



P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No.**  
**North West Community Council**  
**September 15, 2014**

**TO:** Chair and Members of North West Community Council

Original signed

**SUBMITTED BY:**

  
**For:** Brad Anguish, Director of Community and Recreation Services

**DATE:** August 26, 2014

**SUBJECT:** **Case 19111: Application by United Gulf to rezone lands at the intersection of Voyageur Way and Hammonds Plains Road, Hammonds Plains**

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**ORIGIN**

Application by United Gulf Developments Ltd.

**LEGISLATIVE AUTHORITY**

*Halifax Regional Municipal Charter, Part VIII, Planning and Development*

**RECOMMENDATION**

It is recommended that North West Community Council:

1. Give First Reading of the proposed rezoning of lands at the intersection of Voyageur Way and Hammonds Plains Road (PID 41127564 and a portion of PID 41351669) from the MU-1 (Mixed Use 1) Zone to the C-4 (Highway Commercial) Zone, as contained in Attachment A of this report, and schedule a public hearing; and
2. Approve the proposed rezoning of lands at the intersection of Voyageur Way and Hammonds Plains Road (PID 41127564 and a portion of PID 41351669) from the MU-1 (Mixed Use 1) Zone to the C-4 (Highway Commercial) Zone, as contained in Attachment A of this report.

## **BACKGROUND**

The lands subject to the rezoning are approximately 7.5 acres (3.03 ha) in area and consist of four properties located at the intersection of Voyageur Way and Hammonds Plains Road, one on the west side of Voyageur Way and three on the east side of Voyageur Way. The lands are currently undeveloped.

The current MU-1 (Mixed Use-1) zoning of the properties permits a range of residential and commercial uses but limits the floor area of commercial buildings to 2,000 square feet. The proposed C-4 (Highway Commercial) zoning allows a maximum of 10,000 square feet of commercial space in a building. The applicant has identified that the increase in square footage is the source of the request.

### **Location, Designation, Zoning and Surrounding Area**

<b>Subject Properties</b>	Four parcels: PID 41127564 and three parcels being a portion of PID 41351669 (Condominium Corporation No. 314)
<b>Location</b>	Intersection of Voyageur Way and Hammonds Plains Road
<b>Lot Area</b>	Total of 7.5 acres (3.03 ha)
<b>Community Plan Designation</b>	MUB (Mixed Use B) under the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy
<b>Regional Plan Designation</b>	RC (Rural Commuter)
<b>Zoning</b>	MU-1 (Mixed Use 1) under the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law
<b>Surrounding Land Uses</b>	Single unit dwelling to the east, commercial (antique store) to the west, Voyageur Lakes subdivision including single and two unit dwellings and commercial to the rear, commercial/industrial uses (Farmer Clem's and Bloom greenhouse and gardening centre) across the Hammonds Plains Road
<b>Current Use</b>	vacant

### **Enabling Policy**

The Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy contains criteria that allows the consideration of larger scale, potentially more intensive commercial uses through the rezoning process. Under the Mixed Use B designation, Policy P-24 provides Council with the ability to consider the application of the C-4 (Highway Commercial) Zone, subject to specific criteria and the general evaluative criteria contained in Policy P-137 (Attachment B).

### **Proposal**

The proposal, as noted above, is to rezone the subject properties from the MU-1 Zone to the C-4 (Commercial Highway) Zone. The applicant proposes to construct five 10,000 square foot buildings on the four properties to be used as general retail, restaurant, coffee shop, take out restaurant and medical offices. Driveway access for the properties to the east of Voyageur Way will be through Appaloosa Run, a private access easement. It should be noted that details of the proposed buildings including building use, design, driveway access and servicing requirements will be determined at the building permit stage.

## **DISCUSSION**

Policies within the Mixed Use B Designation of the Beaver Bank, Hammonds Plains and Upper Sackville MPS enable Council's consideration of a proposed rezoning to permit a wider range of commercial uses and larger commercial buildings. Staff have reviewed the proposed rezoning and determined it is consistent with applicable policies. Attachment B provides an evaluation of the proposed rezoning as it relates to the applicable policies and the following is provided to highlight and discuss the key issues:

### **Compatibility with Adjacent Land Use**

The policy discusses the importance of locating new highway commercial uses adjacent to or in close proximity to other commercial uses. The subject properties are located in close proximity to the commercial development on Appaloosa Run and commercial and industrial uses along the Hammonds

Plains Road. Further, this area is located at the intersection of Voyageur Way and Hammonds Plains Road and is a suitable location for larger commercial uses. The controls of the C-4 Zone such as screening are intended to address the potential impacts of more intense uses within larger buildings and the existing abutting uses. Given the mix of commercial land uses surrounding the subject properties and the provisions of the C-4 Zone, compatibility is not a concern. Further, the policy gives preference for a location adjacent to or in close proximity to other commercial uses, therefore making this area suitable for highway commercial development.

