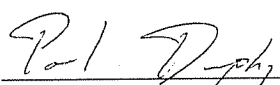


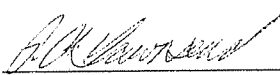



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Regional Plan Advisory Committee
June 23, 2010

TO: Chair and Members of Regional Plan Advisory Committee

SUBMITTED BY: 
Paul Dunphy, Director of Community Development


Phillip Townsend, Director of Infrastructure & Asset Management


Cathie O'Toole, Director of Finance

DATE: June 10, 2010

SUBJECT: Project 01341 - Cost of Servicing Study and Requests to Initiate Secondary Planning Strategies (Community Plan Amendment Requests)

SUPPLEMENTARY REPORT

ORIGIN

At the October 19, 2009 meeting, Regional Plan Advisory Committee (RPAC) requested that staff prepare a supplementary report to address questions arising from the presentations and to meet with the proponents to determine where there was concurrence and disagreement with the figures presented in the staff report.

RECOMMENDATIONS

It is recommended that the Regional Planning Advisory Committee recommend that Regional Council:

1. Initiate a process, as outlined in Attachment A to this report, for the Highway 102 West Corridor study area as per the budget implications;
2. Consider funding in next year's budget to undertake a watershed study for the Port Wallis study area; and
3. Defer all three requests to initiate formal secondary planning processes at this time.

EXECUTIVE SUMMARY

At the October 19, 2009 RPAC meeting, presentations were made by staff and representatives of property owners who requested that the Municipality initiate secondary planning exercises in three future growth areas identified by the Regional Plan as Highway 102 West Corridor, Sandy Lake and Port Wallis. The staff report concluded that the requests were premature and therefore recommended the requests be deferred.

RPAC directed staff to prepare a supplementary report to address questions raised by committee members and the proponents at the meeting and to meet with the proponents and provide clarification on matters of agreement and disagreement. At the April 21, 2010 RPAC meeting, committee members raised questions about the need for acquiring additional private lands for the Blue Mountain - Birch Cove Lakes Regional Park. This report has been prepared to respond to these directives.

Staff maintain that initiating secondary planning strategies for each of these areas is premature and inconsistent with one of the principles of the Regional Plan to manage growth in a cost-effective manner. A reassessment of the available land supply for suburban development has confirmed that it is more than sufficient to support a competitive housing market as set out in criteria established by the Regional Plan.

However, based on a proposal made by the proponents of the Highway 102 West lands, a phased planning exercise is now being recommended by staff which may provide the Municipality with a better understanding of lands which should be maintained as public open space and the potential options for achievement.

A recommendation is also being made that funding be included in next year's budget for a watershed study of the Port Wallis lands in recognition that there may be a need to make additional land available for development in the Eastern Region within the foreseeable future.

No further recommendations are being made regarding the Sandy Lake lands at this time. However, a future report is expected to recommend oversizing the wastewater collection system through Bedford West to allow for the future development of the Sandy Lake lands. The costs would be later be recouped through capital cost contribution charges or other user fees.

BACKGROUND

At the October 19, 2009 RPAC meeting, presentations were made by the proponents requesting initiation of secondary planning processes at Port Wallis, Sandy Lake and Highway 102 West Corridor. This was followed by a presentation of the staff report and recommendations.

A number of questions regarding the staff report were made from the proponents and RPAC members. RPAC requested staff to prepare a supplementary report with responses to these questions raised at the meeting and to meet with each of the proponents to clarify where there was concurrence and disagreement in the positions and figures used.

Meetings have been held with the three proponents throughout the Spring and submissions were received. The submissions are listed as follows:

Highway 102 West Corridor

- Altus Group Report to Chris Lowe, President of Birchdale Properties Inc., dated January 8, 2010 (Attachment B). This report was also submitted by Terrain Group on behalf of the Sandy Lake Property Owners.
- Correspondence from Austin French to Chris Lowe, March 11, 2010 (Attachment C)
- Correspondence from Chris Lowe to Austin French (Attachment D)
- Projected Household Build Out Capacities - Serviceable Suburban Areas (Attachment E)

Sandy Lake

- Correspondence from Nick Pryce, Project Manager, Terrain Group, re: Sandy Lake Secondary Plan Initiation Request, February 19, 2010 (Attachment F)

Port Wallis

- Correspondence from Nathan Rogers, Project Manager, Terrain Group re: Port Wallis Area Development Charges, March 1, 2010 (Attachment G)

- Correspondence from Nathan Rogers re: Confirmation of Intent - Initiation of Port Wallis Secondary Planning Strategy, April 20, 2010 (Attachment H)

The following activities have also occurred:

- Following the presentation of the Western Wilderness Common Master Plan, at the April 21, 2010 RPAC meeting, committee members raised questions about the need for acquiring additional private lands for the Blue Mountain - Birch Cove Lakes Regional Park.
- In recent discussions with staff, the Birchdale Project representatives have proposed a phased alternative approach to planning for the Highway 102 West Corridor.
- Submissions from members of the public have been received which are presented as Attachment J.

The discussion section will first address the questions raised at the October 19, 2009 and the April 21, 2010 RPAC meetings, followed by the submissions received and outcome of the meetings held with the three proponents.

DISCUSSION

The discussion section of this report is presented in four parts. Part one explains the phased planning process proposed for the Highway 102 West Corridor lands. Part two outlines the significance of the regional wastewater functional plan and pending regulatory standards. Part three provides the staff response to the questions raised at the RPAC meetings and, in Part 4, the submissions received from proponents, the outcome of meetings and the differences with staff on various matters is explained.

Part One: A Phased Planning Approach for the Highway 102 West Corridor Lands:

In recent discussions, the proponent proposed an alternative approach to dealing with these lands involving two phases. In the first phase, Birchdale would undertake all required background studies in accordance with scopes provided by the Municipality. The Municipality and Birchdale would also jointly agree to an independent facilitator based on terms mutually agreeable to the parties and would report findings within six months. The findings would be used to negotiate any lands to be removed from the application. The cost of the facilitator would not exceed \$50,000 and would be shared equally between the parties.

The second phase would be undertaking the secondary planning. Birchdale proposed commencement by May, 2011.

Staff considered the proposal and feel that a facilitator may be useful. However, a three step approach, as outlined in Attachment A is recommended: The key features are summarized as follows:

1. A watershed study and the wastewater functional plan would first be completed. These studies are needed to determine how much development can be supported in this area from the perspective of maintaining desired water quality objectives in key receiving watercourses and from the perspective of the capacity of the downstream wastewater system.
2. A facilitator would then be engaged to assist the parties in negotiating potential boundaries of lands to be retained for parkland and watershed protection. An options report would be prepared for consideration by Birchdale and Regional Council.
3. The Municipality would then reconsider initiating secondary planning for the remaining area in accordance with the criteria of policy S-3 of the Regional Plan.

Given the public interest that has been expressed in protecting this area and acquiring additional lands, staff recommends the first step be initiated this year. In accordance with the practice established for other watershed studies being undertaken in support of secondary planning, the study would be funded by the Municipality and overseen by a steering committee comprised of municipal staff (SEMO office, Planning, Halifax Water) and staff from Nova Scotia Environment.

Part Two: The Regional Wastewater Functional Plan (RWWFP):

Halifax Water has initiated the preparation of a regional wastewater functional plan, as called for by the Regional Planning Strategy. The study objectives of the Regional Plan include identifying:

- means to improve the performance of the wastewater system in terms of public safety, rehabilitation, regulatory compliance, system capacity (both existing and future), physical condition, system reliability and optimization;
- means to improve wastewater treatment plant performance with consideration given to wet weather overflows, odour control, inflow/infiltration remediation, back up power systems, optimizing system performance and making maximum use of available capacity;
- the criteria for siting any new facilities providing centralized wastewater treatment;
- where combined wastewater and stormwater systems exist, the feasibility of separating the systems; and
- a prioritized list of actions for implementation, having particular regard for environmental, health

and safety concerns¹.

The Canada Council of Minister of Environment (CCME) Strategy for the Management of Municipal Wastewater which was agreed to between the Provinces and the Federal Government last year and draft regulations are proposed by the Federal Government under the Fisheries Act. These documents have been identified for regulatory compliance requirements under the RWWFP study scope prepared by Halifax Water.

The primary goals of the CCME Strategy are to improve human health and environmental protection and to clarify how municipal wastewater effluent is managed and regulated. The amendments proposed under the Fisheries Act are intended to implement the Strategy at the Federal Level. However, in a recent report to Regional Council, Halifax Water expressed concern regarding the potential financial implications and the impacts to new development².

A consulting team has been retained to undertake the study. The work is expected to be completed within two years.

In evaluating these initiation requests, the following considerations are offered:

- the CBCL Cost of Servicing Study was prepared prior to the CCME Strategy and draft amendments to the Fisheries Act being made available and therefore could not have accounted for the cost of any system upgrades needed for compliance.
- The CCME Strategy states that new development will not be permitted which would increase combined sewage overflows into the environment unless a management plan has been approved³. Nova Scotia Environment is currently preparing guidelines for use by municipalities and utilities in preparing management plans. It is anticipated that the functional plan will form the basis for the management plan.
- There are known overflow locations throughout the sanitary sewage systems serving the metro area but the measures required to comply with the CCME Strategy and Federal regulations will not be known until clarification is provided and a management plan approved.

¹ See Section 7.5 of the Regional Planning Strategy for further detail.

² The report can be found at <http://www.halifax.ca/council/agendasc/cagenda.html>. Go to item 11.3.1 under the April 27, 2010 agenda of Regional Council for the staff report. Council approved the recommendations.

³ More stringent standards are placed on sewers conveying sanitary sewage only than older sewers that convey both storm and sanitary sewage.

- Significant capital expenditures will be required over the coming years to comply with the CCME Strategy, Federal regulations and the management plan. These are expenditures needed to maintain the existing system and achieve compliance with the proposed management plan.
- Halifax Water has an approved capital cost contribution program. The program is based on the foundation of a user pay, full cost recovery model. Debt financing may be considered to finance new growth but any project which requires debt assumption is subject to the review of the N.S. Utility & Review Board. The Board will consider the financial risk being assumed by the Utility. When establishing a capital cost contribution area, Halifax Water will be required to develop an implementation plan facilitating development while mitigating financial risk to rate payers.
- If significant funding is needed to upgrade the existing wastewater system, debt financing will likely be needed. Less funds will therefore be available to support growth related developments.

Halifax Water has recommended that these requests to initiate secondary planning be deferred until the Wastewater Functional Plan has been completed and Nova Scotia Environment has provided a template for developing an approved management plan. This is needed to have a better understanding of the capacity to service each area, upgrading cost requirements and the capacity to make financial commitments. Conducting secondary planning in advance of this background information is highly likely to be wasted effort.

Part 3: Questions Raised at the October 19, 2009 and April 21, 2010 RPAC Meetings

Why has the cost of the 107 interchange been added to the Port Wallis development?

The cost of upgrades to the Provincial highway system which would be required for build-out of each of the proposed development areas was estimated and presented in Table 4, pg. 10 of the staff report. These costs were segregated from upgrading costs required for the Municipality's transportation system. When the Cost of Servicing Study was presented to Council, it was acknowledged that the Province of Nova Scotia had not endorsed the findings. The report further stated that discussions with the Province were continuing, and the outcome of these discussions may increase development costs presented in the CBCL study.

Table 5, pg. 10 of the staff report, presented the Municipality's share of the cost to upgrade the provincial highway system if no assistance was provided by senior levels of government and the costs were shared between the Municipality and developers within each secondary plan area in accordance with the Municipality's capital cost contribution policy.

As stated in the staff report, no assumptions could be made regarding financial assistance from senior levels of government. For the secondary plan areas approved to date, the Municipality has been

required to cost share in upgrades required to the Provincial highway system with the funding decisions made on an ad hoc basis

The Municipality has recently cost shared with the Province on the Micmac Boulevard Interchange, Mount Hope Interchange, Larry Uteck Interchange, and Margeson Drive Interchange with the Municipality's share ranging from 33 percent for the Margeson Drive project to 80 percent for Mount Hope.

Future assistance from the Provincial or Federal governments will depend on financial resources and priorities. This is an important point which is supported by correspondence submitted by the proponents. In correspondence attached to the March 10, 2010 submission from Terrain Group (Attachment H), an assertion is made that the Nova Scotia Department of Transportation & Infrastructure would not expect cost sharing from private land owners or the Municipality for the construction and upgrading of 100 series highways.

A response received from the Department states: "Historically this has been the case but it should be understood that under unique circumstances, a municipality or developer may be expected to fund all or a portion of certain 100 series upgrading work. This has already happened with respect to the addition of new intersections/interchanges, the upgrading of existing intersections/interchanges, and the addition of auxiliary lanes"⁴

Even if financial cost-sharing agreements could be reached, other projects for which municipal assistance is requested may have to be deferred or cancelled. When the capital cost contribution (CCC) program was adopted by the Municipality, one of the benefits was that more resources could be made available for other priorities. If resources are used prematurely to support growth related projects, one of the benefits of the program will be eroded.

Staff has therefore taken a cautionary approach in presenting the potential cost to the Municipality for Provincial transportation infrastructure.

Has N.S. Transportation & Infrastructure Renewal decided not to construct the 107 bypass?

The Highway 107 (Cherrybrook) Bypass is listed in the Regional Plan as a future potential project which means it is not expected to be constructed within the life span of the plan (2026). The Province has indicated that it does not expect this project to be constructed within the next twenty years.

⁴ Correspondence from Phil Corkum, Manager of Highway Planning and Design, Nova Scotia Department of Transportation & Infrastructure, dated January 29, 2010.

Since Highway 107 is a controlled access highway, the Province will require that an interchange be constructed. If Port Wallis is developed prior to the completion of the by-pass, congestion on Braemar Drive will require that an interchange be constructed in the next five to ten years. It is too soon to predict when the by-pass will be completed or what level of cost sharing may be requested from the Municipality.

Why is the Municipality not partnering with the property owners to cross the Shubenacadie canal?

Halifax Water has held discussions with other utilities regarding coordination of a utility corridor through the Shubenacadie Canal. Agreement has been reached on cost sharing of items that mutually benefit all parties such as trenching and reinstatement. However, each individual utility or party benefiting from the infrastructure will be responsible for that infrastructure component. With respect to wastewater collection, the Port Wallis land owners are the benefiting parties and will be responsible for the costs associated with pipe and appurtenances.

The Municipality and Halifax Water have presented a high level concept plan for a utility corridor crossing Shubenacadie Canal which was well received by the Shubenacadie Canal Commission with an understanding that further discussions will be required.

At the June 2, 2009 public hearing for the adoption of the Bedford West capital cost contribution charges, staff advised that the fiscal health of HRM would not be adversely affected. What has changed since then?

The Municipality's fiscal health has not changed significantly since the June 2, 2009 council meeting. This is not the driving force behind the fiscal health comments contained in the staff report.

The comments by the Director of Finance at the June 2, 2009 Council meeting do not assume that any proposal that is brought forward should automatically proceed. She indicated that there are difficult choices to make due to the ever present need to balance spending priorities. There are not enough resources to do fund every project and, therefore, Council needs to set priorities.

The approval of Bedford West does not preclude expenditures being made on other plan areas. Council will ultimately determine its highest priority projects and provide funding accordingly. Given the excess supply of land available for suburban development, the staff recommendation not to proceed with initiating planning processes for creating additional supply reflects the fact that the Municipality has higher priorities for available capital and operating funds, including short term staff resources.

Is DND onside with a road next to their runway at Shearwater and what is the cost of this road?

Staff have met with representatives of DND and a proposed alignment is currently under review. The estimated cost of the road is \$10 million.

What is the remaining capacity of HWY 102?

The Nova Scotia Department of Transportation and Infrastructure Renewal has plans to widen all of Highway 102, from Bedford to Bayers Road, from four to six core lanes by 2036. In the short term, Highway 102 has adequate capacity to accommodate the first 5 years of growth from the Highway 102 West Corridor and Sandy Lake. Capacity on Highway 102 will then become limited by the capacity of the interchange ramps.

The Highway 102 Corridor Study (Stantec 2008) recommended that improvements be carried out to the Kearney Lake Road and Hammonds Plains Road interchange by 2016. The study however, did not envision a Highway 102 West Corridor connection to the Lacewood Drive interchange. While the Washmill Lake Court underpass will provide short term traffic relief at this interchange, improvements to this interchange will likely also be required by 2016 if development proceeds.

Does the Municipality have a conflict of interest with the proposed future development on the lands designated Highway 102 West Corridor and the proposed boundaries of the Blue Mountain - Birch Cove Lakes Regional Park?

The status of acquiring additional lands for the Blue Mountain - Birch Cove Lakes Regional Park was raised by the Western Region Community Council earlier this year. An information report which was tabled at the June 22, 2009 meeting of the Community Council is presented as Attachment K.

Ultimately, it will be a decision of Regional Council as to whether resources should be used to acquire additional parkland. However, as stated in the information report, negotiations between staff and the land owners have been deferred pending a Council decision on whether to initiate a secondary planning exercise at this time.

No regard was given to any future decision regarding land acquisition for the regional park in the staff recommendation regarding the Highway 102 West Corridor lands. In the opinion of staff, this issue had no bearing on whether secondary planning should be initiated at this time.

How much traffic will go towards Woodland Avenue.?

Modelling for the Port Wallis plan area indicates that during the afternoon rush hour period, approximately 50 vehicles per hour (vph) from Port Wallis would use Woodland Avenue within the first 5 years of development. This represents less than 5 percent of the existing traffic on Woodland Avenue. By 2026, traffic would increase by approximately 100 vph during the afternoon rush hour.

Could staff clarify phasing and timing of expenditures

The phasing of municipal transportation expenditures for the first five years and then the next fifteen years are presented for Port Wallis, Sandy Lake and Highway 102 West Corridor lands in

Attachment F, G and H of the staff report presented at the October 19, 2009 RPAC Meeting. Further refinement would be undertaken in conjunction with the preparation of secondary planning strategies and, in particular, capital cost contribution negotiations.

Halifax Water has advised that phasing and funding for infrastructure will be further analysed and an implementation plan developed once the Regional Wastewater Functional Plan is completed. However, based on known information, the following comments are offered:

Port Wallis:

The existing sanitary system on the Waverley Road does not have the capacity to accept wastewater from the Port Wallis Lands. The proposed solution is to extend the North Dartmouth Trunk Sewer, crossing the Shubenacadie Canal to the Port Wallis lands at an estimated cost of \$4.0 million.

Halifax Water recently installed a portion of the North Dartmouth Trunk Sewer along Lake Banook. The Port Wallis lands are within the tributary area. The Port Wallis share of the costs associated with this portion of the trunk sewer were not included in the CBCL analysis, and are estimated to be \$535,000.

It is anticipated that the costs for both the off-site and on-site infrastructure will be incorporated into a Capital Cost Contribution (CCC). The North Dartmouth Trunk Sewer extension will need to be installed and commissioned before any lots in Port Wallis can be approved. The financial model will have to account for the delayed recovery of expenditures.

The estimated cost of the North Dartmouth Trunk Sewer extension is \$4.0 million and the total build out cost for water and waste water infrastructure is estimated at \$11.2 million. The downstream wastewater system has been sized for the anticipated growth in the Port Wallis area.

Sandy Lake:

Wastewater from Sandy Lake is proposed to be conveyed to the Halifax Wastewater Treatment Facility through a trunk sewer with two major pump stations currently being designed to service Bedford West. Interim temporary servicing options could be considered if timing and downstream capacities permit. Any interim measures will need to be incorporated into the ultimate servicing plan and will not be eligible for cost sharing.

As wastewater infrastructure is installed to service Bedford West, the system should be oversized to allow for development of the Sandy Lake lands. If Halifax Water does not have the financial capacity to assume these costs, the Sandy Lake land owners would have to fund the cost through capital cost contribution charges or other user fees.

There are two methods which can be used for calculating the over sizing cost assigned to the Sandy Lake lands. Each method leads to significantly different estimates.

The first is based on the proportion of flow through the pipe. For example, if the Sandy Lake development is estimated to generate 40 percent of the sewage flow through the Bedford West system, the Sandy Lake owners would be required to pay 40 % of the total cost of the mains and pumping systems through Bedford West. Based on this methodology, the estimated cost to the Sandy Lake property owners is over \$ 4 million. This method would be more appropriately used if there is an immediate benefit to the Sandy Lake property owners.

In the other method, property owners in Bedford West would only pay the cost of constructing a wastewater system to service their lands and the Sandy Lake property owners would pay for the additional (incremental) cost to up size the system to accommodate their development. This approach is more appropriately used if development of the Sandy Lake lands are planned for the longer term. Using this methodology, the cost assigned to the Sandy Lake property owners is estimated at \$2.3 million.

