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PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

Harbour East Community Council

April 2, 2009

May 11, 2009

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY:

Paul Dunphy, Director of Community Development

DATE: March 13, 2009

SUBJECT: Case 01222: Rezoning - Dartmouth Crossing

**ORIGIN**

An application by Dartmouth Crossing Ltd. (DCL) to rezone 31.5 hectares of land abutting the existing Dartmouth Crossing commercial and entertainment centre from the General Industrial (I-2) Zone to the Burnside Comprehensive Development District (BCDD) Zone.

**RECOMMENDATION**

It is recommended that Harbour East Community Council:

1. Give First Reading to the proposed rezoning of the subject lands of Dartmouth Crossing as provided in Attachment A of this report and schedule a public hearing; and *April 2, 2009*
2. Approve the proposed rezoning of the subject lands of Dartmouth Crossing from the General Industrial (I-2) Zone to the Burnside Comprehensive Development District (BCDD) Zone as provided in Attachment A of this report.



## **BACKGROUND**

The Regional Municipal Planning Strategy (RMPS) enables Council to consider a mix of residential and commercial uses within a specific area of Dartmouth Crossing and Burnside through a rezoning to the BCDD Zone. However, the BCDD Zone does not enable any land uses as-of-right and any future development within a BCDD Zone is contingent upon Council approving a development agreement. DCL's current application is to rezone the lands to the BCDD Zone which would enable Council to consider an application in the future for a mix of residential and commercial uses by development agreement.

### **Location, Designation, and Zoning**

- The subject area is approximately 31.5 hectares and comprised of portions of three properties (PIDs 41255035, 41149733, and 00258889);
- The area is designated Industrial and zoned General Industrial (I-2) under the Dartmouth Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) (Maps 1 and 2);
- The properties are designated Urban Settlement under the RMPS. The subject area is within a location where mixed use development may be considered through rezoning to the BCDD Zone and the approval of a development agreement (Map 4); and
- The area is adjacent to existing commercial development in Dartmouth Crossing, lands zoned for industrial development in Burnside Business Park, Highway 118, and Lake Charles.

### **Enabling Policy**

RMPS Policy EC-13 enables Council to consider applications to rezone to the BCDD Zone within a specific area north and east of the currently developed portions of Burnside and City of Lakes Parks as illustrated on Map 4. The intent of the policy is to enable the opportunity for mixed use development in specific areas to compliment the business parks and permit housing within easy access of large employment and commercial centres.

### **Proposal**

The purpose of DCL's proposal is to enable a future development agreement application for a mix of residential and commercial development on 31.5 hectares of land. The rezoning application indicates that DCL's plans most likely include approximately 1500 dwelling units in the form of townhouses and multi-unit dwellings along with smaller scale commercial service and retail uses. The preliminary concept submitted in support of the proposed rezoning is illustrated on Map 5.

The Concept Plan is schematic in nature and illustrates a potential site plan for the area that may be submitted as part of a future development agreement application. However, the Developer would not be bound to the Concept Plan illustrated on Map 5 if Council approves the rezoning and DCL may propose an alternate layout as part of a future development agreement application.

### **Burnside Functional Plan**

The process for implementing the Burnside Functional Plan through amendments to the Dartmouth MPS and LUB will begin in the near future. Although the Functional Plan recommends maintaining the abutting HRM lands for industrial development, Regional Council requested that Staff consider and consult with the public on potential land uses in this specific area that abutts Dartmouth Crossing's lands. Regional Council's decision with respect to land use on these HRM owned lands will have an impact upon the degree of separation and buffering required to mitigate land use impacts between the proposed residential uses and the future development that will occur on HRM's lands. Future land use on abutting lands may also influence the design and location of road and pedestrian connections between HRM and DCL land.

### **DISCUSSION**

Staff have reviewed the application based on the applicable RMPS policies, which are included as Attachment B to this report, and determined that the application is consistent with applicable plan policy.

#### **Land Use/Density**

The BCDD Zone enables a mix of townhouses, multi-unit dwellings, office, commercial, institutional and recreational uses. As identified above, DCL indicates it is their intention to development townhouses, multi-unit dwellings and commercial service uses. The RMPS sets out that residential density for townhouses and multi-unit dwellings should not exceed 89 and 124 units per hectare respectively. Although the maximum density is set out in the development agreement policy (EC-14) rather than the rezoning policy (EC-13), it is worth noting that the overall residential density currently envisioned by DCL is approximately 50 units per hectare, well under the maximum set out by the RMPS.

#### **General Issues**

Staff have reviewed and commented on conceptual phasing and servicing plans as well as a Traffic Impact Study. Natural features on the lands which are expected to influence the layout and distribution of land uses include two watercourses and areas where the terrain exceeds a slope of 15%.

#### **Future Development Agreement**

If Council sees fit to approve the proposed rezoning, details regarding the type of land uses, residential density, building design, public open space, transportation and buffering from industrial uses will be determined through the development agreement process. The Developer would be responsible for preparing more detailed site, phasing and servicing plans and Staff would review the application against applicable policy, including RMPS Policy EC-14. Development of any land rezoned to BCDD would also be contingent upon Council approving a development agreement.

Policy EC-14 requires that any development agreement application in a BCDD Zone include measures to buffer and separate residential uses from existing or potential industrial uses. Unless Regional Council changes the zoning of the abutting HRM owned lands from General Industrial (I-2), any future development agreement application on DCL's lands should presume development of general industrial uses in Burnside and include adequate buffering and separation measures on DCL lands to minimize the potential for land use conflict between residential and industrial uses.

### **Public Information Meeting**

A Public Information Meeting (PIM) for the proposed rezoning was held on January 28, 2009. Comments from the public included concern with potential impact on area lakes, the aesthetics of the development including the height and appearance of buildings, the potential for screening the development with vegetation, and the potential for effectively integrating the proposed residential community with the surrounding area. The Minutes of the PIM are included as Attachment C.

If Council decides to schedule a public hearing, property owners within the notification area included on Map 3 and persons that signed the sign up sheet at the PIM will be notified of the hearing directly by mail. Public notices will also be posted in the local newspaper and on the HRM website.

### **Conclusion**

It is the opinion of staff that the proposal conforms with the criteria set out in RMPS Policy EC-13 for applications to rezone land within the Burnside/Dartmouth Crossing area to the BCDD Zone. Although there may be potential land use compatibility issues that arise in relation to residential development occurring in close proximity to an industrial area, the RMPS establishes that mitigation of these issues is to be addressed through the development agreement application process. Staff are of the opinion that the proposal satisfies the intent of the rezoning policy (EC-13) and therefore, staff recommend that Harbour East Community Council approve the proposed rezoning, as set out in Attachment A of this report.

### **BUDGET IMPLICATIONS**

The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

## ALTERNATIVES

1. Council may choose to approve the proposed rezoning as set out in Attachments A of this report. This is the recommended course of action.
2. Council may choose to refuse the proposed rezoning, and in doing so, must provide reasons based on a conflict with MPS policies. This alternative is not recommended as staff are satisfied that the proposal is consistent with the policies and intent of the RMPS.

