

**NORTH WEST PLANNING ADVISORY COMMITTEE**

**MINUTES**

**FEBRUARY 6, 2002**

THOSE PRESENT: Delphis Roy, Chair  
Ann Merritt  
George Murphy  
Karen Stadnyk  
Tony Edwards  
Gloria Lowther  
Jan Gerrow  
David Perrier  
Councillor Johns

ALSO PRESENT: Paul Morgan, Planner  
Andrew Bone, Planner  
Gail Harnish, Admin/PAC Coordinator  
Sandra Shute, Assistant Municipal Clerk

Regrets: Councillor Goucher

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Charles Fenerty Room, Sackville Library, 636 Sackville Drive, Lower Sackville.

2. **APPROVAL OF AGENDA**

**MOVED** by Jan Gerrow, seconded by David Perrier to approve the Agenda as presented. **MOTION PUT AND PASSED.**

3. **APPROVAL OF MINUTES**

The Minutes of Joint PAC meeting held on December 13, 2001 and Regular Meeting held on January 2, 2002 were distributed at the meeting. These will be on the Agenda for approval at the next meeting.

4. **BUSINESS ARISING OUT OF THE MINUTES** - None

5. **CASE 00404 - APPLICATION BY STEVE FAIRBAIRN TO AMEND THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE TO ALLOW A COMMERCIAL ENTERTAINMENT USE AT 991 BEAVERBANK WINDSOR JUNCTION CROSS ROAD**

A Staff Report dated January 7, 2002 was before the Committee. Andrew Bone, Planner provided an overview of the application. He circulated a revised proposed amending agreement (Attachment B). During the course of his presentation, he advised that:

- The property is a municipally registered heritage property.
- Downtown Dartmouth and Halifax have policies in their Plans which give special rights to heritage properties, allowing a land use in a registered municipal heritage property by Development Agreement. A proposed Heritage Policy was designed, therefore, to be inserted in the Plan for Beaver Bank, Hammonds Plains and Upper Sackville.
- This is the only municipally registered heritage property in the Plan area. The proposed policy would only affect this one property but if there ever were additional heritage properties, the policy would be available to the property owners once they receive heritage designation.
- The reason for allowing the use is to encourage property owners to preserve, maintain and enhance the building by providing land uses that are normally not available, thus making it more economical to own such a property.
- Community Council could discharge the Development Agreement if the property was de-registered, for whatever reason.

- Heritage Advisory Committee has reviewed the application and forwarded a positive recommendation.
- He reviewed Sections 2.15, 2.16 and 4.8.
- Staff is recommending in favour of the application.

Councillor Johns asked if the developer was notified of the meeting tonight. In response, Mr. Bone advised that they were unable to attend due to a previous commitment.

Councillor Johns referred to Section 2.15(c) and asked if it would be possible to specify “or disc jockey”. In response, Mr. Bone advised that disc jockey was excluded because it would be amplified music.

Jan Gerrow asked for clarification of the time limit for a temporary sign. In response, Mr. Bone advised there is an existing sign which is illegal; it does not meet the current Development Agreement. If the current application is not approved, the current sign would have to be removed. If it is approved, Heritage Advisory Committee would have to approve a design. Either way, the existing sign should be removed. The developer expressed a concern that they could not afford a sign they wanted up front. Staff requested that it be included as an option so that in the end the proper sign could be obtained versus one that does not meet the criteria.

Ann Merritt asked for clarification regarding the names of the developers. In response, Mr. Bone advised that the names of the developers have not changed on the agreement. Steve Fairbairn made the application as a partner in the business but does not specifically own the property. The property is owned by his sister and brother-in-law. Because the Development Agreement rides with the property, Allison and Thomas Malley are the ones who would have to sign the agreement.

Ann Merritt stated she did not want to see someone get rid of the heritage designation and then come back and want to do something outside it. In response, Mr. Bone advised that if the heritage designation is removed from the property and the land use rights are extinguished under the agreement, then the only thing the owner of the property could do is the miniature golf course under the Development Agreement and anything permitted in the Mixed Use 1 Zone.

Delphis Roy asked if it would be possible to allow a sandwich board sign since the main sign would be on one side of the property but the property is bounded by Beavercreek Road and Beaver Bank Windsor Junction Cross Road. In response, Mr. Bone advised that the Development Agreement does not specifically cover sandwich board signs but the Municipality has generally allowed them if they are removed at the end of the day. The existing Development Agreement allows for a single fixed ground sign close to the existing driveway, which is away from the corner. As well, the existing Development Agreement allows for a double sided hanging sign from the existing building.

