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Halifax, Nova Scotia
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North West Community Council
March 17, 2014

TO: Chair and Members of North West Community Council
Original Signed

SUBMITTED BY: _____
for: Brad ~~Anguish~~, Director of Community and Recreation Services

DATE: February 28, 2014

SUBJECT: Case 18423 – MPS Amendments and Development Agreement for
Bedford West Sub Area 2, Bedford and Hammonds Plains

ORIGIN

- Application by West Bedford Holdings Ltd.
- July 23, 2013 Regional Council Initiation of the MPS and LUB amendment process

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that North West Community Council recommend that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Bedford West Secondary Planning Strategy as set out in Attachments A and B, and the Bedford Land Use By-law as set out in attachment D, and schedule a joint public hearing with North West Community Council; and
2. Approve the proposed amendments to the Bedford West Secondary Planning Strategy as set out in Attachments A and B, and the Bedford Land Use By-law as set out in attachment D of this report.

RECOMMENDATIONS CONTINUED ON PAGE 2

It is recommended that North West Community Council:

3. Move Notice of Motion to consider the proposed amending agreement as set out in Attachment C of this report to permit a mixed use subdivision at Sub Area 2 of Bedford West, Bedford. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation 1.

Contingent upon the adoption by Regional Council of the above Secondary Planning Strategy amendments and those becoming effective under the *Halifax Regional Municipality Charter*, it is further recommended that North West Community Council:

4. Approve the proposed amending agreement as set out in Attachment C of this report; and
5. Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

EXECUTIVE SUMMARY

West Bedford Holdings are seeking changes to the Bedford West Secondary Planning Strategy (SPS). This strategy is contained in three planning documents; the Bedford, Halifax, and Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategies (MPS's).

The Bedford West SPS deals with an area which is approximately 2000 acres in size. This area of land is identified for urban growth over the next 20 years. The SPS is divided into smaller Sub Areas (Map 4) which can be developed through a development agreement process. Most of the Sub Areas have land uses policies which regulate land uses within each Sub Area.

The applicant has requested amendments to the SPS and LUB to enable the establishment of gas bars and 34 foot wide single unit dwelling lots within the Bedford West area. Further the applicant is requesting amendments to the existing development agreement for Sub Area 2 to enable gas bars and 34 foot wide single unit dwelling lots, as well as several other amendments dealing with a variety of other issues such as building heights, road layout and dwelling setbacks.

A Public Meeting was held on September 11, 2013 to discuss the proposed policy changes and the development agreement amendment. Attachment H contains a summary of this meeting.

Staff recommends that Regional Council and North West Community Council approve the proposed amendments to a) the Bedford West SPS, as contained in the Bedford, and Beaver Bank, Hammonds Plains and Upper Sackville MPS's, b) the Bedford Land Use By-law and c) the existing Bedford West Sub Area 2 development agreement as outlined in the Recommendation section of the report.

BACKGROUND

West Bedford Holdings Limited wishes to amend the existing land use policies and development agreements in the Bedford West area of Bedford to include provisions to allow single unit dwelling lots to be developed with minimum lot frontages of 34 feet within Sub Areas 2, 7 and 8 and to allow automotive gas bars within the Bedford West Business Campus Zone and within the Community Commercial area. The application also includes other planning and technical matters as further identified in the Discussion section of this report. These requests require MPS changes in the Bedford SPS, text amendments in the Bedford LUB, and amendments to the existing development agreement for Sub Area 2.

Bedford West Secondary Planning Strategy

The Regional Municipal Planning Strategy (RMPS) identifies Bedford West as one of the six areas where urban forms of development are to occur throughout the 25 year life of the RMPS. In 2006, Regional Council approved the Bedford West Secondary Planning Strategy (SPS) to provide guidance for the development of a new community on the west side of the Highway 102 in the vicinity of the Hammonds Plains and Kearney Lake Roads. The goal of the Strategy is to enable residential and commercial development which is cost effective for the Municipality to service. The SPS is divided into 12 Sub Areas which are illustrated on Map 3, and the development of each Sub Area is enabled through the development agreement process.

The Bedford West SPS covers portions of three Municipal Planning Strategies; the Bedford MPS, the Halifax MPS and the Beaver Bank, Hammonds Plains and Upper Sackville MPS. The existing SPS policies enable commercial, residential, institutional and recreational development to be considered by development agreement in phases over the entire Bedford West Secondary Plan Area (Map 3). Since 2008, several development agreements have been approved by North West Community Council and the former Chebucto Community Council for lands within the Bedford West SPS. These approvals include agreements for Sub Areas 2, 3 and 4 and, more recently, Sub Areas 5 and 9 (Map 3).

SPS Policy: 34 Foot Wide Single Unit Dwelling Lots - The existing Bedford West SPS enables the establishment of 34 foot wide single unit dwelling lots only within Sub Areas 3 and 4 subject to Policy BW-32A (Attachment F). To gauge the acceptance of this housing option, Regional Council adopted this policy in 2008 (Case 01048) as a “test case” for the area. If successful, it was anticipated that this form of small lot housing could be expanded to other areas.

SPS Policy: Gas Bars –The existing Bedford West SPS directs Highway Commercial land uses such as automotive service stations to an area adjacent the Larry Uteck Boulevard interchange at Highway 102 (Attachment E) in Sub Area 9. The policies do not explicitly contemplate gas bars or service station uses in other areas of Bedford West. The Bedford West Land Use By-law does not differentiate the difference between gas bars and service stations. In general, service stations include automotive service uses such as repair garages and the sale of gasoline, while gas bars do not typically include a service component and only sell gasoline.

To enable consideration of both requests, amendments to the policies of the Bedford West SPS are required.

Location, Designation, Zoning and Surrounding Land Use

	Gas Bar Request	34' Wide Lot Request
Subject Properties	Various sites – see Map 1 Bedford and Hammonds Plains	Various sites – see Map 1 Bedford and Hammonds Plains
Location	-Immediately adjacent Kearney Lake Road -Gary Martin Drive and Hammonds Plains Road (Maps 1 and 2)	East and west of Kearney Lake Road (Maps 1 and 2)
Designation (Map 1)	Bedford West Secondary Planning Strategy (BWSPS)	Bedford West Secondary Planning Strategy (BWSPS)
Zoning (Map 2)	-BWCDD (Bedford West Comprehensive Development District) Zone -BWBC (Bedford West Business Campus) Zone (subject to site plan approval process)	BWCDD (Bedford West Comprehensive Development District) Zone
Bedford West Sub Areas (Map 3)	Sub Areas 2, 3, 6, 7 and 8	Sub Area 2, 7 and 8
Bedford West Community Concept Designation (Map 4)	Community Commercial Centre Mixed Use Business Campus	Residential Neighbourhoods
Current Use(s)	-Graded and undeveloped (Gary Martin Dr site) -Forested and undeveloped (remainder)	Forested and undeveloped

Existing Development Agreement – Sub Area 2

A development agreement for Sub Area 2 of Bedford West (Map 3) was approved in 2008 (Case 00970). The agreement covers approximately 175 acres of land on the east side of Kearney Lake Road and north of Kearney Run. The development agreement enables a mix of commercial and residential land uses (single unit, semi-detached, townhouses and multiple unit dwellings). Amendments to the existing development agreement are required to enable gas bars and 34 foot wide single unit dwelling lots within Sub Area 2.

Approval Process

The proposed amendments to the MPS/SPS and LUB are under the jurisdiction of Regional Council. The proposed development agreement is under the jurisdiction of the North West Community Council. A public hearing, which is required prior to the decision on both matters, may be held at the same time for both the MPS amendment and the development agreement. In the event that Regional Council approves the MPS amendment, North West Community Council may only make a decision on the development agreement following the amendments to the MPS/ LUB coming into effect.

DISCUSSION

Municipal Planning Strategy Amendments

The Municipal Planning Strategies, and Secondary Planning Strategies of the Municipality lay out the intent of HRM regarding appropriate land use and future patterns for growth. Amendments to a MPS are not routine undertakings and Council is under no obligations to consider such requests. Amendments should only be considered when there is reason to believe that there has been a change to the circumstances since the MPS was adopted or last reviewed, or in cases where circumstances are significantly different from the situations that the Plan anticipated.

A full analysis of the proposed SPS amendments is found below:

34 foot wide single unit dwelling lots

Traditional suburban single unit dwellings in the past have had minimum lot frontages of 60 feet (18.3m) and lot sizes of 6000 square feet (557.4m²). Due to development costs and changing housing needs, housing options on smaller lots have become more popular. Small lot frontages can vary considerably from between 32 feet (9.75m) to 60 (18.3m) feet with corresponding lot sizes between 3,200 (297.3m²) and 6,000 square feet (557.4m²). Currently, the Bedford West SPS broadly permits reduced frontage lots to a minimum of 40 feet (12.2m) and 4,000 square feet (371.6 m²). Lot frontages at 32 feet of frontage (9.75m) tend to cause difficulties relating to service installation and parking, but 34 foot (10.36m) lots with 3,400 square feet (315.8m²) as previously enabled in Bedford West Sub Areas 3 and 4, appear to be less problematic.

In reviewing the request, staff has identified the following issues for discussion:

Location of 34 foot wide lots - The intent behind the Bedford West SPS is to ensure there is a variety of housing choices within all the Sub Areas. The location of 34 foot wide lots within Sub Area 2 is limited by the development agreement as identified on Schedule C of Attachment C. This ensures that other areas within the Sub Area area are reserved for other housing types including larger single unit dwelling lots, semi-detached, townhouses and multiple unit dwellings.

Density – Concerns were raised that enabling additional 34 foot wide single unit dwelling lots may increase the densities within Bedford West. An increase in the number of single unit dwellings will result in a decrease in other housing types as SPS policy and the existing development agreement require that specific population densities be maintained.

Summary - Staff is satisfied that the development of 34 foot wide single unit dwelling lots in Sub Areas 3 and 4 has been successful and advise that the applicant's request to expand this housing type to Sub Areas 2, 7 and 8 is reasonable. Staff recommends that Regional Council and Community Council approve the proposed changes to the Bedford West SPS and Sub Area 2 development agreement as identified in the recommendation section of the report.

Gas Bars

Service stations or gas bars are a service required by communities and are generally provided in commercial areas proximate to significant residential populations. The request is to allow gas bars in in predetermined commercial areas of Bedford West.

In reviewing the request, staff has identified the following issues for discussion:

Need for Additional Gas Bars or Service Stations – Based on current SPS policies, the only site where gas bars or service stations are permitted in Bedford West is in Sub Area 9, adjacent the interchange at Larry Uteck Boulevard. Although gas stations may be permitted in this area, this singular location would not serve the needs of the entire Bedford West population, therefore additional gas bar or service station locations will be required.

Based on the premise of ensuring the needs of the Bedford West community are met, staff are of the opinion that there is a need to permit additional locations for gas bars or service stations. While there is a clear need for the sale of gasoline, staff are not able to ascertain the need for automotive repair. As the request is only for gas bars, staff are proposing that gas bars and not service stations nor automotive repair outlets be permitted in other commercial areas of Bedford West. Permitting only gas bar land use reduces the amount of potential conflict with surrounding activities.

Gas Bar Location - Commercial areas are generally the most appropriate locations for gas bars due to the low incidence of conflict between land uses. Further, commercial areas on main collector roads or proximate highway interchanges are most appropriate for locating gas bars as there is a higher degree of pass-by traffic. The applicant originally proposed a fairly broad area for the siting of gas stations (Map 1). Subsequent to the public information meeting, the developer reduced the number of sites where a gas bar was requested. The current proposal includes the following locations:

- Sub Area 3 - Gary Martin Drive at Hammonds Plains Road;
- Sub Area 6 - Community Commercial Area;
- Sub Area 2 – Kearney Lake Road north of the community collector road and within 180 metres (590 feet) of Kearney Lake Road (adjacent proposed Highway 113); and
- Sub Area 8 – Kearney Lake Road north of the community collector road and within 180 metres (590 feet) of Kearney Lake Road (adjacent existing industrial land uses).

Staff concurs that the reduction in the scope of the sites is positive as it increases the separation from existing residential development. Based on the proposal, the closest existing single unit dwelling is over 1,000 feet (304m) from the closest gas station.

Design of Gas Stations - Due to known issues with gas bar design, staff are recommending the establishment of design guidelines in the Bedford West Business Campus Zone and in development agreements. The particular provisions deal with streetscape design, pedestrian and cyclist facilities, vehicular flow and access. Amendments to the SPS policies are included in Attachments A and B to establish these requirements.

Environmental Issues – In Nova Scotia there are significant measures required from gasoline retailers to protect the environment. The NS Environment Act, and subsequent regulations, outline a series of stringent requirements and penalties which result in a highly regulated environment. These policies regulate tank construction, placement and monitoring. Staff are satisfied that existing Provincial regulations are appropriate for the establishment of the proposed use. Further regulation of

environmental matters through policy, the Land Use By-law or the development agreement is not required.

