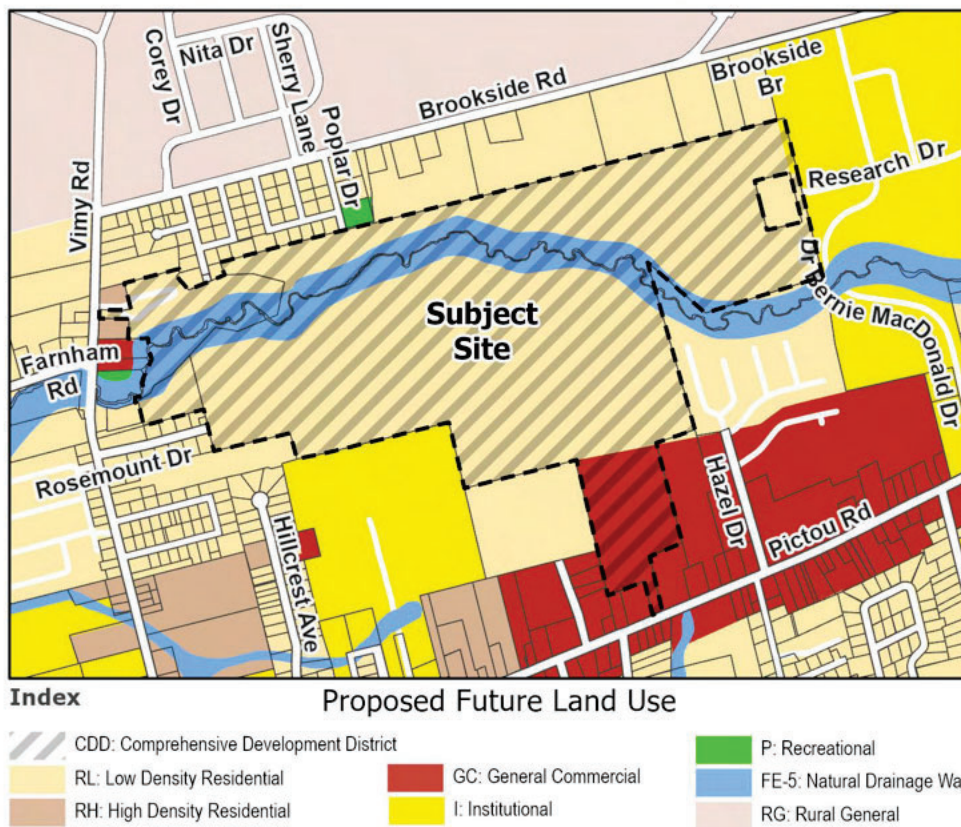
In 2007, the Municipality completed the Bible Hill Village Core Plan which conceptualized how the village may evolve with the potential development of a large area of land north of Pictou Road. The Plan contemplated a mix of low, medium and high-density housing with some areas reserved for commercial uses. It also acknowledged the need to protect environmentally sensitive areas along Farnham Brook while connecting road systems, greenspaces and integrating active transportation networks throughout Bible Hill and beyond. While dated, principles of the Plan remain relevant today, including the logical arrangement of land uses, infrastructure connections, complimentary building architecture and recreational amenities. The recent acquisition and interest in developing

the former Bates property together with a couple adjoining parcels needed for access has prompted Council to designate and zone the land CDD and allow adjacent properties to be considered for a CDD rezoning in the future should circumstances warrant. Other areas of land designated “Residential” and/or “Commercial” on the Future Land Use Map as described above may also be considered for a CDD rezoning in the future.