## ATTACHMENTS

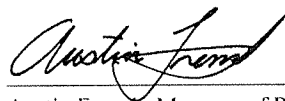
Map 1	Location and Zoning Map (Dartmouth LUB)
Map 2	Generalized Future Land Use Map (Dartmouth MPS)
Map 3	Notification Area
Map 4	Burnside Potential Mixed Use Area (RMPS Map 12)
Map 5	Concept Plan - Rezoning

Attachment A	Proposed Amendments to the Dartmouth LUB
Attachment B	Applicable Policies (Regional Municipal Planning Strategy)
Attachment C	Public Information Meeting Minutes

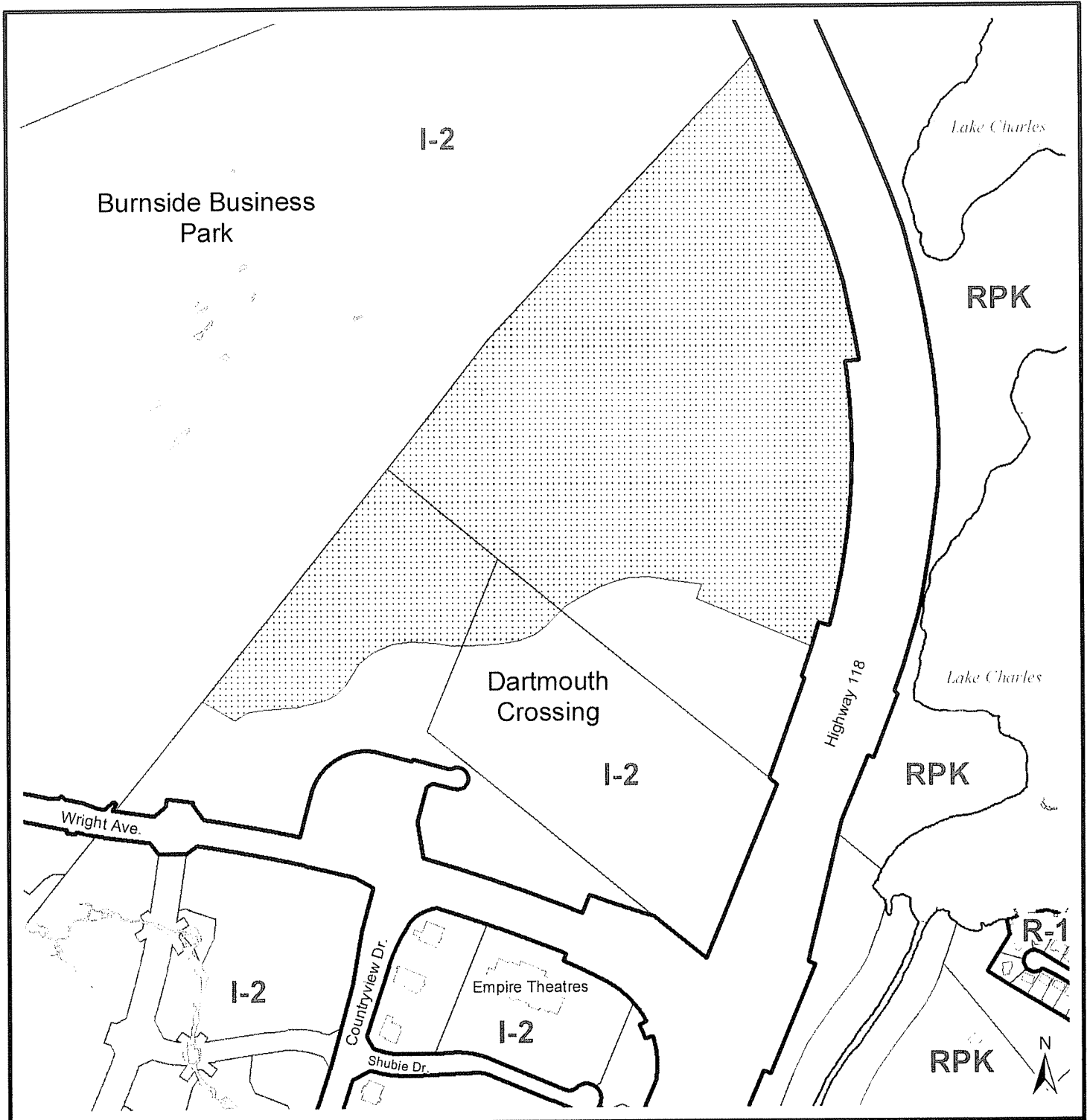
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Joseph Driscoll, Senior Planner, 490-3991

Report Approved by:



Austin French, Manager of Planning Services, 490-6717



**Map 1 - Location and Zoning**

Portions of PID: 41255035, 00258889, & 41149733

 Subject Area to be Rezoned

**Zone**

- R-1 Single Family Residential
- I-2 General Industrial
- RPK Regional Park

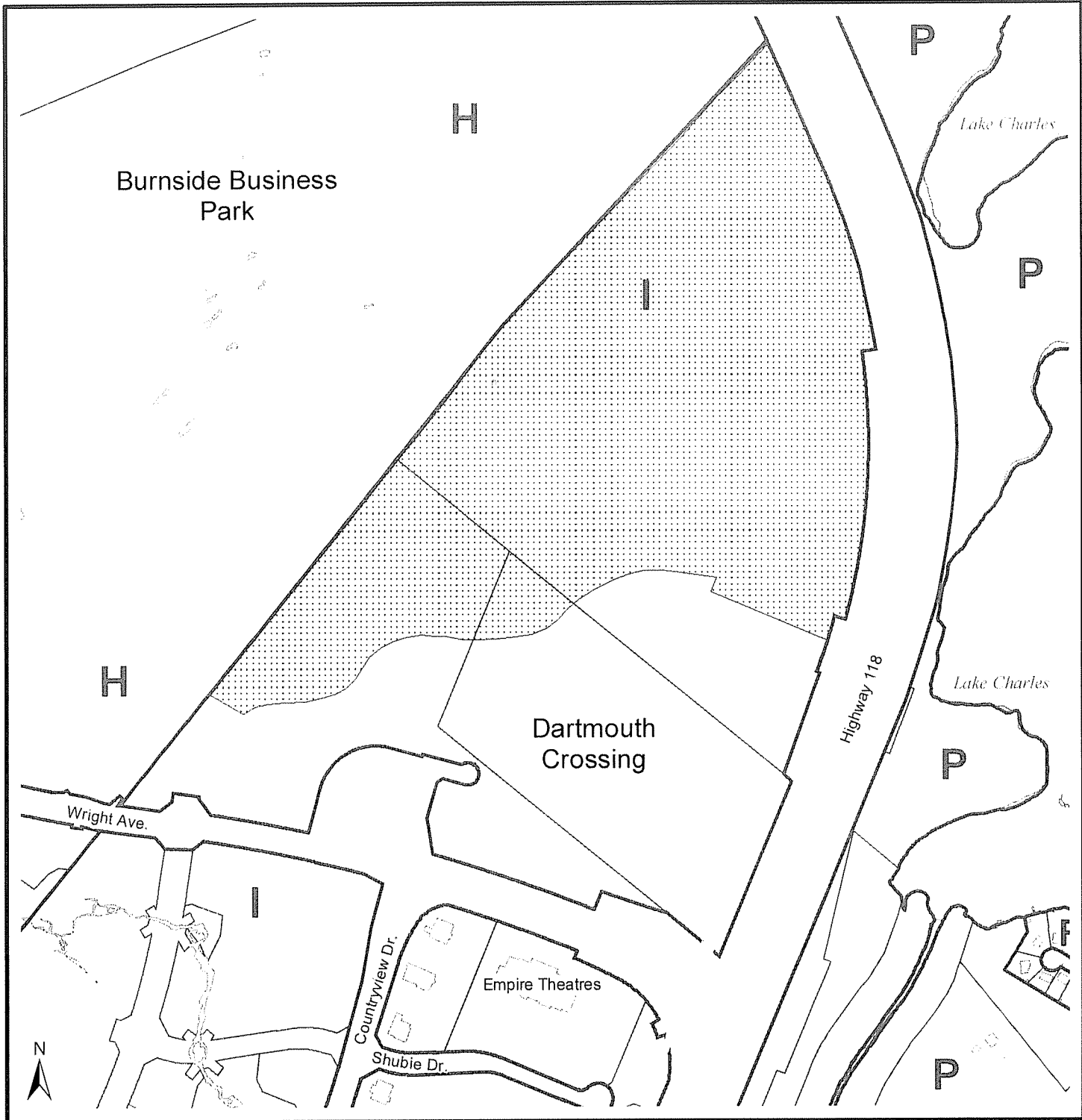
Dartmouth Plan Area

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 PLANNING SERVICES




This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Plan Area

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



**Map 2 - Generalized Future Land Use**

Portions of PID: 41255035, 00258889, & 41149733

 Subject Area to be Rezoned

**Designation**  
 I Industrial  
 H Holding  
 P Park

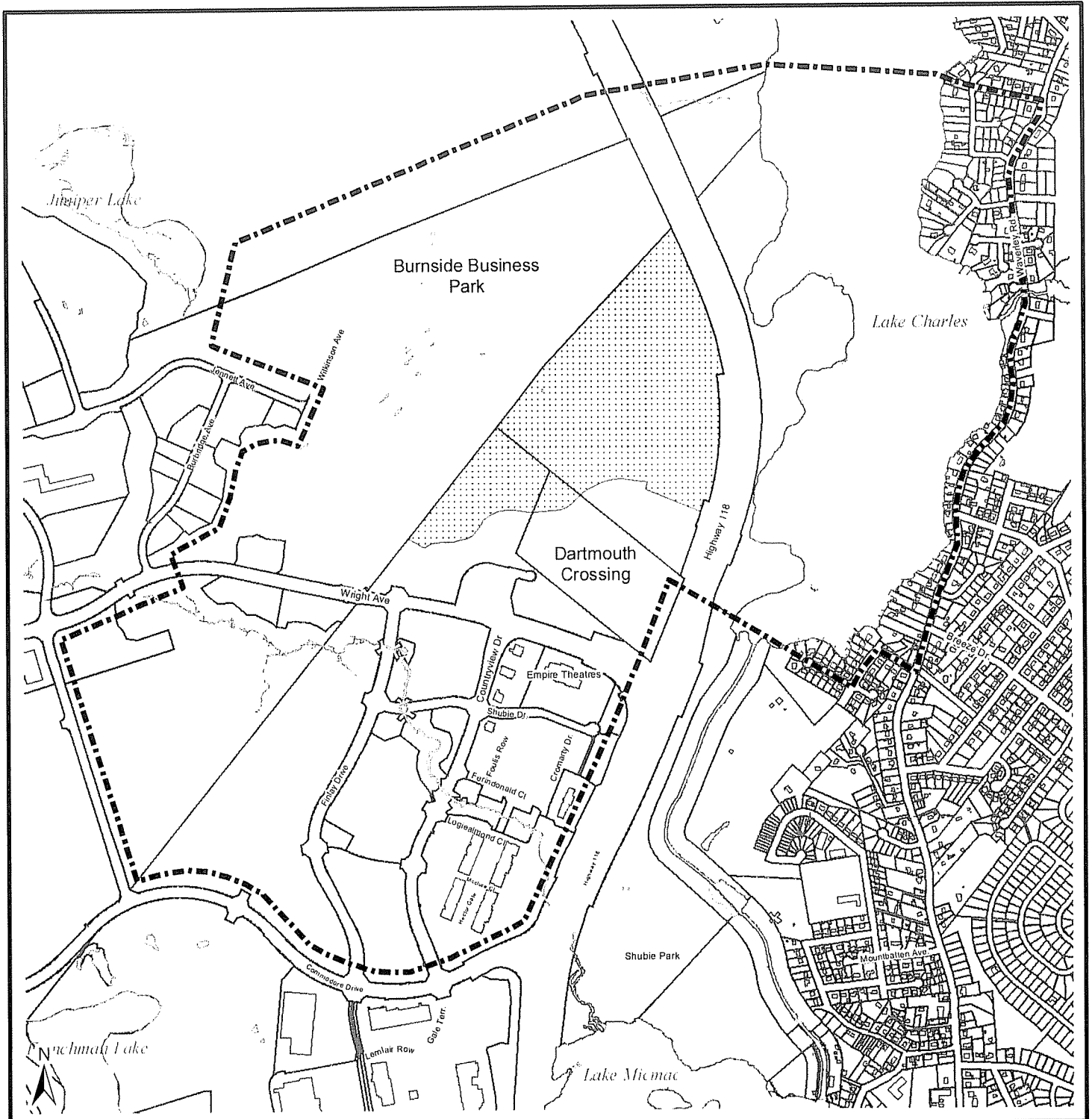
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This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Dartmouth Plan Area