Summary - In summary, staff are satisfied that it is appropriate to enable additional gas bar sites in Bedford West SPS policies. Proposed policy is suitably worded to limit the location of gas bars to appropriate areas. Further, the proposed design guidelines will enhance the design of gas bars and will ensure a high quality and appropriately designed land use. Staff recommends that Regional Council approve the proposed changes to the Bedford West SPS, as contained in the Bedford MPS and the Beaver Bank, Hammonds Plains and Upper Sackville MPS and the Bedford LUB to enable gas bars, as provided in Attachments A, B and D of this report.

Development Agreement Amendments – Sub Area 2

In order to enable land uses permitted in the proposed Bedford West SPS amendments, the applicant has proposed a number of amendments to the existing development agreement for Sub Area 2.

Gas Bars – Staff have recently identified an error in the existing Sub Area 2 development agreement. Contrary to existing MPS policy (Attachment E), the existing agreement enables service stations throughout the area designated for Community Commercial land uses. Through this request to update MPS policy for gas bars, identified previously, there is a means to correct this and restrict gas bars to those areas identified in the proposed SPS policy (Attachment A).

The proposed amendments will:

- remove the ability to establish gas stations throughout Sub Area 2;
- require gas bars be limited to areas located north of the community collector road, adjacent to the proposed Highway 113 and situated within 180 m (590 feet) of Kearney Lake Road; and
- require gas bars meet specified design guidelines (Schedule V of Attachment C).

Staff is satisfied the proposed provisions will enable an appropriate development form.

Minimum 34 Foot Wide Single Unit Dwelling Lots – The proposed development agreement provisions with the exception of front yards setbacks (detailed below) are identical to provisions implemented in Sub Area 3 and 4. Experience with this small lot form has been positive in Sub Areas 3 and 4. The proposed amendment would enable lots with the following minimum requirements:

- lot frontages of 10.36 metres (34 feet);
- lot areas of 315.9 square metres (3,400 square feet);
- front and rear yards of 6.10 metres (20 feet);
- side yards of 1.83 metres (6 feet) with a minimum separation between buildings of 3.66 metres (12 feet);
- lot coverage of 35%; and
- maximum building heights of 9.14 metres (30 feet).

The proposed amending development agreement designates areas where small lot single unit dwellings will be permitted (Schedule C of Attachment C). Staff are satisfied that the proposed housing mix will provide a sufficient mix of housing types. The proposed amendment will enable a reduction in the number of housing units which are in the multiple unit dwelling or other housing form and allow a greater number of small lot single unit dwellings to be established. Population

densities remain unchanged by the proposal. Staff is satisfied the proposed provisions will enable an appropriate development form.

Other Issues – Sub Area 2

Staff and the developer have identified additional amendments to the existing development agreement which would assist in clarifying the development form in Sub Area 2. Several of these matters were identified after the Public Information Meeting. The proposed amending development agreement (Attachment C) includes the following:

Multiple Unit Residential height in relation to podiums – The existing agreement does not explicitly identify the maximum height of an underground parking garage or podium structures. Staff are recommending that underground parking structures, except vehicle and pedestrian entrances not exceed one-half of a storeys above grade facing a public street.

Heights of Residential Multiple Unit Dwellings (Block 2 - 5) – The applicant has requested amendments to several buildings located between Block GC-2-1 and Road 2-6 (as identified on Schedule B of Attachment C). The request is to allow two of the buildings, adjacent to the commercial building (Block GC-2-1) to be permitted to a maximum height of between 6 and 9 storeys) rather than the permitted 5 storeys. Staff determined the request will not have a significant impact on future surrounding lower density land uses as the development agreement contains setback criteria that increases with an increase in building height. In relation to other multiple unit dwellings proposed in Bedford West Sub Area 2, the heights are comparable.

Setbacks for residential dwellings– Staff identified that the building front yard setback requirements for all small scale dwelling units should be increased from 15 feet to 20 feet. This will provide additional space for parking between the residential dwelling and the street right-of-way. As a practice the developer already uses a greater setback than the current 15 foot setback.

Definition of Floor Heights – The existing agreement established the height of multiple unit dwellings and commercial buildings in storeys, but does not place a height limit on a storey. Staff recommends placing an upper limit of at 4.27 m (14 ft) is an appropriate height limit for a storey. This height would be the maximum storey height that would likely be required in a commercial building. Residential buildings storeys are approximately 10 feet in height. Staff is proposing a maximum storey height of 4.27m (14ft).

Road Layout – The establishment of 34 foot wide lots and further engineering and design work by the applicant has resulted in minor road layout changes (Schedule C of Attachment C) including the creation of two culs-de-sac (Roads 2-9 and 2-10) where a looped crescent was originally proposed. Roads 2-1 and 2-3 have also been reconfigured to provide for a simplified design. Engineering staff have not identified any issues with the road reconfigurations. Staff is satisfied the proposed provisions will enable an appropriate development form.

Summary - Staff are satisfied that the proposed amendments to the existing development agreement meet the requirements of the existing and proposed Bedford West SPS (Attachment F) and recommend that North West Community Council approve the proposed development agreement amendment for Sub Area 2 as identified in Attachment C of this report.

North West Planning Advisory Committee

This application was presented to the North West Planning Advisory Committee (NWPAC) on October 3, 2013. The Committee passed a motion in general support of the proposed amendments and identified three recommendations. The recommendations are (a) that gas bar not be permitted in Sub Area 2, (b) that gas bars be limited to the sale of gas and not include a service station, and (c) that the Land Use By-law identify a specific site on Gary Martin Drive where a gas bar is permitted. The minutes of the meeting and the recommendations of the NWPAC are provided to Council by means of a separate report.

It is the recommendation of staff that gas bars be permitted in Sub Areas 2 and 8 but be restricted to areas located adjacent to collector roads. Staff are of the opinion that these locations are appropriate and are located an adequate distance from residential dwellings. The application and the proposed amendments for gas bars permits only the sale of gas and does not permit the inclusion of a service station. Staff does not support the recommendation to limit the location of a gas bar to a specific site on Gary Martin Drive as there may be several suitable sites for a gas bar within the Gary Martin Drive area and a Land Use By-law should not restrict a land use to a single site.

Conclusion

The proposal to amend existing MPS policies to a) enable 34 foot wide single unit dwelling lot frontages within Sub Areas 2, 7 and 8; and b) enable gas bars within the Mixed Use Business Campus Designation and within the Community Commercial area of Bedford West, Bedford and Hammonds Plains has merit. Further the proposed amending development agreement meets the requirements of proposed and existing MPS/SPS policy. Staff recommends that Regional Council and North West Community Council approve the proposed amendments to the Bedford West SPS, Bedford Land Use By-law and Sub Area 2 Development Agreement as identified in the Recommendation section of this report.

FINANCIAL IMPLICATIONS

The proposed changes do not impact the Bedford West Capital Cost Charges, thus there are no budget implications. The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be carried out within the approved budget with existing resources.

COMMUNITY ENGAGEMENT

The *HRM Charter* requires that Council approve a public participation program when considering any amendment to an MPS. In February of 1997, Regional Council approved a public participation resolution which outlines the process to be undertaken for proposed MPS amendments which are considered to be local in nature. This requires a public meeting be held, at a minimum, and any other measures deemed necessary to obtain public opinion.

In accordance with Regional Council's Public Participation Program for MPS amendments, a public participation meeting was held on September 11, 2013. Minutes of the meeting are attached as

Attachment H. The meeting served as an opportunity for residents to comment and discuss the proposed amendments.

Matters of Significant Concern Raised at Public Meeting

Impact on Kearney Lake Road and Hammonds Plains Road - A traffic study which considered the full build out of Bedford West was completed as part of the initial consideration of the Bedford West SPS. This study identified a series of upgrades which would be required over time to support the resulting population in the Bedford West area. These upgrades include the widening of Kearney Lake Road to four lanes. Engineering staff have advised that additional studies are not required.

The implementation of road upgrades, required to enable Bedford West development, was one of the reasons why HRM established a Capital Cost Charge program. The Bedford West CCC program collects monies from the Developers of Bedford West to recoup the costs of required road upgrades. The developer is responsible for a portion of the upgrades that are attributed to the increase in traffic generated from the Bedford West area. HRM is responsible for the portion of traffic attributed to other development.

Highway 113 - Highway 113 is a proposed 100 series provincial highway which will, if constructed, bisect the Bedford West area and connect Highway 102 (at Bedford) and Highway 103 (at Hubley). The proposed road originated prior to the consideration of Bedford SPS policies and the timeline for its construction is unknown.

The public has raised the concern about what would happen if Highway 113 is never constructed. This scenario was considered during the deliberations for the Bedford West SPS. The assumption was that Highway 113 may not be built, thus all contemplated road upgrades are sized and timed for development of Bedford West, without Highway 113. It is not anticipated that if this highway is not constructed that the impact would be beyond what was originally contemplated.

Prior to considering the approval of any MPS amendments, Regional Council must hold a public hearing. Likewise, North West Community Council must hold a public hearing before it can consider approving a development agreement. Under these circumstances, and because of the relationship of the proposed amendments to the proposed development agreement, it is recommended that both Councils proceed with a joint public hearing.

Should Regional Council and Community Council decide to schedule a joint public hearing, property owners within the notification area shown on Map 5 will be notified of the hearing by mail. Public notices will also be posted in the local newspaper and on the HRM website.

The proposed MPS amendments will potentially impact the following stakeholders; advocacy groups, community and neighbourhood organizations, councillors, developers, general public, individuals, community leaders, media, other HRM Business Units and Divisions, property owners.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications beyond those identified in the Discussion section of this report.

ALTERNATIVES

The North West Community Council could recommend that Regional Council:

1. Approve the proposed amendments to the Bedford West Secondary Planning Strategy and Bedford Land Use By-law, as contained in Attachment A, B and D of this report. This is staff's recommendation.
2. Modify the proposed amendments to the Bedford West Secondary Planning Strategy and Bedford Land Use By-law as presented in Attachment A, B and D. If this alternative is chosen, specific direction regarding the requested modifications and amendments is required. Substantive amendments may require another public hearing to be held before approval is granted.
3. Refuse the proposed amendments to the Bedford West Secondary Planning Strategy and Bedford Land Use By-law, as contained in Attachment A, B and D of this report. Regional Council is under no obligation to consider a request to amend its SPS and a decision not to amend the SPS cannot be appealed. This is not the recommended course of action.

ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Zoning
Map 3	Schedule BW-6
Map 4	Bedford West Community Concept Plan
Map 5	Notification Area
Attachment A	Amendments to the Bedford West SPS – Bedford MPS
Attachment B	Amendments to the Bedford West SPS - Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy
Attachment C	Amendments to the Bedford West Sub Area 2 Development Agreement
Attachment D	Amendments to the Bedford LUB- Bedford West Business Campus Zone
Attachment E	Excerpts from the Bedford MPS - Bedford West SPS: Gas Stations
Attachment F	Development Agreement Policy Review
Attachment G	Pictures of existing 34 foot wide single unit dwelling lots
Attachment H	Public Meeting Minutes – September 11, 2013

AVAILABLE UPON REQUEST

Staff Report – Bedford West Sub Area 3 and 4 (Case 01048 (2008))
Staff Report – Bedford West Sub Area 5 (Case 00970 (2008))
Initiation Report – Case 18423 (2013)