Halifax Water will present a capital cost contribution proposal to the N.S. Utility & Review Board based on the status of Sandy Lake at the time of the submission. Ultimately, the calculation methods and cost assignment to each area will be approved by the Board. Property owners from both Bedford West and Sandy Lake will have an opportunity to make representations to the Board on this matter. The decision of Council regarding the Sandy Lake initiation request may have bearing on the method approved.

From the staff perspective, there is no need to initiate secondary planning at this time. There is an ample supply of land available for development in this area and, based on the phasing schedule submitted for the Bedford West lands, the sanitary system would not be available for connection to the Sandy Lake area for at least ten years and probably longer.

However, given that the Regional Plan has designated the Sandy Lake lands as Urban Settlement and identified these lands as a future growth area, staff will be recommending that the system through Bedford West be oversized and the costs recouped through a capital cost contribution charge or other user fees at a later date. Further details of this proposal will be tabled with Council in a future staff report.

The estimated cost of water and wastewater infrastructure is \$2.2 million in the first five years with total cost estimated at \$6.8 million.

Highway 102 West Corridor:

Initial costs would include a water main connection to the mains on Lacewood and Parkland Drive at an estimated cost of \$1.2 million and a sanitary sewer connection to the existing system in Wedgewood Subdivision at an estimated cost of \$245,000.

The water and wastewater systems constructed through Glenbourne Subdivision were oversized to accommodate development of the west side of the Bicentennial Highway. Further study would be needed to verify that this system has sufficient capacity to accommodate the level of development proposed for the Highway 102 West lands.

The cost of water and wastewater infrastructure is estimated at \$1.4 million in the first five years and \$8.9 million to build out.

The Sandy Lake and Highway 102 West Corridor lands are both outside the current urban service area boundary. Halifax Water is awaiting the outcome of the RWWFP to determine the ability of the downstream system to accommodate these lands and the financial implications.

Could you provide more detail on staff workloads?

With no intent to pre-determine upcoming workload, Planning Services presents the following list of projects that are either in-progress or planned:

- Project Management for 3 Watershed/Servicing Studies
- Community Visioning:
 - 3 Pilot communities (2008) - Implementation of Secondary Planning Strategies underway
 - 3 Current Communities (2009) - Vision approval, commencement of implementation
 - 3 New Communities (2010/11) - Commence Community Visioning Exercises
- Functional Plans:
 - On-going work on several Plans, with Council priority on undertaking Housing Affordability and Heritage.
 - Approved Functional Plans are in various stages of implementation
 - Wind Energy: Completion of Regional Plan Siting Policies/Regulations
- HRMbyDesign:
 - Commence Urban Design Exercises for neighbourhoods within the Regional Centre
- Polling District Review:
 - Completion deadline of 2010

- Planning Applications:
 - Anticipated increase in volume due to positive economic outlook. Continue to strive to reduce processing timelines.
- Servicing Requests/LICs:
 - Continue to process requests for extension to central services, including community consultation programs
- Five-Year Regional Plan Review (2011)
 - In 2010, develop detailed Work Plan (project scope, staff requirements, budget requirements, community engagement program, timelines, etc.)

In summary, planning staff resources are directed to projects aligned to Council Focus Areas and Community Outcome Areas. Undertaking secondary planning strategies at this time will necessitate adjustments in current project deliverables and time lines. Resource implications will also impact other business units.

Is there a need for additional lands for the Blue Mountain - Birch Cove Lakes Regional Park?

The Regional Plan states the following regarding open space networks:

“HRM has a vast network of open space. While the conventional concept of open space may imply parks or untouched natural areas, the term “open space” is used here as a land use category to refer to several additional types of land uses with a wide range of functions. Open space is publicly or privately owned, undeveloped land or water, intended to be preserved for agricultural, forest, community form, ecological, historical, public safety, or recreational purposes. It consists of lands for natural resources, agriculture, recreation, environmentally sensitive areas, hazard prone lands, cultural heritage landscapes, natural corridors and trails and preservation areas for potable water and waste/resource management as outlined in Table 2-1.”

“The open space network consists of regional parks, natural corridors and trail systems that have been developed by government agencies, non-governmental organizations and private land owners. The trail systems have become the backbone of a system of interconnected open space and provide opportunity for activities such as back country hiking, biking, portaging and nature appreciation. The natural corridors interconnect natural areas and provide opportunity for wildlife to migrate between habitat patches and maintain natural ecological functions.”

Clearly, the parks and open spaces are intended to serve multiple purposes. In addition to offering wildlife habitat and canoeing and hiking opportunities, the Blue Mountain - Birch Cove Lakes Regional Park lands also serve an important function in watershed protection.

These lands form the upper watershed for a series of lakes and rivers which drain into the Bedford Basin at Mill Cove. Two of these lakes, Kearney and Paper Mill Lake, are used for swimming and boating activities. There is evidence that the water quality of these lakes could be adversely affected by development in the upper watershed.

Prior to amalgamation, Porter Dillon prepared an environmental study for the City of Halifax on the development of lands generally corresponding with the Highway 102 West Corridor lands⁵. Based on a water quality modelling undertaken, the consultant concluded that, in a plausible scenario of mixed residential-commercial development, with parkland included, many of them would be adversely impacted, particularly Washmill, Kearney and Paper Mill Lakes.

The proponents lands encompass over 1,200 acres within this upper watershed. Without further study it is unknown how much of this land would need to be preserved to provide an adequate level of protection to the downstream lakes.

Part Four: Submissions and Discussions with the Proponents

Highway 102 West Corridor Lands:

The Altus Submission (Attachment B):

Altus submits that the staff report to RPAC evaluated the population growth capacity within the suburban boundaries of the Municipality where as the Regional Plan assigns fifty percent of household growth (and hence housing demand) to the suburbs. As household size may differ among the urban centre, the suburbs and the rural areas of the Municipality, population and household growth may differ and therefore the staff conclusion regarding adequacy of supply cannot be relied upon.

Staff have therefore projected build out capacities of potential housing units within the existing suburban boundaries for the Western, Central and Eastern administrative areas. The estimates with accompanying rationale are presented in Attachment L.

⁵Porter Dillon. Birch Cove Lakes Area Environmental Study Issues and Opportunities. June 1996. Go to <http://www.halifax.ca/regionalplanning/index.html> under reports, studies and guidelines for the two volume study.

The potential supply is estimated at between 35,675 and 47,538 units. Altus projected that, under a baseline scenario, the average annual housing growth for the Municipality from 2006 to 2026 would be 2,275 units per year (excluding mobile units). If fifty percent are assigned to the suburbs and this projection applied, the existing supply of suburban land should be expected to last for between 31 and 42 years.

By applying the Altus low growth scenario (1,681 units per year for the Municipality), the existing suburban supply would last between 42 and 56 years and, if the high growth scenario is applied (3,341 units per year), the existing supply would last between 20 and 28 years.

The Regional Plan states that “HRM seeks to support a competitive housing market by maintaining a 15 year supply of serviced land”⁶. If this housing target is to be maintained and secondary planning is assumed to take five year to complete, secondary planning should be initiated before the supply is reduced to 20 years. If the Altus projections are applied to the staff estimates, the need to initiate secondary planning now could only be justified if the Municipality expects high growth for a sustained period of time.

Based on past experience there is no reason to expect this scenario. However, suburban growth should be monitored and actions taken accordingly if the situation changes. In any event, the estimated capacity range presented in Attachment L likely estimates the potential supply for the following reasons:

- No account is given to the creation of secondary or auxiliary dwelling units in exiting residences. The Regional Plan states that secondary dwelling units are an important source of affordable housing within the Municipality which may make ownership more affordable and contribute to the resiliency and balance of local housing markets⁷.
- Additional redevelopment and infill opportunities may be expected. For example, a plan amendment and development agreement was recently approved to allow for a 155 unit apartment building at 50 Bedford Highway and there are outstanding plan amendment requests to allow for mixed use residential developments at the former Halifax West High School site where 114 units are proposed and at 3473 Dutch Village Rd. where 104 units are proposed.
- More significant infill opportunities may be found in suburban local and district centres identified for potential growth by the Regional Plan once secondary planning is undertaken. One example is the Sunnyside Mall area in Bedford.

⁶ Section 7.2

⁷ Section 3.7.3

Financial Analysis:

Birchdale also commissioned a financial analysis of the project and a report was submitted to staff for review. In subsequent discussions, staff pointed out that a number of the inputs used were not consistent or realistic. The author advised that the numbers used were only intended to present an illustration of how the analysis should be done. The report was subsequently withdrawn as a submission.

Transportation Issues:

Staff and the proponent disagree on the cost sharing for the upgrades to the Lacewood Drive and Kearney Lake Road interchanges. The proponent argues that the interchanges are provincial infrastructure and therefore the responsibility of Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR). Past practice (Mic Mac Boulevard) indicates that the Municipality and the developers will be responsible for a portion of the costs.

Improvements to the Kearney Lake Road interchange could be delayed if access to the study area via Parkland Drive and Lacewood Drive is completed first. It is not known whether this would delay the need for the upgrade to Kearney Lake Road interchange beyond the life of the Regional Plan. Even though construction could be delayed, the Municipality and developers could still be responsible for a portion of the upgrade costs. It is reasonable to assume however, that there would be some level of provincial cost sharing.

Unlike the Kearney Lake Road interchange upgrades, NSTIR does not have any plans for major upgrades to the Lacewood Drive Interchange. The timing of the Lacewood Drive interchange upgrade depends solely on development in the area and the construction costs must be included in the analysis. It is not reasonable to assume that there would be any guarantee of provincial cost sharing.

Staff and the proponents disagree on the cost sharing for the Washmill Lake Court Underpass and Lacewood Drive roundabouts. The proponent argues that both projects will be completed prior to any development starting and therefore would not be eligible for cost sharing from developers. The capital cost program adopted by the Municipality stipulates that, since the development will directly benefit from both projects, cost sharing from developers would apply.

Sandy Lake:

Transportation Issues:

Staff and the proponent disagree on the timing and cost sharing for the Hammonds Plains Road interchange upgrade. The proponents argue that there are interim measures that can be taken to

accommodate the proposed development. The full interchange upgrade could be delayed until NSTIR widens the Bicentennial Highway and Highway 113 is constructed. The proponent acknowledges that they would be responsible for cost sharing on the interim measures, but they would be exempt from cost sharing on the full interchange upgrade.

Staff acknowledge that interim measures could delay the need for the full interchange upgrade. It is not known whether these interim measures would delay the need for a full interchange upgrade beyond the life of the Regional Plan. Even though construction could be delayed, HRM and developers could still be responsible for a portion of the full interchange costs. It is reasonable to assume however, that there would be some level of provincial cost sharing.

Port Wallis:

Transportation Issues:

Staff and the proponent disagree on the need and cost sharing for a new interchange on Highway 107. The original proposal called for an at-grade intersection that was based on the assumption that a section of Highway 107 could be downgraded (ie Forest Hills Parkway) when the Cherrybrook Bypass was constructed by NSTIR. The Province has indicated that the Cherrybrook Bypass will not likely be built within the next 20 years. Since this section of Highway 107 will remain a controlled access highway, NSTIR will require that a new interchange be constructed to serve the Port Wallis lands.

The proponent argues that since the new interchange is a requirement of NSTIR, HRM and the developers should not be expected to pay. Past practice (Mount Hope Interchange, Larry Uteck Interchange) indicates that HRM and Developers will be responsible for a portion of the costs. There is no guarantee that there would be any provincial cost sharing.

The proponents state that, based on the CBCL study, widening Braemar Drive to four lanes will not be required for 10 to 15 years. Staff have since undertaken modelling and have determined that Braemar Drive would have to be widened within five years.

Land Availability:

While not in agreement with the numbers presented in the March 10, 2010 submission, staff would concur with the proponent's position that a majority of suburban lands available for future developments are located in the Central and Western Regions of the Municipality. In the event that further development of the Morris - Russell Lake Secondary Plan Area is curtailed, the Port Wallis lands may offer expanded housing opportunities in the Eastern Region.

However, the Municipality has made a sizable investment in the Mount Hope interchange to support development in the Morris - Russell Lake area, of which a considerable portion has yet to be recouped through capital cost contributions, as expected. Before initiating a secondary planning process for the Port Wallis area, staff feel it would be prudent to examine the potential costs and benefits of extending Mount Hope Ave. to Caldwell Road and recouping costs through capital cost contributions. Development potential would be considered within the Morris - Russell Lake Secondary Plan Area and in the surrounding vicinity.

In addition to allow further development build out, the Mount Hope extension would alleviate traffic congestion on Portland Street and Caldwell Road and would allow for better transit routing. The cost of widening Braemar Drive could also be delayed further into the future.

This analysis is expected to be completed within six months to a year. At the conclusion, staff would report back to RPAC and Regional Council. In the event that this option does not appear feasible, staff would recommend that secondary planning for the Port Wallis area be initiated.

To allow for this possibility, staff would therefore recommend that funding be allocated in the next budget year (2011/2012) for the required watershed study.

Boundary Clarification

In the April 20, 2010 submission (Attachment I), Terrain Group provides clarification that the request is being made to initiate secondary planning for lands designated Urban Settlement by the Regional Plan and additional lands across Highway 107 designated Rural Commuter.

The CBCL Servicing Study considered the servicing implications of developing 783 acres designated Urban Settlement and the implications of an additional 864 acres designated Rural Commuter. Although the Regional Plan does not support servicing of these lands, the North Dartmouth trunk sewer was sized to allow for the possible servicing of these lands.

Staff would therefore support this request when secondary planning is initiated for Port Wallis. No commitment to servicing would be made until the planning exercise is completed.

The Terrain submission also requests that the Municipality allow for central water extension to the Conrad quarry lands, for health reasons. This request can be considered under a separate policy of the Regional Plan (Policy SU-13) without a secondary plan being approved. Council recently approved an amendment to the Regional Subdivision By-law to allow for extension of water services to another quarry operation in the Municipality. An application would have to include a study to justify the request.

BUDGET IMPLICATIONS

Funds in the amount of \$125,000 are available in this year's project budget CDV00721- Watershed Environmental Studies to undertake the watershed study for the Birch Cove Lake watershed. There are no other implications for this year's budget.

Budget Summary: Project No. CDV00721- Watershed Environmental Studies

Cumulative Unspent Budget	\$323,618.93
Less: RPAC No.01341	<u>\$125,000.00</u>
Balance of Account	\$198,618.93

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

An information meeting was held on January 8, 2010 at the Keshen Goodman Library. Due to community interest in the Highway 102 West Corridor area, the Chebucto Community Council requested that staff provide a status update. Minutes of the meeting and a question and answer handout distributed at the meeting are presented as Attachment I.

ALTERNATIVES

RPAC could recommend that Regional Council:

1. Adopt the staff recommendations presented on the front page of this report.
2. Accept any or all of the requests to initiate secondary planning. For the various reasons outlined in the original staff report and this supplementary report, staff are of the opinion that these requests are premature and not consistent with one of the guiding principles of the Regional Plan to manage development to make the most effective use of land, energy, infrastructure, public services and facilities.
3. Initiate a watershed study for Port Wallis this year and consider funding in next year's budget to undertake a watershed study for the Highway 102 West Corridor lands. This option would be appropriate if it was felt that planning for future development of Port Wallis should be given higher priority on the contingency that there may not be sufficient land supply within the eastern region.

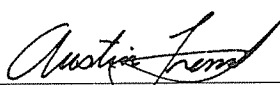
There are only sufficient funds available in this year's budget to undertake one additional study. Staff have recommended that the Highway 102 West lands be given priority because the information is expected to be of critical importance in determining the lands which should be maintained as open space for the protection of water quality in downstream lakes. Various submissions received (Attachment K) have requested the Municipality to give higher priority to land acquisition in this area.

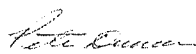
ATTACHMENTS

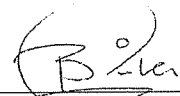
- Attachment A: A Proposed Planning Process for the Highway 102 West Corridor Lands
- Attachment B: Altus Group Report to Chris Lowe, President of Birchdale Properties Inc., dated January 8, 2010
- Attachment C: Correspondence from Austin French to Chris Lowe, March 11, 2010
- Attachment D: Correspondence from Chris Lowe to Austin French
- Attachment E: Projected Household Build Out Capacities - Serviceable Suburban Areas, Submitted by Annapolis Group
- Attachment F: Correspondence from Nick Pryce, Project Manager, Terrain Group, re: Sandy Lake Secondary Plan Initiation Request, February 19, 2010
- Attachment G: Correspondence from Nathan Rogers, Project Manager, Terrain Group re: Port Wallis Area Development Charges, March 1, 2010
- Attachment H: Correspondence from Nathan Rogers re: Confirmation of Intent - Initiation of Port Wallis Secondary Planning Strategy, April 20, 2010
- Attachment I: Minutes of the January 8, 2010 Public Information Meeting and Question and Answer Handout
- Attachment J: Submissions received from the Public
- Attachment K: Information Report to Western Region Community Council, dated June 5 2009, re: Land Acquisition - Blue Mountain Area.
- Attachment L: Existing Servicing Capacity Estimates for the Municipality's Suburban Areas

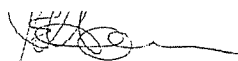
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Paul Morgan, Planner, Regional and Community Planning, Planning Services, 490-4482

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

Report Approved by: 
Peter Duncan, Manager of Infrastructure Planning, Infrastructure & Asset Management, 490-5449

Report Approved by: 
Bruce Fisher, Manager of Fiscal & Tax Policy, Finance, 490-4493

Report Approved by: 
Jamie Hannam, Manager of Engineering, Halifax Water, 490-4894

Attachment A: A Proposed Planning Process for the Highway 102 West Corridor Lands**Step 1: Undertake a watershed study for the Highway 102 West Corridor lands and await completion of Halifax Water's Wastewater Functional Plan**

Policy E-17 of the Regional Plan requires that a watershed or sub-watershed study be carried out as part of comprehensive secondary planning processes. Among the matters to be addressed are:

- recommending water quality objectives for key receiving watercourses in the study area;
- determining the amount of development and maximum inputs that receiving lakes and rivers can assimilate without exceeding the recommended water quality objectives;
- identify appropriate riparian buffers;
- identify areas that are suitable and not suitable for development

The Wastewater Functional Plan, recently initiated by Halifax Water, will identify capacity constraints within the wastewater system with consideration given to servicing future development areas identified under the Regional Plan. A management plan will also be prepared to address system upgrades needed to comply with the Strategy for the Management of Municipal Wastewater which was recently adopted by the Canada Council of Ministers of Environment.

The Wastewater Functional Plan is needed to determine how much development can be supported in this area by the wastewater system and the associated cost of upgrades under various scenarios. The watershed study will help establish how much and where development could be supported to conform with water quality objectives.

The information from these studies would serve as reference points for the next step.

Expected time frame for completion: Two years

Step 2: Negotiate boundaries for the Blue Mountain - Birch Cove Lakes Regional Park in relation to the Highway 102 West Corridor Lands

An independent facilitator would be retained to assist the Municipality and Birchdale Property Inc. to negotiate potential park boundaries. As per the Birchdale offer, this would be cost-shared equally between the two parties with the total cost not exceeding \$50,000. The cost of any appraisals needed to support positions would be paid separately by each party.

The facilitator would be requested to confer with outside parties which may have an interest in the outcome including the Province and non-government agencies.

The facilitator would table an options report with the ramification of each for consideration by each party and Council would provide direction as to how it wants to proceed.

Expected time frame for completion: One year.

Step 3: Review the criteria under Policy S-3 of the Regional Plan to determine whether to initiate a secondary planning process for the Highway 102 West Corridor lands.

Assuming that a mutually acceptable park boundary can be agreed upon, the Municipality would reconsider the request to initiate a secondary planning process for the remaining lands.

Expected time frame for completion: six months.

Attachment B

Independent Real Estate Intelligence



January 8, 2010

Mr. Chris Lowe, President
Birchdale Projects Inc.
165 Hammonds Plains Road
Bedford, Nova Scotia B4A 4C7

Dear Mr. Lowe:

Subject: Requests to Initiate Secondary Planning Strategies
Our File: P-4330

Altus Group Economic Consulting was retained by Birchdale Projects Inc. to review and comment on the approach being used by Halifax Regional Municipality (HRM) staff to assess the long term-future residential land requirements in the suburban areas of the HRM in relation to requests to initiate secondary planning strategies. This letter summarizes our findings.

We reviewed the HRM staff report, dated September 29, 2009: *Project 01341 – Cost of Servicing Study and Requests to Initiate Secondary Planning Strategies (Community Plan Amendment Requests)*.