#### **Existing Commercial Development Rights**

The existing MU-1 Zone permits the establishment of a variety of commercial uses with a maximum building size of 185.8 square metres (2,000 square feet). The main difference between the existing zone and the proposed C-4 Zone is the building size and several additional commercial uses such as drive in and take-out restaurants, and service stations. The C-4 Zone permits commercial buildings up to 929 square metres (10,000 square feet) in gross floor area. The main effect of applying the C-4 Zone to the subject property is the ability to develop larger buildings on the properties. Staff advise that larger buildings at this location are appropriate and further the intent of the policy rather than the development of several smaller commercial buildings in this particular area. The additional commercial uses permitted under the C-4 Zone are also appropriate given the location of the subject properties at a prominent intersection.

#### **Adequacy of Existing Road Network**

Development Engineering staff, in consultation with Traffic Services, have reviewed a Traffic Impact Statement dated October 30, 2013 and its addendum dated January 31, 2014 submitted in support of the application and have accepted its findings. The TIS outlines that a need for traffic signals will be the result of the specific type and scale of development that will take place. As this is a request to rezone, the specific development proposals cannot be pre-determined, therefore it is not possible to conclude with certainty if and when signals may be required. The rezoning increases the probability that traffic signals will eventually be required but the actual level of site development and subsequent traffic volumes must be monitored over time to determine if and when signals will be required.

Responsibility for signal installation is not determined by this rezoning request but rather as the individual sites are developed. At the public information meeting, the applicant indicated they would accept responsibility for the traffic signal installation, however, any such obligation would fall to the property owner at the time of site development.

#### **North West Planning Advisory Committee**

The North West Planning Advisory Committee (NWPAC) reviewed this application on May 7, 2014. The Committee recommended that North West Community Council approve the rezoning contingent upon staff's evaluation of potential impacts on future traffic flow, installation of traffic lights and potential for contribution to the associated costs by the developer and the length of the left turning lane from Hammonds Plains Road into Voyageur Way. The Committee's concerns were raised with HRM's Development Engineering and Traffic Services staff and the results are included in the discussion above. A report from the NWPAC to Community Council will be provided under separate cover.

#### **Conclusion**

The proposed rezoning is consistent with the MPS for Beaver Bank, Hammonds Plains and Upper Sackville, therefore it is recommended that the North West Community Council rezone the subject properties from the MU-1 (Mixed Use) Zone to the C-4 (Highway Commercial) Zone.

Community Council should note that this proposal is a request for rezoning, not a development agreement; therefore, should Community Council approve the proposed rezoning, the property owner would be permitted to develop the subject property for any use permitted under the C-4 Zone provided that the zone provisions are satisfied. For clarification, should the applicant decide to change the proposal to an alternative use permitted under the requested C-4 Zone, an additional Planning Process would not be required.

### **FINANCIAL IMPLICATIONS**

The costs to process this planning application can be accommodated within the approved 2014/15 operating budget for C310 Planning and Applications.

### **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing, achieved through notices posted on the HRM website. A public information meeting was held on April 10, 2014; notices for which were posted in the local newspaper and mailed to property owners within the notification area shown on Map 2. Attachment C contains a copy of the minutes from the meeting.

A public hearing has to be held by Community Council before they can consider approval of a rezoning. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail. The proposed rezoning will potentially impact the following stakeholders: local residents, property owners, and community or neighbourhood organizations.

### **ENVIRONMENTAL IMPLICATIONS**

The proposal meets all relevant environment policies contained in the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law. Please refer to Attachment B of this report for further information.

### **ALTERNATIVES**

1. Community Council may choose to refuse the rezoning of PID 41127564 and a portion of PID 41351669, Hammonds Plains Road and Voyageur Way, Hammonds Plains from the MU-1 (Mixed Use 1) Zone to the C-4 (Highway Commercial) Zone, and in doing so must provide reasons why the rezoning does not carry out the intent of the MPS. A decision of Council to reject this land use by-law amendment, with or without a public hearing, is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