A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

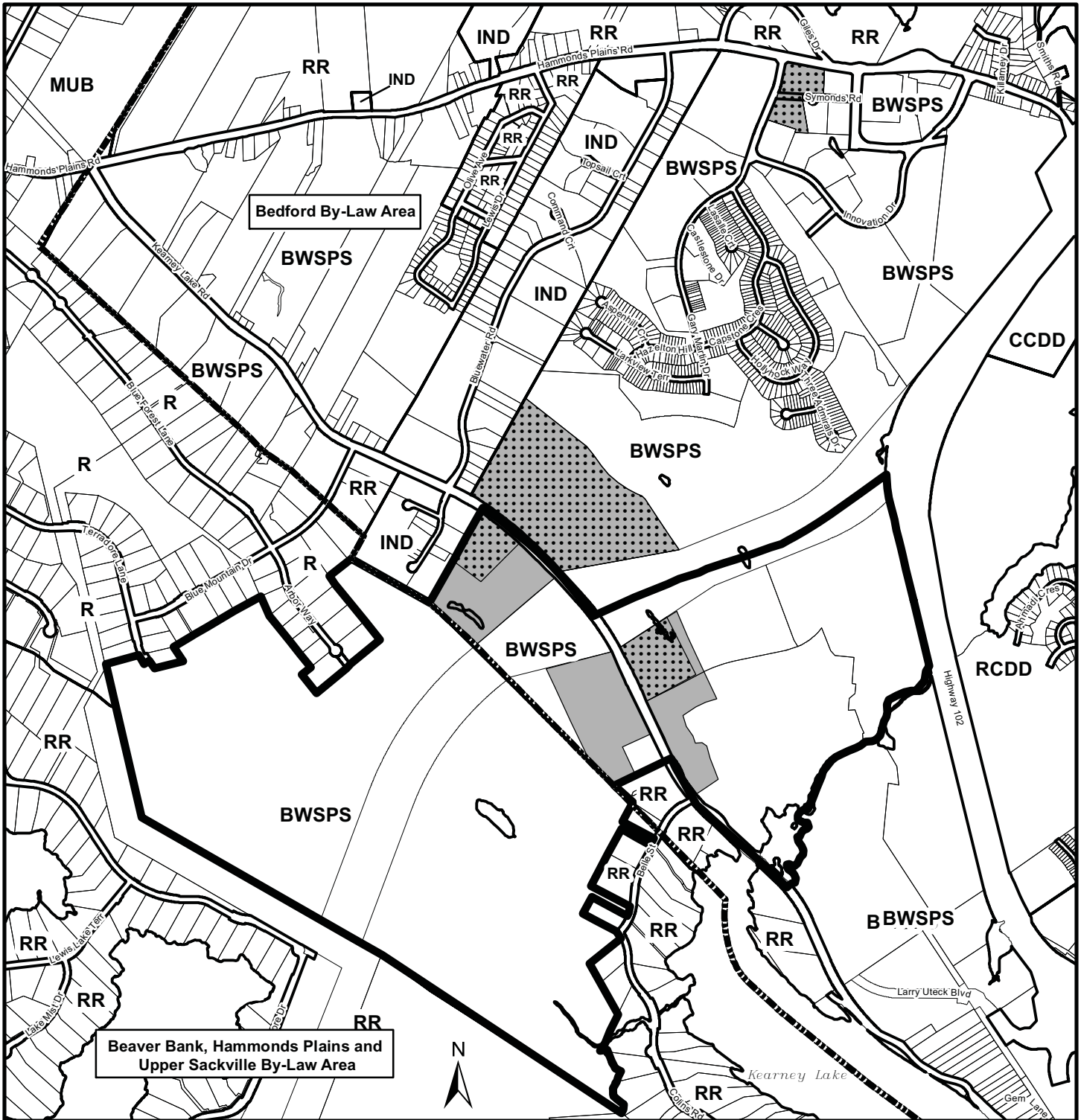
Report Prepared by: Andrew Bone, Senior Planner, 490-6743

Original Signed

Report Approved by:  Kelly Denty, Manager of Development Approvals, 490-4800




Original Signed

Report Approved by: 
For Austin French, Manager of Planning, 490-6717



Map 1 - Generalized Future Land Use

Bedford West

-  Lands subject to 34' wide lot request
-  Lands subject to original gas bar request
-  Lands subject to revised gas bar request

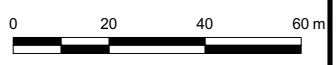
Bedford Designations

- RR Residential Reserve
- IND Industrial
- RCDD Residential CDD
- CCDD Commercial CDD
- BWSPS Bedford West SPS

Beaver Bank, Hammonds Plains and Upper Sackville Designations

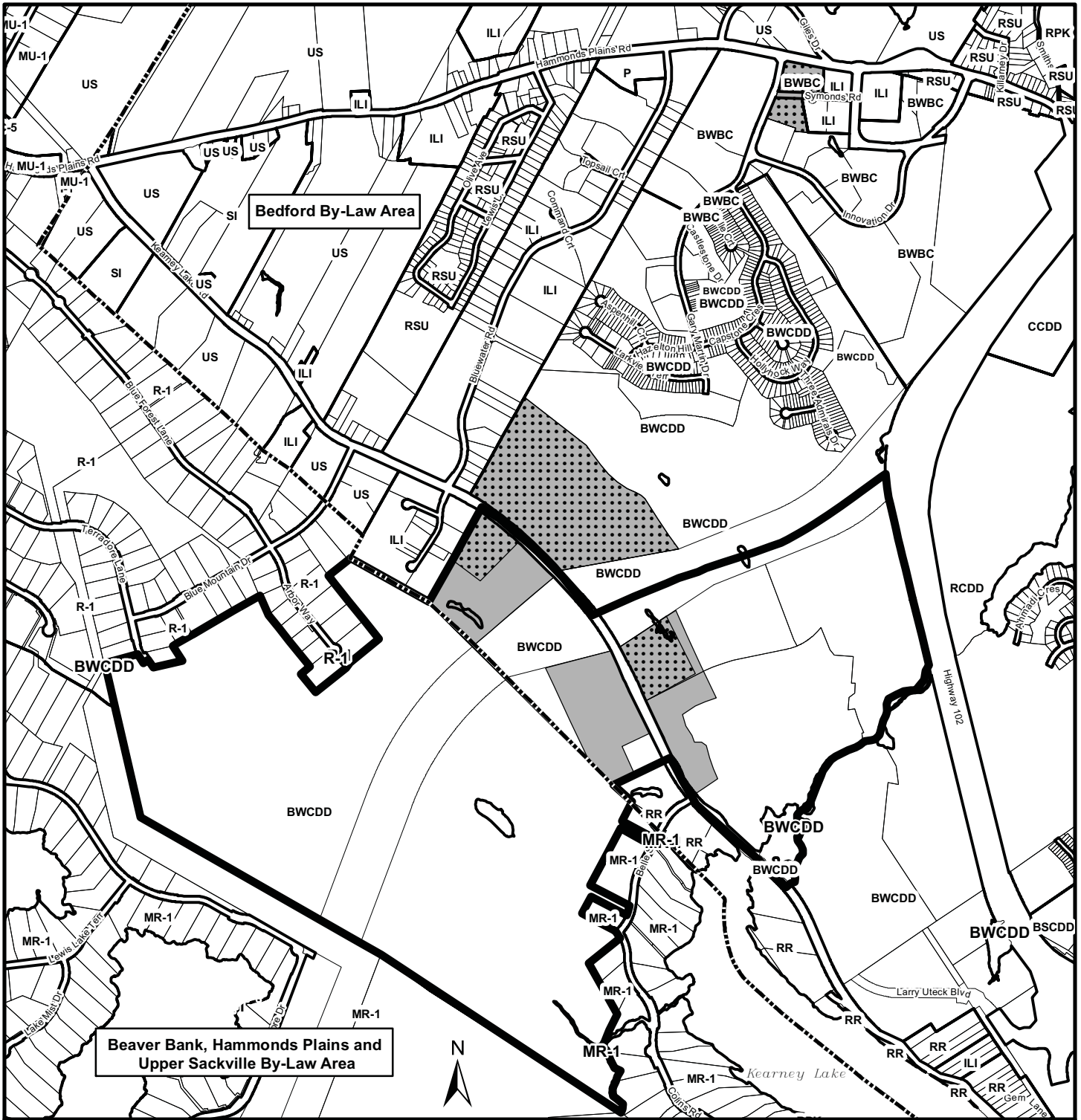
- R Residential
- RR Rural Resource
- MU-B Mixed Use B
- BWSPS Bedford West SPS

Bedford and Beaver Bank,
Hammonds Plains and Upper Sackville
Plan Area






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

HRM does not guarantee the accuracy of any representation on this plan.



Map 2 - Zoning

Bedford West

-  Lands subject to 34' wide lot request
-  Lands subject to original gas bar request
-  Lands subject to revised gas bar request

Bedford Zones

- RSU Single Dwelling Unit
- RR Residential Reserve
- US Urban Settlement
- P Park
- RPK Regional Park
- SI Institutional
- ILI Light Industrial
- RCDD Residential CDD
- CCDD Commercial CDD
- BWBC Bedford West Business Campus
- BSCDD Bedford South CDD
- BWCDD Bedford West CDD

Beaver Bank, Hammonds Plains and Upper Sackville Zones

- R-1 Single Unit Dwelling
- MU-1 Mixed Use 1
- MR-1 Mixed Resource
- US Urban Settlement
- BWCDD Bedford West CDD

Bedford and Beaver Bank,
Hammonds Plains and Upper Sackville
Land Use By-Law Area







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

HRM does not guarantee the accuracy of any representation on this plan.



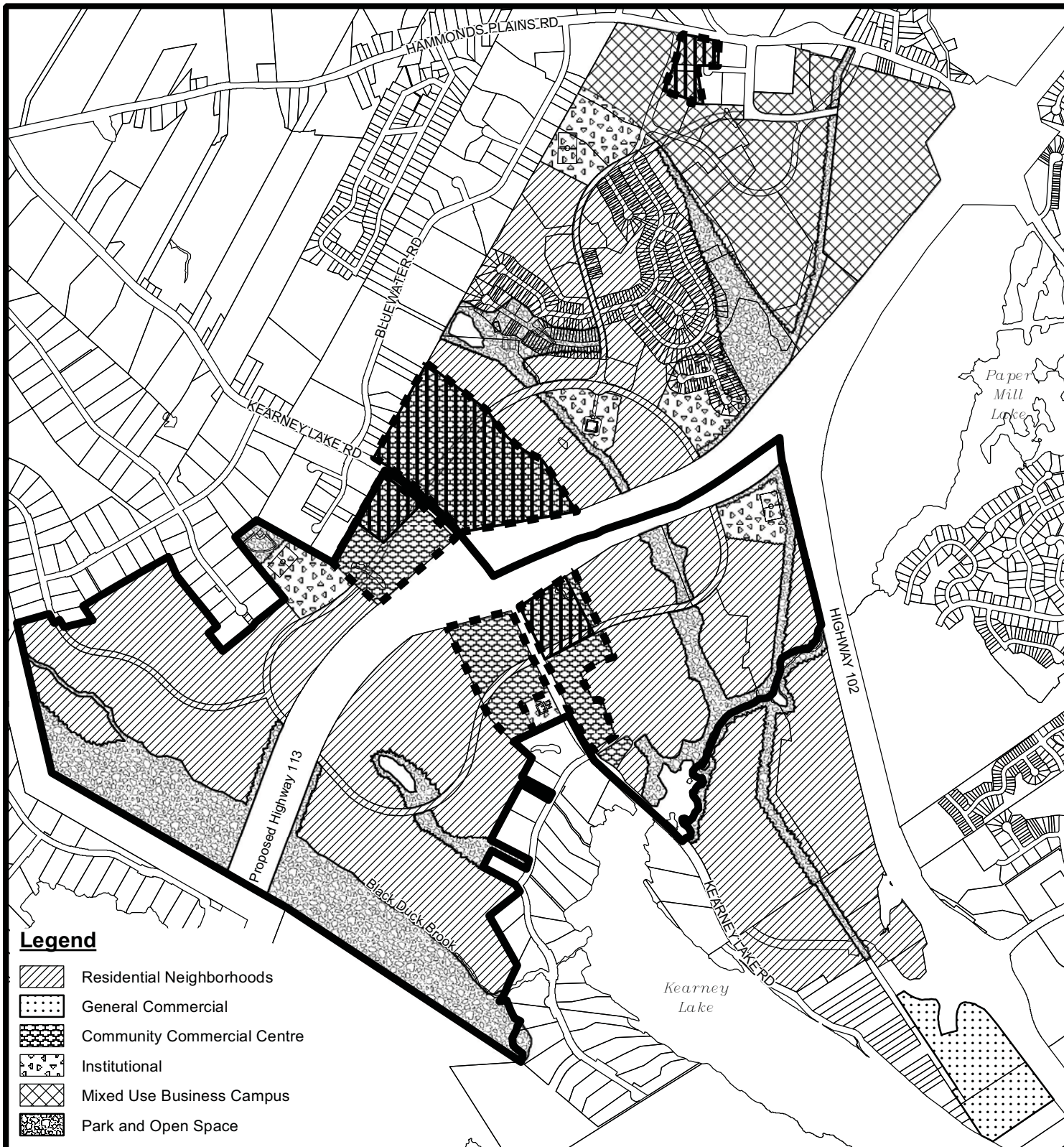
**Map 3
Schedule BW-6**

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

-  Bedford West Sub-Areas
-  Lands subject to revised gas bar request
-  Lands subject to 34' wide lot request
-  Lands subject to original gas bar request

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HRM does not guarantee the accuracy of any representation on this plan.