- On page 6 of that report, there is a discussion as to whether there is a need for the Municipality to initiate planning for these additional growth areas at this time. The growth areas referred to include Port Wallis, Sandy Lake and the Highway 102 West Corridor.
- Our review of the analysis presented in this part of the report (pages 6-9) reveals that there are serious flaws in the approach being used to assess the need for additional residential land in the HRM for the 2026 time horizon.
- This impacts on the recommendation in the report to defer consideration of the requests to initiate secondary planning strategies to the five year review of the Regional Plan in 2016.

The specific concerns we have with the approach used in the analysis include:



Mr. Chris Lowe

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1) Assignment of a 50% share of projected population growth to the suburbs

In Section 3.0 of the *Regional Municipal Planning Strategy*, August 2006, it is stated that:

. . . Approximately 25% of growth will be targeted to occur on the Halifax Peninsula and in downtown Dartmouth, inside the Circumferential Highway (Regional Centre), approximately 50% will occur in the suburban areas, and the remaining 25% will occur within the rural areas. This is consistent with projected housing demand in the HRM. [as per the Clayton Research et al. 2004 report].

The HRM staff report, however, assigns 50% of the projected *population* growth to the suburban areas, rather than 50% of the projected *household* growth (housing demand; preferably by dwelling type). This is inconsistent with the policy in the *Regional Municipal Planning Strategy*, on a number of bases:

- A 50% share of population growth allocated to the suburban areas does not necessarily (and normally never does) equate to a 50% share of household growth. Population growth is the combination of *a*) persons occupying newly-built units; and *b*) changes (which are usually negative) in the numbers of persons occupying existing units. A municipality (or any jurisdiction) can experience household growth but a decline in population if, for example, the number of people occupying new units is less than the decline in population in existing units¹.
- In HRM, a sizeable share of the units expected to be added in the Regional Centre will be apartments. Apartments have lower average household sizes than single-detached units, which are expected to comprise the largest share of units added in the suburban areas. As a result, even if the Regional Centre and the suburban areas captured the same share of new housing completions during 2006-2026, the latter would capture a significantly higher share of the population living in units completed during 2006-2026.
- The Regional Centre has an older housing stock than the suburban areas, and average household sizes tend to decline sharpest for homes built between 20 and 50 years ago (see, for example, Figure 1). The decline in the population living in the units in the Regional Centre that existed at the beginning of the 2006-2026 period could offset much of the growth

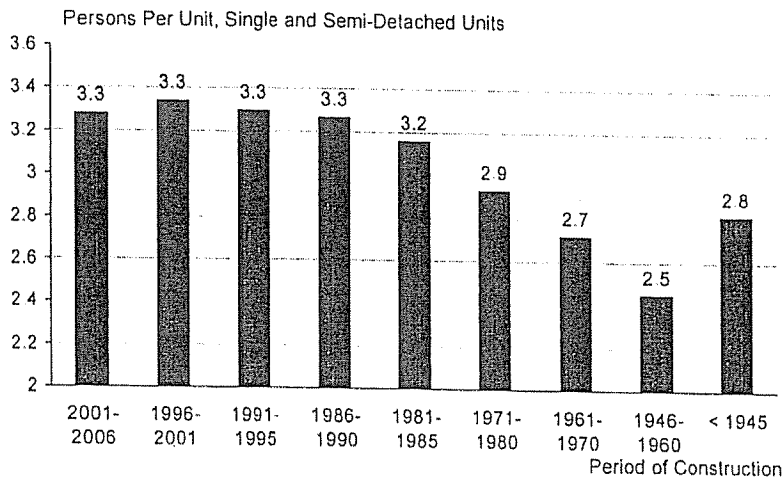
¹ Take, for example, the Province of Newfoundland and Labrador - which has seen a population decline of some 75,000 persons over the past 15 years, a period that has seen the construction of (and need for) over 33,000 new homes



in population in units completed during 2006-2026. It is possible the Regional Centre may capture little or none of the projected population growth.

Figure 1

Persons Per Unit, Typical* Pattern



* Example based on Waterloo Region, Ontario, but in the Author's experience, this pattern is very typical of markets across Canada
 Source: Altus Group Economic Consulting based on data from 2006 Census of Canada

When allocating projected growth to a sub-area within a regional municipality for the purposes of assessing residential land needs in the sub-area, the correct approach in order to avoid the effects of persons per unit bias is to allocate a share of the projected household growth or housing demand, preferably by dwelling type.

The shares of projected household growth in HRM to be allocated to the suburban areas would vary by dwelling type, such that the share of total household growth would be approximately 50% in accordance with the policy in the *Regional Municipal Planning Strategy*. The shares should take into account that the share for apartment units would likely be highest in the Regional Centre and lowest in the rural areas, and vice-versa for single-detached units.

2) Inventory of Suburban Residential Land Supply Based on Population

Given that the appropriate method for assessing residential land needs in a municipality like the HRM is to compare projected household growth (housing demand) against the potential supply of



Mr. Chris Lowe
January 8, 2010
Page 4

new residential units, the conversion of potential residential land supply in acres to population equivalents (as per Table 3 in the HRM staff report) does not provide a basis for comparison of the projected growth versus potential supply.

Although estimating the potential population that can be accommodated on undeveloped lands can sometimes be used for other purposes, the approach used in the HRM staff report is not. This is, in part, because there is no time horizon attached to the population estimates nor any apparent accounting for changes in household sizes in the existing housing stock within the communities examined.

- As an example, consider a vacant parcel of land on a suburban site that can accommodate 100 new units, the population living in these units in 2026 (the time horizon for the supply analysis) would be different if the 100 units are all built during 2011-2016 versus 2021-2026. That is because occupancy factors for new homes vary over time. For example, if the 100 new units are single-detached houses, the units may initially be occupied by couples without children. However, as children are born into these households, the population grows and then eventually declines as the children mature and move out of the parental home.
- Another potential problem with the approach used in Table 3 of the HRM staff report would be if there was no consideration given to the types of units to be developed on the vacant lands in each development, which would affect the numbers of persons occupying these units. The report does not provide sufficient information to determine if dwelling types were taken into account in the estimation of population yields in Table 3.

In order to project the potential supply of residential units, at least the following elements for lands should be included for lands within the suburban areas of the Urban Settlement and Urban Reserve Designations:

- An inventory of units not yet started, in registered plans of subdivision;
- An inventory of units not yet started, in approved development applications;
- An inventory of units, in proposed development applications where the applications are in general conformity with HRM policies; and
- For vacant lands not subject to a development application, but with some form of planning approval (e.g., zoning, and/or an approved secondary plan), the potential number of units,



Mr. Chris Lowe
January 8, 2010
Page 5

that can be accommodated on the lands should be estimated based on the applicable zoning or secondary plan policies.

3) Comparison of Projected Household Growth and Potential New Housing Supply

The HRM staff report compares the projected population growth in the suburban areas with the projected build-out population in the serviceable suburban areas. In contrast, as explained above, the appropriate approach is to compare projected household growth (housing demand) against the potential supply of new residential units.

- a) The total potential supply of units in the supply categories listed above should be subtracted from the projected household growth, to determine whether there is any supply shortfall.
- b) It is important that the base date for the projected household growth corresponds with the base date for the supply data. If the supply data are as of September 30, 2009, as per Table 3 in the HRM staff report, then the projected household growth for the 2006-2026 period needs to be adjusted by subtracting the housing completions between June 1, 2006 and September 30, 2009 plus units under construction as of September 30, 2009.
- c) It is also necessary to discount the potential supply for units that may not be available for development until beyond the 2026 time horizon, if applicable.
- d) If there is a supply shortfall as a result of the first steps in the analysis, then the next step is to determine the number of gross acres of residential land required to address the shortfall by dividing the shortfall in units by the applicable gross density (units per gross acre).
- e) The final step is to add the number of gross acres of residential land required, preferably for each dwelling type, as applicable, to determine the total number of gross residential acres of land required to address the supply shortfall.

While there are variations on the above approach that can be used to assess long-term residential land requirements in the suburban areas of the HRM, it is essential that the approach used involve a comparison of projected household growth with potential housing supply for the applicable time horizon (in this case 2026).



Mr. Chris Lowe

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The approach used in the analysis of residential land requirements contained in the HRM staff report is inconsistent with the *Halifax Municipal Planning Strategy*, as well as best practices for assessing long-term residential land requirements. Therefore, conclusions regarding the adequacy of the residential land supply in the suburban areas of the HRM for the 2026 time horizon cannot and should not be drawn from that analysis.

Sincerely,

Robert Feldgaier, M.Sc. Pl.
Senior Director
Economic Consulting

Peter Norman, M.A.
Senior Director & General Manager
Economic Consulting

Attachment C



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

COPY

March 11, 2010

Chris Lowe, President
Birchdale Projects Inc.

By E-mail: clowe@birchdaleprojects.ca

Dear Mr. Lowe:

RE: Request to Initiate a Secondary Planning Process for the Hwy. 102 West Corridor Lands

Further to our recent discussions, I would like to take the opportunity to summarize the staff position regarding this request.

Firstly, Paul Morgan and Soori have been comparing estimates of potential development by housing units within the suburban portion of the Municipality's Urban Service Area Boundary. Paul estimates a potential supply of approximately 31,000 to 40,000 which would represent a 28 to 35 year supply, assuming a baseline scenario for average household growth presented in the Altus study for the 2006 to 2026 period. Soori has estimated a supply of roughly 24,000 as a "best estimate" to 27,000 housing units as a high estimate which he estimates would represent a 20 to 16 year supply respectively.

Paul will be reviewing the estimates with other members of our staff this week. It would be beneficial for this review if you could have Soori articulate his rationale/assumptions for his best and high estimate and to explain why he changed his estimated growth rate between the two scenarios.

With regard to the Ernst & Young report, our staff disputes the findings and conclusions. The financial analysis has used inputs and assumptions that are not realistic, consistent or accurate and lead to erroneous conclusions, hence the exercise between Paul and Soori to reconcile the assumptions. In our last meeting, the author, Barbara Morton, said that the numbers used were "illustrative" and only intended as an example of how the analysis should be done. You indicated in our recent phone conversation that this analysis is being reworked by Ernst and Young. However, as I noted, this cannot be properly completed without resolving the correct inputs stemming from the discussions between Paul and Soori.

.../2

Community Development - Planning Services

Tel: (902) 490-6717 Fax: (902) 490-4346
E-mail: frencha@halifax.ca Website: www.halifax.ns.ca

In our meeting, you also stated that this report has already been distributed to a number of other parties, including various municipal councillors. You indicated that you would retract this report from those that received it. I would appreciate confirmation that you intend to do so.

You have indicated in the past that the commercial component of your project needs further analysis by HRM. We are reviewing the recently completed Business Parks Functional Plan as it relates to the growth potential in this sector.

We have had preliminary discussion about recommending to Council that a planning process be initiated to explore potential boundaries for the regional park over the Hwy. 102 West Corridor Lands. Based on the feedback received from staff to date, I am prepared to consider this initiative in further detail. Obviously, our Real Estate staff would have to become involved and would play a lead role for the Municipality. If you are interested in further discussions regarding this matter, let me know and a meeting will be arranged.

I look forward to your response.

Yours truly,


Austin French, Manager
Planning Services

cc. Paul Dunphy, Director of Community Development
Roger Wells, Supervisor of Regional & Community Planning
Peter Duncan, Manager of Infrastructure Planning
Bruce Fisher, Manager of Fiscal & Tax Policy
Kate Wall, Senior Financial Consultant
✓ Paul Morgan, Senior Planner, Regional & Community Planning

Community Development - Planning Services

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Birchdale Projects Inc.

165 Hammonds Plains Road
Bedford, Nova Scotia
Canada B4A 4C7
tel 902 832 2519
fax 902 832 2922

March 16, 2010

Mr. Austin French
Manager - Planning Services
Halifax Regional Municipality
PO Box 1749
Halifax, Nova Scotia
B3J 3A5

Dear Mr. French:

**RE: Request To Initiate Secondary Planning - Highway 102 West Corridor Area
Vacant Residential Land Methodology**

In your letter of March 11, 2010, you requested that Birchdale explain the rationale/assumptions for our estimates of potential suburban housing supply in HRM. The purpose of this letter is to outline the methodology we used in the context of the Regional Municipal Planning Strategy.

The selected methodology to calculate potential housing supply adheres to the approach recommend by Altus in their January 8, 2010 report to Birchdale. This approach includes:

- An inventory of units not yet started in registered plans of subdivision and approved development applications.
- An inventory of proposed development applications where the applicants are in general conformity with HRM policies.
- Other vacant lands not subject to a development application that currently have a residential designation (land use by-laws or secondary plan policies).

The Altus approach seeks to remove any speculation from calculating the practical inventory of available lots. It does not accept any assertions on changes to current zoning and development agreement policies nor the shifting of primary uses in development agreements (say commercial lands to residential uses). To the Altus approach, Birchdale added another element - cost - because many of the vacant parcels cannot be developed on a cost/benefit basis or are subject to often prohibitive site specific constraints. In other cases, the land does not exist and can only be created with expensive and environmentally unfriendly filling of water lots. Additionally, any use of many senior government owned properties will require a change in policy to become available for housing development. These parcels will only be developed under a scenario where the cost of land for residential development is significantly higher than present.

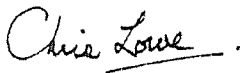


The Regional MPS acknowledges that housing represents the largest monthly expenditure for most households and if housing consumes too much of the available income, families and individuals may be forced to reduce their budget for food and other necessities. The Regional Plan also accepts that HRM may not be able to influence all of the factors related to the development of a variety of housing types, but it can support housing affordability by ensuring the municipal policies, regulations and processes encourage efficient development and open up opportunities for diverse, innovate and well-designed housing. With this guidance, Birchdale assessed all vacant suburban residential lands from a cost/affordability perspective. This approach interjects a much needed sense of practicality to the highly theoretical model provided to us by Paul Morgan, and is the only real way to assess supply given the stakes involved. The model provided by Paul Morgan could possibly be used for other purposes if costs, densities and environmental impacts are of no concern, plus many other conditions are met for market uptake to materialize. As we both know, this is not the case.

Our methodology looks at the same vacant parcels (list forwarded to us by Paul Morgan) but provides the Regional Plan Advisory Committee and Regional Council with a realistic estimate of the available suburban inventory that can meet future housing demand while maintain the housing affordability intent of the Regional MPS. The "Best Estimate" by this approach is approximately 20 years supply under a baseline projection. Allowing for HRM's policy of maintaining a 15 year inventory of serviced supply, then new projects like ours should be market ready over the next several years and not delayed.

The HRM Staff Report of October 2009 recommends that a moratorium be placed on our application to commence secondary planning until after the five-year review of the Regional Plan in 2016. This action will result in our holdings not coming to market until around 2025. The result of the Staff Report recommendation will be to minimize competitive free market factors that keep downward pressures on housing costs, and further thwart the intent of the Regional MPS as the supply of lower cost lots in larger developments is depleted and a policy of higher cost and smaller (mostly infill) lots is pursued as the only option. Experience shows that creating monopoly-like settings of this type (one developer controlling most suburban master planning lands as now is the case) and relying upon higher costs small infill lots will result in more pressure for housing development in rural areas of HRM which is totally contrary to the efficient pattern of land uses that the Regional MPS seeks to promote.

Yours Truly,



Chris Lowe, MBA, MCIP
President
Birchdale Projects Inc.

Attachment E

5

Projected Household Build out Capacities - Serviceable Suburban Areas

Available Land Holdings	Land Area (acres)	Available Household Units				Discrepancy	
		Birchdale Estimate		HRM Estimate		Low	High
		Best Estimate	High Estimate	Low	High		
Wentworth	290	1,740	1,740	1740	2,320	0	580
Birch Cove	20	300	300	300	500	0	200
Briarwood	50	240	240	240	240	0	0
Governors Brook	351	905	905	905	1,053	0	148
Herringcove Village	27	87	87	87	87	0	0
Lovett Lake	55	275	275	275	330	0	55
Rockcliffe Village	34	347	347	347	384	0	37
Clayton Park West, Phase 5	62	496	620	496	620	0	0
Parkdale Developments	14	51	51	51	51	0	0
Bedford South	175	1,320	1,320	1320	1,400	0	80
Sunset Ridge	70	420	420	420	420	0	0
Wesleyan Church	13	44	73	44	73	0	0
Twin Brooks	34	194	194	194	204	0	10
Portland Hills DA		149	149	149	149	0	0
Russell Lake West DA		389	389	389	489	0	100
Sheppard's Island	11	255	255	255	547	0	292
PID00403014 - Cole Harbour	16	64	64	64	96	0	32
PID 00401182 - Sailors Trail	11	44	44	44	66	0	22
Vacant - central	292	1,121	1,121	1168	1,752	47	631
PID40550774 Schedule K la	20	0	200	120	200	120	0
Vacant- Herring Cove Lands	203	465	584	609	812	144	228
New Cap Inc, I-4 Lands	71	0	0	284	426	284	426
Westgate	500	2,880	3,200	3200	3,500	320	300
Mount Royal	50	662	662	1000	1,100	338	438
Maritime Broadcasting	59	0	354	354	590	354	236
Bedford West	168	1,008	1,008	1378	1,484	370	476
Vacant Lands Eastern	242	817	817	1210	1,694	393	877
Motherhouse	75	0	450	450	750	450	300
Ocean Breeze Estates PID 0	65	0	0	520	700	520	700
Remaining Vacant Lands	554	1,116	1,758	2216	3,324	1,100	1,566
Bedford Waterfront	139	1,200	2,000	2400	4,100	1,200	2,100
Morris Russell Lake-Remain	272	0	0	1272	2,904	1,272	2,904
Bedford West	1,228	7,368	7,368	8732	10,610	1,364	3,242
Total Suburban Areas	5,171	23,956	26,995	32,233	42,975	8,277	15,980

Years Supply Available	20	16
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27	25
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Housing Projections HRM, Altus Study July 2009		
	Projected Growth	
	Baseline	High Growth
HRM Total	45,500	66,820
Suburban Growth per Year	1,183	1,737

PID	Zone	Area	Owner	Available Household	
				Best Estimate	Additional Units
00360677	CCDD/RCDD	129	United Gulf	821	
00428375	RCDD	75	3014222 NS Ltd		
41071069	CDD	53	Armco Capital	211	
41071176	R6	14	Armco Capital	57	
00468587	R1	4	Mo-Par Deve	10	
40161945	R1	7	Dgiosia Gino	22	
40292484	R6	5	Bowlin	0	
40288201	R6	3	Peverill	0	
Total Central Region		290		1121	0
00258889	BCDD	68	Dartmouth Crossing	406	
40381956	C	5	Wright Cove	27	
41209131	R3	3	Harbour Isle Halifax	18	
40103780	R1/EC	3	Armco Capital	9	
40103772	R1/EC	3	Armco Capital	9	
40103798	R1/EC	15	Armco Capital	44	
40103731	I-1/EC	14	Armco Capital	0	
00371997	I-1/EC	11	Armco Capital	0	
40104150	I-1	5	Armco Capital	0	
40384216	R2	3	Armco Capital	20	
40000705	R1	6	Armco Capital	35	
40081838	R1	9	Armco Capital	52	
40000945	R1	11	Armco Capital	68	
40081762	R2	7	Armco Capital	41	
40001430	R1	4	Armco Capital	26	
40001398	C2	4	Roger	22	
00400465	R1	4	Elizabeth	21	
00401646	RA	5	Linda	0	
00401141	EC/RA	3	Bernadette	0	
00402503	R7 *	50	Clayton Dev	0	
40204133	PUD	3	NS Housing	19	
00619502	C4	8	Security Inv.	0	
Total Eastern Region		242		817	
40074676	HCR	121	Raiv Developments Ltd	363	
40074353	HCR	13	Raiv Developments Ltd	38	
40000382	HCR	21	Arthur Vogt	63	
40521676	HCR	6	Brackett		19
40095044	F1	3	Dempsey		
40076176	P5/F1	7	MacLennan		
40055378	HCR	7	Poole		21
00421560	HCR	4	Watson		12
40059495	HCR	11	Alexandros		33
40059479	HCR	9	Alexandros		26
40794596	HCR	3	Alexandros		10
Sub Total - Herring Cove		205		465	119

PID	Zone	Area	Owner	Available Household	
				Best Estimate	Additional Units
Timberlea & Spryfield					
40026817	R1	7	Longard Enterprises	12	
00589846	R3	55	HRM	0	
40525453	R1	84	NS Govt	0	
40025546	R1	38	J. Hamilton		115
40356875	R3	11	Nine Mile River Inv.		50
00404640	R1	15	J Wright		45
00404657	R3	7	Lewis Munroe		20
00323139	RDD	10	Church of Christ Developr	32	
00323147	RDD	24	Church of Christ Developr	120	
40181091	R-2P	5	Costwell	23	
00323121	RDD	7	Zwicker	33	
00334102	RDD	5	Cadillac Dev	24	
00334458	R2	5	Mills	27	
00283283	R1	22	North American Real esta	0	0
00335910	R1	5	Provincial property Services		22
00325928	R1	4	David W Leidl		17
00325936	R1	9	Homburg Land Bank		34
00325951	R1	5	Provincial property Services		19
00325969	R1	5	Provincial property Services		19
00325977	R1	5	Provincial property Services		20
00325985	R1	23	Armco Capital		93
40018970	R2	5	Amira Chedrawe		19
00330803	R2	65	Green Acres Dev	130	130
40018921		4	Allen Mobile Home Park	23	
00330811	R1	11	Green Acres Dev	67	
40347882	R2	5	James Cockroft	30	
00277798	R2	6	Everett Chambers		22
00277780	R1/R2	4	Kenneth Caines		17
00277210	R2	10	3010203 NS Ltd	60	
00278515	R2	6	Cove Dev Ltd	36	
00319897 & 40096788	RDD	66	Everly Developments	357	
40096133		5	Allen Mobile Home Park	28	
00334011		6	Civic Properties	34	
41182633 & 41182850	R2	15	Chambers Hill Estates	60	
00277814	R2	6	James Cockroft	22	
Sub Total		560		1116	642

Attachment F1

B07420

February 18, 2010



Mr. Paul Morgan
Planning Services
2nd Floor, Alderney Gate
Dartmouth, Nova Scotia
B2Y 2N5

Dear Paul,

Re: Sandy Lake, Master Plan Area, Initiating Secondary Planning Strategy

Background

This correspondence is a follow up to our original submission dated July 20, 2009 titled "Sandy Lake, Master Plan Area". The points covered in the original submission are still considered relevant to the overall application to initiate the Secondary Planning Strategy for the Sandy Lake Master Plan Area. This correspondence addresses aspects relating to clarification regarding the Infrastructure Capital Costs and comments regarding interpretation on the Altus report contained in the HRM staff report titled "Project 01341 – Cost of Servicing Study and Requests to Initiate Secondary Planning Strategies (Community Plan Amendment Requests)" dated October 21, 2009.