### **ATTACHMENTS**

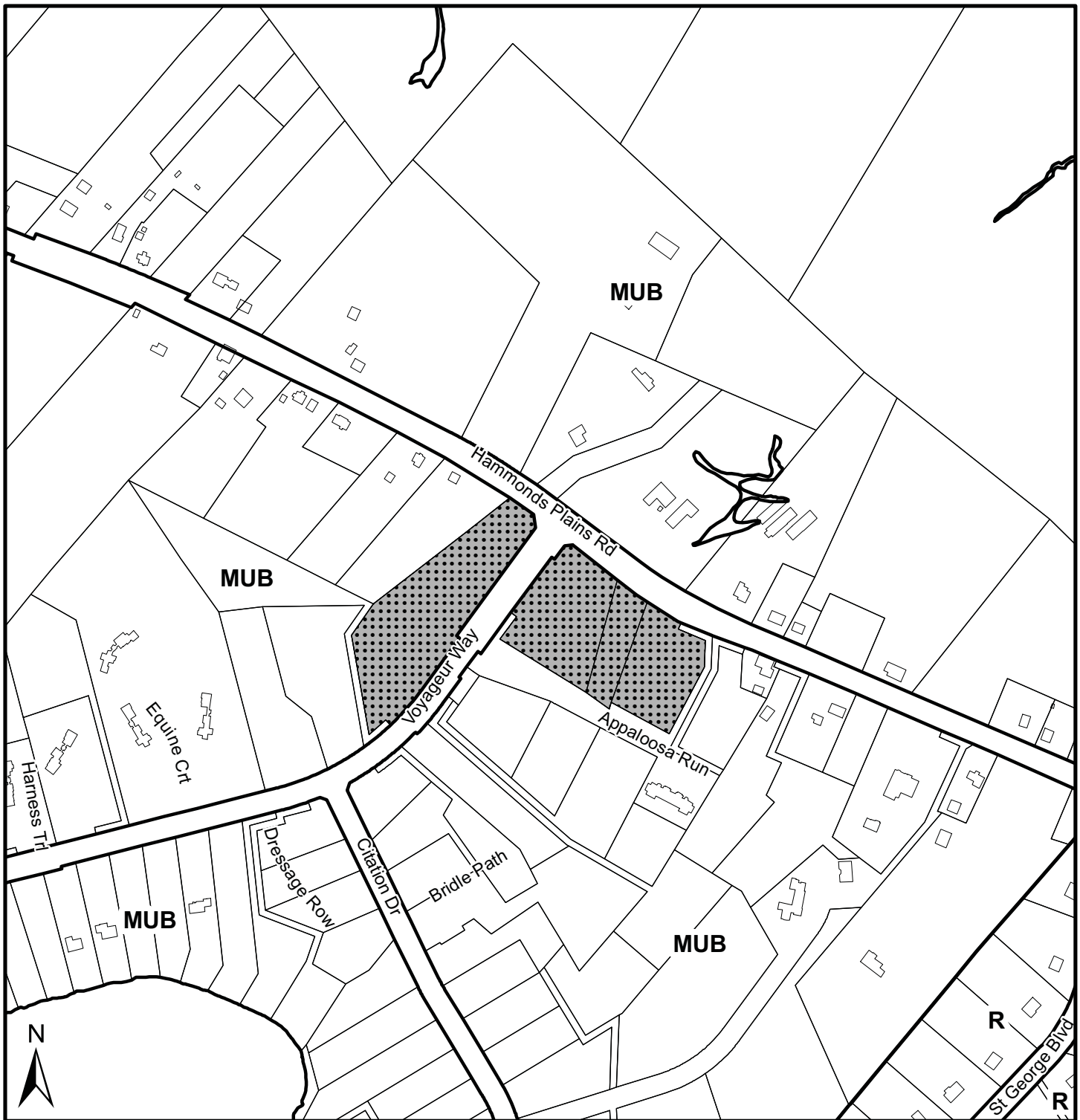
Map 1 Generalized Future Land Use  
Map 2 Zoning and Notification

Attachment A Proposed Amendment to the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law  
Attachment B Excerpts from the Beaver Bank, Hammonds Plains and Upper Sackville MPS: Policy Evaluation  
Attachment C Public Information Meeting Minutes – April 10, 2014

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902-490-4210, or Fax 902-490-4208.

Report Prepared by: Erin MacIntyre, Planner 1, 902-490-6704  
Original signed

Report Approved by: Kelly Denty, Manager, Development Approvals, 902-490-4800



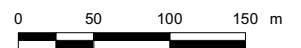
## Map 1 - Generalized Future Land Use

Voyageur Way and Hammonds Plains Road  
Hammonds Plains

**HALIFAX**



Area proposed to be rezoned  
from MU-1 (Mixed Use 1)  
to C-4 (Highway Commercial)