Legend

-  Residential Neighborhoods
-  General Commercial
-  Community Commercial Centre
-  Institutional
-  Mixed Use Business Campus
-  Park and Open Space

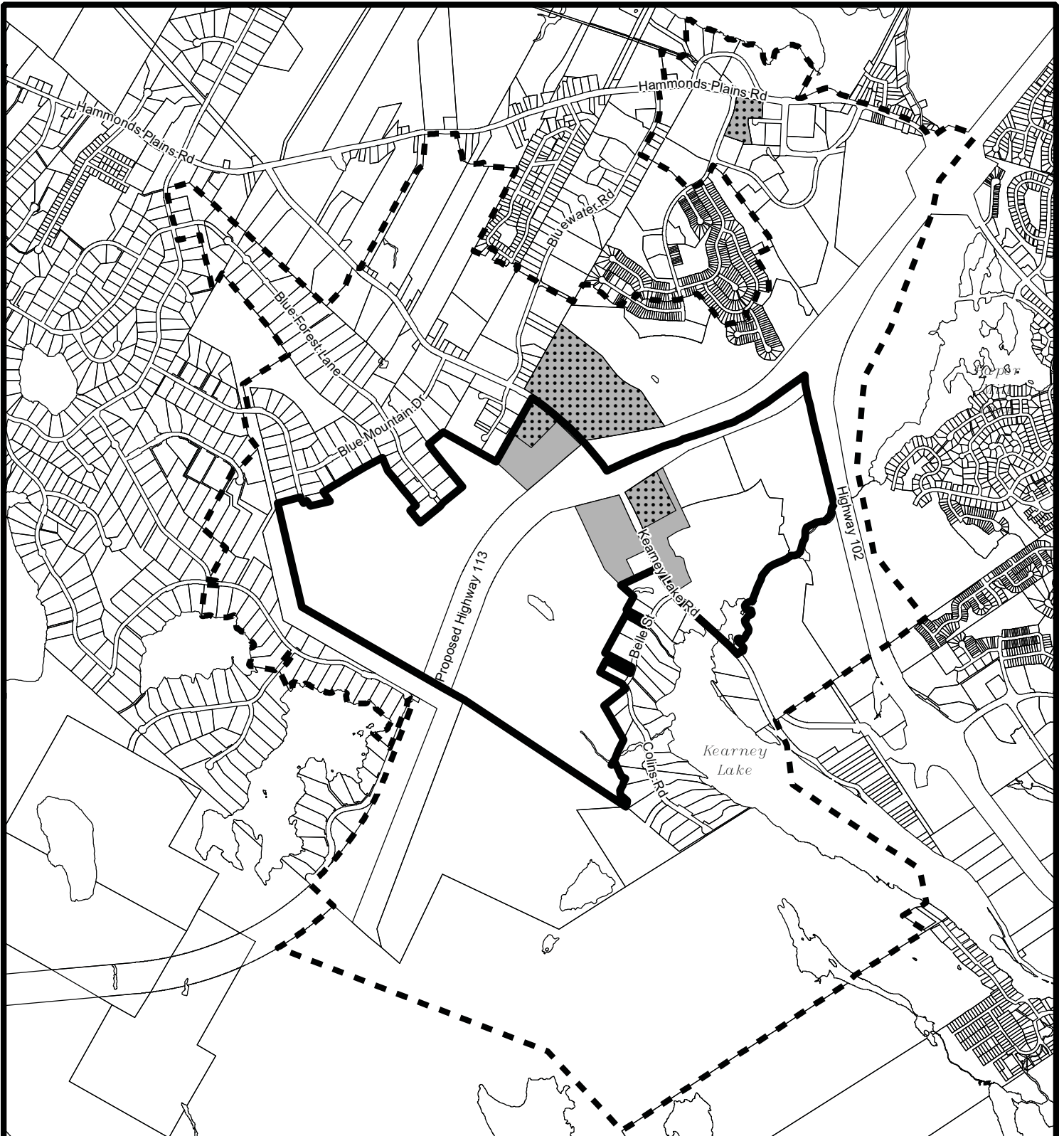
Map 4
Bedford West Community Concept Plan

-  Lands subject to 34' wide lot request
-  Lands subject to original gas bar request
-  Lands subject to revised gas bar request

HALIFAX
 REGIONAL MUNICIPALITY
 DEVELOPMENT APPROVALS




0 20 40 60 m

HRM does not guarantee the accuracy of any representation on this plan.



Map 5
Notification Area

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

-  Lands subject to 34' wide lot request
-  Lands subject to original gas bar request
-  Lands subject to revised gas bar request

 Notification Area

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HRM does not guarantee the accuracy of any representation on this plan.

Attachment A
Amendments to the Bedford West SPS – Bedford MPS

BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Bedford as adopted by the Bedford Town Council on the 26th day of March, 1996, and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [INSERT DATE OF HEARING], is hereby amended as follows:

1. Policy BW-32A shall be amended by deleting the words “Sub-areas 3 and 4” and replacing them with the words “Sub –areas 2, 3, and 4”.
2. The following text shall be added after Policy BW-34:

“The need to provide for the needs of residents of Bedford West is key to the Commercial Designation, further to this, the need to provide for the sale of gasoline to residents of Bedford West has been identified.

BW-34A Within the Community Commercial area it shall be the intention to enable the sale of gasoline at gas bars located proximate to the commercial and transportation core of Bedford West. Further, the establishment of other Highway Commercial uses such as automotive service uses shall not be considered as they are more appropriate in the General Commercial area. Council may consider the establishment of design, architectural and aesthetic guidelines for gas bars within the Community Commercial area to ensure that gas bars are designed appropriately. Regulations shall be established through the Bedford Land Use By-law to limit the permitted location of gas bars as follows:

- i) Gas bars shall be permitted in Sub Areas 2 and 6;
 - ii) Where permitted, gas bars shall be located within 180 metres (590 feet) of Kearney Lake Road, except in Sub-are 6, and have driveway access to Kearney Lake Road or the community collector road;
 - iii) Within Sub area 2, gas bars shall be located to the north of the community collector road; and
 - iv) Within Sub area 6, gas stations may be located at any location within the Sub area.”
3. Policy BW-36 shall be amended by adding the words “gas bars,” after the words “hotels,”.
 4. Policy BW-36 shall be amended by adding the following words after the words “permeable surfaces.”:

“j) The location of gas bars shall be proximate to the intersection of Hammonds Plains Road and Gary Martin Drive”.

THIS IS TO CERTIFY that the Municipal Planning Strategy of Bedford which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council on the _____ day of _____, 2014.

GIVEN under the hands of the Municipal Clerk and under the
Corporate Seal of the Halifax Regional Municipality this _____ day of _____,
2014.

Cathy Mellett
Municipal Clerk

Attachment B
Amendments to the Bedford West SPS - Beaver Bank, Hammonds Plains and Upper Sackville
Municipal Planning Strategy

BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville as adopted by Regional Council on the 9th day of November, 1999, and approved by the Minister of Municipal Affairs on the 4th day of May, 2000, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [INSERT DATE OF HEARING], is hereby amended as follows:

1. The following text shall be added after Policy BW-23:

“If required, terms may be incorporated in a development agreement to ensure functional and aesthetic objectives are achieved.”

2. The following text shall be added after Policy BW-31:

“Policy BW-31A:

Notwithstanding clause (h) of policy BW-31, within Sub-areas 7 and 8 of Schedule BW-6, single unit dwelling lots may be permitted on lots with a minimum street frontage of 34 feet, a minimum area of 3,400 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings provided that each dwelling contains on-site parking for two vehicles with one being an enclosed parking space within the dwelling and consideration is given to policy BW-23.”

3. The following text shall be added after Policy BW-32:

“The need to provide for the needs of residents of Bedford West is key to the Commercial Designation, further to this; the need to provide for the sale of gasoline to residents of Bedford West has been identified.

BW-32A Within the Community Commercial area it shall be the intention to enable the sale of gasoline at gas bars located proximate to the commercial and transportation core of Bedford West. Further, the establishment of other Highway Commercial uses such as automotive service uses shall not be considered as they are more appropriate in the General Commercial area. Council may consider the establishment of design, architectural and aesthetic guidelines for gas bars within the Community Commercial area to ensure that gas bars are designed appropriately. Regulations shall be established through the Bedford Land Use By-law to limit the permitted location of gas bars as follows:

- i) Gas bars shall be permitted in Sub Area 8;
- ii) Where permitted, gas bars shall be located within 180 metres (590 feet) of Kearney Lake Road and have driveway access to Kearney Lake Road or the community collector road; and
- iii) Within Sub Area 8, gas bars shall be located to the north of the community collector road.

THIS IS TO CERTIFY that the Municipal Planning Strategy of Beaver Bank, Hammonds Plains and Upper Sackville which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council on the _____ day of _____, 2014.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2014.

Cathy Mellett
Municipal Clerk

- (b) Minimum lot area: 315.9 square metres (3,400 square feet)
- (c) Minimum front yard: 6.10 metres (20 feet)
- (d) Minimum rear yard: 6.10 metres (20 feet)
- (e) Minimum side yard: 1.83 metres (6 feet)
- (f) Minimum flankage yard: 4.57 metres (15 feet)
- (g) Minimum separation between buildings: 3.66 metres (12 feet) except for garages permitted under Section 3.5.8
- (h) Maximum lot coverage: 35%
- (i) Maximum building height: 9.14 metres (30 feet)
- (j) Maximum driveway width: 3.66 metres (12 feet)
- (k) each dwelling shall be served with a hard surface driveway that extends from the street curb cut to the front facade of the building and a parking space for an automobile in the dwelling measuring not less than 3.05 metres (10 feet) in width and 5.49 metres (18 feet) in length.
- (l) The width of an attached garage shall not exceed 4.27 metres (14 feet)."

2. The Existing Agreement shall be amended by deleting Schedules B through K, and replacing them with Schedules B through K attached as Schedule B through K of this amending agreement.
3. The Existing Agreement shall be amended by deleting the words "Service stations and" from Schedule R.
4. The Existing Agreement shall be amended by adding the following clause after the words "to achieve greater heights." in Schedule S.

"Location of Gas Bars

Gas bars shall:

- a) be located:
 - a. within 180 metres (590 feet) of Kearney Lake Road; and
 - b. in a location to the north of the Community Collector road;
- b) have driveway access to Kearney Lake Road or the Community Collector Road.

Design Guidelines for Gas Bars

Gas bars shall be designed to be consistent with the provisions of Schedule V."

5. The Existing Agreement shall be amended by adding Schedule V, Design Guidelines for Gas Bars, attached as Schedule V of this amending agreement.
6. The Existing Agreement shall be amended by adding the words "excluding all parking structures" in clause 3.5.5 after the words "Schedule B":
7. The Existing Agreement shall be amended by adding the following words in clause 3.5.5 after the words "under Schedule Q.":

"(j) Underground parking structures, except vehicle and pedestrian entrances shall not exceed one-half of a storeys above grade facing a public street."

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on the day and year first above written:

SIGNED, SEALED AND DELIVERED in
the presence of:

(Insert Registered Owner Name)

Witness

Per: _____

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

HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____
MAYOR

Witness

Per: _____
MUNICIPAL CLERK



Sub Area 2
Conceptual Plan

January 2014



Trail



SCHEDULE B

Belle St.

Kearney Lake Rd.