Infrastructure Capital Costs

Following the meeting of the Regional Planning Advisory Committee on October 21st 2009, HRM staff was directed to consult with stakeholders regarding the potential Capital Cost Contributions. The objective of this was to clearly establish areas of agreement or disagreement. Terrain staff and an Armco representative met with HRM staff and representatives from Halifax Water on November 30, 2009 to discuss the HRM staff report regarding Capital Cost Contributions. The following is a summary of the key outcomes of the meeting:

Hammonds Plains Road Interchange:

The interchange of Highway 102 and Hammonds Plains Road is an existing interchange operated by Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR). NSTIR has the responsibility that the interchange operates in a safe manner.

Terrain's Traffic Engineer, Greg O'Brien, has advised that there are two components to the interchange that would trigger the need for upgrades as detailed in the following:

Component 1, Highway 102 Level:

Highway 102 currently has two through lanes for travel in each direction at Hammonds Plains Road. NSTIR has recently had a study completed to assist in determining when additional capacity on this portion of Highway 102 will be needed. NSTIR expects that within the next 16 – 20 years Highway 102 would be upgraded to six lanes (three through lanes for each direction of travel). When additional lanes are constructed on Highway 102, the Hammonds Plains Road interchange will require major reconstruction.

A second requirement for upgrade to the interchange would be the construction of Highway 113. The interchange between Highway 102 and Highway 113 is just south of Hammonds Plains Road and the Highway 102/113 interchange will be tied into continuous ramps to the Hammonds Plains Road interchange. When Highway 113 is

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constructed, major reconstruction of the Hammonds Plains Road interchange will be required.

The traffic generated from the Sandy Lake development will have little impact on the need for Component 1 required interchange upgrades.

Component 2, Hammonds Plains Road Level:

The increasing traffic volumes on Hammonds Plains Road and turning movements at the interchange ramps are driving the need for upgrades to the ramp intersections. The southbound ramps could be modified with a roundabout intersection and reconstructed as Phase 1 of the complete planned interchange. We expect that this would mitigate impacts of increased traffic volumes on operation of the ramp intersections to Hammonds Plains Road without the requirement to modify the entire interchange.

Comparison to funding for other new interchanges:

An existing interchange that requires upgrades is a different situation from a proposed new interchange to facilitate new access to a 100 Series Highway. If an existing interchange is experiencing operational challenges, it is the responsibility of NSTIR to provide upgrades so that it continues to operate in a safe manner. If a new interchange is proposed by another party (other than NSTIR) to allow access to a 100 Series Highway, it is the responsibility of NSTIR to review the proposal such that the proposed interchange will not impede operation of the highway facility. If the new interchange will provide traffic relief to other areas of the provincial highway network, then NSTIR should be required to provide some input to the funding, however, if the interchange does not, then it is reasonable to expect that NSTIR may not provide funding. Since the Hammonds Plains Road interchange is an existing NSTIR facility, it is very unlikely that any upgrade would take place without major financial contributions from NSTIR, probably funded by a federal infrastructure program.

Summary of Hammonds Plains Road Interchange:

There would likely be significant financial commitment from NSTIR for interchange upgrades. The interchange could also be upgraded in phases to improve traffic flow for *Component 2* if interchange upgrades are required before NSTIR begins construction of Highway 113 or adding capacity to Highway 102.

It is not reasonable to expect that HRM would be solely responsible for the reconstruction of this interchange. This is an existing interchange that will require Component 1 and 2 improvements whether Sandy Lake is developed or not. Sandy Lake may impact the timing of the Component 2 improvements, however, the end result is that this interchange will require the same level of capacity improvements whether Sandy Lake is developed or not.

Widening of Hammonds Plains Road:

Hammonds Plains Road has been broken down into sections.

Section 1 from Highway 102 to Innovation Drive has already been constructed. Funds have already been spent regardless of when Sandy Lake is developed.

Section 2 from Innovation Drive to Gary Martin Drive has already been constructed. Funds have already been spent regardless of when Sandy Lake is developed.

Section 3 from Gary Martin Drive to Sandy Lake Main Entrance would only likely proceed as Sandy Lake develops.



Larry Uteck Interchange:

Larry Uteck interchange to Highway 102 is currently under construction. Funds have already been allocated and are being spent regardless of when Sandy Lake is developed.

Sanitary Servicing

As per policy S-3(b) of the Regional Plan, HRM has an obligation to consider future Master Plan areas when planning for new infrastructure. In the case of Sandy Lake, Bedford West is currently under construction and contains infrastructure that will be shared with the future development of Sandy Lake. The overall servicing plan for Sandy Lake involves directing the sanitary flow through Bedford West. In order to achieve this, the new sanitary pipe in Bedford West will need to be upsized in order to accommodate the future flow from Sandy Lake.

From discussions with Halifax Water and HRM staff there is agreement that during the construction of this system it should be designed to accommodate for the future development of Sandy Lake. The rationale for this approach is on the basis of being cost effective, less disruptive to a community and good infrastructure planning to avoid issues arising at a future date when the Sandy Lake lands are developed.

It is our understanding that HRM is in the process of awaiting additional information from Halifax Water before making a recommendation to Council on including the oversizing capital cost in the five-year capital plan. Should the pipe not be upsized during construction of Bedford West, the sewer will need to be excavated and replaced once Sandy Lake is developed. This will cause unnecessary roadwork and disruption to the residents of Bedford West and result in significantly higher costs than carrying out the work as part of the Bedford West construction phase. Ultimately, the approach to designing the system to accommodate for Sandy Lake is consistent with policy S-3(b), fiscally responsible and good infrastructure planning.

Water Supply

Though Terrain's unit rates are slightly varied from those provided by Halifax Water, overall they are very close. At this point in the process we are in general agreement to the infrastructure costs defined in the HRM staff report regarding the water system.

Summary of HRM Capital Costs Analysis

One of the key outcomes of this analysis is that HRM, according to the staff report, has already allocated, or spent, a total of \$7.3 million on infrastructure upgrades that are intended to be recovered by the development of Sandy Lake. The costs include the Hammonds Plains Road widening and the Larry Uteck interchange that has generally arisen as a result of the Bedford West development. The longer Sandy Lake development is delayed, the longer HRM has to carry costs being allocated to Sandy Lake as outlined in the HRM staff report. In addition, the sanitary system oversizing within the Bedford West development will contribute another \$1.7 million (approximate), bringing the potential costs that the Municipality will carry to approximately \$9 million.

In context to recapturing of the costs outlined above, HRM staff has indicated in their report that a Secondary Planning Strategy could take four to six years to complete. HRM staff is also recommending the decision for initiating this Secondary Planning Strategy be reviewed in 2016. Based on these timeframes, along with allocating another year for initiating the process, and anticipating a two year process for a development agreement, results in a total estimated timeframe of 7 – 9 years from 2016 before any potential recovery of the allocated capital cost can begin. This means that the recovery of funds

being planned to be recovered by the Sandy Lake development would not begin until possibly 2023 or 2025.



Effectively, by delaying the initiation of the Secondary Planning Strategy to at least 2016, HRM is delaying the recovery of what HRM staff have indicated as being \$7.3 million (or possibly \$9 million assuming the inclusion of the oversized sanitary system) already spent. Based on the assumption of an average 3% per year being accrued would result in approximately \$270,000 each year that the project is delayed. Initiating the Secondary Planning Strategy now will effectively reduce this period by at least 6 years with a total fiscal savings of an estimated \$1.6 million based on the assumed average interest rate.

Ultimately, the Municipality will be losing out on the opportunity to recovery infrastructure costs the longer Sandy Lake is delayed.

Please find attached a spreadsheet outlining the fiscal matters raised above.

Altus Report

Outlined in the HRM staff report is reference to the Altus study regarding population projections that has been used to evaluate land supply within HRM. The HRM staff report concludes from their analysis of this report, and based on current known land supply, that there is *“ample supply of land to satisfy the Municipality’s development needs for the foreseeable future and ensure a competitive market”*. However, in discussions with the Altus Group, they reviewed the HRM staff report and concluded the following:

“The approach used in the analysis of residential land requirements contained in the HRM staff report is inconsistent with the Halifax Municipal Planning Strategy, as well as best practices for assessing long-term residential land requirements. Therefore, conclusions regarding the adequacy of the residential land supply in the suburban areas of the HRM for the 2026 time horizon cannot and should not be drawn from that analysis.”

Please refer to the attached letter from the Altus Group. As outlined in our original submission, it is our opinion that this is a matter that can be more appropriately addressed through the Secondary Planning Strategy process.

Regional Plan Policy

Under the Regional Municipal Planning Strategy (RMPS) the lands are designated (Map 2) as Urban Settlement and under Section 3.1 identified as one of six sites where new urban growth will occur over the next 25 years subject to the completion of a Secondary Planning Strategy. Under Policy S-3 the policy states:

“Further to the principles of this Plan stated in section 1.4, HRM shall consider requests to allow for the initiation of a secondary planning process to consider development of the six sites for new growth provided that any such proposal serves to:

- (a) Protect the fiscal health of HRM and its capacity to meet additional financial commitments; and*
- (b) Address any deficiency in municipal service systems which would be needed to service the proposed area and the estimated cost of upgrades needed to provide a satisfactory service level.”*

In context to the first part of the policy S-3 (a), it is our opinion that it would be fiscally responsible for HRM to initiate the Secondary Planning Strategy for Sandy Lake with the objective of enabling the development to assist with recovery of spent funds sooner.



In context to the second part of the policy S-3(b) this effectively seeks to design infrastructure where it may be required should new infrastructure be installed or planned to accommodate for the future development of the Master Plan areas. This approach is good infrastructure planning practice. Designing infrastructure to accommodate for clearly defined future development, such as Sandy Lake as outlined by the Regional Plan, is fiscally responsible. At the same time it is also recognized the importance of recapturing those costs through enabling development to proceed. By initiating the Secondary Planning process will be a step towards achieving this objective.

Conclusion

It should be noted that this correspondence should not be interpreted as agreeing or disagreeing with the Capital Cost Contributions being allocated to Sandy Lake as identified in the HRM report in context to establishing a future charge area. For the purpose of this correspondence it serves to merely illustrate one of the reasons to initiate the Secondary Planning Strategy for the area in accordance with the Regional Plan policy S-3.

According to the staff report, HRM have already carried out infrastructure works for which the cost is intended to be recovered through the development of Sandy Lake. This is an unusual situation where the development of Bedford West and the establishment of Capital Cost Contributions has involved allocating already spent, or budgeted funds, relating to infrastructure costs to Sandy Lake without including it within the charge area. Essentially, the HRM staff report recommends delaying the initiation of the Secondary Planning Strategy for Sandy Lake until 2016, meaning that they will also delay the recovery of the investment already spent. In our opinion it is fiscally responsible for Council to enable the opportunity to recover infrastructure capital costs. For this reason, along with the other reasons outlined in our previous correspondence, HRM should be proceeding with initiating the Secondary Planning Strategy for Sandy Lake.

We look forward to being advised as to when this item will be back before the Regional Planning Advisory Committee and the opportunity to present to the Committee reasons to initiate the Secondary Planning process for Sandy Lake. At the same time we also welcome the opportunity to meet with HRM staff to discuss the above observations prior to proceeding to the meeting.

Please contact the undersigned to arrange a suitable time to meet on the items discussed above.

Yours sincerely,

TERRAIN GROUP INC

A handwritten signature in black ink, appearing to read "Nick Pryce", is written over a faint, light-colored signature line.

Nick Pryce, MCIP, LPP, MNZPI
Project Manager/Senior Planner

Cc: Mr. Rob McPherson, P.Eng. President, Armco Capital
Mr. Fred Morley, Chair of RPAC
Mr. Tim Outhit, Councilor

Attachment F2

Sandy Lake Infrastructure Cost Estimate
Source: HRM Staff Report, Project 01341, October 21, 2009 Appendix C

ITEM	COST FROM STAFF REPORT	SANDY LAKE CHANGE AREA COST FROM STAFF REPORT	COST TO BEDFORD WEST FROM STAFF REPORT	COST TO HRM FROM STAFF REPORT	INCREMENTAL COST TO HRM FROM STAFF REPORT	TERRAIN ADJUSTED INCREMENTAL COST TO HRM	TERRAIN ADJUSTED INCREMENTAL COST TO HRM (SHOULD SANDY LAKE BE DEDUCTED)	COMMENTS
Transportation								
Hammond Plains Road - Hwy 102 in location (already completed)	\$1,300,000	\$811,000	\$312,000	\$377,000	\$0	\$0	\$0	Without Sandy Lake, HRM will carry over \$811,000 contribution on work already completed.
Wade Hammond Plains Road - Inroad to Gary Marsh (already completed)	\$2,400,000	\$1,120,000	\$576,000	\$596,000	\$0	\$0	\$-1,120,000	Without Sandy Lake, HRM will carry over \$1,120,000 contribution on work already completed.
Hammond Plains Road - Hwy 102 in location (already completed)	\$4,300,000	\$300,000	\$2,514,000	\$4,955,100	\$0	\$0	\$430,000	Without Sandy Lake, HRM will carry over \$430,000 contribution on work already completed.
Minor Culvert Overpass - Hwy 7 Ave	\$300,000	\$300,000	\$0	\$0	\$0	\$0	\$0	
Wade Hammond Plains Road - Gary Marsh in Main Entrance	\$1,000,000	\$752,000	\$0	\$1,427,000	\$0	\$1,427,000	\$0	
Minor Culvert Overpass - Sandy Lake	\$1,500,000	\$1,500,000	\$0	\$15,000	\$0	\$15,000	\$0	
HRM/HRM/K Inroad to Sandy Lake	\$500,000	\$500,000	\$385,000	\$165,000	\$0	\$165,000	\$0	Without Sandy Lake, HRM will carry over \$500,000 contribution on upgrades already planned.
Kennedy Lake Culvert Upgrade (required for Bedford West)	\$1,000,000	\$300,000	\$1,716,000	\$299,000	\$0	\$0	\$-300,000	Without Sandy Lake, HRM will carry over \$500,000 contribution on upgrades already planned.
Wade Kennedy Lake Road - K/C Connector to Balmador Upgrade (required for Bedford West)	\$5,000,000	\$500,000	\$1,500,000	\$2,000,000	\$0	\$0	\$-500,000	The Hammond Plains Road Interchange Upgrade is planned whether or not Sandy Lake is developed. Without Sandy Lake, HRM will carry \$2,500,000 contribution on upgrades already planned.
Wade Kennedy Lake Road - Balmador to Kennedy Lake Road	\$3,200,000	\$320,000	\$1,600,000	\$1,280,000	\$0	\$1,280,000	\$0	
Hammond Plains Road Interchange Upgrade	\$20,000,000	\$2,500,000	\$3,000,000	\$14,500,000	\$14,500,000	\$14,500,000	\$0	
Sub Total	\$47,250,000	\$24,750,000	\$12,489,000	\$28,265,100	\$16,000,000	\$22,265,100	\$0	\$-2,500,000
Engineering (HRM)	\$1,000,000	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$-1,000,000
Contingency (HRM)	\$1,000,000	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$-1,000,000
TOTAL	\$50,250,000	\$27,750,000	\$12,489,000	\$32,265,100	\$16,000,000	\$22,265,100	\$0	\$-4,500,000
TOTAL	\$50,250,000	\$27,750,000	\$12,489,000	\$32,265,100	\$16,000,000	\$22,265,100	\$0	\$-4,500,000
TOTAL	\$50,250,000	\$27,750,000	\$12,489,000	\$32,265,100	\$16,000,000	\$22,265,100	\$0	\$-4,500,000

Note: On 5 Year Incremental HRM cost is \$0, not \$7,538,125 as shown in Staff report, Table 6. Work required in first 5 years is already completed.
It is misleading to identify the Hammond Plains Road Interchange Upgrade as an incremental cost to HRM based on the development of Sandy Lake. The interchange upgrade will happen irrespective of Sandy Lake and is therefore not an additional cost to HRM required for development.
The numbers highlighted in blue represent the amount of additional funds to develop the Sandy Lake development to develop.
Note: It should be noted that the table should not be interpreted as a simple up/down of development with the Sandy Lake contribution being included in the HRM report in contrast to establishing a future change area.

Attachment G

Terrain Reference No. B07057



March 1, 2010

Mr. Peter Duncan, P.Eng
 Manager, Infrastructure Planning
 Infrastructure and Asset Mgmt.
 Halifax Regional Municipality
 P.O. Box 1749
 Halifax, NS B3J 3A5

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Dear Peter:

Re: Port Wallis Area Development Costs

This correspondence is further to our earlier submission dated July 15, 2009, titled "Initiating Port Wallis Secondary Planning Process." This submission provides comment on HRM's analysis regarding the infrastructure costs, suburban land available for development, and development phasing related to the Port Wallis urban growth area.

Infrastructure Costs

In the Staff Report to the Regional Plan Advisory Committee dated October 21, 2009, staff had revised the CBCL Cost of Servicing Analysis by increasing CBCL's estimated infrastructure costs and adding allowances for connection to the Provincial Highway system. We believe most of these cost increases and allowances are inappropriate and that some of CBCL's costs are excessive and should be reduced. Based on the best available information, the following review clearly outlines which costs we feel are appropriate.

Transportation Infrastructure

Table 1: Estimated Transportation Capital Cost

Transportation Item	Cost HRM Review	Cost Terrain Review
Braemar Dr. widening, Maple to Mic Mac Dr.	2,100,000	2,100,000
Property Acquisition	1,242,000	1,242,000
Major Collector Oversizing	1,350,000	1,350,000
Minor Collector (Upsizing)	810,000	810,000
Roundabout at Conrad Interchange	750,000	750,000
Traffic signals at Hwy 107 Connector	150,000	750,000 ¹
Interchange	12,000,000	0 ²
Land Acquisition	1,000,000	0 ³
Hwy 107 Widening	5,000,000	0 ⁴
Interchange upgrade at Montague Road	2,000,000	2,000,000
10% Engineering	2,640,200	900,200 ⁵
15% Contingency	3,960,300	0 ⁶
Total	\$33,002,500	\$9,902,200

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The rationale behind each of the changes noted in Table 1 is as follows:

1. NSTIR have indicated that dependent upon completing a traffic study, a roundabout may be more appropriate than traffic signals given the future upgrades to Highway 107, and the Montague Road Interchange and connector. Additional cost for the roundabout have been included.
2. NSTIR have indicated that constructing and upgrading 100-series highways have historically been the responsibility of the Department. Under unique circumstances a municipality or developer may be expected to fund all or a portion of certain 100-series upgrading work. We understand that HRM and the Port Wallis developers would not be responsible for the interchange upgrades since it is not HRM or the developers requesting the interchange to provide access to the 100-series highway; rather NSTIR has initiated the upgrades to improve highway capacity. Due to these circumstances, the cost associated with the interchange has been removed.
3. Related to the interchange costs are land acquisition costs. Due to the interchange being the responsibility of NSTIR (as noted in 2), we understand that the land acquisition costs will also be the responsibility of NSTIR.
4. As per note 2, the Highway 107 widening is the responsibility of NSTIR since this upgrade is related to increasing capacity and not directly related to the Port Wallis development.
5. The 10% engineering costs have decreased due to the lower overall costs of the transportation related infrastructure.
6. In a meeting with CBCL regarding the Cost of Servicing Analysis, Mr. Brownrig of CBCL indicated that a 15% contingency cost has already been included in all of their cost estimates. Based on this information, including another 15% contingency is not required.