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

Dartmouth Plan Area



**Map 3 - Notification Area**

Portions of PID: 41255035, 00258889, & 41149733

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 PLANNING SERVICES

-  Subject Area to be Rezoned
-  Notification Area

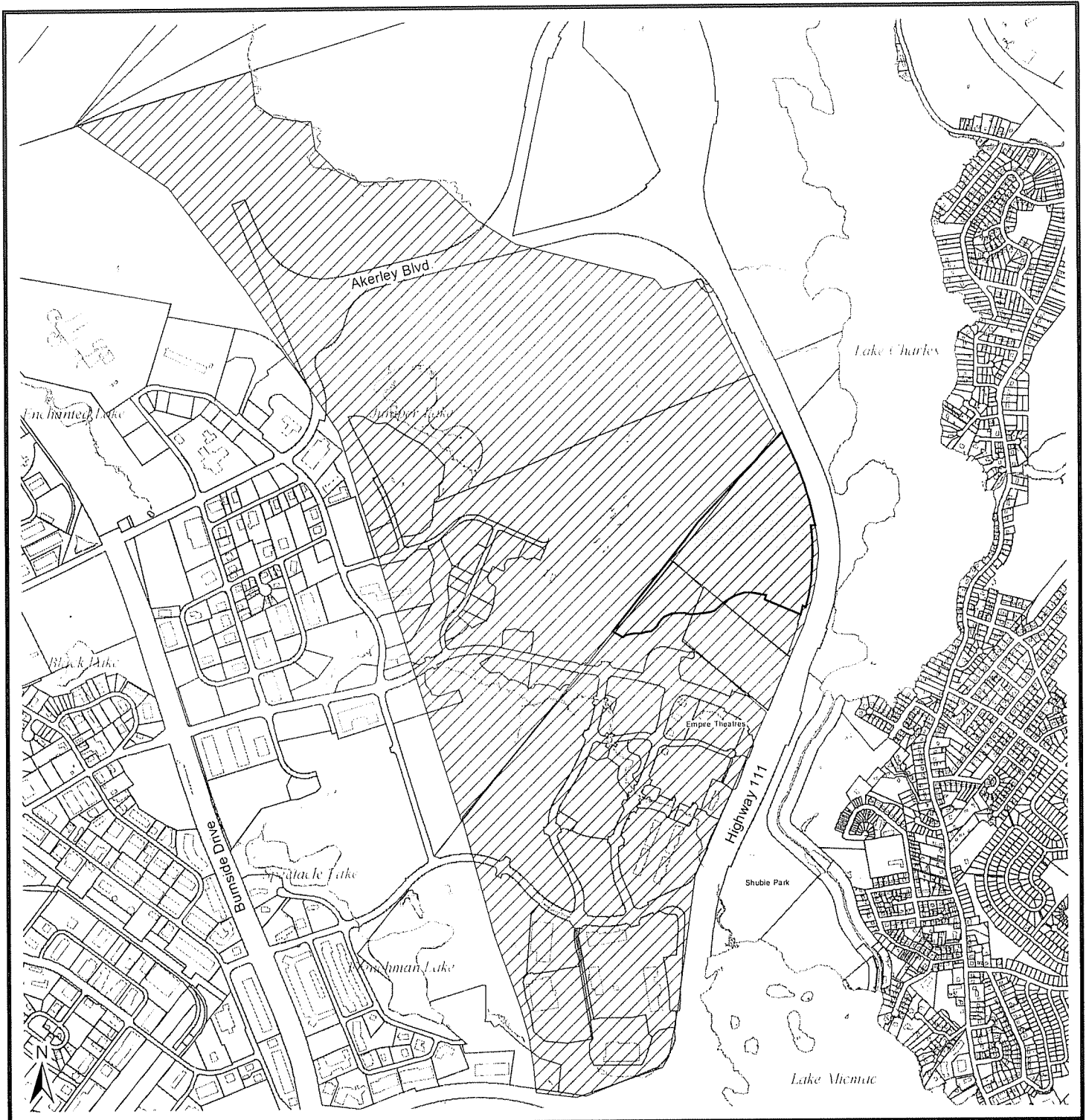
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Dartmouth Plan Area






**Map 4 - Burnside Potential Mixed Use Area**

Portions of PID: 41255035, 00258889, & 41149733

 Subject Area to be Rezoned

 Potential Mixed Use Area

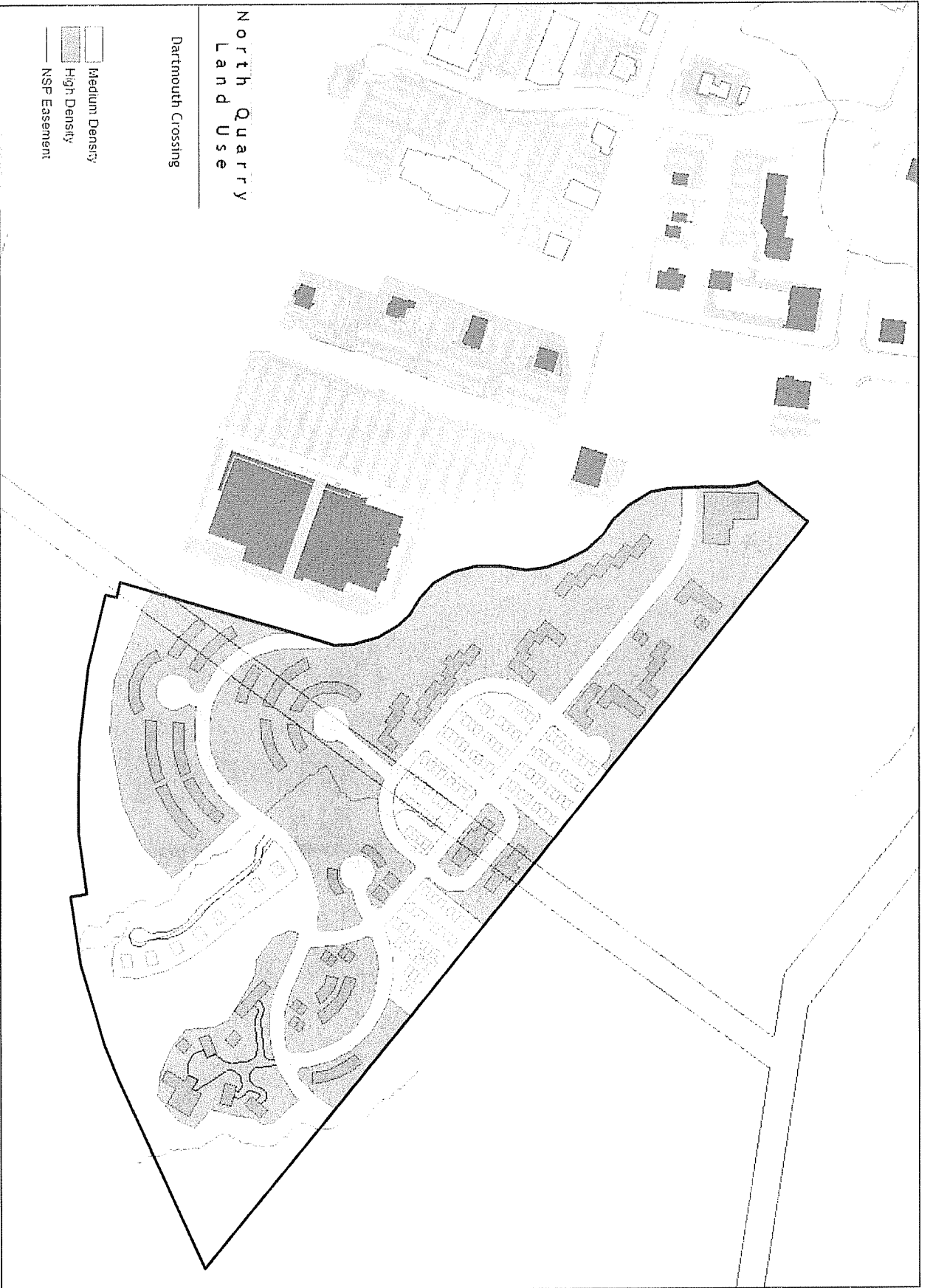
Dartmouth Plan Area

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This map is an unofficial reproduction  
 of a portion of the Dartmouth Plan Area

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



**Map 5**

**Concept Plan - Rezoning**

HRM does not guarantee the accuracy of any base map information on this map.