**MOVED by Jan Gerrow, seconded by Gloria Lowther to recommend that North West Community Council:**

1. **Recommend that Regional Council give First Reading to the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law as contained in Attachment A of the Staff Report dated January 7, 2002 and schedule a Public Hearing;**
2. **Recommend that Regional Council adopt the amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law, as contained in Attachment "A" of the Staff Report dated January 7, 2002;**
3. **Move Notice of Motion for the proposed Development Agreement, attached as Attachment "B" of the Staff Report dated January 7, 2002 to permit a commercial entertainment use, and to schedule a joint Public Hearing with Regional Council;**
4. **Contingent upon the adoption by Regional Council of the above Municipal Planning Strategy and Land Use By-law amendments and becoming effective under the Municipal Government Act:**
  - (a) **Approve the proposed Development Agreement (staff will bring this matter back to Community Council for a decision at the appropriate time); and**
  - (b) **Require that the Development Agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED.**

6. **SECONDARY PLANNING STRATEGY FOR THE COMMUNITY OF WENTWORTH/BEDFORD SOUTH**

The following people were in attendance on behalf of Clayton Developments:

Mike Hanusiak, Vice President, Strategic Planning  
Mike Willett, Vice President, Development  
Andrew Connors, Architect, Development Administration  
Earl Richardson, Operations  
Kevin Neate, Development Assistant  
Ken O'Brien and Greg O'Brien, Atlantic Road and Traffic Management

Review continued on the above, after the first meeting was held on January 21, 2002. It began with page 15 of the draft January, 2002 Secondary Planning Strategy for the Community of Wentworth/Bedford South re 3.3 The Community Transportation System.

### **3.3 The Community Transportation System**

With regard to Policy CTS-1, Paul Morgan, Planner provided an overview of this policy. As a result of the traffic analysis, Larry Uteck Boulevard would be four lanes up to the first intersection and then a two lane collector road with turning lanes at major intersections as long as direct driveway access is not allowed for single family homes up to Nine Mile Drive. It would then be four lanes again.

Gloria Lowther asked, if the lanes were to be reduced from four to two, would there still be sidewalks on both sides on that portion. In response, Paul Morgan advised that between the interchange and the intersection, there might not be a need for sidewalks on both sides. This could be decided through the Development Agreement. There might not even be a need for one side. Certainly, from the intersection all the way down to Bedford Highway, provisions are for sidewalks.

With regard to who determines the need for sidewalks, Mr. Mike Hanusiak, Vice-President, Strategic Planning, Clayton Developments advised that the area to the interchange would be a right in, right out because it would provide a slip stream for all the traffic moving between the community and the interchange. They did not anticipate inviting pedestrians to go down that route. Right now the priority is for movement of vehicles from the highway, not pedestrians. It would be the decision of HRM in the end, however.

Jan Gerrow stated she envisioned some kind of transit service at the 102. As well, there would be a recreation complex across the street. She saw pedestrians in the area and the need for sidewalks. She would rather know that sidewalks are coming and have the ability to cancel them as opposed to negotiating sidewalks after the fact, especially because there are four lanes involved.

Mr. Hanusiak advised that they were six years away from a detailed site plan of the area. There would be a lot of discussion taking place between now and then with the authorities having jurisdiction - Department of Transportation and HRM. Department of Transportation may dictate that in order to have a proper interface, they do not want to see pedestrians crossing.

Paul Morgan indicated that there could be a shopping centre involved in the area in question and there could be a transit stop. This necessarily did not mean that a sidewalk was needed as you would not want to encourage pedestrians to walk up to the interchange.

Gloria Lowther noted that with the six year time frame indicated by Mr. Hanusiak, there could be six years of extra traffic, including construction traffic, on the Bedford Highway before the interchange is considered.

Paul Morgan stated that as far as the main specifications were concerned for CTS-1, Traffic Services appears to be satisfied with the provisions made. With regard to section (f) regarding trails, there was question as to how much value a sidewalk had on a cul de sac. It was felt to be wiser to relax the standards for sidewalks in this instance and put in a community trail system instead, which would provide safer and convenient access.

Ann Merritt stated that community trails tended to be left in their natural state as far as slope and terrain. When talking about accessibility, a large portion of the community may be older who cannot ride bicycles, walk up steep slopes or on rough ground. Sidewalks were ideal for older people, people in wheelchairs and for younger people pushing babies in strollers.