Kearney Lake

Legend

	Single Family
	Townhouses
	Multiple
	Senior's Facility
	Commercial
	Institutional
	Parkland














To Halifax

Highway #102

BEDFORD WEST SUB-AREA 2

LAND USE

August, 2013

	SINGLES (Frontage of 34' - 40' wide)
	SINGLES (Frontage > 40' wide)
	TOWNHOUSE/ SEMI-DETACHED/ SINGLES (34')
	MULTIPLE / TOWNHOUSE
	INSTITUTIONAL
	CONDOMINIUM TOWNHOUSES
	COMMUNITY COMMERCIAL
	HRM PARK
	Community Commercial Land
	Residential Neighbourhood
	Institutional



SCHEDULE C



BEDFORD WEST SUB-AREA 2

ROADS, SIDEWALKS, WALKWAYS
AND TRAILS

January, 2014



Non-disturbance Zone



Note: Non-disturbance zone
is set at 20m from Brooks
and 30m from Kearney Lake Run

SCHEDULE D



BEDFORD WEST SUB-AREA 2

ROADS, SIDEWALKS, WALKWAYS AND TRAILS

JAN, 2014

—	Single Sidewalk
- - -	Walkway
+++++	BLVD. Pathway (by Others)
- · - · -	Secondary Trail
- - -	Secondary Trail (by Others)







SCHEDULE E



BEDFORD WEST SUB-AREA 2

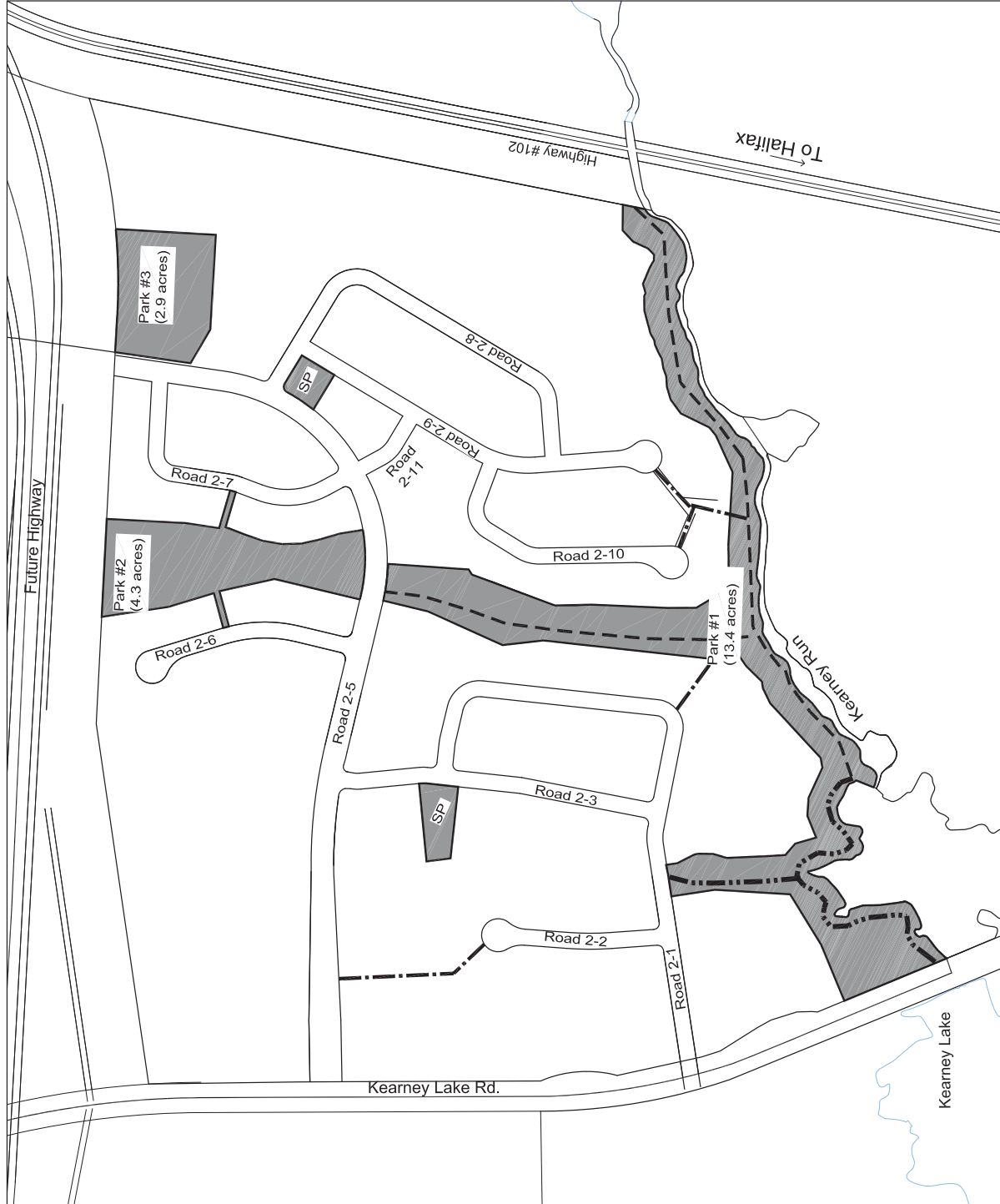
PARKLAND PLAN

JAN, 2014

- s.P.  Site Preparation Area
-  Secondary Trail
-  Secondary Trail (by Others)
-  HRM Parkland



SCHEDULE F



**BEDFORD
WEST
SUB-AREA 2**

PHASING

JAN, 2014

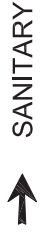
SCHEDULE G



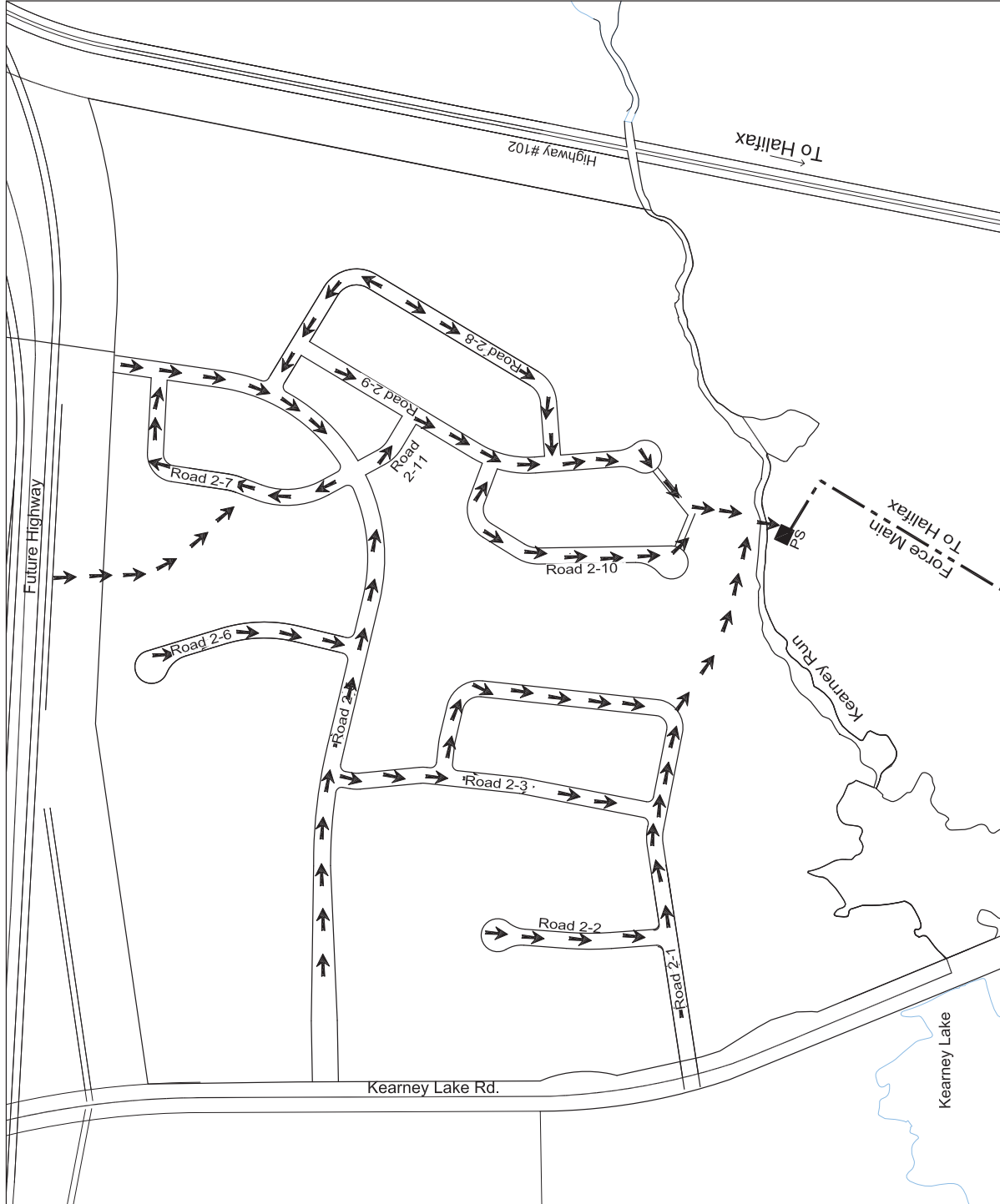
BEDFORD WEST SUB-AREA 2

SANITARY SERVICE

JAN, 2014



SCHEDULE H



BEDFORD WEST SUB-AREA 2

WATER SERVICING PLAN

JAN, 2014

Water Line



SCHEDULE I



BEDFORD WEST SUB-AREA 2

STORMWATER SERVICING PLAN

JAN, 2014



Stormwater Flow



Best Management Practice
per Stormwater
Management Plan

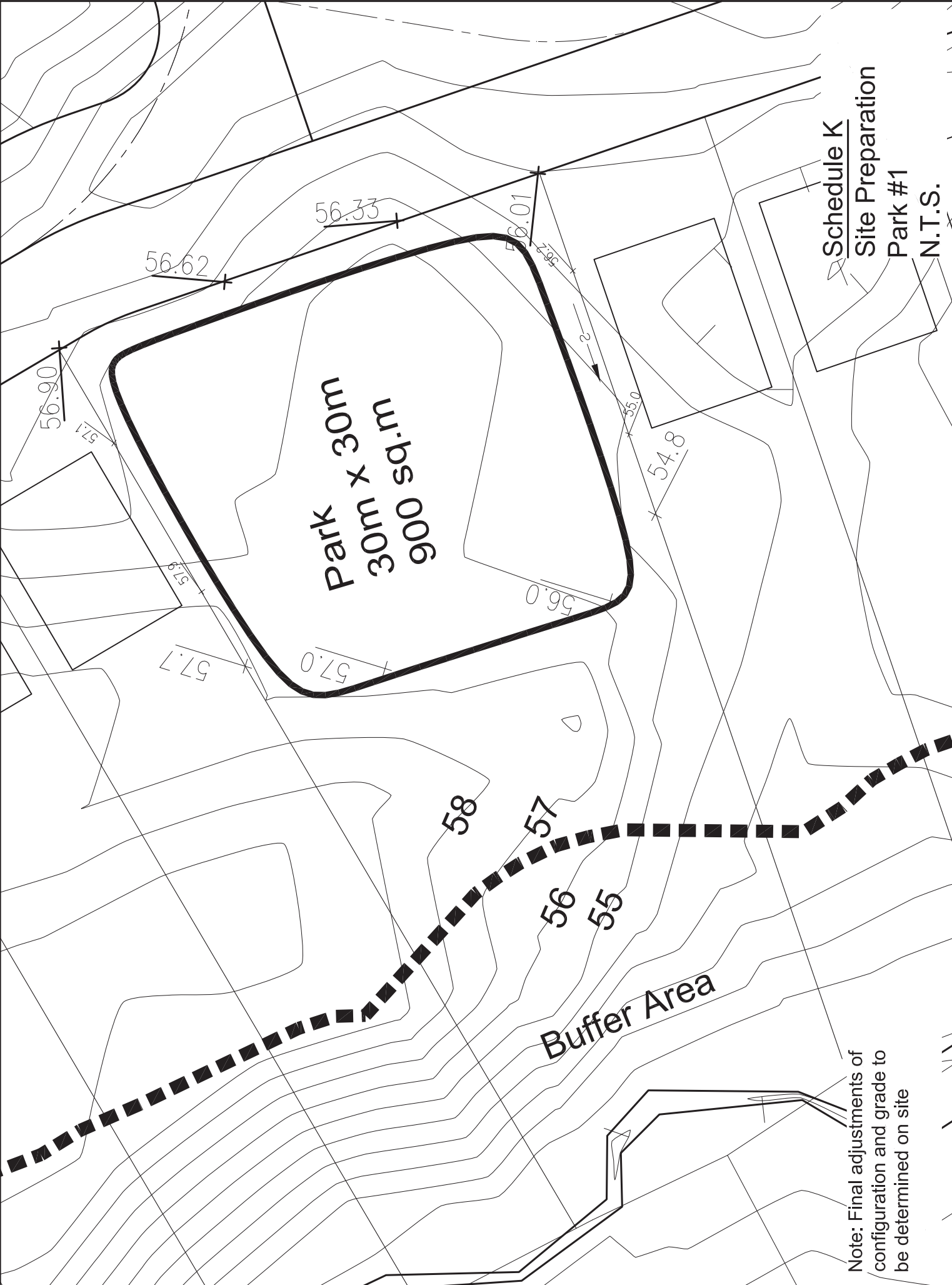


A Stormwater Management
BMP to detain stormwater
may not be required at these
locations if dam upgrades at
Papermill Lake are
performed prior to
development.



SCHEDULE J





Schedule K
Site Preparation
Park #1
N.T.S.

Note: Final adjustments of configuration and grade to be determined on site

Schedule V

Design Guidelines for Gas Bars

1. Streetscape and Form

- All buildings and pump islands shall be designed so that all sides are a consistent architectural style.
- Transparent windows and doors for retail buildings shall be provided between the store, the pump islands and surrounding streets.

2. Pedestrians and Cyclists

- Walkways shall be distinguished from driving surfaces by using varied paving treatments and by raising walkways to curb level.
- Bicycle parking shall be located in a manner that does not impede pedestrian movement.
- Where driveways or stacking lanes cross walkways, appropriate pavement markings shall be provided to identify the walkway crossing.