10 March 2009

Case 01222

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**Attachment A:**  
**Proposed Amendments to the Dartmouth LUB**

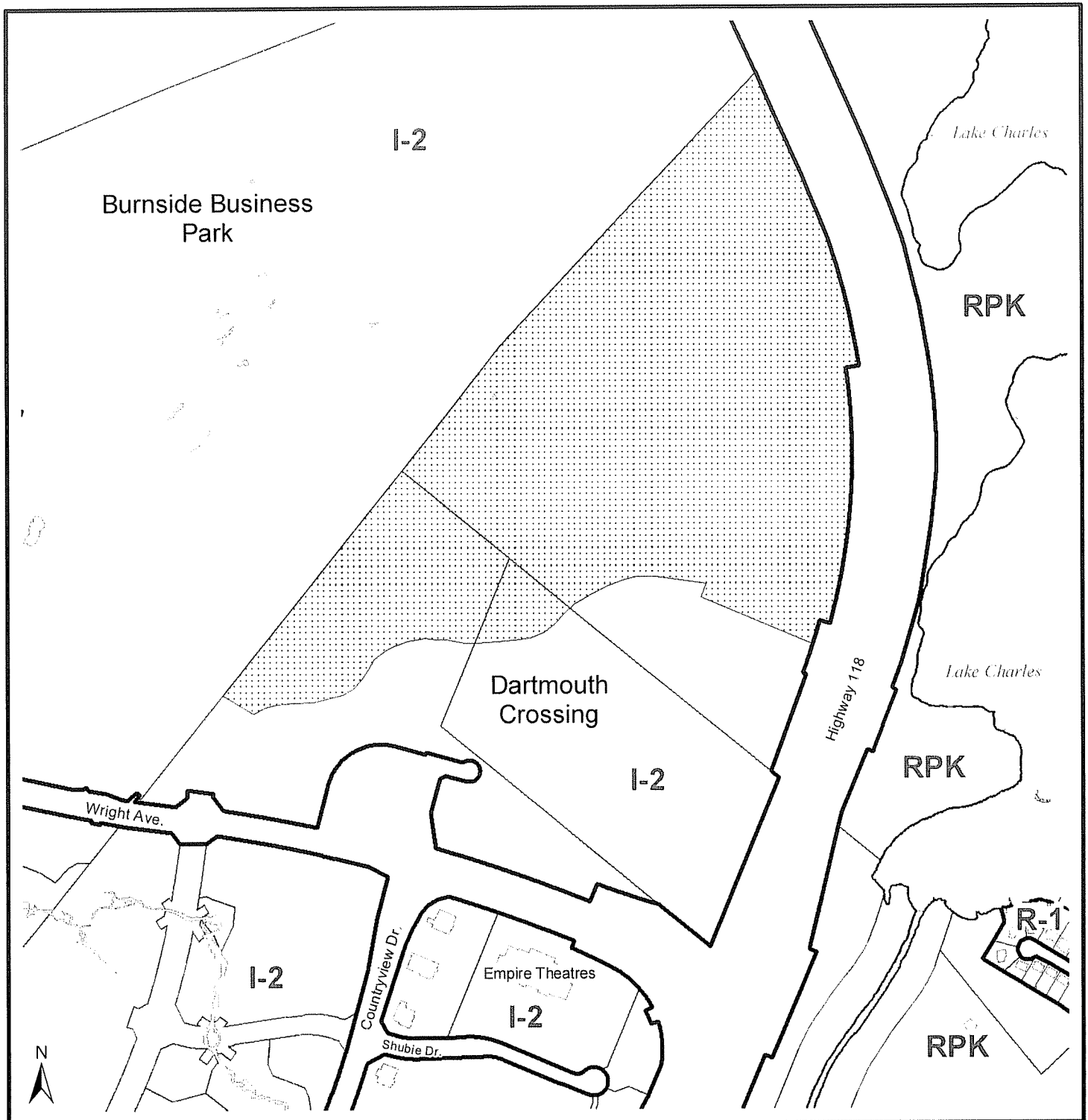
BE IT ENACTED by the Harbour East Community Council of the Halifax Regional Municipality that the Dartmouth Land Use By-law as enacted by the former Dartmouth City Council on the 25<sup>th</sup> day of July 1978 and approved by the Minister of Municipal Affairs on the 15<sup>th</sup> day of September 1978 as amended, is hereby further amended as follows:

1. The Dartmouth Zoning Map shall be amended by rezoning a portion of Dartmouth Crossing from the General Industrial (I-2) Zone to the Burnside Comprehensive Development District (BCDD) Zone as illustrated on the attached Schedule A.

I HEREBY CERTIFY that the amendments to the Dartmouth Land Use By-law as set out above, were passed by a majority vote of the Harbour East Community Council at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2009.


GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this \_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Julia Horncastle  
Acting Municipal Clerk



**Schedule A**

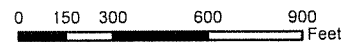
Portions of PID: 41255035, 00258889, & 41149733

 Subject Area to be Rezoned from General Industrial (I-2) to Burnside Comprehensive Development District (BCDD)

**Zone**

- R-1 Single Family Residential
- I-2 General Industrial
- RPK Regional Park

Dartmouth Plan Area



This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Plan Area

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

**Attachment B:**  
**Applicable Policies (Regional Municipal Planning Strategy)**

5.3.2 Future Potential for Associated Mixed Use Development - Area Surrounding Burnside and City of Lakes Business Park

Business park development in HRM affords opportunities for select residential development as well as commercial and industrial. Medium to high-density residential land uses can complement a business park by allowing easy access to employment for residents and reducing commuting costs to the individual and the Municipality as a whole. However, it is important that the location of residential uses be carefully considered in the context of the overall business park development plan to reduce and mitigate potential land use conflicts related to noise, odour, safety, traffic and related issues.

One area where a mix of medium to high density residential land uses might be considered complementary is in the area north and east of the Burnside Business Park and the City of Lakes Business Park as shown on the Burnside Potential Mixed Use Area (Map 12). In this area a mix of multiple unit dwellings and townhouses may be integrated with commercial and office uses to provide for a vibrant and accessible urban transit village. Limitations on the extent of residential development shall be established to ensure that it does not become the predominant land use in this area. In an effort to achieve compatibility and integration with surrounding and future potential commercial development, and to allow for innovation and flexibility in design, these uses and any commercial retail and office uses may be considered by rezoning to a comprehensive development district.