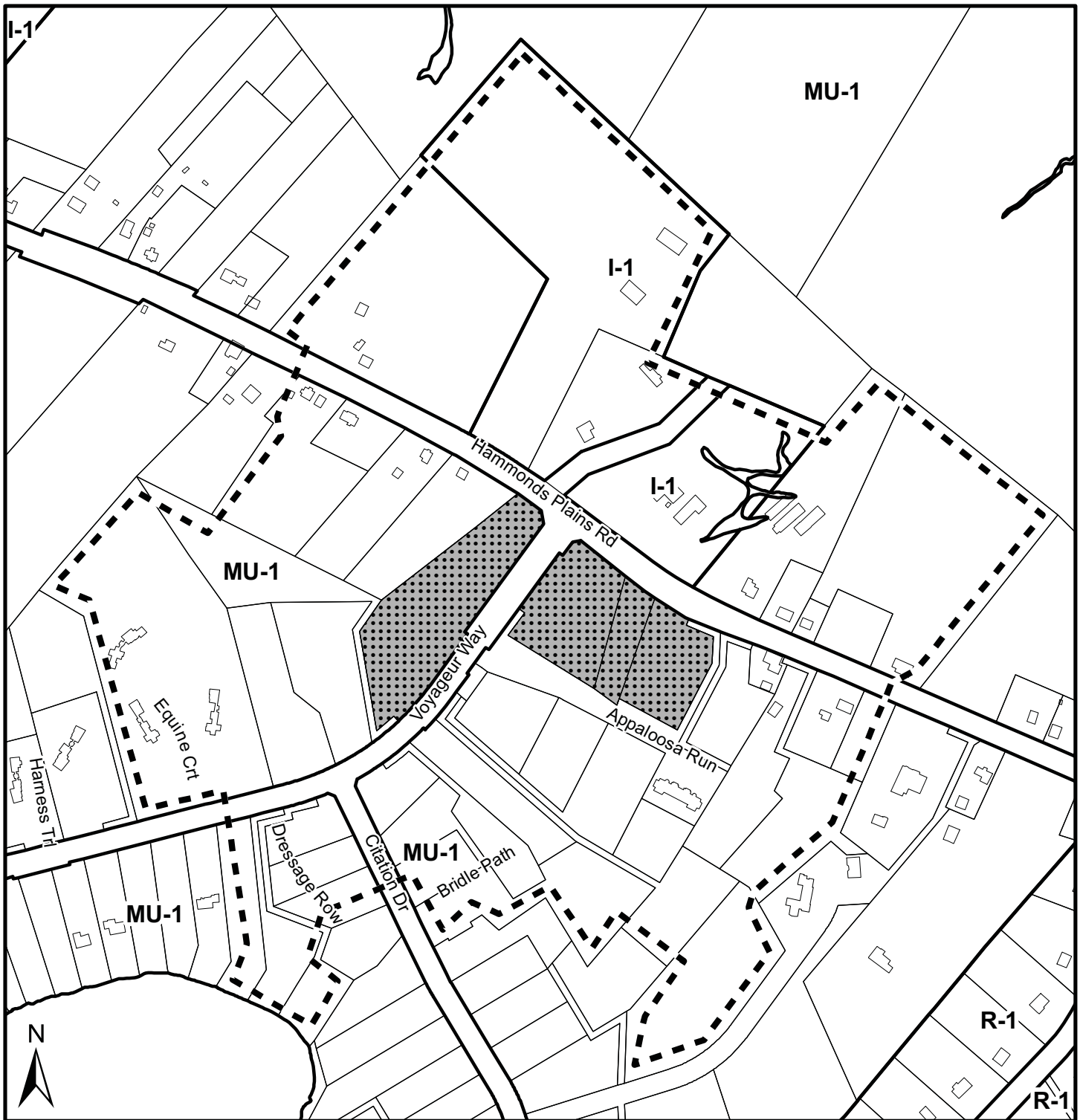
### Designation

R Residential  
MUB Mixed Use B

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.


The accuracy of any representation on  
this plan is not guaranteed.




## Map 2 - Zoning and Notification

Voyageur Way and Hammonds Plains Road  
Hammonds Plains

**HALIFAX**

 Area proposed to be rezoned  
from MU-1 (Mixed Use 1)  
to C-4 (Highway Commercial)

 Area of notification

Beaver Bank, Hammonds Plains  
and Upper Sackville Plan Area

### Zone

R-1 Single Unit Dwelling  
MU-1 Mixed Use 1  
I-1 Mixed Industrial

0 50 100 150 m

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

The accuracy of any representation on  
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**ATTACHMENT A:**

**Proposed Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville  
Land Use By-law**

Be it enacted by the North West Community Council of the Halifax Regional Municipality that the Land Use By-law 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 4<sup>th</sup> 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. Amend the zoning map, Schedule 1E, by removing the MU-1 (Mixed Use 1) Zone from, and applying the C-4 (Highway Commercial) Zone to PID 41127564 and a portion of PID 41351669, Voyageur Way and Hammonds Plains Road, Hammonds Plains, as shown on **Schedule A** attached hereto.