Water Infrastructure

Table 2: Estimated Water Capital Cost

Water Item	Cost HRM Review	Cost Terrain Review
400 dia WM (Upsizing)	600,000	225,000 ⁷
Total	\$600,000	\$225,000

The rationale behind the change noted in Table 2 is as follows:

7. Based on the cost to upsize the proposed water main from 300 dia to 400 dia, we find the unit rate too high for the upsizing. The CBCL unit rate was \$200 per metre. Based on best available information, we have conservatively estimated the cost for this upsizing to be in the range of \$75 per metre, thereby reducing the overall cost for water infrastructure.

Sanitary Services Infrastructure

Table 3: Estimated Sanitary Services Capital Costs

Sanitary Services Item	Cost HRM Review	Cost Terrain Review
Pump Station 'A'	1,800,000	1,800,000
500 & 350 dia Forcemains to Canal Crossing	1,170,000	1,170,000
500 & 350 dia Forcemains and Canal Crossing (tunnel)	500,000	500,000
500 & 350 dia Forcemains & Hwy 118 Crossing (carrier)	90,000	90,000
500 & 350 dia Forcemains to Dartmouth Crossing	204,000	204,000
375 dia Gravity Sewer (Upsizing)	375,000	300,000 ⁸
600 dia Gravity Sewer (Upsizing) Area "B" to PS "A"	0	200,000 ⁹
Total	\$4,139,000	\$4,264,000

The rationale behind the changes noted in Table 3 is as follows:

8. Based on the cost to upsize the proposed 375 dia Gravity Sewer, we find the unit rate too high for the upsizing. The CBCL unit rate was \$125 per metre. Based on best available information, we have estimated the cost for this upsizing to be in the range of \$100 per metre.
9. We note that HRM did not include the cost for the 600 dia Gravity Sewer (Upsizing) Area "B" to PS "A". We understand that this infrastructure is required during development of Area "B" in order to provide sufficient capacity for future development of Area "A". This cost should be included; however, we find the unit rate used by CBCL of \$600 per metre too high for the upsizing. Based on the best available information, we have conservatively estimated the cost for this upsizing to be \$200 per metre.

Infrastructure – Total Capital Costs

We understand that the infrastructure costs associated with developing Port Wallis are substantially less than those costs proposed by HRM. We also understand that there is additional cost saving opportunities for Port Wallis by using a single central servicing corridor (water, sanitary, power, gas) through Shubie Park. Table 4 summarizes the incremental capital costs associated with Port Wallis based on HRM's review and our review.

Table 4: Estimated Total Capital Costs - Port Wallis

Items	Cost HRM Review	Cost Terrain Review
Transportation & Connection to Hwy. System	33,002,500	9,902,200
Water	600,000	225,000
Sanitary Services	4,139,000	4,264,000
Total Capital Costs	\$37,741,500	\$14,391,200

Inventory of Suburban Land Available for Development

HRM staff has provided information related to the acreage of lands available for development in Port Wallis. These suburban lands are defined as all lands within the Urban Service Area of the Subdivision By-Law within which the Municipality is committed to allowing development serviced with central water and wastewater systems. The inventory included vacant lands exceeding three acres in size, excluding wetlands. The following review outlines our understanding of the available lands in the Eastern Region.

Table 5: Inventory of Available Suburban Lands – Eastern Region

Development	Area (Acres) HRM Review	Area (Acres) Terrain Review
Remainder of the Morris/Russell Lake Secondary Plan Area (Residential)	1,100	225 ¹⁰
PID 00403014 - Cole Harbour Road	16	16
PID 00401182 - Sailors Trail	11	11
PID 41184417 - Himmelman Drive	3	3
Vacant	242	242
Total	1,372	497
% Total in the Eastern Region	21.2	8.9

The rationale behind the changes noted in Table 5 is as follows:

10. Based on an analysis of the land available for future residential development, as illustrated in Figure 1, we understand that the 1,100 acres noted in the HRM Staff Report as available lands within the Morris/Russell Lake Secondary Plan area is incorrect for the following reasons:

- The Secondary Plan Area includes 582 acres of the Shearwater Airport lands, which DND have indicated they will not be releasing for development.
- The area also includes 72 acres of DND land referred to by HRM Planning Staff as 'the boot'. Given that these lands are within the obstacle height limitation surface zoning regulations for flight paths and are maintained by DND, we understand the lands are not available for future residential development.
- Clayton Developments Limited has developed major portions of both Russell Lake West and Portland Hills with only minor areas remaining (13 acres of Russell Lake West and 37 acres of Portland Hills).
- Approximately 79 acres of land belonging to Nova Scotia Business Development Corporation may be developed without completing the Caldwell Road connector; however, the plan

designation for these lands consists of park, school and commercial with only a small percentage for residential use.

- The Morris / Russell Lake Secondary Planning Strategy identifies the Imperial Oil lands comprising of approximately 269 acres as an oil refinery operation. We understand that these lands are not contemplated for residential development purposes in the foreseeable future.
- Most of the lands available for future residential development within the Secondary Plan Area by completing the Caldwell Road connector are between Morris Lake and Caldwell Road. Of these lands, 20 acres belong to Indian and Northern Affairs Canada. We understand these lands may be developed without HRM consent and do not pay Capital Cost Contributions.

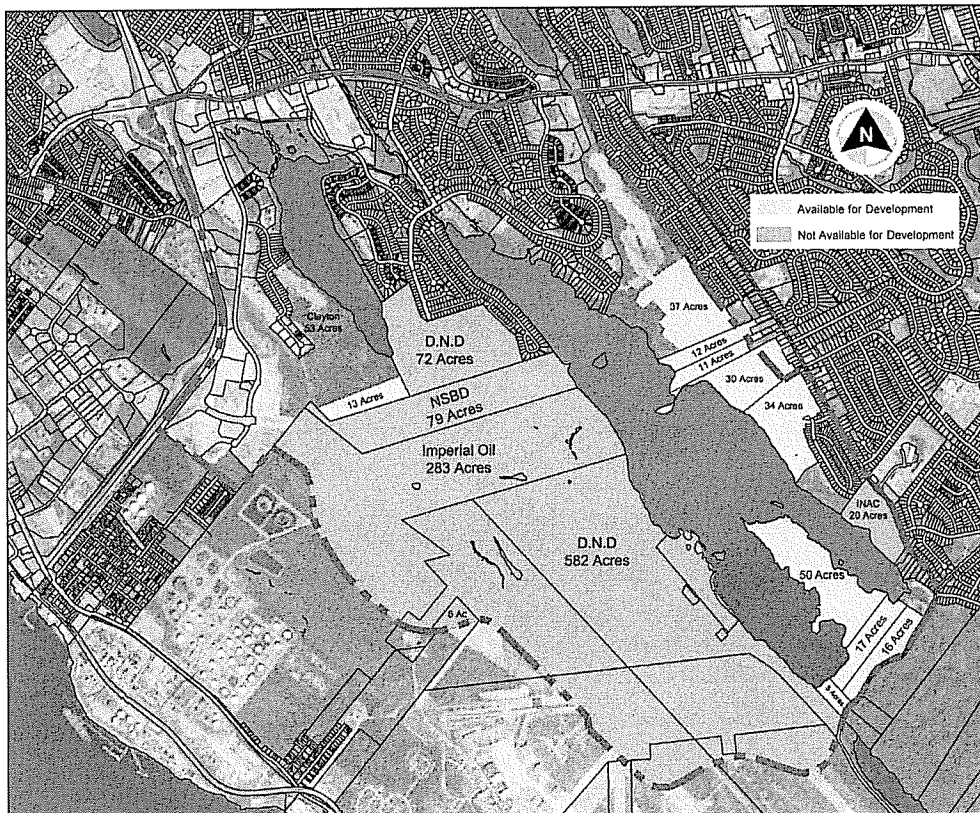


Figure 1. Analysis of available land in Morris/Russell Lake Plan Area.

Based on this information, we understand that there is substantially less land (497 acres) available for serviced development within the Eastern Region of HRM than provided in the Staff Report (1,372 acres). Further, it is understood that Clayton Developments is proceeding to complete Portland Hills (37 acres) and Armo plans to develop the Erindale Lands (40 acres) this year. Several of the other vacant parcels outside the Morris / Russell Lake Plan Area contain significant wetlands which further reduces the land area available for development in the Eastern Region to less than 400 acres.

HRM staff has indicated that as of September 30, 2009, there were 2,572 acres of land available for development in the Western Region, 2,533 acres in the Central Region and 1,373 acres in the eastern Region. If these areas were correct, this would indicate that 21.2% of available serviceable land was in the Eastern Region. Based on our analysis, only 8.9% of the available land is located in the Eastern Region; and ongoing development and wetland issues will reduce that substantially before a Secondary Planning Strategy could be adopted for Port Wallis.

Development Phasing

The CBCL Cost of Servicing Analysis concluded that a substantial portion of the infrastructure was required in advance of development or shortly after development begins (Year 0-5). These infrastructure requirements were further reviewed by HRM staff and broken down into costs to the charge area and HRM. The following review identifies areas of discrepancy.

Table 6: Estimated Transportation Costs Within the First Five Years - Port Wallis Area 'B'

	HRM Review	Terrain Review
Charge Area Cost	2,625,750	1,207,800
Cost to HRM	3,201,750	244,200
Total Cost	\$5,827,500	\$1,452,000¹¹

The rationale behind the changes noted in Table 6 is as follows:

11. Based on the CBCL Cost of Servicing Plan, the Braemar Drive widening to four lanes from Maple to Micmac Drive and associated property acquisition is not required until year 10-15; thereby deferring the \$3,242,000 plus engineering costs beyond the first five years. We understand that these costs should not be included in the first five years.

In light of the fact that available land in the Eastern Region is substantially less than stated in the staff report and the Port Wallis area infrastructure capital costs are lower than indicated; we respectfully request that HRM staff amend their recommendation for the Port Wallis Area to initiate the Secondary Planning Strategy process immediately.

We request a meeting with the appropriate HRM staff members to discuss the content of this letter at your earliest convenience.

Yours truly,
TERRAIN GROUP INC.

A handwritten signature in black ink, appearing to read 'Nathan Rogers', written in a cursive style.

Nathan Rogers, MPLAN
Project Planner

cc. Mr. Wayne Whebby
Mr. Vince Whebby
Mr. Kim Conrad
Mr. Robert MacPherson
Mr. and Mrs. Unia
Mr. Paul Morgan

Attachments

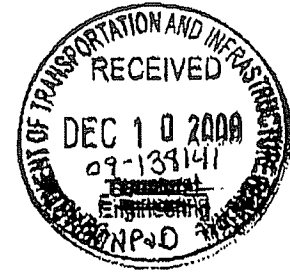
1. Summit Rock letter to NSTIR dated December 7, 2009
2. NSTIR response to Summit Rock letter dated January 29, 2010

SUMMIT ROCK DEVELOPMENTS LTD.

December 7, 2009

Phil Corkum, MBA, P. Eng., Manager, Highway Planning and Design
Transportation and Infrastructure Renewal
Johnston building, 4th Floor
1672 Granville Street
Halifax, NS B3J 2N2

corkumph@gov.ns.ca



Dear Phil:

Re: Highway 107 Connector from Highway 118

On behalf of the Port Wallis Area Land Owners Group, I would like to thank you and your associates for meeting with Wayne Whebby, Vince Whebby and the undersigned on December 7th. As discussed, we had requested the meeting to obtain information with regard to your Department's plans, scheduling intentions, and standard approaches or policies with regard to costs surrounding 100-series highway upgrades and the costs of connections thereto.

The purpose of this letter is to outline our understanding of certain statements and information which you provided at the meeting in relation to planned upgrades to the 107 Bypass and how these plans may impact, and be impacted by, the Port Wallis Area Land Owners applications to HRM for permission to enter into secondary planning and development of their lands both between the Waverley Road and the current 107 Bypass and outside of the 107 Bypass in the Montague Road area. We would appreciate it if you would review the statements which I have made in the following sections of this letter and get back to us to either confirm that I have correctly interpreted your Department's position and intent, to the extent that it may be known at the present time; or to correct any misrepresentations which I may have made. My understanding of the key statements made by you and your Staff that would have an impact upon the planning and development of the Port Wallis area lands, both inside and outside of the 107 Bypass, may be summarized as follows:

1. The construction and upgrading of 100-series highways are the responsibility of the Department of Transportation & Infrastructure Renewal and you would not expect cost sharing from private land owners or HRM with regard to this.
2. That the section of the existing 107 Bypass from Highway 118 to the Montague Road interchange area is nearing capacity and that the addition of another lane and median to make it 2-lanes in each direction will soon be required.

Phil Corkum

2

December 7, 2009

3. Notwithstanding the capacity constraints identified in point 2 above, the Department's highest priority with regard to the 107 Bypass is the extension and connection to the Bedford/Sackville area to improve traffic flow to Burnside and alleviate overloading on Magazine Hill. Your scheduling is to have design for this section ready for Tender by 2011; but, funding to go beyond the design stage for this section has not yet been approved.
4. Following construction of the Bedford Connector the remaining upgrading and construction to complete the 107 Bypass to connect to the existing Highway 107 just beyond the Lake Major Road will be carried out in 2 or 3 phases. Your target timing to complete this work and relieve some of the overloading on Main Street is 10 to 12 years; but will be dependant on funding.

We would appreciate it if you could advise us as to your target schedule for the upgrading from Highway 118 to the Montague Road Interchange; in your response to this letter.

A component of the Bypass construction will be the construction of a fly over and interchange to allow the 107 Bypass to be the primary thru traffic route with a fly over and interchange to accommodate the existing traffic from Main Street at the intersection with Forest Hills Drive.

5. After the above work is completed and the 107 Bypass around the outside of Lake Loon is completed, the Department will consider dropping the speed limit between Main Street at the Forest Hills Drive intersection and the fly over as appropriate; and permitting a roundabout type intersection to provide access to properties in the Port Wallis area as well as private property between this section of highway and Lake Loon. It was indicated that the Department would prefer a properly designed traffic circle in lieu of traffic lights at this location to better accommodate the high volumes of traffic which are anticipated.

It was further indicated that because this turning circle is not required to accommodate existing regional traffic flows, its cost would be borne between HRM and developers' capital cost contributions in a manner to be determined between those parties; although the design and location would be subject to TIR approval. Your Department further indicated that from a transportation engineering perspective, you would be opposed to having this turning circle constructed prior to the Bypass and related fly over being completed and in operation. You further indicated that you would not want more than one turning circle or access/egress point to the highway between Main Street and the fly over.

6. You indicated on behalf of TIR that you would not be opposed to a turning circle, subject to the appropriate traffic studies and design, being constructed on the connecting ramp between the Waverley Road and the 107 Bypass ramps at Montague Road. Your staff further indicated that this design would have to take into consideration any changes that may need to be made to the Bypass ramps in order to accommodate the future widening of the 107 Bypass and projected future flows from the Port Wallis area developments on both sides of the 107 Bypass in the Montague Road area.
7. Like the turning circle near Lake Loon, your Department indicated that the design and cost of this intersection would be the responsibility of HRM and the land developers, but the design and construction details would be subject to approval of your Department. It was indicated that your Department had not signed off on the preliminary concept schematics attached to the CBCL Report because they had not taken into consideration traffic volumes accessing and egressing the 107 Bypass ramps near the proposed turning circle.

Phil Corkum

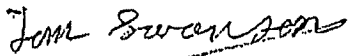
3

December 7, 2009

- In response to general discussions pertaining to Traffic Studies and turning circle designs, the undersigned indicated that subject to HRM approving and proceeding with the Secondary Planning Strategy to develop internal street patterns and collector roads within the proposed developments a more detailed traffic analysis will be carried out and utilized as the basis for detailed design.
8. You indicated that the order of magnitude cost for a turning circle such as may be required on the connector from the new 107 Bypass to Main Street is in the order of \$800,000 but that this could vary significantly if Traffic Studies indicate that a 2-lane traffic circle is required or if significant environmental or grading issues are encountered.
 9. Finally, you indicated that if the bridge over the 107 Bypass at Montague Road must be lengthened to permit additional lanes on the 107, such extension of length would be the Department's responsibility; however if Traffic Studies indicate that the extent of development outside of the 107 Bypass indicates that traffic crossing this bridge warrants widening of the bridge to more than 2 lanes, that the cost of widening would have to be borne by the development which would be generating this capacity demand. In any event, these Traffic Studies must be in place prior to the Department designing any lengthening required; as all bridge work at this location should be done at the same time.

Phil I believe that the above cover all of the significant points from our meeting as they may apply to your Department's plans as they affect the potential development of the Port Wallis area lands. As stated in my introduction, we would appreciate if you and/or staff could review the above comments, and send a letter in turn confirming, correcting or clarifying as appropriate. Thank you for your cooperation of this matter.

Best regards for the Holiday Season.



Tom Swanson, P. Eng

Copy: Wayne Whebby
Vince Whebby



Transportation and Infrastructure Renewal
Highway Programs

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www.gov.ns.ca/tran

January 29, 2010

Mr. Tom Swanson, P.Eng.
Summit Rock Developments Ltd.
1801 Hollis St., Suite 1500
Halifax, NS
B3J 3N4

Dear Mr. Swanson:

Re: Highway 107 Upgrading

This is in response to your letter of December 7, 2009 (attached) resulting from our discussions which took place on December 7, 2009. I will address each point in your letter as follows:

1. Historically this has been the case but it should be understood that under unique circumstances, a municipality or developer may be expected to fund all or a portion of certain 100 series upgrading work. This has already happened with respect to the addition of new intersections/interchanges, the upgrading of existing intersections/interchanges, and the addition of auxiliary lanes.
2. Agreed. However, I would like to clarify that the timing of the twinning will also depend on other factors such as availability of funding and other priorities.
3. Agreed. However, it should be realized that priorities can change over time for various reasons.
4. I would like to clarify the estimated time frame to mean tender readiness and not completed construction. It is likely that the section between Highway 118 and the Montague Rd. Interchange will be upgraded after the section between Loon Lake and the existing Highway 107 at Exit 17 is constructed.
5. Agreed. However, the speed limit would be determined based on the highway design standards used at that time and/or the results of a traffic engineering study.
6. This requires a bit of clarification. Due to the length of the connector road from Waverley Rd., to the interchange ramps, there would not be enough room to accommodate an additional intersection. However, TIR would not be opposed to replacing both the Waverley Rd/connector intersection and the ramps/connector intersection with roundabouts, both of which could accommodate an additional leg for a new street/road. Any modification to either of these intersections to

Mr. Tom Swanson
January 29, 2010
Page 2

accommodate a new street/road would require a traffic impact study which would also have to consider the impacts to the Hwy 107 structure, the other two interchange ramps, and accommodate the future widening of Highway 107. It is important to point out that HRM's cost of servicing study, which included the Port Wallace area lands, was not officially endorsed by TIR for several reasons, one of them being the lack of adequate consideration for the future need to upgrade the Highway 107, Montague Rd. Interchange and connector.

7. Agreed
8. Agreed
9. Agreed

I hope this further clarifies TIR's position with respect to the items discussed at the December 7, 2009 meeting and provides some guidance for your company's plans to move forward.

Yours truly,



Philip Corkum, MBA, P.Eng.
Manager, Highway Planning and Design

cc: Wayne Webby
Vince Webby
Bernie Clancey, TIR
Peter Merritt, TIR
Brian Ward, TIR
Dave McCusker, HRM

Attachment H



Reference No. B07057

April 20, 2010

Mr. Paul Morgan
Planner
Community Development – Regional and Community Planning
Halifax Regional Municipality
P.O. Box 1749
Halifax, NS B3J 3A5

THE SCIENCE OF

PRACTICAL

SOLUTIONS

Dear Paul:

**Re: Confirmation of Intent
Initiation of Port Wallis Secondary Planning Strategy**

Further to our previous correspondence requesting to initiate the secondary planning process for the Port Wallis urban growth area, this correspondence serves the following:

1. Clarifies the intent for a Regional Municipal Planning Strategy amendment concurrent with the Secondary Planning Strategy process;
2. Requests a water service extension for the Conrad Lands to provide safe drinking water; and
3. Confirms intent for partial pre-payment of capital cost contribution.