Mr. Hanusiak advised that there would likely be a hierarchy in the trail system. Trails through the cul de sacs will require a paved surface. Rather than sidewalks, they wanted to see linkages down through the system. The only place they anticipated more rigorous trails is through the ravine.

Jan Gerrow referred to the unnamed road from the Bedford Highway up into the development. She foresaw it as a busy road with many houses and asked if there would be sidewalks on both sides. She saw it as equal to Basinview Drive which has a sidewalk on one side. In response, Mr. Hanusiak advised that Portland Hills Drive is an example of a sidewalk on one side, but has a school and is about a mile in length.

Paul Morgan agreed to check with Traffic Services with regard to Jan Gerrow's concern for sidewalks on both sides.

In terms of phasing of the interchange, Paul Morgan advised that this was covered under Municipal Services, page 28.

With regard to Old Coach Road, Jan Gerrow asked if it would be maintained by HRM in the winter as she understood it would be finished with crusher dust. In response, Paul Morgan advised this would be up for negotiation.

Mr. Hanusiak added that paved linkages would be expected to be maintained in the winter. He explained that in certain situations the pathways serve a dual purpose for water linkages.

Ann Merritt asked for information regarding transit service. In response, Mr. Hanusiak advised that the unnamed collector street has been designed for a bus route. He

acknowledged the importance of transit services because transit helps to sell houses. He hoped that transit staff would work with the loop identified.

Jan Gerrow stated that if a bus were to be put on the unnamed road, then she had even greater concerns with a sidewalk only on one side.

Paul Morgan agreed to refer the Committee's comments to Traffic Services.

### **3.4 Residential Neighbourhoods Designation**

Paul Morgan referred to the map on page 12 and advised that staff wanted to negotiate development on a neighbourhood basis, not on a property-by-property basis. There are common criteria that would have to be considered in any Development Agreement applicable to all neighbourhoods. This was covered under RN-2 on page 20. With regard to the allocation of housing and the massing of buildings, he advised he was looking at including something about viewplanes. He reviewed this designation.

Jan Gerrow asked why Neighbourhood C was not included in section (a). In response, Mr. Hanusiak advised they did not have any particular problem with that. As far as the Bedford side is concerned, they would maintain six units per acre. A portion of C is in the Halifax designation.

Gloria Lowther referred to Neighbourhood F where there is no mention of lot sizes. In response, Paul Morgan advised that Halifax allowed for less than 40' lots to the extent that they are satisfied with them. There are restrictions when you look at the Municipal Service Section where there is an allocation of density as well.

Gloria Lowther referred to Municipal Services, page 31 regarding quotas for neighbourhoods and asked for clarification. In response, Mr. Hanusiak advised that each area was dependent on sewer. Clayton was taking the lead role with some of the other developers such as Cresco. Each of the areas for density purposes is set at 20 persons per acre but there is the further caveat of six units per acre in the former Town of Bedford. There may be an opportunity to move some density back and forth but there are different property interests. He did not think one corporate entity would give density to another.

Jan Gerrow referred to Glenmount Avenue and asked for information on buffering. In response, Mr. Hanusiak advised of the sloping terrain in the area which does not lend itself to single family housing. There would be a 50' buffer at the back for an apartment building and the building would be configured on the site for road access. There is also a 50' buffer on either side of a small creek. The proposal requires more detail which would take place at the concept stage.



Jan Gerrow referred to Neighbourhood B where there could be buildings of 12 stories. She asked where they would be. In response, Paul Morgan advised they would be along Larry Uteck Boulevard. There would be an overall density of 20 persons per acre so if you concentrate that all in one building, you would have to have more green space. 12 stories might be something that given the elevation, people would pay good money for.

Mr. Mike Willett explained that Clayton would like to see a number of tall buildings to keep more surface. It would not be higher density, just a higher building form. Neighbourhood B is in the former City of Halifax under Schedule K. They would not want a departure from what is permitted under Schedule K.

Ann Merritt said that whenever apartment buildings are discussed for the Bedford Plan, there was always the worry that they would overlook people's back yards. She asked what would happen in Neighbourhood B. In response, Mr. Hanusiak indicated the location of the higher buildings proposed. He added that when you move beyond the core, the ability to get rents necessary to pay for high rise buildings diminishes rapidly. Even if there were high rise buildings in the area in question, they would be leaving significant ravine area which would provide separation.