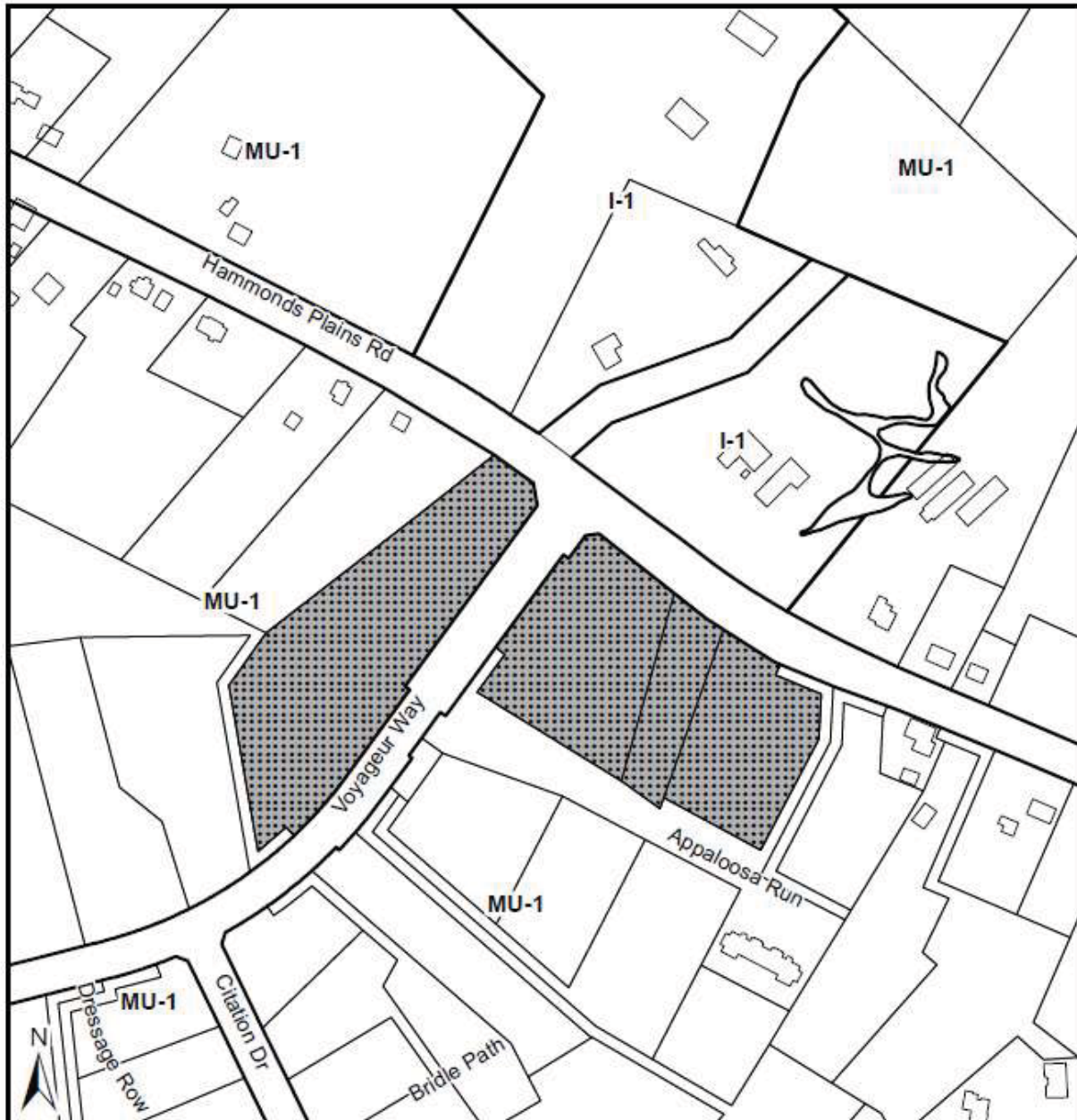
I HEREBY CERTIFY that the amendments to the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville, as set out, were duly passed by a majority vote of the North West Community Council at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2014.

GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this \_\_\_\_ day of \_\_\_\_\_, 2014.

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Municipal Clerk





### Schedule A

Voyageur Way and Hammonds Plains Road  
Hammonds Plains

 Area to be rezoned  
from MU-1 (Mixed Use 1)  
to C-4 (Highway Commercial)

Beaver Bank, Hammonds Plains  
and Upper Sackville Plan Area

### Zone

MU-1 Mixed Use 1  
I-1 Mixed Industrial

**HALIFAX**

0 50 100 m

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a portion of the Zoning Map for the plan  
area indicated.

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**Attachment B:**  
**Excerpts from the Beaver Bank, Hammonds Plains and Upper Sackville MPS:**  
**Policy Evaluation**

Policy P-24

<b>Policy Criteria</b>	<b>Comment</b>
(a) preference for a location adjacent to or in close proximity to other commercial uses	The subject properties are located in close proximity to the existing commercial development on Appaloosa Run and the Hammonds Plains Road. Further, this area is located at the intersection of Voyageur Way and Hammonds Plains Road and is a suitable location for larger commercial uses. Specifically, the surrounding/ nearby commercial uses include antique store to the west, Voyageur Lakes commercial development to the rear and two large greenhouse and gardening centres across Hammonds Plains Road.
(b) the potential for adversely affecting adjacent residential and community facility uses;	Buildings can potentially be large as a result of the rezoning to C-4 but are located in an area with primarily commercial uses. The controls of the C-4 zone address the impacts of the potential for more intense use within the larger buildings such as screening intended to mitigate the mix of uses available within the zone and the existing abutting uses.
(c) an evaluation of the impact which the site design and operational characteristics of the proposed use shall have on the surrounding community;	Site design control is limited to the requirements of the zone; the design-based and operational regulations of both the current and proposed zones are similar. Open storage and display is prohibited in the current MU-1 Zone, and is permitted within the C-4 Zone, but is required to be set back and screened where it abuts the neighbouring residential property.
(d) that the use has direct access to a collector highway as shown on Map 2 - Transportation;	Direct access available, though the preferred and proposed access is through private right of way Appaloosa Run and then to Voyageur Way.
(e) the impact of the commercial use on traffic circulation and in particular sighting distances and entrance to and exit from the site;	HRM Development Engineering staff have determined the Traffic Study to be acceptable, and sighting distances not affected as a result of rezoning. The rezoning application increases the probability that traffic signals will eventually be required as it could allow more intensive uses. However, the level of actual site development and traffic volumes at the Hammonds Plains Road/Voyageur Way intersection must be monitored as development occurs to determine whether traffic signals will be required.
(f) that no rezoning from a R-1(Single Unit Dwelling) Zone (Policy P-34) or R-6(Rural Residential) Zone (Policy P-13) to a highway commercial zone shall be considered.	Current zoning MU-1 (Mixed Use- 1) zone and therefore is not applicable.