Regional Municipal Planning Strategy Amendment

A portion of the Port Wallis lands falls outside of the lands designated under the Regional Plan as Urban Settlement. These lands are presently designated as Rural Commuter. Our intent is to include an amendment to the Regional Planning Strategy concurrent with the secondary planning process to enable consideration of the entire Port Wallis area.

By including a greater scope for the Port Wallis lands, there are greater opportunities to satisfy financial requirements related to infrastructure costs and to enable a comprehensive secondary plan for the Port Wallis lands that guides future development.

Water Service Extension Request

The Conrad Lands within the Port Wallis area currently do not have central water servicing. It has come to our attention that a public health issue related to water quality currently exists on these lands. Approximately 300 persons are employed on the subject lands and taking due diligence on this matter is essential to ensuring continued health for these people. On behalf of our client, Conrad Bros Ltd., we are requesting that Halifax Water permit extension of the water service to these lands.

Serving Clients from our offices in Dartmouth, Moncton, Saint John and Edmonton.

ENGINEERING | PLANNING | SURVEYING

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fax 902.835.1645

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Conrad Bros has indicated that they would be responsible for the costs associated with the water service extension.

Partial Pre-payment of Capital Cost Contribution

The Port Wallis area landowners want to work with HRM and Halifax Water to create high quality residential and commercial developments to further enhance the quality of life and choice for current and future residents of HRM.

The landowners are aware that HRM is facing fiscal constraints. Some of the larger Port Wallis Area landowners have authorized us to advise HRM that if the secondary planning process proceeds in the near future, they are prepared to negotiate pre-payment of a significant proportion of the requisite CCC's thereby easing HRM's financial burden. An adequate pre-payment could be a component of development agreement negotiations for the first lands developed.

We look forward to starting the secondary planning process for Port Wallis in the near future.

Should you have any comments or questions, please contact the undersigned.

Yours truly,

TERRAIN GROUP INC.

A handwritten signature in black ink, appearing to read "Nathan Rogers".

Nathan Rogers, B.Sc., MPLAN
Project Planner

- cc. Mrs. Kenda MacKenzie, P.Eng.
- Mr. Rob MacPherson
- Mr. and Mrs. Unia
- Mr. Wayne Whebby
- Mr. Vince Whebby
- Mr. Kim Conrad
- Councillor Darren Fisher

Attachment I1

HALIFAX REGIONAL MUNICIPALITY BIRCH COVE/SUSIE LAKES AREA INFORMATION SESSION MINUTES

1:30 p.m.
January 8, 2010
Thomas Raddall Room,
Keshen Goodman Library

Present

MLA's

Diana Whalen
Kelly Regan

Staff Present

Roger Wells, Supervisor, Regional & Community Planning
Peter Bigelow, Infrastructure & Asset Management
Paul Morgan, Planner, HRM
Susan Caldwell, Planning Controller, HRM
Scott LeBlanc, Planning Technician, HRM
Jennifer Chapman, Planner, HRM

Councillors

Councillor Debbie Hum
Councillor Peter Lund
Councillor Mary Wile
Councillor Lorelei Nicoll
Councillor Jennifer Watts

SUMMARY MINUTES

Opening Comments

Mr. Roger Wells, Supervisor with Regional and Community Planning for HRM, thanked everyone for coming. He advised that his division is responsible for overseeing implementation of the Regional Plan adopted by Council in 2006.

He advised that the purpose of this meeting is to provide clarification of the planning frame work concerning a request to initiate secondary planning for Hwy 102 West Corridor lands. He said that there has been much public interest and much media coverage recently regarding this request and several Councillors suggested arranging an information session along with a question & answer document.

Roger introduced Paul Morgan, Planner with Regional and Community Planning and advised he would be making a presentation on the planning frame work and the process being followed. Roger also introduced Peter Bigelow, from Infrastructure & Asset Management, stating that he would be available for any questions following the presentation.

Presentation-Paul Morgan

Paul Morgan advised that:

- the Regional Plan has identified six sites as potential new growth areas subject to completion of secondary planning strategies

- At the time of adoption of the Regional Plan secondary planning strategies had been approved for three of these areas (Morris Russell Lake area in Dartmouth, Bedford South and Bedford West) which are currently being developed.
- requests have now been made to initiate secondary planning processes for the remaining three which are identified by the Regional Plan as Port Wallis area, Sandy Lake and Hwy 102 West Corridor
- the Hwy 102 West Corridor lands have four property owners identified which are Sisters of Charity, Gateway Materials Ltd., which operates a quarry in the area, Annapolis Group Inc., and Armco Capital Inc.
- this area contains over 500 acres which, under the Regional Plan, approximately half has been designated as Urban Settlement and half as Urban Reserve.
- The Urban Settlement Designation is intended to allow for serviced development within the lifetime of the Regional Plan and that is sometime before 2026. The Urban Reserve lands are contemplated for development sometime after 2026.
- For any development to proceed on these lands, Regional Council has to approve a secondary planning strategy. This matter is moving towards Regional Council which will have to decide whether to initiate this process.
- Preparing a secondary plan is a multi-year process involving consultations with interested persons and negotiations with property owners. The process culminates with Regional Council holding a public hearing and deciding whether to approval the new policies and new regulations for this area.
- A secondary plan is essentially guidance for how these lands would be developed in the future.
- The issue that needs to be addressed is whether this is the appropriate time to initiate a secondary planning strategy for each of these areas? Each has to be looked at individually based on criteria set out in the Regional Plan.
- A staff report was tabled at the October 21st, meeting of the Regional Plan Advisory Committee (RPAC) which evaluated each of these requests and recommended that all three requests be deferred until the 2016 Plan Review. This report is available on the HRM website.
- RPAC has requested staff to meet with proponents to review information provided and to prepare a supplementary report to address issues raised at the meeting.
- The supplementary report is to be presented at future meeting of the RPAC. The Committee meets on the third Wednesday of every month, commencing at 3 p.m. on the 2nd Floor, Alderney Gate Library. The meetings are open to the public.
- Once RPAC has completed it's review, the staff and RPAC recommendations will be forwarded to Regional Council which then decides whether to initiate the process.

- Blue Mountain-Birch Cove Lakes Park is identified as a regional park under the Regional Plan with a conceptual park boundary, as recommended by a consultants study, included. An intention is expressed to acquire private lands within the park boundary over time.
- Substantial portions of the Hwy 102 West Corridor lands are included within the conceptual park boundary.
- The portion of the Hwy 102 West Corridor lands designated Urban Settlement by the Regional Plan are zoned Urban Settlement zone under the Land Use By-law which requires a minimum lot area of five (5) acres, with frontage on an existing road.
- The portions of these lands designated Urban Reserve have a corresponding Urban Reserve zone applied under the Land Use By-law which does not permit subdivisions,.
- The Urban Settlement and Urban Reserve zones restrict new development on these lands until such time as a secondary plan has been approved. Upon approval of a secondary plan, the property owners normally seek more detailed subdivision design approvals in phases through approval of development agreements by the local Community Council. Community consultations take place and public hearings are held before development agreements are approved.
- The Regional Plan states that lands acquired for a regional park are to be zoned regional park. It states that lands are to be acquired over time through various means, as financial resources permit.
- Provincial legislation requires a municipality to acquire any lands zoned parkland within one year of applying the zone, otherwise an alternative zone has to be applied.
- Regional Council was not in a position to acquire all the lands proposed for the Blue Mountain-Birch Cove Lakes Park within one year of the adoption of the Regional Plan. This is why the approach was taken to try to acquire these lands over time through various means such as conservation easements, and land swaps, possibly in partnership with the Province.

Questions & Answers

Keith Phinney asked if financial resources are the problem with regard to parkland acquisition,?

Peter Bigelow, Manager of Real Property Planning responded that this is correct. The Municipality was not in a position to acquire all of these lands immediately. There had been some preliminary discussions with the land owners and questions rose about an appropriate evaluation. The owners decided to proceed to request initiation of a secondary planning process.

As follow-up, a question was raised as to whether the Municipality could just refuse to allow development. .

Paul Morgan stated that under the Regional Plan, the Municipality has an obligation to review the request to initiate a secondary planning process in accordance with the criteria established. Staff has recommended that initiation is premature at this time but the recommendation has nothing to do

with parkland acquisition.

Peter added that to avoid any conflicts on the parkland issue, a firewall has been established between the real estate division and the planning divisions, meaning that the parkland acquisition process should not normally involve itself with land development planning.

Bob McDonald asked if the Municipality has begun setting aside funds to purchase these lands.

Peter advised that some assessment work has been done to identify which parts of these lands are most critical for the regional park but no funding has been allocated at this point.

David Patriquin asked if there is any understanding with the Provincial government on how crown lands were acquired in the protected areas and if they would consider acquiring of these lands?

Peter said that the Province has designated Crown Lands for a protected area and participated with the Municipality in the consultant's study for the park. HRM will pursue the acquisition of private lands, through any means possible, including partnerships with other levels of government..

Walter Regan asked if HRM intended to purchase lands between the park boundary and the Bicentennial Highway.

Paul responded that there was no intention to do so.

Peter added that the Municipality presents the Province with a tentative list of lands that it is interested in acquiring which allows for the potential of cooperation. This approach has had some successes in the past.

Walter asked if the land owners would be willing to donate the lands?

Peter responded that this option had been discussed but each expressed the need for an exchange at a market value.

Walter asked if there are tax benefits available for donation.

Peter responded yes but the property owners said that the owners wanted to go through the secondary planning process before negotiating any details. They said that these lands are assets that are part of their financial planning for the future.

Richmond Campbell spoke of the canoe route established through the lake system which can be done in a day. He said that this is tremendous attraction which would be diminished by residential development. He asked if consideration is being given to the original boundary study concept and the recreation, tourism and educational value of these lands which would be destroyed by development.

Peter responded that the boundary study took into consideration the wilderness experience through a visual analysis. The boundary corresponds with a watershed boundary so another consideration was protection of water quality which is important because this watershed feeds down into Kearney

and Paper Mill Lakes. Preservation of the canoe route connectivity of the lakes are also key elements.

Richmond also expressed concern about the loss of a buffer for the protected wilderness area which is of great ecological concern.

Peter responded that this aspect has been discussed with the property owners. He said that protection of the water is important and he is not convinced that development impacts can be mitigated in a satisfactory manner through storm water protection measures.

Richmond noted the importance of establishing a corridor between this protected area with other protective areas on the Chebucto Peninsula such as the Five Island Lakes wilderness area for wild life. He questioned whether this has been considered in setting priorities?

Peter responded that connectivity was considered from a regional perspective on the Chebucto Peninsula. He said that the Western Common along with the other protective areas in Terence Bay had been mapped with assistance from the Province and had been integrated into the study.

Peter Flemming asked if consideration had been given to impacts of pesticides and fertilizers from development?

Peter responded that environmental impacts are addressed through the more detailed secondary planning process. For example, in Bedford West, water quality monitoring is being undertaken.

Scott Jennings asked if the planning will determine what the developer requirements will be and if the Municipality could zone against the use of fertilizers and pesticides in the area, if required.

Paul responded that, if Council decides to initiate the planning process, various studies will be conducted to determine these matters and the studies would be made available to the public. If you are not satisfied that these concerns have been addressed, you would have an opportunity to let Council know.

Shirley McIntyre, Halifax Northwest Trail asked about the chances of a land swap being done and who would initiate the process?

Peter stated that this is a possibility with both the Municipality and the Province and that staff or Council could initiate the process with staff doing the negotiation.

MLA Kelly Regan asked, when Council receives a request to initiate a secondary planning strategy, is it obliged to agree to the request.

Paul responded that Council is not obligated to agree to the request but there is criteria in the Regional Plan which Council would have to consider.

Margo Grant asked, if Council accepts the staff recommendation, will the value of land go down?

Peter responded that land values are determined through a formal appraisal process which would take into account municipal policies and regulations.

Margo stated that by raising the possibilities of lands being developed, an owner of a property could affect its value and expressed concern that this might have on the purchase price.

Peter responded that the development potential affects land value but where the initiation request is made, Council is required to act as an adjudicator affects and not a potential buyer.

Martin Willison asked what height and density would be allowed on the property and the potential to negotiate these aspects to allow for more open space.

Paul responded that these matters can be negotiated through the secondary planning process.

MLA Diana Whalen questioned why development was being considered within the park boundary. She stated that three years earlier there had been exhausting consultation and it had been determined to create a regional park in this area which was adopted by Council.

Paul responded that the conceptual park boundary is in the Regional Plan but Council will have to decide how much land the Municipality wants and can afford to acquire and whether there are some ways to allow some development.

Peter added that Council has to decide if this is an appropriate time to initiate a planning process as requested by the property owners.

Councillor Whalen requested clarification on the zoning.

Paul advised the for areas zoned Urban Settlement, the intention is to allow for possibility of development within the life of the Regional Plan, which is 2026. The remaining lands are zoned Urban Reserve which contemplates development at some time after 2026.

Council Mosher asked for clarification on the intent of the Regional Plan regarding these lands.

Roger Wells responded that the Regional Plan states that within the life of the plan, this corridor designated Urban Settlement along Hwy 102 may be developed. Council has to decide if this is the appropriate time to initiate the secondary planning process required for development. The most valuable land, from a Regional Parks perspective, are designated Urban Reserve which can only be considered for development over a longer time horizon, beyond 2026. This allows time to negotiate with the property owners.

Bill Matheson stated that Council needs to maintain the intent to reserve these lands for a Regional Park. He asked if policy IM-18 of the Regional Plan was considered.

Roger responded that policy IM-18 provides guidance with respect to lands in abutting policy designations. Consideration can be given to limited extension of development permitted within one

designation to extend into another, but this policy does not have application to this situation.

Paul added that the proponents had requested the planning process to consider future servicing of lands designated Urban Reserve but these lands cannot be developed within the life of the Regional Plan, unless the Plan is amended by Regional Council.

Tim Bousquet said that one of the maps in the cost of service study indicated roads through provincial lands and asked if this was correct.

Paul said he could not recall but details of this nature are up for negotiation and would be addressed in the secondary planning process.

Tim asked what is the purpose of the cost of service study and whether the plan was proposing the use of provincial lands for services?

Paul advised that the study was to determine an order of magnitude of the cost of servicing these lands and that servicing issues will be looked at further when more detailed planning is done but the use of Provincial lands could not be done without the consent of the Province.

A question was raised as to whether the land owners could make this request again if it is denied by Council.

Paul responded that it depends on the motion of Council. Staff has recommended that this request be deferred until the 2016 Regional Plan review.

Councillor Debbie Hum noted the development potential within the existing service boundary documented in the staff report to the Regional Plan Advisory Committee.

A question was raised as to whether developers participated in the Regional Plan process and consultations?

Paul responded yes.

Paul advised that the staff report to the Regional Plan Advisory Committee is available on the Municipality's web site. A question and answer briefing is also available.

The meeting adjourned at approximately 3:15 p.m.

Attachment I2

Birch Cove / Susie Lakes Area: Questions and Answers

In recent weeks, there has been much public interest and media coverage regarding Birch Cove/Susie Lakes lands, located west of Highway 102 in Halifax. In an effort to provide the public with timely and accurate information about current initiatives in this area, HRM staff has prepared the following questions and answers. Please feel free to share this information with others who may also be interested in the Birch Cove/Susie Lakes lands.

Please visit the Halifax Regional Municipality website at www.halifax.ca (Quicklink to Regional Planning - Reports, Studies and Guidelines) for more information.

1. Where are the Birch Cove / Susie Lakes?

The Birch Cove Lakes are on the west side of the Bicentennial Highway between Lacewood Drive and Kearney Lake Road. A series of lakes - the largest being Susie and Quarrie Lakes are within the upper watershed of lands which drains through Kearney Lake and Paper Mill Lake to Moirs Pond in the Bedford Basin (refer to attached map).

2. Is development being proposed for this area?

Birchdale Properties Inc., representing four property owners in this area (Annapolis Group Inc., Armco Capital Inc., Gateway Materials Inc., and Sisters of Charity), has submitted a request to the Municipality to initiate a Secondary Planning Process to allow for the future development of approximately 500 acres. The lands represented by Birchdale Properties are illustrated on the attached map.

3. What is a secondary planning process?

A Secondary Planning Process provides guidance for the future development of an area through the adoption of land use policies and regulations pertaining to such matters as environmental protection, land use allocations, municipal service provision and phasing of development and services. The process results in the preparation of a document containing land use policies and regulations called a Secondary Planning Strategy.

The process involves extensive public consultation and entails collaboration and negotiation among interested parties including land owners, municipal staff, neighbouring communities and various interest groups. For any development to proceed, a Secondary Planning Strategy must be adopted by Halifax Regional Council. A formal Public Hearing is required at Regional Council before a decision is made.

4. What are the current planning provisions for the Birchdale Properties lands?

Under the Regional Plan, approximately one-half of the Birchdale Properties lands are designated “Urban Settlement”. Within such areas, central wastewater and water distribution services are intended to be provided to facilitate an urban form of development over the next 25 years (2001 to 2026). The portions of the Birchdale Properties lands designated Urban Settlement are illustrated on the attached map.

An Urban Settlement Zone has been applied within this designation which restricts new development to single unit dwellings on a minimum lot size of 2 hectares (5 acres) provided that the lot has frontage on an existing road and an on-site disposal system can be provided. As there are no existing roads on these lands, no new development would be permitted until such time as a Secondary Planning Strategy is approved by Regional Council.

The Birchdale Properties lands situated within the Urban Settlement designation is one of six sites identified by the Regional Plan as potential areas for new urban growth within the next 25 years, subject to the completion and Council approval of a Secondary Planning Strategy (the Plan identifies this site as “Highway 102 West Corridor adjacent to Blue Mountain-Birch Cove Lakes Park”).

The remaining portion of the Birchdale Properties lands is designated and zoned “Urban Reserve” under the Regional Plan (refer to attached map). Within this area, central services (municipal wastewater and water distribution) may eventually be provided, and the primary intent of this designation is to retain sufficient lands to provide an adequate supply of serviceable land beyond the time horizon of the Regional Plan (2026). The Urban Reserve Zone does not allow any subdivision and restricts new development to one single unit dwelling per existing lot, serviced by a well and on-site wastewater disposal system.

5. Does the Municipality have to accept this request and what is it’s status?

The Municipality is not obligated to initiate Secondary Planning processes upon receipt of a request. This will be a decision of Regional Council, and criteria to guide Council’s decision are set out in the Regional Plan. While several policies are relevant in this regard, perhaps the most important is Policy S-3, which speaks to protecting the fiscal health of HRM and financial commitments associated with servicing new growth areas.

No decisions by Council have been made to date concerning the requests to initiate Secondary Planning processes. A staff report has been prepared in response to the Birchdale Properties request, as well as two other sites for which requests have been made to initiate secondary planning processes. This report has been tabled with the Municipality’s Regional Plan Advisory Committee. A copy of the report can be obtained at: <http://www.halifax.ca> (Quicklink to Regional Planning - Reports, Studies and Guidelines).

The recommendations of staff and the Committee will be forwarded to Regional Council for discussion and decision in early 2010.

6. Is a regional park proposed in this area and where is it in relation to the proposed development?

The Province has designated approximately 1,350 hectares (3,336 acres) of crown holdings to the west of the Birchdale Properties lands as a wilderness protection area. This area extends westward from the Birchdale Properties lands to Frasers Lake in Timberlea and includes lands to the north and south (refer to attached map).

It is worth noting that the Province did not designate any privately owned lands as wilderness protection, nor did it acquire any privately owned lands for the purpose of designating them as wilderness protection. It simply placed a wilderness protection designation on lands that it already owns.

Under the Regional Plan, a 2006 study prepared for HRM, NS Dept. of Natural Resources and NS Dept. of Transportation and Public Works titled "Blue Mountain-Birch Cove Lakes Assessment Study", proposed a geographic area for the park (Map 13 of the Regional Plan). The proposed boundary includes portions of publically-owned lands (provincial) of the (now) wilderness protection area as well as considerable privately-owned lands, including portions of the Birchdale Properties lands. The park boundary in relation to the Birchdale Properties lands is illustrated on the attached map.

Through the Regional Plan, publically-owned lands in the area of Blue Mountain-Birch Cove Lakes are zoned "Regional Park", as stated in Policy E-4. The privately-owned lands within the proposed boundary of the park are designated and zoned "Urban Reserve" or "Urban Settlement". The reason the privately-owned lands were not zoned "Regional Park" at the time of adoption of the Regional Plan was because, as mandated by provincial planning legislation, HRM would have been required to purchase the subject lands within a one-year timeframe.