<p>EC-13 HRM shall establish a Burnside Comprehensive Development District (BCDD) Zone within the Dartmouth Land Use By-law which may be applied to portions of the lands east and north of the Burnside Business Park and the City of Lakes Business Park, as shown on the Burnside Potential Mixed Use Area (Map 12), by rezoning. This zone shall permit a mix of multiple unit dwellings, townhouses, commercial, office, institutional and recreation uses subject to the provisions of a development agreement. Prior to considering any development agreement within a BCDD, HRM shall require a concept plan for the entire area to be rezoned. The concept plan shall include the following information, some or all of which may be made part of any agreement as HRM deems necessary to fully describe and control the development:</p>
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<p>(a) a map(s) and assessment of the physical nature of the land, including its topography, and any significant vegetation, natural features and environmental characteristics that would shape and enhance the development;</p>	<p><i>Natural features on the lands which are expected to influence the layout and distribution of land uses include two watercourses and areas where the terrain exceeds a slope of 15%.</i></p> <p><i>These elements would have to be identified, and any corresponding negative impacts mitigated, in a future development agreement.</i></p>
<p>(b) a transportation plan, including vehicular, pedestrian and public transit systems, and traffic impact analysis sufficient to evaluate the internal and off-site implications of the systems;</p>	<p><i>Staff have reviewed DCL's proposed road layout and Traffic Impact Study (TIS). Comments have been provided back to DCL including information regarding the public recreation needs to service a development of this scale.</i></p> <p><i>If a future development agreement proposal differs significantly from what was anticipated in the TIS, a new study would be required. Changes to the road network would have to reflect consideration of the land uses permitted on abutting lands at the time of application.</i></p>
<p>(c) the method of providing municipal wastewater and water distribution services to the development;</p>	<p><i>HRM and Halifax Water have not identified any concern with accommodating the proposed land use. This review does not imply acceptance of the servicing plans.</i></p> <p><i>A more detailed review and negotiation would occur through the development agreement process, including consideration of adjacent lands, details regarding the type and number of units/uses and phasing.</i></p>
<p>(d) the general phasing of development;</p>	<p><i>A plan indicating that the lands would likely be developed in 3 phases was submitted and reviewed. As mentioned in comments regarding EC-13 (c) above, the review does not constitute acceptance of the proposed phasing sequence.</i></p> <p><i>HRM and Halifax Water would conduct a more detailed review of the proposed phasing through the development agreement application process once details regarding the final road layout and distribution of uses and density are established.</i></p>
<p>(e) the distribution and nature of all land uses;</p>	<p><i>The submission materials identify the potential layout and location of the proposed residential units and indicate that minor and service commercial uses are intended to be located within the development, possibly within multi-unit buildings, at locations to be specified in a development agreement application.</i></p>

<p>(f) the total number and type of dwelling units, and the gross residential density proposed in the whole development and each of the phases.</p>	<p><i>The rezoning proposal indicates an anticipated build-up of approximately 1500 total townhouse and multi-unit dwellings.</i></p> <p><i>The RMPS enables a density of up to 89 and 124 units per hectare for townhouses and multi-unit building development respectively.</i></p>
<p>IM-15 In considering development agreements or amendments to land use by-laws, in addition to all other criteria as set out in various policies of this Plan, HRM shall consider the following:</p>	
<p>(a) that the proposal is not premature or inappropriate by reason of:</p>	
<p>(i) the financial capability of HRM to absorb any costs relating to the development;</p>	<p><i>No development would be enabled by the proposed rezoning.</i></p> <p><i>The HRM costs associated with the application are accommodated through the operating budget for C310 as set out in the Budget Implications section of the report.</i></p>
<p>(ii) the adequacy of municipal wastewater facilities, stormwater systems or water distribution systems;</p>	<p><i>HRM and Halifax Water have not identified any concern with accommodating the proposed land use. This review does not imply acceptance of the servicing plans.</i></p> <p><i>A more detailed review and negotiation would occur through the development agreement process, including consideration of adjacent lands, details regarding the type and number of units/uses and phasing.</i></p>
<p>(iii) the proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands;</p>	<p><i>Information regarding the rezoning proposal has been provided to HRSB. No concern has been identified. HRSB will provide a complete review and comment as part of the development agreement process once specific details regarding the number and type of proposed residential units are known. Staff would advise Council as to HRSB's comments.</i></p> <p><i>HRM Parkland Planning staff have reviewed the rezoning proposal and advised DCL as to the expected recreation and park needs of a development of this size. Additional review and negotiation between HRM and DCL regarding park land and recreation needs would occur in the development agreement stage once the type, number and distribution of residential units is established.</i></p>
<p>(iv) the adequacy of road networks leading to or within the development;</p>	<p><i>A Traffic Impact Study has been submitted by DCL and reviewed by HRM. A more detailed analysis of the proposed roads, driveways and phasing provisions would be conducted through the development agreement process. Consideration would also be given to any decision of Regional Council regarding the future land use of the abutting HRM owned lands.</i></p>

<p>(v) the potential for damage to or for destruction of designated historic buildings and sites;</p>	<p>N/A</p>
<p>(b) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:</p>	<p><i>These issues cannot be addressed by rezoning. However, controls on all of these elements could be established through a development agreement</i></p>
<p>(i) type of use;</p>	<p>“</p>
<p>(ii) height, bulk and lot coverage of any proposed building;</p>	<p>“</p>
<p>(iii) traffic generation, access to and egress from the site, and parking;</p>	<p>“</p>
<p>(iv) open storage;</p>	<p>“</p>
<p>(v) signs; and</p>	<p>“</p>
<p>(c) that the proposed development is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.</p>	<p><i>Significant and potentially sensitive natural features have been identified. These elements would have to be identified, and any corresponding negative impacts mitigated, in a future development agreement.</i></p>



**Attachment C:**  
**Public Information Meeting Minutes**

**HALIFAX REGIONAL MUNICIPALITY**  
**PUBLIC INFORMATION MEETING**  
**CASE NO.01222 - Rezoning at North Quarry Lands, Dartmouth Crossing**

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**7:00 p.m.**

**Wednesday, January 28, 2009**

**276 Windmill Road, Dartmouth Farrell Hall**

**STAFF IN**

**ATTENDANCE:** Joseph Driscoll, Planner, HRM Planning Applications  
Kurt Pyle, Supervisor, HRM Planning Applications  
Roger Wells, Supervisor, HRM Regional Planning  
Holly Kent, Planning Technician, HRM Planning Applications  
Jennifer Little, Planning Controller, HRM Planning Applications

**ALSO IN**

**ATTENDANCE:** Councillor Andrew Younger, District 7  
Councillor Jim Smith, District 9  
Glen Munroe, Representative, Dartmouth Crossing  
Ron Richards, Representative Dartmouth Crossing  
Margot Young, EDM

**PUBLIC IN**

**ATTENDANCE:** 25

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The meeting commenced at approximately 7:10 p.m.