Policy P-137

<b>Policy Criteria</b>	<b>Comment</b>
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(a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;	Proposal is in conformity with the intent of the MPS, and with all other bylaws and regulations.
<p>(b) that the proposal is not premature or inappropriate by reason of:</p> <p>(i) the financial capability of the Municipality to absorb any costs relating to the development;</p> <p>(ii) the adequacy of central or on-site sewerage and water services;</p> <p>(iii) the adequacy or proximity of school, recreation or other community facilities;</p> <p>(iv) the adequacy of road networks leading or adjacent to or within the development; and</p> <p>(v) the potential for damage to or for destruction of designated historic buildings and sites.</p>	<p>i) Potential for required traffic lights dependent upon Municipal analysis of intersection of Hammonds Plains Road and Voyageur Way by the year 2019 or later, financial costs born at that time by the Municipality;</p> <p>ii) The properties are partially within the water service boundary, but as no water or sanitary services are available to the properties, they are serviced with on-site services;</p> <p>iii) There is no change in the permitted residential uses between the current and proposed zoning, therefore there is no impact of the adequacy of school, recreation and community facilities as a result of the rezoning;</p> <p>iv) HRM Development Engineering staff have determined the Traffic Study, which addressed the projected traffic volumes on both Voyageur Way and Hammonds Plains Road to be acceptable. Hammonds Plains Road is recognized within the study as sensitive in terms of traffic volumes, but at 25% of the maximum theoretical land use, the rezoning will not have a significant impact of the performance of the intersection;</p> <p>v) No potential for damage to historic buildings or sites (none present).</p>
<p>(c) 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) type of use;</p> <p>(ii) height, bulk and lot coverage of any proposed building;</p> <p>(iii) traffic generation, access to and egress from the site, and parking;</p> <p>(iv) open storage;</p>	<p>i) Uses would be limited to those permitted within the C-4 Zone. Only one residential property adjacent to the properties, the buffering provisions of the zone are intended to address any potential conflict;</p> <p>ii) Height, bulk and lot coverage restrictions outlined in the C-4 Zone of the LUB. As the request is for rezoning, there is no building design proposed at this time;</p> <p>iii) HRM Development Engineering staff have determined the Traffic Study to be acceptable. Consideration for traffic lights to be re-evaluated through the evaluation of each permit, when actual traffic volumes, as opposed to theoretical, may be realized;</p> <p>iv) Open Storage limitations within the C4 Zone of the LUB: 50% lot coverage, not within front</p>

<p>(v) signs; and</p> <p>(vi) any other relevant matter of planning concern.</p>	<p>yard, not within required yards where they abut residential or institutional uses unless a visual buffer is provided;</p> <p>v) Signage permitted as per general requirements of the LUB: no height limit for ground signs in the C-4 Zone as compared to 25' height limit for all other zones</p> <p>vi) No other planning concerns.</p>
<p>(d) that the proposed site 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>NS Environment indicated that the pond on one of the properties is infrastructure for stormwater retention and is not a watercourse. No other concerns raised in regards to grade, soil conditions.</p>
<p>(e) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy P-81", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the Infrastructure Charges Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)</p>	<p>N/A</p>

**Attachment C:  
Public Information Meeting Minutes- April 10, 2014**

**HALIFAX REGIONAL MUNICIPALITY  
PUBLIC INFORMATION MEETING  
CASE NO. 19111**

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**7:00 p.m.  
Thursday, April 10, 2014  
Hammonds Plains Elementary School  
2180 Hammonds Plains Road, Hammonds Plains**

**STAFF IN  
ATTENDANCE:** Tyson Simms, Planner, Planning Applications  
Holly Kent, Planning Technician  
Jennifer Purdy Planning Controller

**ALSO IN  
ATTENDANCE:** Councillor Matt Whitman  
Patrick LeRoy, United Gulf Developments  
Greg O'Brien, WSP

**PUBLIC IN  
ATTENDANCE:** 15

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The meeting commenced at approximately 7:02p.m.