7. How are privately-owned lands to be acquired for a regional park and who will decide what lands will become parkland and what will be developed?

The Regional Plan indicates that it is the intention, over time, to acquire the necessary private lands within the proposed park boundary (Map 13) for public use. A variety of acquisition methods can be utilized, including provincial and municipal partnerships, as financial resources permit, land trades and conservation easements. At the municipal level of government, Halifax Regional Council will determine what lands become parkland and those that may be developed.

8. If private lands are acquired for a regional park, what zoning will be applied?

The Regional Plan states that any lands acquired will be re-designated to “Open Space and Natural Resources” and re-zoned “Regional Park”.

9. When could development of these lands start?

No development is imminent. Regional Council must first decide whether or not to initiate Secondary Planning processes at this time. Secondary Planning is typically a multi-year process and ultimately a planning document (Secondary Planning Strategy) will have to be brought to Regional Council for consideration. A Public Hearing must be held before a decision is made. If approved, detailed plans are then brought forward to the area Community Council for consideration, usually on a phase-by-phase basis. Again, a Public Hearing is usually required.

Further information regarding the planning process can be obtained by contacting Paul Morgan, Planner, Community & Regional Planning at tel: 490-4482 or E-mail: morganp@halifax.ca

Barbara Coleman - Birch Cove Lakes Area

From: Bob McDonald
To: <colemanb@halifax.ca>
Date: 20/11/2009 2:13 PM
Subject: Birch Cove Lakes Area
Attachments: Birch Cove Lakes Canoe Loop.PDF; Map13_BirchcoveProposedParkBoundary.PDF; BMBCL Wilderness Area.PDF

Good afternoon Barbara,

I understand that you are arranging the agenda and materials for the Regional Plan Advisory Committee meeting for Wed Nov 25 in City Hall in Halifax. I note that item 5.1 deals with the Cost of Servicing Study and Request for Secondary Planning in the Birch Cove Lakes area off Highway 102.

I made a presentation on behalf of the Regional Park at the Oct RPAC meeting in Dartmouth relevant to this agenda item and will attend the Nov 25 meeting as well.

From the questions I had after my presentation it would appear that there is some confusion amongst some of the Committee members as to the difference between the Wilderness Area and the Regional Park, as well as where the Regional Park and the proposed development are located.

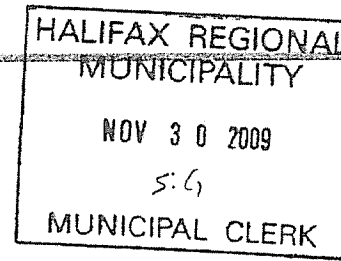
I have collected together some maps, of the Wilderness Area, the proposed Regional Park and the Birch Cove Lakes Canoe Loop which may serve to clarify the areas in question with the members. I am attaching these 3 maps to this message and wonder if you would forward these to the RPAC Committee before the meeting on Wed.

Many thanks for doing this.

Sincerely,

Bob McDonald
Halifax North West Trails Assoc

Clerks Office - Please, no housing in Birch Cove Wilderness



From: Kynan Brown
To:
Date: 28/11/2009 12:35 PM
Subject: Please, no housing in Birch Cove Wilderness
CC:

Re: Housing may push wilderness aside (Page C1, Nov., 28, 2009)

Hi,

I agree with Coun. Peter Lund that, while a housing development proposal in the Birch Cove Lakes area may be attractive, it is unnecessary with the huge amount of nearby housing already coming available.

I urge city planners to please reject any bids for housing development in this area. Opt to maintain the integrity of this regional wilderness by developing its potential as parkland.

I know dozens of local people who consider Quarry Lake and its surrounding wilderness to be their favorite place to swim, canoe, and explore trails.

Toward Bayers Lake, the area is one of HRM's most popular for mountain biking and trail running.

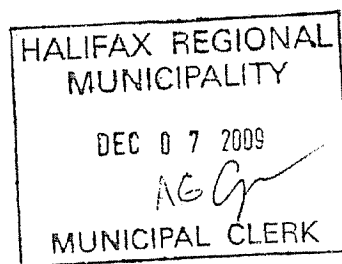
Envision this section of Halifax's remaining wilderness as a brilliant piece of HRM's preserves for outdoor recreation and beauty. It has shown its potential and is already dear to so many people.

Best,

KB

From: "Wayne Ingalls"
To: <clerks@halifax.ca>
Date: 07/12/2009 10:52 am
Subject: Letter regarding the Birch Cove Lakes
Attachments: Letter re Birch Cove Lakes wpd, Part 002

Would you kindly distribute the attached letter to the Regional Planning Advisory Committee, the Mayor, the members of Council and appropriate staff



Halifax, N.S.

Dec. 6, 2009

Mr. Chris Lowe
Birchdale Projects Inc.
165 Hammonds Plains Road
Bedford, N.S.
B4A 4C7

Re: Highway 102 West Corridor Area Secondary Planning Application

Dear Mr. Lowe:

The secondary planning application for the Birch Cove Lakes area creates an erroneous impression that Susie and Quarry Lakes are part of a man-made lake system. This runs counter to the information we have gathered while researching the history of the area. The historical evidence clearly shows that British settlers were familiar with the Birch Cove Lakes and used their resources as early as the late 1700s.

The following information pertains to the history of the Birch Cove Lakes:

1. Washmill Lake was used for washing clothes and blankets in 1783 when several regiments of British soldiers camped at Birch Cove after the American War for Independence. The lake acquired its name from a washing mill erected on the lake for their use.
2. The Donaldson-Dickson family owned 900 acres at Birch Cove including the Birch Cove Lakes. Susie Lake is named after Susy Donaldson.
3. The Donaldson family operated the "Birch Cove Granite Quarry" for more than 100 years. A previous landowner established the quarry and built an access road, Quarry Road, about 1800. The quarry was one of two granite quarries in the Halifax area.

The enclosed documents reveal some of the area's history:

1. A poem published in the early 1850s praises the beauty of the Birch Cove Lakes (George Mullane, "Footsteps Around the Basin").
2. A photo of Quarry Lake published in the *Suburban* April 18, 1903. The editor states: "Seen in summertime setting in its rim of white granite, which looks like a great white basin, Quarry Lake is a dream of beauty."
3. Two photos with members of the Donaldson-Dickson family boating at Quarry Lake c.

1910.

4. Map dated 1918 showing the Birch Cove Lakes prior to their damming.
5. Details from an "Abstract of Title" that pertains to the deed which transferred the property from the Donaldson-Dickson family to Moirs Ltd in 1949.

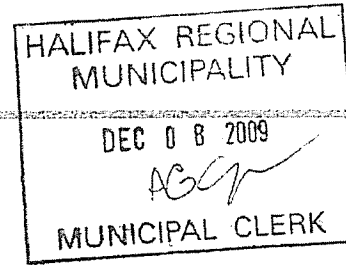
These documents and photos are evidence that Susie Lake and Quarry Lake were known, admired and used prior to the two dams being built on Quarry Lake. The damming did, however, raise the water levels changing their configuration. Those who care for the Birch Cove Lakes ask that they not be described as man-made.

Yours sincerely

Sharon Ingalls, Archivist, Rockingham Heritage Society
Wayne Ingalls, Professor Emeritus of History, Mount Saint Vincent University, and President of the Friends of Hemlock Ravine

cc. Diana Whalen, MLA
Coun. Debbie Hum
Bob MacDonald, Northwest Trails Assoc.
Paul Morgan
Coun. Reg Rankin
Coun. Steven Adams
Coun. Peter Lund

Clerks Office - Fw: Blue Mountain-Birch Cove Lakes



From: Davena Davis
To:
Date: 08/12/2009 8:12 AM
Subject: Fw: Blue Mountain-Birch Cove Lakes

----- Original Message -----

From: Davena Davis
To: Debbie Hum
Sent: Sunday, December 06, 2009 9:24 AM
Subject: Blue Mountain-Birch Cove Lakes

Dear Debbie,

I am writing in support of keeping this area a park. There is a good letter "Stick to the Plan" in today's (Dec. 6) Chronicle-Herald from Graham Smith in Brookside. I completely agree with what he writes. Furthermore, if you read the article in The Halifax Magazine (Dec. 2009) entitled "Where did everybody go?", you'll see that the population of HRM is not growing at the rate of the rest of Canada. So there is really little need for residential/commercial development in that area for some time. As has been pointed out by other people, Bedford West and Bedford South as well as areas in Dartmouth are in the hands and plans of developers. The lands owned by the Sisters of Charity have been the focal point. Tugging at our heart strings, perhaps? As I understand it, their land borders the 102. So could they not be allowed to sell it to developers, make the funds they need to support their aging sisters and leave the rest of the land in question as a park. Land swaps are commonplace; the owners/developers of that part of the area could be compensated with other land. There has to be a way for HRM to keep its integrity. We were sold the HRM by Design Plan, we were promised it would be adhered to. Please don't allow the City to erode our trust in HRM's plans.

Davena

December 15, 2009

Mayor Peter Kelly
Halifax Regional Municipality
Office of the Mayor
1841 Argyle Street, P.O. Box 1749
Halifax, Nova Scotia B3J 3A5



1099 Marginal Road, Suite 201
Halifax, Nova Scotia B3H 4P7
Tel. 902.423.4480
800.948.4267
Fax: 902.422.0184

Dear Mayor Kelly:

We are writing to express our concern about the impact of potential development of land adjacent to the Blue Mountain-Birch Cove Lakes designated Wilderness Area. The addition of this Wilderness Area to the Protected Areas Network by the provincial government earlier this year was a significant milestone.

According to the 2006 HRM Municipal Planning Strategy document, the area HRM is currently considering for development was specifically identified three years ago as land HRM should obtain and develop into a regional park. The lack of progress in securing any land related to this site is discouraging and calls into question HRM's commitment to its own policies and parkland protection measures.

Recent media articles regarding this issue have outlined the importance of a holistic approach to land protection. From a recreational and tourism perspective, the area has significant value and is deserving of protection by HRM.

TIANS urges HRM to consider alternative methods of acquisition, as suggested in the HRM 2006 Planning Strategy. These range from provincial and municipal partnerships, land trades and conservation easements

In closing, we urge HRM to take action and accelerate efforts in acquiring this land. The value of having a wilderness area so close to our urban centre holds tremendous recreational and tourism potential and is a significant asset for residents and visitors alike.

Sincerely,


Darlene Grant Flander
TIANS President

cc: HRM Regional Councillors
The Honourable John MacDonell, Department of Natural Resources
The Honourable Percy Paris, Department of Tourism, Culture and Heritage
TIANS Board

www.tians.org



Friday December 18, 2009

Dear Mayor Kelly and Members of Council-

I am writing to express my concern over the future of the private lands at Susies Lake, adjacent to the Blue Mountain-Birch Cove Lakes Wilderness Area near Bayer's Lake Business Park.

It is my understanding that in the City's regional plan of 2006, these lands are to be eventually acquired by the City to contribute to the completion of a regional park, to which the province recently contributed a substantial share by protecting adjacent provincial lands.

It is my understanding that recently, an application to open the land for housing development was submitted to the City.

I want to voice my strong support for the City to ADHERE to the existing regional plan, and would ask you to please not approve any development applications. While I understand that budgets are tight and that this may not be the best time to purchase the lands, there is absolutely no need to make a decision now to open the lands to development and contravene the commitment you have made to reserve these lands as a beautiful natural area for all Haligonians to share and enjoy. What is needed is time to consider how this regional park goal can be achieved. I don't believe the City has done this.

It is important to me that you stick to your promise to preserve these lands: with only a portion of the lands currently protected (by the province), the integrity of the watershed and amazing recreation opportunities are at risk. If development is allowed to occur on one side of the lake system in question, the beauty and health of the wilderness area and its chain of lakes will be severely compromised.

There are other reasons for which I am against opening the lands in question to development. As a taxpayer in this City, I am concerned about the costs of urban sprawl and the direct costs of expansion of the existing municipal service area. It is my understanding that there is plenty of available land currently available for development within the existing service area, and I have no interest in seeing virgin lands developed when we have opportunities to increase the density within our already-semi-developed urban spaces.

Furthermore, I believe that developing lands such as those in the Blue Mountain Wilderness area will compromise the beauty, charm and appeal of HRM, and that it would be a grave error for a City that is looking to continue to attract people and businesses to the area. I feel that I can speak with authority on this subject: I am a young, university-educated woman with extensive work experience in the public and private sectors who has moved to Halifax from Ottawa precisely because of Halifax's urban layout.

In Ottawa, the sprawl has become so bad that without a car, I had a great deal of trouble getting out of the City and accessing green space. One of the things I like most about Halifax is

the beautiful and uncompromised wilderness areas that can be found in almost every direction from the City, all within a reasonable biking distance

The Blue Mountain-Birch Cove Lakes area has significant appeal to me as a place to hike, mountain bike and canoe – all activities I engage in regularly. When my friends come and visit me here, I always make a point of taking them out of the urban area and showing them the beautiful wild spaces to explore.

I have chosen to make Halifax my home because of the great balance of walkable, densely populated urban communities and easily accessible undeveloped green spaces close by. If developments like Glen Arbour, Voyageur Lakes and Kingswood continue to take over the wild spaces around this wonderful City, I am concerned that Halifax will no longer retain the wonderful character that brought me here and makes me want to stay here and make it my permanent home.

I hope that council plans on sticking to its commitments and rejecting any development applications for these lands.

I would appreciate a reply that indicates council's position with respect to the future plans for these lands

Thank you,

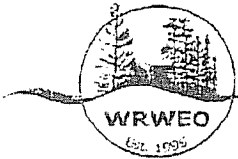
Katherine Kitching

Halifax NS

MUNICIPAL CLERK'S OFFICE

Distributed to: *S. McKinlay*
Mayor, Councillors, CAO, *DEAO*
Solicitor, *Austin French,*
Roger Wells, Paul
Morison

HALIFAX REGIONAL
MUNICIPALITY
JAN 12 2010
[Signature]
MUNICIPAL CLERK



Woodens River Watershed Environmental Organization
3650 Hammonds Plains Road • Unit 14 • Suite 300 • Upper Pentation, NS • B3Z 4R5

Paul Coleman
Shawnee Gregory
January 12, 2010

January 7, 2010

To: Mayor Peter Kelly & Councilors,
Halifax Regional Municipality

From: Richmond Campbell and David Patriquin,
Co-Chairs, Woodens River Watershed Environmental Organization

RECEIVED
JAN 12 2010
MAYOR'S OFFICE

Re: Blue Mountain Birch Cove Lakes Regional Park.

Dear Mayor Kelly and Councilors,

WRWEO was very supportive of the proposal in the 2006 Regional Plan to develop a 1750 ha Regional Park in the Blue Mountain – Birch Cove Lakes area. We were especially pleased subsequently when the province designated the crown block of 1350 ha a Protected Area. This was entirely in keeping with the Regional Plan for a core wilderness area and a peripheral multiple use, recreational area.

We have been very concerned, however, that HRM has not followed through with its commitment to purchase (or address by land swaps or other means) the adjacent lands that were to be part of the Park. Further, we understand that a development proposal is making the rounds at the committee level.

This would have two major impacts. First the multiple use, recreational area for the public would not materialize. Second, development of these adjacent lands would seriously undermine the integrity of the core wilderness area, and the wilderness experience.

The eastern lakes, which include the major part of the water surface within the proposed Regional Park, would be directly impacted by development, with inevitable declines in water quality and increased risk of penetration by invasive species. As well, the views from the water that were envisaged as providing paddlers doing the circular 5 mile canoe route a sense of wilderness would no longer do so. That in turn detracts from the envisaged value of Regional Park as an important educational experience for HRM residents and visitors, and as an ecotourism destination.

Development of the adjacent lands with housing, instead of as a multiple use recreational area, would remove their function as a buffer between the core wilderness area and highways and settled areas. This would have direct impacts on the ecological integrity of the core wilderness areas through loss of habitat and increased edge effects.

Inevitably, without the multiple use, recreational area and with a residential development in its place, there would be much more use of the core wilderness area in ways not compatible with its ecological integrity, e.g., through illicit trails, garbage, noise... just general human disturbance.

Finally, we are concerned with the integrity of the developing complex of parks and conservation lands on the Chebucto Peninsula as a whole. We have been advocates of

protection for the Five Bridge Lakes Wilderness Area (FBLWA) which has recently been declared a Candidate Wilderness Area. A key reason for seeking protection of this area is that the FBLWA occupies a large area in the centre of the peninsula and, once protected, it will be a relatively small - but critical - step to construct conservation corridors connecting the different blocks of protected land on the Chebucto Peninsula. In this regard it is important to follow through on the recommendations in section 5.4.3 of the Blue Mountain/Birch Cove Assessment Study:

5.4.3 Natural Corridor

The Crown and private lands lying to the south and west of the generalized park area form an important natural corridor, providing connectivity to the more extensive Crown and Bowater lands to the south and west, refer to Figure 21, Generalized Concept Plan. A critical link in this corridor is at Maple Lake/Frasers Lake where the proposed Highway 113 corridor crosses the lake system. The highway will be located on one of the few remaining "necks" of land available for species movement. The Piercey Investors subdivision development on their lands to the west of the lakes may present a significant complication for this initiative. HRM should work with landowners, TPW, and DNR to ensure the preservation of adequate connectivity in this area, consistent with the Open Space Functional Plan proposed in the draft Regional Plan.

Such corridors greatly increase the long term species carrying capacity of all of the connected blocks of protected land (compared to maintaining them as completely isolated patches).

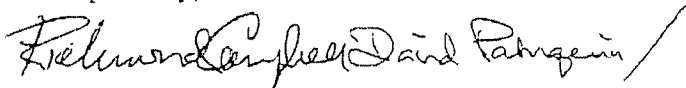
Indeed, with the now strong commitment of the Nova Scotia government to designate the FBLWA a protected area, we have the potential to make the Chebucto Peninsula a truly significant conservation area. On the other hand, if we start to backtrack on commitments such as those entailed for the BMBCL Regional Park, then we are eclipsing this wonderful possibility just as it about to be realized.

Some argue that "we already have enough parks and protected lands in HRM", but that ignores the significance of the collective whole for real conservation, as a part of our regional heritage and as a part of the vision of who we are and our values. We have a lot of parks and conservation areas in HRM because a majority people want them and understand their value for conservation and our own well-being.

We appreciate the potential financial "burden" (we would prefer to call it an investment) that might be entailed by the purchase of the private lands in question. We urge HRM to work with the provincial government, which strongly supported the concept of the BMBCL Park, to find ways to finance such purchases and/or come up with alternative options such as swapping of other crown lands for the private lands.

We very much appreciate your consideration of these comments

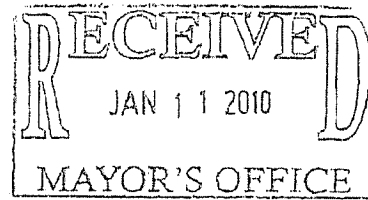
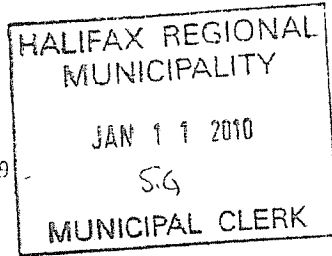
Respectfully,



Richmond Campbell & David Patriquin
Co-chairs, Woodens River Watershed Environmental Organization

cc: WRWEO membership, CPAWS-NS

Friday December 18, 2009



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It is my understanding that recently, an application to open the land for housing development was submitted to the City.

I want to voice my strong support for the City to ADHERE to the existing regional plan, and would ask you to please not approve any development applications. While I understand that budgets are tight and that this may not be the best time to purchase the lands, there is absolutely no need to make a decision now to open the lands to development and contravene the commitment you have made to reserve these lands as a beautiful natural area for all Haligonians to share and enjoy. What is needed is time to consider how this regional park goal can be achieved. I don't believe the City has done this.

It is important to me that you stick to your promise to preserve these lands: with only a portion of the lands currently protected (by the province), the integrity of the watershed and amazing recreation opportunities are at risk. If development is allowed to occur on one side of the lake system in question, the beauty and health of the wilderness area and its chain of lakes will be severely compromised.

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Furthermore, I believe that developing lands such as those in the Blue Mountain Wilderness area will compromise the beauty, charm and appeal of HRM, and that it would be a grave error for a City that is looking to continue to attract people and businesses to the area. I feel that I can speak with authority on this subject: I am a young, university-educated woman with extensive work experience in the public and private sectors who has moved to Halifax from Ottawa precisely because of Halifax's urban layout.