3. Vehicles and Parking

- Stacking lanes shall be located away from adjacent residential and outdoor amenity areas. Where stacking lanes are adjacent a residential use, landscaping or fencing shall be provided to create a visual buffer between the land uses.
- Access points for stacking lanes shall be located such that queued vehicles do not block traffic along public streets or the movement of other vehicles on site.
- Escape lanes from stacking lanes shall be provided, where possible.
- Where two drive-through facilities exist on the same site, separate stacking lanes shall be provided for each use.
- Stacking lanes shall be separated from parking areas and driveways by a combination of landscaped islands, decorative pavement, pervious islands and painted lines.
- On-site circulation shall be designed to facilitate unobstructed forward movement by tanker trucks and the safe unloading of fuels.

4. Landscaping

- A minimum 3.0 metre wide landscape area along the edge of a site shall be provided where parking areas, driveways or stacking lanes are adjacent to a public street. Within this area, a combination of trees, shrubs or low walls shall be provided to screen cars from view while allowing eye level visibility into the site.
- A minimum 2.5 metre wide landscape area shall be provided along the site's side and rear yards in order to provide partial screening and enhance site environmental benefits. Within this area, a combination of trees, shrubs or low walls shall be provided to form a partial screen from view.
- A minimum 3.0 metre wide landscape area shall be provided at the edges of sites that are adjacent to existing or proposed residential or institutional properties. Such an area may include a solid wall or fence in addition to plantings,

Attachment D
Amendments to the Bedford LUB- Bedford West Business Campus Zone

BE IT ENACTED by North West Community Council of the Halifax Regional Municipality that the Land Use By-law for Bedford as adopted by the Bedford Town Council on the 26th day of March, 1996, and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the [INSERT DATE OF DECISION], is hereby amended as follows:

1. Part 2 shall be amended by adding the following definition between the definition of Food and Beverage Use and Garden Markets:

“**Gas Bars**” means development used for the retail sale of gasoline, other petroleum products and incidental automotive accessories. This use does not include service stations but may include a car wash or drive-thru restaurant as an accessory use;”

2. Part 19A shall be amended by adding the following text after the words “p) commercial recreation uses such as fitness clubs and other similar recreation uses”:

“q) gas bars”

3. Part 19A shall be amended by the following text after the words: “n) There shall be a maximum of two (2) directory signs.” in Section 9. Signage:

9A Additional Requirements for Gas Bars

- o)** All buildings and pump islands shall be designed so that all sides are a consistent architectural style.
- p)** Transparent windows and doors for retail buildings shall be provided between the store, the pump islands and surrounding streets along not less than 50% of their horizontal length.
- q)** Where driveways or stacking lanes cross walkways, pavement markings shall be provided to identify the walkway crossing.
- r)** Where stacking lanes are adjacent a residential use, a solid board wood or equivalent opaque type fence no less than five feet and no greater than six feet in height shall be provided.
- s)** Access points for stacking lanes shall be located such that queued vehicles do not block traffic along public streets or the movement of other vehicles on site.
- t)** Where two drive-through uses facilities exist on the same site, separate stacking lanes shall be provided for each use.
- u)** Stacking lanes shall be separated from parking areas and driveways by a combination of landscaped islands, decorative pavement, pervious islands and painted lines.
- v)** On-site circulation shall be designed to facilitate unobstructed forward movement by tanker trucks and the safe unloading of fuels.
- w)** Walkways shall be distinguished from driving surfaces by a raised curb and by paving material.
- x)** Bicycle parking shall be located in a manner that does not impede pedestrian movement.

THIS IS TO CERTIFY that the Land Use By-law of Bedford
which this is a true copy was duly passed at a duly called meeting of the North West Community
Council on the _____ day of _____, 2014.

GIVEN under the hands of the Municipal Clerk and under the
Corporate Seal of the Halifax Regional Municipality this _____ day of _____,
2014.

Cathy Mellett
Municipal Clerk

Attachment E
Excerpts from the Bedford MPS - Bedford West SPS: Gas Stations

Policy BW-33 – see attachment F

The Mixed Use Business Campus

Policy BW-36:

The Mixed Use Business Campus designation, illustrated on Schedule BW-7, shall support a wide range of businesses which produce goods and services, recreational uses, hotels, institutional facilities and park-and-ride facilities. Limited provisions shall be made for retail uses, personal and household services and restaurants and standards shall be established for landscaping, architectural design, signs, parking, loading areas and driveway access. A zone shall be established under the Land Use By-law to implement this intent but granting of a municipal development permit shall also be subject to site plan approval. The following matters shall be considered in any site plan approval application:

- a) outdoor storage or outdoor display and sales shall be limited and any outdoor waste containers shall be screened;
- b) open spaces are integrated into the layout and where feasible, larger trees are retained;
- c) landscaping is introduced to all areas disturbed during construction;
- d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;
- e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;
- f) bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces;
- g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;

The General Commercial Centre

The General Commercial Designation envisions a built form with a range of commercial, activities and medium to higher density residential. Recognizing the location of the General Commercial Designation adjacent the Larry Uteck Boulevard and the Bicentennial Highway (Highway 102) interchange, the following objectives are intended:

- to provide for general and highway commercial uses;
- to enable a portion of the site to be developed as medium or higher density residential;
- integrate pedestrian access between surrounding residential areas and commercial activities;
- to encourage innovative design and comprehensive planning; and
- to support public transit.

Policy BW-38A:

A range of general and highway commercial, medium and higher density residential, institutional, and recreational uses may be permitted within the General Commercial Centre Designation shown on Schedule BW-7 subject to consideration of the following matters:

- a) *natural vegetation, landscaping or screening is employed around parking areas and measures are employed to provide safe and convenient pedestrian access to the buildings they are intended to serve;*
- b) *sidewalks and/or plazas are provided so as to encourage a secure and inviting walking environment throughout the commercial centre and to neighbouring residential neighbourhoods;*
- c) *provisions are made for the storage of bicycles;*
- d) *exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;*
- e) *the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;*
- f) *the massing, height of buildings and architectural detail contribute to a pedestrian oriented environment; and*
- g) *the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services. (RC-Mar 15/11;E-May 28/11)*
- h) *buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and*
- i) *a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.*

NOTE: The Bedford SPS, as contained in the Beaver Bank, Hammonds Plains and Upper Sackville MPS does not reference service stations, gas stations or gas bars, but does reference the Community Concept Plan (Schedule BW-7). Schedule BW-7 directs you back to the Bedford West SPS, as contained in the Bedford MPS, for the areas affected by the above policy.

Attachment F
Development Agreement Policy Review

Note: there are many policies for the Bedford West Secondary Planning Strategy area and staff have only identified the relevant policies as it related to the proposed amendments to the existing development agreement to enable gas bars and 34ft single unit dwelling lots. reviewed the proposed amendments to the existing development agreement under the following relevant policies

Policy	Policy Analysis
<p>Policy BW-1: No development agreement shall be approved unless a master storm water management plan has been prepared, reviewed by the Bedford Waters Advisory Board and accepted by the Municipality. The management plan shall:</p> <p>a) identify significant constraints and sensitivities with regard to flood potential, and environmental features and provide appropriate protection measures;</p> <p>b) provide estimates of pre-development and post development flow rates (where post development flow rate means the expected flow rates upon full build out of an area as permitted by the development agreement) at critical locations within watercourses such as at culverts and other road crossings and at downstream developments;</p> <p>(c) outline the type and location of storm water management facilities and the approach to protecting receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows; and</p> <p>(d) conform with the recommendations of the Bedford West Planning Area Subwatershed Management Plan (Jacques Whitford: May 2004) unless otherwise acceptable to the Municipality and the Province.</p>	<p>A master stormwater management plan was previously approved under the existing development agreement. The proposed amendments do not impact this matter.</p>
<p>Policy BW-11: A tree replanting program shall be incorporated into development agreements. The program shall specify the locations, number, type and diameter of trees to be planted. The type of trees shall be indigenous to Nova Scotia.</p>	<p>The existing development agreement deals with this matter and the amendment for gas stations require additional landscaping which will include trees.</p>
<p>Policy BW-12: Development of major land areas on slopes in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value</p>	<p>The proposed amendment does not include lands with such slopes.</p>
<p>Policy BW-14: The water distribution system shall conform with the recommendations of the Birch Cove North/Bedford West Water Master Infrastructure Plan (CBCL, 1999) and with the system schematics illustrated on Schedule BW-3 unless otherwise acceptable to the Halifax Regional Water Commission and no development shall be approved by the Municipality unless notified by the Commission that the proposed distribution system conforms with all design and operating specifications established.</p>	<p>The existing development agreement deals with this matter. Only minor modification to the water system are proposed, and all have been reviewed and agreed to in principle by Halifax Water.</p>
<p>Policy BW-15: The sanitary sewer system shall be designed in conformity with the schematics illustrated on Schedule BW-4 and in accordance with the Municipality's Service Systems Specifications, as amended from time to time. Sewage flow calculations, shall be based on an assumed occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling; 50 persons per acre for general commercial uses within the Community Commercial Centre shown on Schedule BW-7 or proposed within Sub-Area 9; and 40 persons per acre for mixed use business campus uses; and 30 persons per acre for local commercial, community facility and institutional uses¹.</p>	<p>The existing development agreement deals with this matter. Only minor modification to the sewer system to allow for the minor road reconfigurations are proposed. All assumed occupancies and densities remain unchanged.</p>
<p>Policy BW-16 Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed to satisfy the following conditions:... ..</p> <p>b) a maximum density of 50 persons per acre shall be permitted for all lands designated community commercial centre within Sub-Areas 2, 6, 7 and 8 as illustrated on schedule BW-7 or proposed for general commercial uses within Sub-Area 9 and 12;</p> <p>c) For all other Sub-Areas or part thereof, a maximum density of 20 person per acre</p>	<p>Through the existing agreement and proposed amendments the densities identified are not exceeded. The existing agreement permits the transfer of densities if not used.</p>

Policy	Policy Analysis
<p>shall be permitted; and... ..</p> <p>In the event that any Sub-Area is not developed to the maximum permitted density, the Municipality may consider allowing the difference to be allocated to another Sub-Area provided that the development proposal conforms with all other policies established under this secondary planning strategy.</p>	
<p>Policy BW-17: A community street and trail system shall be developed in substantial conformity with the designations and alignments presented on Schedule BW-5 except that variations to the alignment may be considered to enhance safety, provide a better fit with the natural terrain, mitigate surface runoff or preserve significant environmental features. The following requirements shall be applied:</p> <ul style="list-style-type: none"> a) the connector road from Kearney Lake Road to the Larry Uteck Drive interchange shall be designed with a right-of-way width sufficient to allow for two lanes of through traffic with turning lanes at intersections. Direct driveway access shall be restricted to commercial developments in the vicinity of the interchange and all other access shall be restricted to street intersections. The need for sidewalks will be determined at the time a street plan is submitted in association with a development agreement for Sub-Area 9 as illustrated on Schedule BW-6; b) the Community Collector Road shall be designed as an urban minor collector with sufficient right-of-way width for two lanes of traffic, turning lanes, where required, and sidewalks on both sides. Direct driveway access shall be restricted to commercial developments, apartment buildings, institutions and clustered housing developments comprised of at least eight housing units with one driveway access to the Community Collector Road. One or more rotaries may be permitted; c) a regional trail system shall be designed to connect with the destination nodes illustrated on BW-5. d) community trail systems shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Trails shall be designed and constructed in accordance with the Guidelines of the Nova Scotia Trails Federation unless otherwise acceptable to the Municipality. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel in the community; and e) phasing of transportation system upgrades shall be undertaken in accordance with the recommendations of the Transportation Plan (MRC Delphi, February 2004) unless otherwise agreed to by the Municipality and the Province. 	<p>The proposed amendments are consistent with Schedule BW-5 and the policy and the existing agreement is consistent with this policy. Transportation system upgrades are handled outside the development agreement process via HRM's Capital Cost Contribution program in the Regional Subdivision By-law.</p>
<p>Policy BW-21: In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no subdivision approvals shall be granted until infrastructure charges are in effect.</p>	<p>Infrastructure charges are in effect for the areas covered by the proposed amendments and no changes are proposed which will have an impact on this matter.</p>
<p>Policy BW-23: The Community Concept Plan, presented as Schedule BW-7, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the community concept plan area and any development of the land shall be subject to approval of a development agreement. In the event that the lands allocated for the proposed Highway 113 right-of-way are not required by the Province for a highway, then the lands may be used for development permitted within the abutting land use designation.</p>	<p>The existing agreement and proposed amendments are consistent with the Community Concept Plan.</p>
<p>Policy BW-24: To facilitate a variety of housing types and achieve both the overall density and open space allocations envisioned by the Regional Plan, consideration may be given to varying development standards established under the Bedford Municipal Planning Strategy and Land Use By-law. More specifically standards pertaining to lot area, lot frontage, lot coverage, setbacks and building height may be varied to reflect the uniqueness of each Sub-Area, the market being targeted and the theme of that Sub-Area. If required, terms may be incorporated in a development agreement to ensure functional</p>	<p>The existing agreement and proposed amendments are consistent with this requirement. Variations to development standards are required for most development in Sub Area 2 via the creation of development criteria for each land use. To enable 34 foot wide single unit dwelling lots</p>