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

**Mr. Tyson Simms**, Planner, Planning Applications, called the meeting to order at approximately 7:03 p.m. in the Hammonds Plains Elementary School, 2180 Hammonds Plains Road, Hammonds Plains.

He introduced himself and explained that Erin MacIntyre is the planner guiding this application through the process however, she was unable to attend this meeting. He also introduced Councilor Matt Whitman, District 13; Holly Kent, Planning Technician, HRM Planning Services and Jennifer Purdy, Planning Controller, HRM Planning Services.

He advised that HRM has received an application by United Gulf to rezone 4 properties on the Hammonds Plains Road, one on the western side of Voyageur Lakes entrance and 3 on the eastern side, fronting on the Hammonds Plains Road.

Mr. Simms reviewed the application process, noting that the public information meeting is an initial step, whereby HRM identifies to the community early in the process that a rezoning application has been received and what policies allows it to be considered. Staff will also identify what the applicant is proposing and give them the opportunity to present their proposal to the community. Staff will seek feedback from citizens before the staff report is prepared and that no decisions have been made to this point or at this meeting. Following this meeting, the application will then be brought forward to the Planning Advisory Committee who will provide planning advice prior to be presented to Council which will hold a public hearing at a later date, prior to making a decision on the proposed rezoning. Follow Councils decision there will be a 14 day appeal period with the Nova Scotia Utility and Review Board.

### **Presentation on Application**

Viewing a slide of the subject property, Mr. Simms explained that the plan area is Beaver Bank, Hammonds Plains and Upper Sackville and the designation is MU-B (Mixed Use B) and zoned MU-1 (Mixed use 1). He explained that Policy P-24 of the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy outlines the aspects and effects of the proposal that Council shall consider such as adjacency/proximity to other commercial uses; effect on adjacent residential and community facility uses; the effect of site design and operational characteristics on the surrounding community; that the use has direct access to a collector highway; and the impact of the commercial use on traffic circulation and sighting distances. At this time, Mr. Simms reviewed common uses permitted under the MU-1 and C-4 zone explaining such things as single and two unit dwellings, full service and take-out restaurants, retail stores, food stores, bakeries, offices, theatres and cinemas except drive-in theatres, banks and financial institutions, funeral establishments and institutional uses. He reviewed a slide showing the differences in the permitted uses under the current zoning and the proposed zoning and added that the C4 zoning allows for a larger scale development. All developments will need to meet setbacks, access parking and maximum square footage. Under the MU-1 zone, all proposed commercial buildings are limited to 5,000 sq ft of developed gross floor area, while the C-4 zone permits 10,000 sq ft of floor area per commercial building. Reviewing a slide of the concept plan, he explained that the intended usage proposed by the applicant are retail on the western side of Voyageur Way; a restaurant proposed on the opposite corner, and a coffee shop, retail, offices and a medical building on the property fronting on Hammonds Plains Road.

**Mr. Patrick LeRoy, United Gulf** thanked everyone for attending the meeting and gave a bit of background, explaining the Voyageur Lakes is approximately 800 acres in total with a plan for 300-400 residential units. He added that there are currently 150 units. Reviewing a slide of the site area, Mr. LeRoy explained that the proposal is to rezone approximately 5 acres which forms the shops of Voyageur which is 125 acres in size. He reviewed a slide of the concept plan, explaining that they are looking at four lots:

- 1) Southwest corner of Voyageur Way/ Hammonds Plains intersection – remaining lands and can develop in this area up to 10,000sq ft. Showing a slide of the potential design; he added that the intent for this lot would be a market/specialty retail/food store etc. He explained that they are still working on the design.
- 2) Southeast corner of Voyageur Way/ Hammonds Plains intersection - where the pond is, explaining that this is a manmade pond and is part of the run off that was constructed back in 2003/04. He explained that there may be one or two restaurants in one or two buildings, not sure exact details as of yet as they are still looking at options. He added that the architecture will be sensitive to the current building in Voyageur Lakes as they have protective covenants under the condo corporation that ensure this.
- 3) Multi-tenant – 5-6,000 sq ft. which would be take-out restaurants for example pizza; sushi etc.
- 4) Mini Professional Centre – possibly a pharmacy or mixed use retail.

**Greg O'Brien, WSP**, explained that HRM requires a Traffic Impact Statement to be completed upon new development. He explained that a Traffic Impact Statement discusses how the re-zoning may affect the local road network based on the highest traffic generating use(s) permitted under the proposed zone. For this study, WSP has looked the area of Hammonds Plains Road/Voyageur Way intersection to identify any infrastructure upgrades that may be required. Mr. O'Brien reviewed what a Traffic Study looks at and the projected 2014 and 2019 traffic volumes. He explained that they look at the existing traffic counts and then add on the projected traffic counts to see how the roads will handle the additional traffic. He added that while some businesses may not be open during am and pm peak hours, trip estimates have been prepared for both. He added that they have also used assumptions for the land uses to perform these tests and used published rates from Trip Generation, 9<sup>th</sup> Edition; this takes data from a variety of sites.