**1. Opening remarks/Introductions/Purpose of meeting**

Councillor Jim Smith welcomed everyone to the meeting explained that he represents the area. He welcomed Council Andrew Younger, District 6 and explained that they are interested in public feedback following Mr. Driscoll's presentation.

**Mr. Joseph Driscoll**, Planner, Planning Applications, called the meeting to order at approximately 7:10 p.m. in the Farrell Hall, Dartmouth.

Mr. Driscoll advised that the application is to rezone North Quarry Lands at Dartmouth Crossing. He introduced Kurt Pyle, Supervisor of Planning Applications, Eastern Region and Roger Wells, Supervisor of Regional Planning, Mr. Glen Munroe and Mr. Ron Richards as representatives of the applicant and Margot Young, EDM, consultant for Dartmouth Crossing.

## **2. Purpose of this meeting**

Mr. Driscoll explained that this public information meeting is the initial stage of the process and is intended to allow the public to provide feedback. The purpose of the public information meeting is to identify that HRM has received an application, identify the scope of what the rezoning proposal is, provide the public with an overview of the planning process, and to give the public an opportunity to ask questions and make comments. Any comments received by the public during this meeting will be incorporated into a staff report with a recommendation that will go to Council. Council will make the final decision on the application.

## **3. Overview of planning process**

Mr. Driscoll reviewed slides showing an areal view of Dartmouth, showing the current undeveloped subject area. This area is approximately 76 acres. The current zone is an Industrial Zone (I2) which is applied across Burnside, which permits a wide range of industrial and commercial uses and which does not permit residential uses. Mr. Driscoll explained that the proposed rezoning is to allow for a BCDD (Burnside Comprehensive Development District) zone. This would enable a future application for residential development through a development agreement process. Mr. Driscoll reviewed a slide of an area that may potentially have some mixed use development including residential. In order for any development, a rezoning application would need to first be approved by Council as would a development agreement. The BCDD zone only allows medium to high density residential, which would include condos, apartments, townhouses etc. Some considerations/issues may include compatibility of land uses (traffic, noise, odor) and integration of services and transportation systems.

## **4. Presentation of Proposed Rezoning - Dartmouth Crossing Ltd. / EDM**

Ron Richards, Dartmouth Crossing Ltd., gave a brief overview of Dartmouth Crossing, speaking about the current undeveloped area. He explained that Dartmouth Crossing Ltd. would like to see a complete, sustainable community, including a residential component. This residential area would be in the north end of the site. He explained that people would like to live by a commercial area that is close to metro transit and shopping areas without having to travel very far. Mr. Richards explained that they have EDM, the leading planning consulting firm in Nova Scotia working for them, the transportation point of view has been considered and the best use for this portion of land is a residential use. The functional plan review for the business parks is being reviewed by HRM.

He explained that there is a connection area under the highway that leads into the parks system, that would benefit the residents as well as park users. Research has shown that in most communities residents are looking to have a relationship between residential and a park areas. Mr. Richards noted that they are currently looking at developing approximately 1000-2000 units, with the possibility of more. There will be a development agreement process to be followed on each development.

He explained that, as a commercial developer, Dartmouth Crossing Ltd. does not feel that it is an appropriate location for commercial use. Dartmouth Crossing Ltd. recommends a residential use.

Mr. Driscoll added that if this application were to be approved by Council, the rezoning would be the first stage of the process, he pointed out that no development would occur on the site until

another public process was competed and approved by Council at a public hearing. He explained that Dartmouth Crossing Ltd. may submit some conceptual plans in support of this application, however, there is no guarantee that the development would occur as currently shown.

## **5. Questions / Comments**

Councillor Smith questioned what the restrictions are on how many units can be developed on this property.

Mr. Driscoll explained that the RMPS policy for development agreement limits it to a density calculation. The density allowed within the Regional Plan is higher than what the applicants are proposing.

Ms. Pam Lutz, Leaman Drive, Dartmouth questioned what type of buildings will be proposed. She noted concern with the layout of Dartmouth Crossing and that a number of people get lost.

Mr. Richards explained that the BCDD zone limits developments to a medium and high density development. Therefore, there would be mid and high rise developments. They anticipate the area being a mixed-use development in terms of scale. He also assured that the top engineers in the country had designed the roads of Dartmouth Crossing and the reason why it may be confusing is because of its size and that all the roads were not open in the past.

Mr. Driscoll explained that when a development agreement application is submitted, there are details regarding the housing types included within the application.

Ms. Margot Young, EDM showed a slide of the property and reviewed the layout of the land, explaining that it would be analyzed in more detail in the future. She compared this proposal to the layout of residential uses at Mic Mac Mall. At this time she reviewed maps of the area.

A lady from the public questioned the commercial area that sits right of the car dealership, questioning if the development will be going below the quarry wall or will it be built up?

Ms. Young explained that the commercial area is at the bottom of the quarry. Reviewing the slides, she explained the location of the road.

Ms. Suzanne Roy, Waverley Road explained that her view plane has so far not been affected by any development. She added that she is currently benefitting from the developments surrounding the area. However, she is concerned and is wondering about the aesthetic considerations along the highway. She is hoping that there is a plan to make this area more aesthetically pleasing. Ms. Roy questioned about the drainage and the run off from storms. She shared her current experiences with dirty run off water she receives on her property.

Mr. Driscoll explained that the development agreement is a legally binding contract in which certain provisions can be added. Such provisions may include non-disturbance areas and vegetated buffers that will act like a by-law. He encouraged the residents to continue to follow the process and to get involved in public participation. Mr. Driscoll explained that HRM will complete an additional

review for future development agreement applications, including the engineers and those responsible for environmental matters.

Mr. Jake O'Conner, Chair of the Shubenacadie Canal Commission, explained that it is a very extensive public process that they will be going through. He does not anticipate a wall of high rise structures however, there may be some. It should be consistent, in terms of scale and design, with the Dartmouth Crossing and will be a mixed use. He explained that the environmental considerations have been appreciated by Dartmouth Crossing. He reviewed past processes when developing Dartmouth Crossing including fish habitat restoration in the boundaries of Dartmouth Crossing.

Mr. Paul Currie, Waverley Road expressed concern about the noise pollution once the trees are removed. He explained that there is currently a green belt around the lake and explained but that there is limited public access. He asked, if after the development, there would be additional public access, making it a public lake. He also noted his concern with the amount of silt that has been running on to his property. He has concern with the quality of the lake becoming worse if the area is developed.

Mr. Driscoll explained that if there are environmental concerns relating to an existing development, to contact him and he could pass along the information to the appropriate people at HRM or Department of Environment.

Mr. Currie questioned how many families will be moving into this area.

Mr. Driscoll explained that the concept relating to the rezoning talks about a general range of 1500 units which will vary between different forms of housing. He added that the height is unknown at this time. This will be discussed during the development agreement process.