Policy	Policy Analysis
and aesthetic objectives are achieved. (RC-July 8/08;E-Aug 9/08)	specific lot frontage and lot size variations are required as detailed in the staff report and amendment.
<p>Policy BW-32: The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation shown on Schedule BW-7:</p> <ul style="list-style-type: none"> a) the density of housing units shall not exceed six units per acre per Sub-Area except that if the maximum density permitted in one development Sub-Area is not achieved, the Municipality may consider transferring the difference between the maximum permitted and actual number of housing units to another development Sub-Area provided all policy criterion can be satisfied and the housing density does not exceed seven units per acre in any development Sub-Area; b) community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops; c) sidewalks and pathways facilitate comfortable and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services; d) the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists; e) a variety of housing types is provided within each Sub-Area and distributed so as to avoid a congested appearance of streetscapes. Consideration shall be given, but not limited, to the design guidelines of policies R-12A, R-12B and R-12C of the Municipal Planning Strategy, although the limitations placed on building height and units per building under policy R-12A shall not be applied; f) the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods; g) building locations, height, scale, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian safety and compatibility with the natural environment; h) single unit dwelling lots have a minimum street frontage of 40 feet, a minimum area of 4,000 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings; i) natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the on-site parking supply; j) Vegetation is maintained or landscaping measures, a fence or other physical barrier provided so as to provide a buffer between new developments and commercial or industrial developments which is effective in ensuring public safety and mitigating visual or noise impacts; k) all open space dedications proposed conform with the objectives and policies adopted for open space under this secondary planning strategy and any administrative guidelines adopted by the Municipality; and l) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services. 	<ul style="list-style-type: none"> a) The terms for densities are established under the existing agreement and no change is proposed for Sub Area 2. The existing permitted density for housing units in Sub Area 2 is approximately 6.0 persons per acre. b) The existing agreement is consistent with this matter and the proposed amendment has no effect on these matters. c) The existing agreement satisfactorily deals with sidewalks and walkways. d) The proposed amendments to the street network are consistent with these requirements. Proposed amendments affect local streets which are designed accordingly. e) A variety of housing type is provided for under the existing agreement, further the addition of 34 foot wide single unit dwellings furthers housing variety. Height of specific multiple unit dwellings have been increased but are comparable to maximum heights established within the Sub-area. f) The proposed amendments enable the creation of cohesive and vibrant neighbourhoods through appropriate design and placement of land uses. g) The existing agreement has adequate measure to effectively deal with these measures. No specific architectural standards are proposed for the proposed 34 foot wide single unit dwelling lots as this is not required. Proposed multiple unit building height amendments are consistent with other approved heights.. h) The proposal varies this requirement via a newly added policy BW-32A. i) These matters are effectively dealt with in the existing agreement and the proposed amendment has no impact on these matters. j) These matters are effectively dealt with in the existing agreement and the proposed amendment has no impact on these matters. k) These matters are effectively dealt with in the existing agreement and the proposed amendment has no impact on these matters. l) The proposal meets these requirements.

Policy	Policy Analysis
<p>PROPOSED Policy BW-32A: Notwithstanding clause (h) of policy BW-32, within Sub-areas 2, 3 and 4 of Schedule BW-6, single unit dwelling lots may be permitted on lots with a minimum street frontage of 34 feet, a minimum area of 3,400 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings provided that each dwelling contains on-site parking for two vehicles with one being an enclosed parking space within the dwelling and consideration is given to policy BW-24. (RC-Jul 8/08;E-Aug 9/08)</p>	<p>The proposed amendments add additional small lot single unit dwellings within Sub Area 2. This development will meet the standard established in Sub Area 3 and 4 for this housing type.</p>
<p>Policy BW-33: A range of community commercial, higher density residential, institutional, and recreational uses may be permitted within the Community Commercial Centre Designation shown on Schedule BW-7 subject to consideration of the following matters: preference is given to limiting parking or loading areas between a building and the Kearney Lake Road or the Community Collector Road and any buildings with commercial occupancies should be located in close proximity to the street line;</p> <p>a) natural vegetation, landscaping or screening is employed around parking areas and measures are employed to provide safe and convenient pedestrian access to the buildings they are intended to serve;</p> <p>b) sidewalks and plazas are provided so as to encourage a secure and inviting walking environment throughout the commercial centre and to neighbouring residential neighbourhoods;</p> <p>c) provisions are made for the storage of bicycles;</p> <p>d) exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;</p> <p>e) the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;</p> <p>f) the massing and height of buildings are consistent with and contribute to an pedestrian oriented environment;</p> <p>g) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.</p>	<p>The existing agreement is consistent with this matter. The proposed gas bar and the proposed amendment via the proposed design guidelines.</p>
<p>PROPOSED BW-34A Within the Community Commercial area it shall be the intention to enable the sale of gasoline at gas bars located proximate to the commercial and transportation core of Bedford West. Further the establishment of other Highway Commercial uses such as automotive service uses shall not be considered as they are more appropriate in the General Commercial area. Council may consider the establishment of architectural and aesthetic guidelines for gas bars within the Community Commercial area. Regulations shall be established through the Bedford Land Use By-law to limit the permitted location of gas bars as follows:</p> <p>i) Gas bars shall be permitted in Sub Areas 2 and 6;</p> <p>ii) Where permitted, gas bars shall be located within 180 metres (590 feet) of Kearney Lake Road, except in Sub-are 6, and have driveway access to Kearney Lake Road or the community collector road;</p> <p>iii) Within Sub area 2, gas bars shall be located to the north of the community collector road; and</p> <p>iv) Within Sub area 6, gas stations may be located at any location within the Sub area.”</p>	<p>The proposed agreement includes requirements which limit gas station location and establish design guidelines for gas bars. These requirements are consistent with the proposed policy.</p>

Additional Policy Review Bedford MPS (referred from Policy BW-32)

<p><i>Policy R-12A:</i> It shall be the intention of Town Council to require architectural design standards for RCDD projects. These standards are intended to achieve architectural variation in neighbourhoods by limiting design repetition and encouraging varying facial designs. Small multiple unit buildings shall be designed so they appear more like large single unit buildings. Large multiple unit buildings shall ...</p>	<p>Architectural and landscaping guidelines have been established under the existing agreement. No change is proposed to these matters.</p>
<p><i>Policy R-12B:</i> It shall be the intention of Town Council to identify non-site disturbance areas and to require landscaping for RCDD projects. Non- site disturbance areas are intended to preserve natural open space and to provide neighbourhoods with a natural or "green" environment. ...</p>	<p>Non-disturbance areas are required as part of the existing agreement. Landscaping requirements are required in the existing development agreement. No change is proposed to these matters.</p>
<p><i>Policy R-12C:</i> It shall be the intention of Town Council to require streetscape design standards for RCDD projects. These standards are intended to achieve an attractive streetscape upon completion of the project. In designing the streetscapes, parking for small lots shall be provided in the side yards except where a garage is provided in the front yard. In addition, for all streetscapes, consideration shall be given to: varied front yard setbacks; street patterns that utilize curves, bends and change in grades; street standards that reflect the function of the street; parking in side yards; landscaping to screen parking lots from the street for large buildings ie: multiple unit, commercial, townhouses; driveway locations for multiple unit projects considered in terms of the view from the street and to buffer these in order to minimize the impact of the parking lot and building on the streetscape; provision of street trees for both public and privately owned streets. Buffering and screening shall be provided in the form of natural vegetation and landscaping. Street patterns utilizing local through streets is encouraged over the use of cul-de-sacs to facilitate improved traffic movement and to assist snow clearing operations. Through streets shall not be accepted in preference to cul-de-sacs in situations where it is incompatible with the physical topography and where site disturbance of environmentally sensitive areas will be increased. Sidewalks shall be required on both sides of arterial and collector streets. To minimize their impact on collector roads, small lots should be located on local streets and be dispersed throughout the development.</p>	<p>These matters are dealt with in the existing development agreement. No changes are proposed in the amending agreement except for the addition of design standards for gas stations.</p>

Attachment G
Pictures of existing 34 foot wide single unit dwelling lots



View of Capstone Crescent, West Bedford – north side



View of Capstone Crescent, West Bedford – south side

Attachment H
Public Meeting Minutes

HALIFAX REGIONAL MUNICIPALITY

NORTH WEST PLANNING ADVISORY COMMITTEE
PUBLIC MEETING MINUTES
September 11, 2013

PRESENT: Ms. Ann Merritt, Chair
Mr. Paul Russell
Councillor Tim Outhit

REGRETS: Ms. Carrie Purcell
Mr. Michael Cogan
Councillor Steve Craig

STAFF: Mr. Andrew Bone, Planning Services
Ms. Sarah Pellerine, Legislative Support

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. at the Lebrun Centre (Lion's Den), 36 Holland Avenue, Bedford.

Ms. Ann Merritt, Chair of the North West Planning Advisory Committee, introduced members of the Committee and staff present, and welcomed members of the public to this public information meeting.

2. **Case 18423: Application by West Bedford Holdings to amend the Bedford West Secondary Planning Strategy to permit:**
- a) **34' single family lot frontages within Sub-Areas 2,7 and 8; and**
 - b) **Automotive service stations within the Mixed Use Business Campus (near Innovation Drive and Gary Martin Drive), and within the Community Commercial area, Bedford and Hammonds Plains.**

Mr. Andrew Bone, Planner, HRM Planning Services, provided background and a presentation on Case 18423: Application by West Bedford Holdings to amend the Bedford West Secondary Planning Strategy to permit:

- a) 34' single family lot frontages with Sub-Area 2,7 & 8; and
- b) Automotive service stations within the Mixed Use Business Campus (near Innovation Drive and Gary Martin Drive), and within the Community Commercial area, Bedford and Hammonds Plains.

Mr. Bone advised members of the public that this meeting is an information exchange and that no decision on the case would be made at this time.

Mr. Kevin Neatt, West Bedford Holdings (WBH) provided an update on proposed changes and why WBH were asking for 34' single family lot sizes in Sub-Area 2, 7 & 8. He provided an overview for Sub-Area 2, since Sub-Areas 7 and 8 are currently with HRM Planning and should come to a public information meeting in the upcoming months.

Ms. Merritt advised the public of the ground rules of the meeting and requested that anyone who wanted to speak to the proposed amendments come forward. The floor was opened for comments from the public.

A resident of, Kearney Lake, posed a question to HRM staff asking where the new Highway 113 will be in relation to the developments? As well if there will be regulations against sound/noise coming from the highway?

Mr. Bone responded noting that Highway 113 is a provincial project, not municipal nor one of West Bedford Holdings. It was noted that this highway is not shown on the current 5-year provincial plan for transport and infrastructure, but should come across the middle of the Sub-Areas and would run in behind Kingswood. Mr. Bone noted there are proposed access sites at Kearney Lake along with a ramp going under the highway to access the developed communities from the highway.

Mr. Bone responded to additional noise questions stating that HRM is not involved with this provincial project and municipal cannot regulate provincial projects. Councillor Outhit noted that Council has no jurisdiction regarding provincial projects.

Mr. Len Thompson, Blue Mountain Estates, Hammonds Plains wondered how traffic flow will be handled because currently there is an overflow of traffic?

Mr. Bone noted that within the master plan is a master traffic study. For any of these developments to take place there would have to be improvements to the roads to make the traffic flow smoother. It was noted that the roads along Kearney Lake are currently being widened and Larry Uteck will be brought down to Kearney Lake Road to improve flow. Mr. Bone noted that he does not have the list with all the road improvements with him, but will place it on the HRM website for the public to view.

Mr. Thompson also questioned the commercial property and what will be happening in that area.

Mr. Bone noted that the Development Agreement for Sub-Area 7 and 8 will be coming to the public in the next few months, and this is where the commercial area would be located.

Mr. Thompson noted that the past summer has been very bad in the community due to noise from the Industrial Park located close to Sub-Area 7 and 8 that has been grandfathered in allowing for noise early in the morning. He does not want additional light industrial businesses to come into the area creating additional noise and an unappealing landscape.

Mr. Bone noted that when Sub-Area 7 and 8 development is by Development Agreement HRM will have much more control. He also noted that the concerns about the noise have been heard and efforts will be made to ensure the project adheres to the by-law.

Mr. Carl Muller, Blue Mountain Estates, Hammonds Plains, would like to add to the concerns from Mr. Thompson, stating the noise in the light industrial park starts around 5:30 and he has called

regarding this and nothing was done. Mr. Muller noted he has little faith in the new project being proposed to benefit the current residents.