He explained that a traffic signal warrant analysis was completed. When reaching 100 points or greater, a traffic signal is warranted.



#### Traffic Signal Warrant Analysis Results:

Development Scenario	Warrant Points (Threshold = 100)
2014 Background volumes without the site	23 Points
2014 Background volumes with 25% site development	49 points
2019 Background volumes with full site development	137 points

Mr. O'Brien explained that the intersection is expected to operate within HRM critical limits with stop control for 2014 and 2019 background volumes, as well as for 2014 volumes that include 25% of site generated trips. The intersection is expected to operate within HRM critical limits with traffic signal control for 2019 volumes that include trips from 100% site development. Trips generated for 25% of the theoretical maximized land uses will not have a significant impact on the level of performance of the Hammonds Plains Road/Voyageur Way Intersection. The level of actual site development and traffic volumes at the Hammond Plains Road/Voyageur Way intersection must be monitored as development occurs over the next five years to determine whether traffic signals will be required for actual 2019 volumes.

#### **Questions and Answers**

Councillor Whitman thanked Mr. O'Brien for a very detailed traffic study. He explained that there are some concerns from the residents that a service station would be allowed. However, he does not likely think that this will become a gas station and added that due to the name 'United Gulf' concerns from the residents was that this would be a gulf station.

He expressed concern with businesses that are located off the Hammonds Plains Road that are having a hard time being seen from the Hammonds Plains Road. He asked if there would be the ability to have a sign for these owners to be seen.

Mr. LeRoy explained that they have requested that a pylon sign be included within this development to include the businesses. However, HRM has standards that won't necessarily allow this.

Mr. Simms explained that each property is permitted to have signage however, under the section 5.6(i) of the by-law; signs are only permitted to advertise businesses that are on the same premises. He read from section 5.6(i) "Any sign which is not related to any businesses or use located on the lot or premises, and any sign which no longer advertises a bona fide business conducted or a product sold. Such signs are deemed to be obsolete signs and shall be removed by the owner or occupant of the property upon which they are erected, within sixty (60) days of the date to discontinuance of the business or product." Anybody interested in having signage but, not having it located on their property will need to speak with HRM staff to look at possibly amending this provision of the by-law.

Councillor Whitman explained that he is in favor of local businesses in Hammonds Plains being able to advertise on the Hammonds Plains Road. He added that he is glad to hear that there are no VLT Centers proposed and explained that he is opposed to VLT Centers and also added that were some concern about the ditches in the area and the overflows from the pond however, the ditches and coverts have been working very well and added that these need to continue to be protected in order for them to continue to work as well.

Mr. Simms explained that if Council approves this application and these lots are rezoned to C4, regardless of use, the developer will have to follow the storm water management guidelines that HRM describes.

Mr. Peter Lund, Glen Haven explained that he has been impressed with the look and feel of United Gulf Developments projects over the years.

He explained that wayfinding signs have been approved by Council as a pilot project at the head of Saint Margaret's Bay/ Tantallon and on the Prospect Bay Road. He suggested that the request for this area

may be requested to be looked at as well. This also has to go through public information meetings for public feedback.

He explained that the developer at Glen Arbour was willing to put up signal lights at their own cost but, HRM traffic declined the request and asked if HRM is going to be on board with adding traffic lights in 2019 as projected within this applications traffic analysis.

Mr. O'Brien explained that the traffic lights were not warranted with the development of Glen Arbour. He added that this road at that time was a provincial road. He explained that their projections for 2019 show that they will be warranted however, if it is not required, HRM will not want them to be put in if not warranted.

Mr. LeRoy explained that they are not expecting full development to be built out by 2019.

Mr. Simms explained that following this meeting, HRM review the application internally. Engineering staff will also have the opportunity to review the information provided. As the development progresses, HRM Engineering has discretion to look at the need for a signalized intersection etc.

Mr. Lund asked if once approved to be rezoned to C4 and this becomes an as-of-right development, will this mean that no development agreement will be required.

Mr. Simms explained that once rezoned no development agreement is required. If Council approves this application, then the applicant will only need to abide by the requirements of the C4 zone.

Some discussion was held on the handmade pond and how it was made. Mr. Lund clarified that there is no natural water course that enters these ponds and that it is all surface water drainage. Mr. Simms explained that HRM Staff has requested for this to be looked in to; Nova Scotia Environment have provided information that they are not watercourses.

Mr. Simms explained that the developer is responsible for balancing pre and post flow on the site.

Mr. Reg James Jones, Voyageur Lakes expressed concern with not being able to provide proper signage for his commercial development on the Hammonds Plains Road. He requested that staff look into better advertisement options for businesses in Voyageur Lakes such as those Mr. Lund had previously mentioned.

### **Closing Comments**

Mr. Simms thanked everyone for attending. He encouraged anyone with further questions or comments to contact him.

### **Adjournment**

The meeting adjourned at approximately 8:03p.m.