It shall be a policy of Council to:

- RP-36 Create a Comprehensive Development District (CDD) Zone and consider the establishment of low, medium and high density residential, commercial, mixed use, open space and institutional land uses by development agreement, and require a minimum gross density of 15 residential units per acre.
- RP-37 Designate PIDs #20067658, 20069084 and 20069027 in Bible Hill to a CDD on the Future Land Use Map and zone this land CDD on the Zoning Map.
- RP-38 Allow R-2 Residential Double Unit and C-1 General Commercial uses to be established in the CDD Zone by development permit. R-2 and C-1 areas are geographically defined by zones that existed on August 31, 2023.
- RP-39 Consider the rezoning of land designated “Residential” and/or “Commercial” on the Future Land Use Map to the CDD Zone provided the area is greater than 50 acres and has access to a designated collector road.
- RP-40 Notwithstanding Policy RP-39, consider an area of land designated “Residential” or “Commercial” on the Future Land Use Map being immediately adjacent to a CDD Zone for a zoning map amendment to the CDD zone provided all policies contained in this Strategy are met.
- RP-41 Consider entering into a development agreement for land zoned CDD subject to applicable provisions of Policies IMP-1, IMP-2, IMP-7 and IMP-8 of this Strategy.
- RP-42 In addition to Policy RP-41, Council shall be satisfied the development agreement is not premature in terms of:
 - a) The financial capability of the Municipality to absorb any costs relating to the development;
 - b) The adequacy of any proposed or expanded sanitary sewer, central water, wastewater collection and treatment as well as storm water systems;
 - c) The adequacy of all automobile transportation networks within and in the vicinity of the development, including linkages with existing streets, proposed intersections, and road network functionality;
 - d) The adequacy of schools, recreation and community facilities needed to accommodate new development.
- RP-43 In addition to IMP-8 of this Strategy, any development agreement within a CDD Zone shall address the following:

- a) Provisions for a masterplan of the site illustrating the types and arrangement of land use zones and the proposed locations of each relative to adjacent land uses;
- b) Development densities within each zone;
- c) Phasing of the development including the sequence of infrastructure installations;
- d) Location and distribution of roads, infrastructure, utilities, community facilities, amenity space, playgrounds, active transportation routes and other public / community uses;
- e) Architectural standards as well as site and stormwater controls that may include landscaping treatments, buffering and screening, yard setbacks, lot coverage, accessory structures / uses, parking and stormwater management controls;
- f) Future subdivision of land;
- g) Maintenance and hours of operation where appropriate;
- h) Other matters including non-substantive changes, uses not requiring a Development Permit and circumstances concerning the discharge of the agreement or portion thereof upon the completion of phases.



Schedule 1, Future Land Use Map

Central Colchester Land Use Bylaw Amendments:

9.9 Comprehensive Development District (CDD) Zone:

9.9.1 Uses Permitted by Development Permit:

Pursuant to Policy RP-38 of the Central Colchester Municipal Planning Strategy, R-2 Residential Double Unit and C-1 General Commercial uses may be established in the CDD Zone by Development Permit in the absence of an executed development agreement.

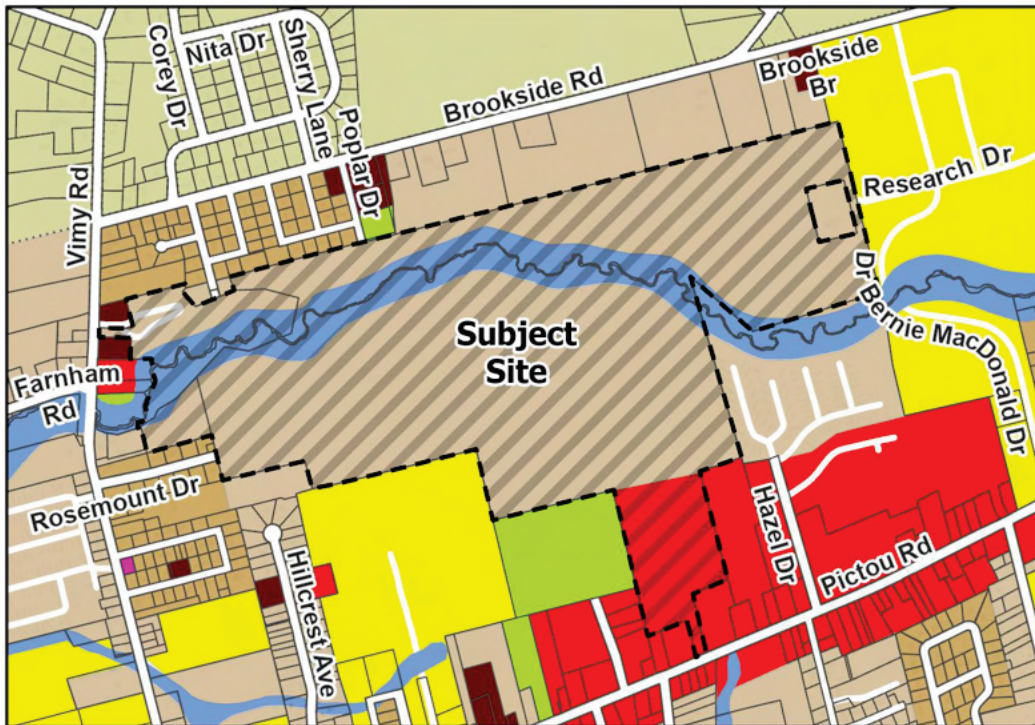
9.9.2 Uses Permitted by a Development Agreement:

Pursuant to Policy RP-36 of the Central Colchester Municipal Planning Strategy, medium and high-density residential uses as well as commercial, institutional, recreational and open spaces uses may be established by development agreement only.

9.9.3 Interpretation:

Pursuant to 9.9.1 above, the boundaries of the R-2 Residential Double Unit and C-1 General Commercial zones shall be defined as those that existed on August 31, 2023.

Schedule 3, Zoning Map



Index		Proposed Zoning	
	R-2: Two Unit Residential		C-1: General Commercial
	R-2C: Residential Double Unit Conversion		C-4: Local Commercial
	R-3: Multiple Unit - Medium		P: Recreational
	R-4: Multiple Unit - High		I: Institutional
	CDD: Comprehensive Development District		RG: Rural General
			E-5: Natural Drainage Way

APPENDIX 3: May 18 Public Meeting Notes

Bible Hill Public Meeting Notes

Thursday, May 18th

Five Corners Property, owners of a 157 acre property within the Village of Bible Hill, have applied to the Municipality of Colchester to change the designation and zoning of this property (commonly known as the former Bates property), to a Comprehensive Development District (CDD) by amending the Central Colchester Municipal Planning Strategy. On Thursday May 18th at 6:30 pm a public meeting was held at H. Douglas Boyce Village Hall in Bible Hill. There were 100 people in attendance, including Municipal Staff, Council Members, Planning Advisory Committee members, Village Staff, developers, consultant staff and local residents.

The meeting opened with a presentation from Municipal planning staff outlining the meeting purpose, what a CDD is, the 2007 Bible Hill Master Plan, and the future steps in the planning process. Planning staff then handed it over to ZZAP, an architecture and planning firm hired by the developers. They shared a short presentation on their need for public input on the future of this property and that there are currently no exact plans in place for the direction of the development. Planning staff then opened up the floor for questions from the public. The following are topics that were discussed and questions that were asked:



Project Size

- Concerns about the project's size and how it will change the character of Bible Hill.



Housing

- Concerns that the housing crisis is used as a reason to push developments.
- Will affordable housing be included in the development.
- Bylaws are needed to promote affordable housing.



Health Care

- Will healthcare facilities be included in the development?
- Concerns about the need for the healthcare crisis to be addressed now before anymore development occurs.
- Will there will be conversations with the province about healthcare?
- Would collaborative healthcare be considered?



Education

- Will the development include schools and childcare?



Environment

- What is the impact on wildlife and where will the deer go?
- Wildlife use Farnham Brook as a water source.



Traffic

- What will the impact be on traffic surrounding the development and will that will be taken into consideration.
- Is the department of transportation involved in the process.



Taxes

- How will it impact tax payers?
- Who will pay for new roads and infrastructure?
- Who will pay for the maintenance of new infrastructure?



Planning Process

- If the CDD is not approved by council will there be no development? Is it all or nothing?
- Does the planning process weigh out the pros and cons of the development?