Unidentified Male, Blue Mountain Estates, Hammonds Plains wonders about noise and how the new street layout will look once Highway 113 is constructed. He noted that residents bought big lots in the area for a reason and worries how the proposed smaller lots will look next to his for example.

Mr. Bone noted that Sub-Areas 7 and 8 have just been brought to him for a proposed Development Agreement, so he is unable to speak to what the layout would be in these areas. He noted there will be sight surveys conducted to help control any conflicts on the fringe of the urban to suburban, which will be brought to a public information meeting in the upcoming months.

Mr. Hynes noted that if you open up the end of Arbour Way this will increase traffic to the area as well if you have access to the highway traffic would increase. Mr. Bone further indicated that this could not be discussed because as previously mentioned these sites have not yet been looked at.

Unidentified Male, Kearney Lake Subdivision, Kearney Lake would like to know if there will be a connector road built from the end of the Kearney Lake Subdivision or will it remain on its own?

Mr. Bone noted that this would be in Sub-Area 7 and 8 which will be discussed at an upcoming public information meeting. He noted the information will be put on the HRM website before the meeting so residents will have a chance to see what will be proposed.

Ms. Christina B, Kearney Lake Subdivision, would like to thank the HRM planners for bringing this information to the public and would like to ask the developers if they have been to the Kearney Lake area. She noted that it is one of the nicest areas in HRM and can only be compared to Point Pleasant Park in the South End. She feels that subdivisions in the area and gas bars are not appropriate in the area; we should be talking about how to preserve the area and its beautiful nature. She believes the 34' single family lots will take away from the large lots and nature currently in the area. She invited West Bedford Holdings to come and visit the area so they will not want to potentially destroy it.

Kevin Neatt responded noting he fully agrees that the area is beautiful and full of nature and it is their goal to work with the land and make it a great community for new and current residents.

Mr. Bone noted that there have been many proactive things done in the area to preserve its beautiful elements. There is a series of parkland designated areas along Kearney Run along with policies to maximize the features. He noted when it comes to the storm water management; this area has the strongest controls in HRM to prevent possible damage to the lake water.

Mr. Bone also noted that there is a plan for a large regional park to be developed in the Kearney Lake area and because of this many controls will be put in place to keep disruption of the area to a minimum.

Unidentified Male, Kearney Lake/Hammonds Plains Area, noted that by building high density lots there will be a great loss of trees in the area and also by putting a commercial area close to the lake residents will not be able to enjoy the lake.

Mr. Bone noted that there is no commercial area on the lake, but in one Sub-Area the commercial development can come close to the lake based on the zoning rather than the plan.

Unidentified Male wondered why there is not a plan to build a boardwalk area along the lake so that people can come to the area and enjoy what it has to offer.

Mr. Bone noted that within the plans there are walk ways built along the lake.

Mr. Neatt noted that on the side where the lake is located there is parkland allocated to bring proper and safe access to the lake.

Unidentified Female, Kearney Lake/Hammonds Plains area commented that all residents are on well water and wonders what will happen with the new development. She also noted that she would like to have walkable communities because in Larry Uteck it is not overly safe to walk because of traffic, nor is it transit friendly.

Mr. Bone responded that Bedford West is projected to have over 20,000 residents. By having a community of this size there is a transit component put in place along with the construction of multi use trails providing a connection to the Hammonds Plains Road and eventually Kearney Lake Road and possibly Larry Uteck Drive. There is possibility in the area to connect too many other regional trails.

Unidentified female asked about the gas bars and what would happen if it was to leak into the lake and the water supply is damaged?

Mr. Bone noted that if a gas bar was build in close proximity to the lake many policies would be put in place to help minimize if not eliminate a risk to the lake should a leak occur.

Unidentified Male, Kearney Lake/Hammonds Plains commented that nothing has been addressed as to what will happen to the wildlife in the area or what will happen to the prices of their homes in the area with these smaller row houses being put in. He also wanted to know what the impact on the water supply might be with all these new residents coming in.

Mr. Bone responded the new development will be fully equipped with water and sewer, with these upgrades slated to be completed in the next year. As previously noted there will be a very strong storm water management system put in place that has been approved by the Water Advisory Board.

Mr. Bone agreed that with the construction of these new developments, some wildlife will be affected and because of this Natural Resources was consulted when looking into highway 113 and that has been moved slightly to allow for a regional park in the area.

Ms. Roxanne Butler, Kearney Lake asked if there will be 20,000 homes in the area with 34' lots based on what has been proposed tonight.

Mr. Bone noted that the density is not changing, simply the mix of buildings in the area. He said if there is an increase in 34' lots then there would be a decrease in 40' lots, the one thing that cannot change is the 20 persons per acre, which is based on the sewage flow maximum.

Ms. Butler noted concerns about the traffic that will be in the area with all of these developments.

Mr. Bone noted that the developer had been required to make a number of improvements. He indicated he has a list of all current improvements and will post it on the website for residents to access.

Mr. Frank Chambers, Blue Mountain Estates, Hammonds Plains noted that he moved into the area a while ago and due to the noise coming from the light industrial zone he is unable to sleep and is very hesitant as to what will happen with this new proposed development. He also noted that the amount of service station seems to be far too many since there are already three very close to the area. Mr. Chambers has never heard one of his neighbours say they wish they had additional service stations in the area and feel this is a decision made by people outside of the community. His last concern was that he feels it will take many years before the voice of the community will be heard and changes will be made in their favour.

Mr. Bone noted that the area designated for commercial use is not solely slated for gas bars. When planning and the developer looked at these areas it was thought a gas bar would work in the areas furthest away from the lake.

Mr. Chambers commented that the area is suffering from the development with roads not paved and no sidewalks, but yet their taxes have gone up. He noted there will be an increase in traffic and wondered if Metro Transit service will be offered.

Mr. Bone noted that all the capital cost collected will go to improvements in the area. With regards to Metro Transit he noted it will take some time for it to be fully integrated into the area and, however, Transit is aware of the need in the area for their service.

Mr. Chambers asked for the definition of open space and why if highway 113 will not be going in for another 10 years, why are we talking about gas bars tonight?

Mr. Bone noted that with the amount of people in the area there will be a need for a gas bar long before the highway 113 will be constructed and that is why we are discussing it tonight.

Clarifying open space, noted for example that park land deemed as open space. This is space that will not be developed and will be a no cut zone unless subject to a report from an arborist stating trees must be cut in the area.

Mr. Len Thompson, Kearney Lake/Hammonds Plains Area wondered about the street view and if vehicles will be able to fit down the street once cars begin to park along the side of the road with the new proposed 34' lots. He said the streets in Mount Royale and Larry Uteck are hard to navigate down after 5:00 pm.

Mr. Bone noted that this area will have mixed use buildings, with various lot sizes and layouts. Traffic studies have been conducted in the area and there was nothing that would indicate any traffic flow issues.

Mr. Neatt from West Bedford Holdings noted that in 2006 they took over the area from the Annapolis Group, where between 2002 and 2006 they came up with policies and studies in the area dealing with the transportation council with whom they constructed a long-term transportation plan. He noted that there is a capital cost allocated to each portion of land between \$4,000 and \$40,000 per acre. With West Bedford Holdings paying over a million dollars thus far to allow for changes to

improve the area, one of which being the road coming from Larry Uteck to Kearney Lake to help traffic flow.

Mr. Hanusiak also discussed the proposed highway 113, where he said they sold the land to the province and in that sale there was a mandate stating there must be a larger than normal buffer zone between the highway and the community. He noted that there may be access to highway 113 from Kearney Lake Road but does not feel there will be access from the new development. With regards to the gas bars in the area, they are looking at the big 25 year picture and planning for growth in the area not because of traffic that will be coming from the highway. Mr. Hanusiak also noted that gas bars cannot be put in place without the approval of council.

Mr. Bone agreed with the comments made by Mr. Hanusiak and noted he will be placing a copy of the proposed improvement on the HRM website.

Unidentified Male, Blue Mountain Estates, Kearney Lake wonders what the density in the area is and what types of buildings can make up the density.

Mr. Bone noted that the area is a mixed use area; this means in the area there can be single detached, semis, town/row houses, condos and commercial. With in the residential areas there is a density maximum of 20 persons per acre or around 6 single family dwellings per acre.

Unidentified male asked about the 34' lots and if the builder will be able to get additional density in the area because of the smaller lots. He noted he does not want the additional density left over to be moved into Sub-Areas 7 & 8.

Mr. Neatt noted that on the flip side they are able to take additional density (if any) from Sub-Areas 7 & 8 and move it to other Sub-Areas. They will not know how 7 & 8 will look until plans can be drawn up once HRM has had a chance to review.

Mr. Bone noted that the ability to shift some density was added to the overall Development Agreement to add for some flexibility and movement because they did not know what issues would arise during construction. He noted that the policy is broad overall but in each individual Development Agreements they are very strict as to what can go where and the density. When Sub-Areas 7 & 8 come to a public information meeting the layout and density can be discussed then.

Unidentified male also commented that he is against a gas bar on the Kearney Lake Road but could agree with the proposed one off of Hammonds Plains Road. He stated that by placing one on Kearney Lake Road this will only draw trucks from highway 113. Unidentified male noted that he agrees with the commercial area and additional amenities being added to the area.

Unidentified male would like to know what is being done with the money collected from the developer as a capital cost, what is HRM doing with this money and will it go to the development or elsewhere?

Mr. Bone noted that the money is in its own funding program account and will only go to improvements in the area.

Unidentified male asked what will be in all of this for him and the current residents. They will be living in a very different neighborhood very soon than what they bought into, what improvements will the city be giving residents.

Mr. Bone noted that there will be sewer and water closer to current residents but they will not have access to it, but the possibility is there if the current residents wish to look into gaining access. The community would have to work with Halifax Water and Community Council regarding sewer access. He also noted there will be natural gas in the area, but this is a call made by Heritage Gas not HRM and is normally brought into an area based on demand.

Councilor Outhit noted that there is a surplus in the Capital Costs funds and this money is used towards the specific development. He indicated that certain homes could not be built in the area until improvements had been made and that the developer is paying for 67% of the Larry Uteck extension. He pointed out this development have brought a lot of new things to the area including new schools, rinks and fields.

Mr. Rinehart Jerolek, Blue Mountain Estates, Kearney Lake asked what is the current lot size in the Development Agreement.

Mr. Neatt noted that the current lot size for a single family home is 40'.

Mr. Jerolek asked whether or not HRM and the developer see the development in Larry Uteck as a success and how a successful development is defined.

Mr. Bone noted that success is defined by seeing if there is street access, if people are in the areas and the homes are selling, if the landscape is esthetically pleasing.

Mr. Neatt noted that they have had a lot of opportunities to talk with residents and they are very happy living in the area and that is their key way of determining success.

Mr. Jerolek asked how the 34' will be joined on to the current larger lots.

Mr. Bone noted that the goal will be to soften the boundary between the current landscape and the newly proposed one. This is something that will be looked at when Sub-Areas 7 & 8 comes to a public meeting. He noted that the developer is sensitive to this as well and will do all they can to make a smooth transition.

Mr. Bill Sheridan, Collins Road, Kearney Lake, noted that it would be very useful to see where the current gas bars in the area are located as it is hard to determine if the community would like the proposed gas bars without seeing where exactly they will be.

Mr. Bone noted that Mill Cove and Larry Uteck would be the closest gas bars within existing developments.

Mr. Sheridan also noted that he has a problem with changing density and that all the density could be built as condos and 34' lots. If this is done, this will not be fair to the current residents in Sub-Area 7.

Mr. Bone reiterated that he cannot comment on how Sub-Area 7 & 8 will look until he has had a chance to review the case.

Mr. Sheridan questioned what the existing rules are with regards to a green belt between Kearney Lake and Sub-Area 7.

Mr. Bone indicated the goal is to integrate the new and existing.

Mr. Hanusiak noted that as a developer he has to make a business decision and wants to know about housing ownership and affordability. He said he wants to introduce single family dwellings in a great community that are affordable. He asked if residents want him to use the density for semi-detached and town houses. He noted based on research the 34' single family dwellings are very popular rather than single family homes.

Mr. Hanusiak also addressed a question on tree cutting in the area, noting that the trees cut in this area will be replaced by planting in other areas. He noted that trees planted in front of the homes to replace some lost trees and that overall 20% of the development will be green space.

3. CLOSING COMMENTS

Mr. Bone thanked the public for their input into the process and outlined the process and timelines for the application as it proceeds to Regional Council.

Ms. Merritt thanked everyone for attending.

4. ADJOURNMENT

The meeting was adjourned at 9:16 p.m.

Sarah Pellerine
Legislative Support