3.4 **Community Commercial/Institutional Designation**

3.6 **The Mixed Use Business Campus Designation**

3.7 **The General Commercial Designation**

Paul Morgan reviewed these sections including the differences between the designations. As well, Mr. Hanusiak provided information regarding provision for a school, if required.

Jan Gerrow asked what kind of spacing would be between commercial and Neighbourhood E. She had concerns with parking and pedestrians but understood the size of the lots. In response, Mr. Hanusiak advised that the entrance to the commercial area would be off Nine Mile Drive and the buildings would be located close to Nine Mile Drive.

Paul Morgan also advised that access for pedestrians would be encouraged without having to go through a parking lot. He referred to Clause (e) on page 25 and quoted from same.

Gloria Lowther referred to page 26 under Policy MUBC-2 and advised she could not find Policy RN-4. In response, Paul Morgan advised it was a typographical error and should be RN-3.

4.0 **Municipal Services**

Paul Morgan reviewed the proposed policy.

It was noted there was a duplicate objective listed which Paul Morgan indicated has been deleted.

Councillor Johns asked who would pay for Millview to be hooked up. In response, Mr. Hanusiak advised that HRM has asked Clayton to bring the water service to the gatehouse. Thereafter, HRM has a cost sharing policy in place for this situation.

With regard to timing of the proposed interchange, Paul Morgan advised that 1000 units will be allowed within the Master Plan area prior to construction of an interchange. Once that number is reached, Larry Uteck Boulevard would have to be extended, the interchange built, Nine Mile Drive extended to Crestview Subdivision. Policy MS-6 has to do with distribution among the sub-areas. Chebucto Community Council has approved a Development Agreement for 1000 units. It may be possible that if that particular development proceeds at a slow pace, more than 1000 units within the Master Plan area might be allowed. That was the reason for Policy MS-7.

Mr. Hanusiak then referred to a traffic study which had been done prior to Clayton taking over the process. SGE has reviewed the study and validated the original study which indicated there was special capacity for 2000 units onto the Bedford Highway subject to the Bedford Highway having certain upgrades, i.e. at the intersection of Kearney Lake Road. This has been taken into account by SGE who has made recommendations that will be going to Regional Council as part of the Capital Cost Contribution discussions. Of the 2000 homes, roughly 1000 have been assigned to Royale Hemlocks. There should be a split of 70/30 for the remaining homes - 700 units for Bedford.

Mr. Hanusiak, with the aid of the map, indicated the key to pre-interchange was to build from Larry Uteck Boulevard up to a certain point constituting a loop. Of the 700 units that could go on the Bedford side, you would have to afford a sufficient number of units along Larry Uteck Boulevard. HRM was asked to transfer some of the 700 units to the Halifax side particularly because of sanitary sewer considerations. They have to work from the Bedford Highway up and submit phasing plans to show how it will be built incrementally before the interchange comes into play. At the same time, the connection will go over to Crestview.

Gloria Lowther stated she would like to see the (a) section of MS-7 stop before the "or" (regarding the financing). In response, Mr. Hanusiak advised that HRM is putting in place Capital Cost Contributions which will deal with how oversized infrastructure will be financed.

Paul Morgan added that there would be enough flexibility because of all the approvals necessary. As well, Policy MS-8 would be the way out.

Due to time constraints, it was recognized that the rest of the review could not take place at this meeting but the Committee was satisfied with what has been discussed so far.

George Murphy expressed appreciation of the approach being taken by Clayton versus the other approach taken earlier regarding the same lands.

It was agreed that an additional meeting was required. Gail Harnish will call members of the Committee regarding another date. Tentatively the meeting will be on Monday, February 18, 2002.

7. **STATUS UPDATES**

7.1 **Monthly Status Sheet**

Provided for information purposes.

7.2 **Decisions of Community Council**

Provided for information purposes.

8. **NEW BUSINESS**

8.1 **Sackville Drive Streetscape**

PAC Public Meeting tentatively scheduled for Monday, March 4, 2002.

8.2 **Joint PAC Meeting**

Scheduled for February 13, 2002 re Capital Cost Contribution and Construction and Demolition Waste Management Strategy.

9. **NEXT REGULAR MEETING**

Wednesday, March 6, 2002.

10. **ADJOURNMENT**

On a motion from David Perrier, the meeting adjourned at 9:10 p.m.

Sandra M. Shute  
Assistant Municipal Clerk