Mr. Sandy Bryson, Waverley Road asked if the presenters could point out where the units will be on the map of the area.

Ms. Young explained that the location of the units is very tentative at this time. She reviewed the map and indicated where they are imagining town homes to be developed. A town park is also being considered.

Mr. Richards explained that this site was operating under a quarry permit and an excavation permit, they do not have the same controls as development agreements. He explained that DCL does not own the land referred to as the green belt and added that as far as the lake becoming public, he didn't think that there will be any new boat launches.

Mr. Driscoll explained that he is not aware of any plans for further recreational development on that public land. However, public access to public land for recreational purposes is not necessarily a bad thing. He encouraged residents to contact him, as he would forward them to the appropriate staff in HRM for information on any long range plans for the public land.

Mr. Driscoll explained that HRM Park Planners hold public consultation before they do a development of a trail system. The residents would be able to provide input.

Colin Leonard, Twilight Lane, expressed concern with the volume of storm water after any vegetation is cleared off the slope. He hopes to see this issue dealt with appropriately. He also noted concern with the land above the highway. He explained that this land is zoned for industrial businesses. He questioned if there was an expansion, would a public information meeting be held since they meet the zoning regulations?

Mr. Driscoll explained that on privately owned land, commercial/light industrial development would proceed as of right. If the use is permitted in the zone, then it could proceed without any public consultation. He explained that on HRM owned lands, expansion of Burnside is approved by Council, no public consultation is required per se.

Mr. Leonard added that it may be more beneficial to the residents if the land under discussion was zoned residential, then they would have more input for future use.

Councillor Younger spoke on the Burnside Functional Plan. He explained that Council approved it in principle except for one section (up to the power line).

Mr. Roger Wells, Supervisor of Regional Planning explained that a consultant has prepared an overall master plan of all of the industrial parks. The second part of the study included a detailed look at the greater Burnside area including Dartmouth Crossing. He reviewed the map of the area and explained that the consultant for the study recommended it because the industrial land is running out. The study concludes that HRM should be very careful not to give up land at this time for residential development but, to retain the land for industrial purposes only. Council's motion regarding the functional plan indicated some question about the general slope below the power line, north of Wright Avenue. Council agreed to have further public consultation regarding the lands below the power line that are owned by HRM including the possibility for residential development. He added that this issue is not why this public information meeting is taken place. The current application being discussed is based on Dartmouth Crossing Ltd.'s property and not the property of HRM. Mr. Wells explained that there will be future consultation about HRM lands.

Mr. Richards explained that the two elements of development in storm water engineering are quality and quantity control. He explained that they are required to ensure that the rate of run off that occurs after development does not exceed the rate of run off that occurred prior to the development. The rock wall and the ponds that are not always full throughout Dartmouth Crossing are actually 'holding ponds'. He explained that as storm water falls, it builds up in these 'ponds' and is held there to avoid down stream flooding.

He continued by explaining that because of the fracturing of the rock as a result of the development up stream in the HRM Business Park, Grassy Brook had lost a lot of its flow. They have taken the clean storm water, that falls onto the roof tops of the buildings and allowed for it to flow into the creek keeping the water level up to allow the fish habitat to be maintained.

Mr. Glenn Bowie, Waverley Road thanked Ms. Young for prior explanation. He explained careful planning is important in relation to Lake Mic Mac. The siltation levels are worse. However, the visible effects at Lake Mic Mac are not showing up at Lake Charles. He questioned about the quality of the housing / facilities being proposed. He noted concern with the appearance of Highfield Park. He added that the low rises are great and would like to see Lake Charles remain clean.

Mr. Driscoll explained that the development agreement can control things like the height of buildings, what they look like, the materials and the design. As part of a future application, typically the building plans would be available for the public to view. Any issues can be addressed to HRM staff, to the developer as well as to the Councillor of that district.

Mr. Richards assured Mr. Bowie that it is not their intention for the outcome of this development to look like Highfield Park.

Ms. Young added that the Dartmouth Lakes Advisory Board was founded to deal with the quality of Lakes. The Lake is much better now and the Board would review the any development agreement proposals.

Gene Irwin asked how people who are not attending the public information meeting can get information on the proposal and what it consist of. He noted that it would also be beneficial to have a sketch.

Mr. Driscoll explained that there was notice placed in the newspaper. He added that if the zoning application is approved, there will be an additional public meeting including the details of the buildings.

Mr. Pyle added that if that is the case, there will be a fact sheet mailed out to people in the area who would be affected. There is also information that would be posted on HRM's website including drawings.

Mr. Bryson asked if there is a 'Plan B'.

Mr. Richards explained that there is no 'Plan B' as of now. The land is currently zoned to allow for commercial or industrial uses. He added that the land would be used for something.

A lady questioned how long it would be until development occurred.

Mr. Richards estimated approximately two to five years.

A gentleman added that Lake Charles is the highest lake in the chain, 70% of the flow is towards Lake William and will end up in the Bay of Fundy via the Shubenacadie River, 30% towards the Halifax Harbour.

A gentleman explained that the future residents would have to be very mobile considering its location. Because it is isolated and public transportation is poor residents may have a hard time getting around. However, these issues may also be alleviated if a mix of uses are permitted and can be integrated industrial and commercial property.

Mr. Driscoll explained that one of the things staff will look at closely is integration of land uses.

Mr. Richards added that their conceptual plans include integrated trail systems for those who choose to bike or walk. The public transit may be improved now that the road is flushed out.

Mr. Driscoll pointed out that the zone also allows for a mix of uses, having the possibility for offices, commercial and retail to be mixed in with the residential areas. However, if in the review, it is felt that there is constraints regarding transit, they will be communicated to Council.

Mr. Hugh Bray, Waverley Road indicated that he works within the real estate business and has made some observations that the Community has been greatly enhanced by Dartmouth Crossing. He added that he paddles a lot on both Lake Mic Mac and Lake Charles, he does not see any compromises in the interest of the Community at large.

A lady explained that with the current down turn in the economic situation, and the already high numbers of condominiums built throughout HRM, is there anticipation that there will be a loss over a certain period of time.

Mr. Richards explained that it is market driven and developers do not build buildings if they are not going to be sold. He added that there is a demand and they have received interest from realtors.

Mr. Wells explained that HRM will continue to do research on what is happening in the market place. He added that there continues to be an urban migration from rural areas of Nova Scotia to Halifax as the major city. He explained that even though the population is not growing at a rapid rate, the number of housing units being created is growing a lot faster than the population. This has to do with the fact that the divorce rate is up and there are more single people owning their own condominiums as apposed to staying at home. The average household size has shrunk from four persons per household in the 1970-80's to now just over two persons per household. These reasons are why there is still a demand for units.

## **6. Closing comments**

Mr. Driscoll thanked everyone for coming to the meeting and expressing their comments and concerns.

## **7. Adjournment**

The meeting adjourned at approximately 9:00p.m.