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☺


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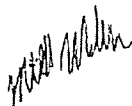
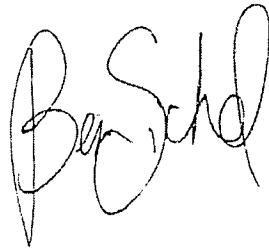
Thank you,



Katherine Kitching

Halifax NS

cc: Shawnee Gregory - CCC
Barb Coleman - RPAC
Austin French
Roger Kelles
Paul Morgan



The above signatures are friends of mine who
and similarly to me on this issue.

Dear Mayor and Councillors,

RE: 102 Lands, commonly called Birch Cove/Susie Lakes

Recently I had the opportunity to attend an information session organized by Roger Wells with presentation and questions by other HRM staff including Peter Bigelow and Paul Morgan. The room was packed with citizens, scientists, HRM and provincial government staff and HRM councillors including Councillors Hum, Wile, Lund, Watts, Mosher, Nicoll and Rankin. As well, MLAs Whalen and Regan attended as this geographic area is within their designated areas. Members of the RPAC committee were also in attendance.

The Q&A and Map circulated by HRM recently was available to all. However, many additional questions were asked and answered in a measured but reasonable manner. It was profoundly clear that the consensus in the room was in support of the recent Staff Report presented to the RPAC on Oct 21. As a reminder, this report states that there is no projected need for HRM to proceed with a Secondary Planning exercise, the population growth projected numbers do not warrant additional serviced lands at this time, but may be reviewed in 2016.

In addition, staff and all present were reminded that the Regional Plan, passed in good faith and presented to HRM citizens, that this plan is to be followed. The environment was always a key concern, with Open and Green Spaces a top priority for review and consideration. These pillars remain as key and will be ever present, when a 5 year review is considered in 2011 or 2016. At that time, as now, citizens will have the opportunity to once again remind staff that the intent of the Regional Plan is to establish a Regional Park in the Birch Cove Lakes. The positive attributes of these lands must be saved for the benefit of the citizens of today and tomorrow; residents, tourists, educators and researchers and so on. The land must be saved to buffer the Wilderness Area, finalized in 2009. I participated in the BioBlitz last June - the excitement of all, scientists, educators and citizen scientists, in finding 850+ different species in just 24 hours speaks volumes for the richness of this area, both in the WA and the proposed adjacent Regional Park

Many in the room had had the luxury of visiting the area under review. Those of you who have not had this pleasure are encouraged to request a visit with staff or the local Councillor. This can easily be organized.

We look forward to watching your deliberations and trust that you will follow your heart in making the correct decision when this report comes before Council.

Sincerely,
Wendy McDonald
District 10

9/1/10

MUNICIPAL CLERK'S OFFICE

Distributed to: *Mr. Anstey, M. Labrecque*

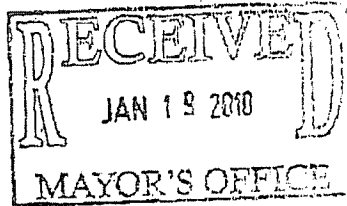
Mayor, Councillors, CAO, *J. Church*

Solicitor *S. Mackinlay, A. French,*

R. Wells, P. Morgan, B. Coleman, S. Gregor

DATE *Jan 13, 2010*

10400-CD
M 12/3/11/7



Halifax, NS,

January 19, 2010

Mayor Peter Kelly
Halifax Regional Municipality
Fax: 490-4012

Dear Mayor Kelly,

RE: Blue Mountain - Birch Cove Lakes Wilderness Area

I recently learned that the Halifax Regional Municipality appears to be backing away from its promise to protect the Blue Mountain - Birch Cove Lakes wilderness area, near Halifax, as a regional wilderness park. If this materialises, this would be an unfortunate decision as Halifax has an ideal opportunity to be the future envy of Canadian cities by having the largest urban wilderness park in Canada. The park development should slowly materialize over the next 10-15 years, with the quarry used for parking and the lakes left undeveloped except for good walking trails—Far better to have that than another expensive, high density housing project similar to the one on the east side of the Bicentennial Highway.

Since the mid-1980s I have paddled a canoe many times in the Birch Cove lakes, an area not unlike the treasured landscape of granite outcrops and pines in the Muskoka region of Ontario. I hope that my children and the next generation might have the same opportunity to enjoy a beautiful recreational area less than 10 km from downtown Halifax. Such places that offer the beauty of nature need to be left undeveloped so that they may thrive and be appreciated by future generations.

In 2006, the Halifax Regional Municipality passed a 25-year regional plan to guide future development in the city. The HRM plan identified the Blue Mountain - Birch Cove Lakes as a prime site for a new regional park and stated that HRM will work to acquire those lands for conservation. A development proposal is now making its way through HRM proposing high- and medium-density residential and commercial development for these same lands. In your deliberations regarding this proposal, I would like to remind you that the regional plan identifies Blue Mountain - Birch Cove Lakes as a site for a future wilderness park, not a residential development. This makes me question the integrity of the entire HRM regional planning process itself.

I hope you will agree with me that Halifax would be better off with more protected lands such as the Blue Mountain - Birch Cove Lakes area.

Yours sincerely,

Scott Coffin-Sinout



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

April 6, 2010

Jen Powley
Ecology Action Centre

By E-Mail: jentrax@ecologyaction.ca

Dear Jen:

RE: Blue Mountain - Birch Cove Lakes Regional Park

It is my understanding that on March 31st, representatives of Ecology Action Centre and Sierra Club Atlantic met with Mayor Kelly and Richard MacLellan of the Municipality's Sustainable Environment Management Office regarding a number of issues pertaining to environmental sustainability. One of the issues raised was the status of the Blue Mountain - Birch Cove Lakes Regional Park. I have been requested to provide a follow up response.

The Municipality's Regional Planning Strategy states the Municipality intends to create additional regional parks at various locations including the Blue Mountain - Birch Cove Lakes area. A conceptual geographic area is identified which includes both publicly and privately owned lands.

The Regional Plan further states an intention to acquire privately owned lands, over time, through a variety of methods, including provincial and municipal partnerships, as resources permit, land trades and conservation easements.

Property owners in this area, identified in the Regional Plan as "the Highway 102 west corridor adjacent to Blue Mountain - Birch Cove Lakes Park", have requested that the Municipality initiate a planning process to allow for serviced development. A copy of the staff report prepared in response to this request, as well as three others, which was presented to the Regional Planning Advisory Committee (RPAC) has also been sent via E-mail for your consideration.

The RPAC has directed municipal staff to meet with the various proponents to determine specifically the areas where we agree and disagree and to report back. Our staff has been meeting with the proponents over the last number of months and expects to submit a

.../2

Community & Regional Planning, Community Development

Tel: (902) 490-4482 Fax: (902) 490-3976
E-mail: morgap@halifax.ca Website: www.region-halifax.ns.ca

supplementary report to RPAC before the summer. The RPAC will then make it's recommendation to Regional Council.

Portions of the Hwy. 102 West Corridor lands are within the area identified for the Blue Mountain - Birch Cove Lakes Park. Our staff is currently in discussions with the property owners regarding how the park boundary may be resolved. It is anticipated that a proposal will be included in the supplementary report to the RPAC.

I will take the liberty of forwarding you a copy of the supplementary report once it has been tabled with the RPAC. In the interim, if you have any questions, feel free to contact me at any of the addresses listed at the bottom of the page.

Yours truly,

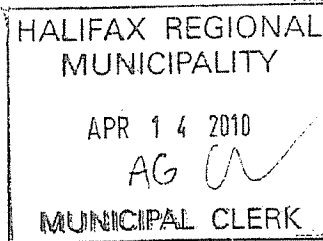


Paul Morgan, Planner
Planning Services

copy: Mayor Peter Kelly
Councillor Debbie Hum
Paul Dunphy, Director, Community Development
Austin French, Manager, Planning Services
Richard MacLellan, Manager, Sustainable Environment Management Office
Peter Duncan, Manager, Infrastructure Planning
Roger Wells, Supervisor, Community & Regional Planning

Community & Regional Planning, Community Development

Tel: (902) 490-4482 Fax: (902) 490-3976
E-mail: morganp@halifax.ca Website: www.region.halifax.ns.ca



14 April 2010

Dear Mayor and Councillors,

After the recent Annual General Meeting of the Halifax North West Trails Association (25 March 2010), members and guests had an informal discussion regarding the Blue Mountain – Birch Cove Lakes Regional Park in the context of the existing Wilderness Area, the Regional Plan and the request for Secondary Planning Strategy in the 102 West Corridor Lands where the Birch Cove Lakes are located.

We are writing to you at this time to recommend the following next steps:

1. Accept the HRM Staff Report that has come before the Regional Plan Advisory Committee (RPAC) stating that there is no need to develop the 102 lands in the near or distant future, based on population projections.
2. Proceed, as proposed in the Regional Plan, to acquire by purchase, land-swaps or by other means the privately held lands within the proposed Regional Park boundary in order to establish the Regional Park. We note that, although it is stated in the Regional Plan that it is the intention of HRM to acquire this land over time, to date no land has yet been acquired.
3. Provide safe and reliable access points to the water and land trails within the Blue Mountain – Birch Cove Lakes Wilderness Area/Regional Park. (Note that very recently access points to the lakes from Highway 102 have been eliminated).

Our Trails Group has led many public walks in to the Susies Lake area over the past 5-6 years. We are more than willing to do the same for staff and elected officials of HRM to assist them in a review and reporting of the assets of the area. We look forward to the opportunity to assist HRM in any way, including but not limited to, hosting public information meetings, walks in to the area under review, tracking existing trails, collecting biota data or other.

Please establish an opportunity for ongoing dialogue between HRM staff and the public, including the Trails group, so next steps can be understood and supported in a positive way.

Thank you,

The Board of Directors,
Halifax North West Trails Association

CC: Regional Plan Advisory Committee

MUNICIPAL CLERKS OFFICE

Distributed to:

- Councillors Meeting Regional Council
- Mayor
- CAO Date: Feb 17/09
- DCAO W. Anstey, M. Labrecque
- Solicitor Item No. Info 7
- Communications
- Other J. Church, P. Morgan, A. French,
K. O'Leary, P. Dunphy, RPAC

10400-CD
TR-31976

Save Caribou

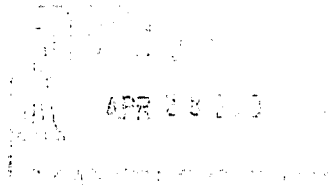
23 Lake Mine Road, Caribou Gold Mines, Nova Scotia B0N 2M0
savecaribou@gmail.com

Chairpersons

Glenda Burrows
Kathy Didkowsky

Betty Belmore
Ross Watson

Mayor Peter Kelly
Halifax Regional Municipality
Office of the Mayor
1841 Argyle Street
Halifax, NS
B3J 3A5



April 20, 2010

Dear Mr Kelly

Our group, Save Caribou is urging you to honour your commitment to conservation, by not allowing the proposed residential and commercial development for the Blue Mountain-Birch Cove Lakes wilderness area. In HRM's regional planning strategy this area has been identified as a green space and wilderness park for the citizens of Halifax. Even to consider this proposed development, after these lands have been identified as lands to be protected violates the integrity of the entire regional plan. We are asking you to hold up your end of the bargain by moving forward with your promise of creating a regional park in the Birch Cove-Blue Mountain area. By making this a priority this land will have the protection that was promised in the 25 year Regional Plan.

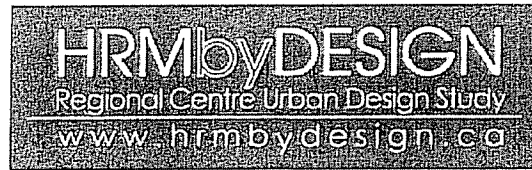
Glenda Burrows
Kathy Didkowsky
Betty Belmore
Ross Watson

Cc: Councillor Steve Streach

Councillor Barry Dalrymple

Councillor Linda Mosher

Fred Morley, Chairman
and members of the
HRM Regional Planning Advisory Committee



May 5, 2010

Members of RPAC,

As you know, HRM by Design, the HRM's regional centre development plan, is proceeding into phase two, having had the downtown plan adopted by Regional Council in the spring of 2009. HRM by Design was mandated by the 2005 Regional Plan, and as a result, RPAC is required to review and make recommendations to HRM Council on it.

The Urban Design Task Force is the citizen's group tasked with HRM by Design and we look forward to presenting the next phase of the plan in 2011. We feel that HRM by Design has not only created some specific plan amendments to the Regional Plan, but we feel that it has, and will continue to, influence the Regional Plan, as it enters its 5 year review. We feel that HRM by Design sets clear rationale and parameters for even more growth in the Regional Centre than the Regional Plan has predicted, and we hope that this growth will further be encouraged as the Regional Plan is amended.

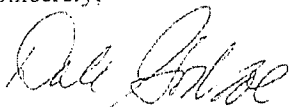
Specifically, we have concerns about an issue that is coming before you, for a recommendation to Council. At your October 21, 2009 meeting, HRM planning staff advised RPAC of 3 developments that are proposed for areas currently designated as "urban settlement", meaning that they can be developed sometime within the 25 year life of the plan. These urban settlement designations are Port Wallis, Sandy Lake, and Highway 102 West Corridor. Staff did not recommend approval at that time. In order for development to proceed in any of these reserves, Council must approve secondary planning processes. This will happen only after a recommendation from RPAC. We strongly encourage this committee to recommend *against* Council approving these requests, as they will undermine the municipality fiscally, environmentally, and will fundamentally go against the goals of HRM by Design, at this time.

As the HRM planning presentation clearly outlined, there is currently three times the capacity in already approved suburban development to accommodate growth projections over the next 20 years. A likely growth scenario for the suburbs is 32,600 people in the next 20 years. Secondary plans have already been granted for Bedford West, Bedford South, and Morris-Russell Lake. This brings HRM's estimated suburban supply to 77,000 - 100,000 people. There will be no need for additional suburban land any time soon. More importantly, HRM will bear significant costs if approval proceeds. Beyond the staff resources required in the secondary planning process, and beyond the capital cost contributions that the developers will cost-share with the municipality, HRM will be on the hook for an additional \$18 to \$65 million (depending on the provincial contribution).

This decision will impact HRM's bottom line. It will also make a strong statement about how much HRM is willing to support the Regional Plan and HRM by Design. Both of those plans speak to smart growth, and appropriate development, that provides both choice and present and future fiscal responsibility.

The Urban Design Task Force feels strongly enough about this issue to request that RPAC reaffirm its own commitment to the Regional Plan, and support HRM staff in recommending against moving forward with secondary planning processes in these, or any other future suburban growth areas. If the need arises, these areas can be examined as part of the regular review process for the Regional Plan in 2016. This is an important decision that will have far reaching consequences for the HRM.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale Godsoe".

Dale Godsoe
Chair, HRM Urban Design Task Force



Birchdale Projects Inc.

165 Hammonds Plains Road
Bedford, Nova Scotia
Canada B4A 4C7
te: 902 832 2519
fa: 902 832 2922

June 2, 2010

Mr. Fred Morley, Chairman
Regional Plan Advisory Committee
Halifax Regional Municipality
c/o Greater Halifax Partnership
1969 Upper Water Street
Purdy's Tower II, Suite 2101
Halifax, Nova Scotia
B3J 3R7

Dear Mr. Morley

RE: HRM Urban Design Task Force Letter (May 5, 2010)

We have obtained a copy of a letter dated May 5, 2010 submitted to you by Dale Godsoe, Chair, HRM Urban Design Task Force that requests the Regional Plan Advisory Committee (RPAC) recommend against moving forward with the secondary planning process for our lands in the Highway 102 West Corridor area, and other areas seeking initiation.

We have also reviewed the Minutes of the Task Force's April 7, 2010 Meeting, attended by Mr. Austin French - Manager of Planning Services, where the content of this letter was discussed.

It is clear from the Minutes that Mr. French attempted to caution the Task Force that paraphrasing arguments and facts in the October 21, 2009 Staff Report was a concern since, at the direction of the RPAC, he and his staff have been engaged in subsequent productive discussions with the proponents of all three areas seeking initiation of the secondary planning process. Mr. French informed the Task Force that the results of these discussions will be documented in a second revised report that will be going to the RPAC. He also stated that he was unable to provide the Task Force with further details at that time.

Despite these concerns, HRM by Design proceeded to forward this letter to you with the knowledge that negotiations were ongoing and a revised staff report will be prepared. In the May 5th letter, they are asking you and the RPAC to be closed minded in your deliberations.

We have worked constructively to reach a compromise with HRM Staff on our application to initiate the secondary planning process, and are disappointed in the "rush to judgment" approach taken by the Task Force. We are very concerned that the Task Force is attempting to pressure you and the



Mr. Fred Morley
Page 2
June 2, 2010

RPAC into a premature position without the benefit of fresh and more relevant information on our application.

Yours Truly,

Chris Lowe

Chris Lowe, MBA, MCIP
President
Birchdale Projects Inc.

cc. Dale Godsoe, Chair, HRM Urban Design Task Force
Austin French, Manager of Planning Services, HRM

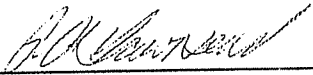




PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Western Region Community Council
June 22, 2009

TO: Chair and Members of Western Region Community Council

SUBMITTED BY: 
Phillip Townsend, Acting Director,
Infrastructure and Asset Management

DATE: June 5, 2009

SUBJECT: Land Acquisition-Blue Mountain Area

INFORMATION REPORT

ORIGIN:

April 27, 2009 Meeting of Chebucto Community Council:

4.1.3 Land Acquisition -Blue Mountain Area

Councillor Rankin requested an update from staff in regard to HRM lands being acquired for, or incorporated into, the proposed Regional Park, as outlined in the Regional Plan, for the area of Bayers Lake/Ragged Lake and bordering the Blue Mountain Wilderness area.

BACKGROUND

With regard to land acquisition by HRM for the Blue Mountain Birch Cove Lakes Regional Park, the 2006 HRM Regional Municipal Planning Strategy (RMPS) established Council's intent:

“ . . . that, over time, the necessary private lands within the park be acquired for public use. Methods of acquisition range from provincial and municipal partnerships, as financial resources permit, land trades and conservation easements. Once acquired, public lands within the park will be re-designated as Open Space and Natural Resource and zoned Regional Park. Lands outside the park will be designated and zoned for development as appropriate.”¹

¹ HRM Regional Municipal Planning Strategy (August, 2006), S 2 1 3 Regional Parks, pg. 25

DISCUSSION

Lands within the Blue Mountain - Birch Cove Lakes Park are both privately and publically owned. A study completed in March, 2006, to determine appropriate boundaries for the park was approved by Regional Council and resulted in the inclusion of Map 13, Blue Mountain-Birch Cove Lakes Conceptual Park Area in the RMPS² (Appendix 1).

Throughout the development of the park concept the Province worked in close partnership with HRM. Recently the Province has fulfilled its commitment to the concept by designating the Crown lands in this area as the Blue Mountain-Birch Cove Lakes Wilderness Area (Appendix 2). While this commitment is significant it does not fulfil the RMPS intent to complete the park that Council has determined to accomplish over the twenty-five year lifespan of the Plan.

Early discussions with area landowners took place during the development of the RMPS. At that time it appeared that future meetings concerning land trades or outright purchase would be welcome. Since that time HRM has maintained informal contact with the landowners however the inclusion of their lands bordering Hwy 102 in the HRM Servicing Study that commenced in 2008, led to the decision by HRM staff to forestall formal discussions with the landowners pending the study's completion and Council's decisions in the matter.

Concurrent with the Servicing Study, the Bayers Lake and Ragged Lake Business Parks Functional Plan has progressed to the point that it has recently been approved in principal by Regional Council. HRM staff has worked cooperatively to develop new opportunities for business development in Bayers Lake while ensuring that a key gateway to the Province's Wilderness Area will be provided through the development of an HRM park shown in the Functional Plan (Appendix 3).

BUDGET IMPLICATIONS

There are no budget implications with this report.

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.

²Halifax Regional Municipality (HRM), NS Department of Natural Resources (DNR), NS Department of Transportation and Public Works (TPW). 2006. *Blue Mountain/Birch Cove Lakes Assessment Study*. Prepared for HRM, DNR, and TPW by Environmental Design Management (EDM) Ltd. March 2006.

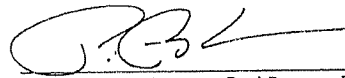
ATTACHMENTS

- Appendix 1: RMPS Map 13, Blue Mountain-Birch Cove Lakes Conceptual Park Area
- Appendix 2: Map of the Blue Mountain-Birch Cove Lakes Wilderness Area
- Appendix 3: Concept Plan Map- Bayers Lake/ Ragged Lake Business Park Functional Plan

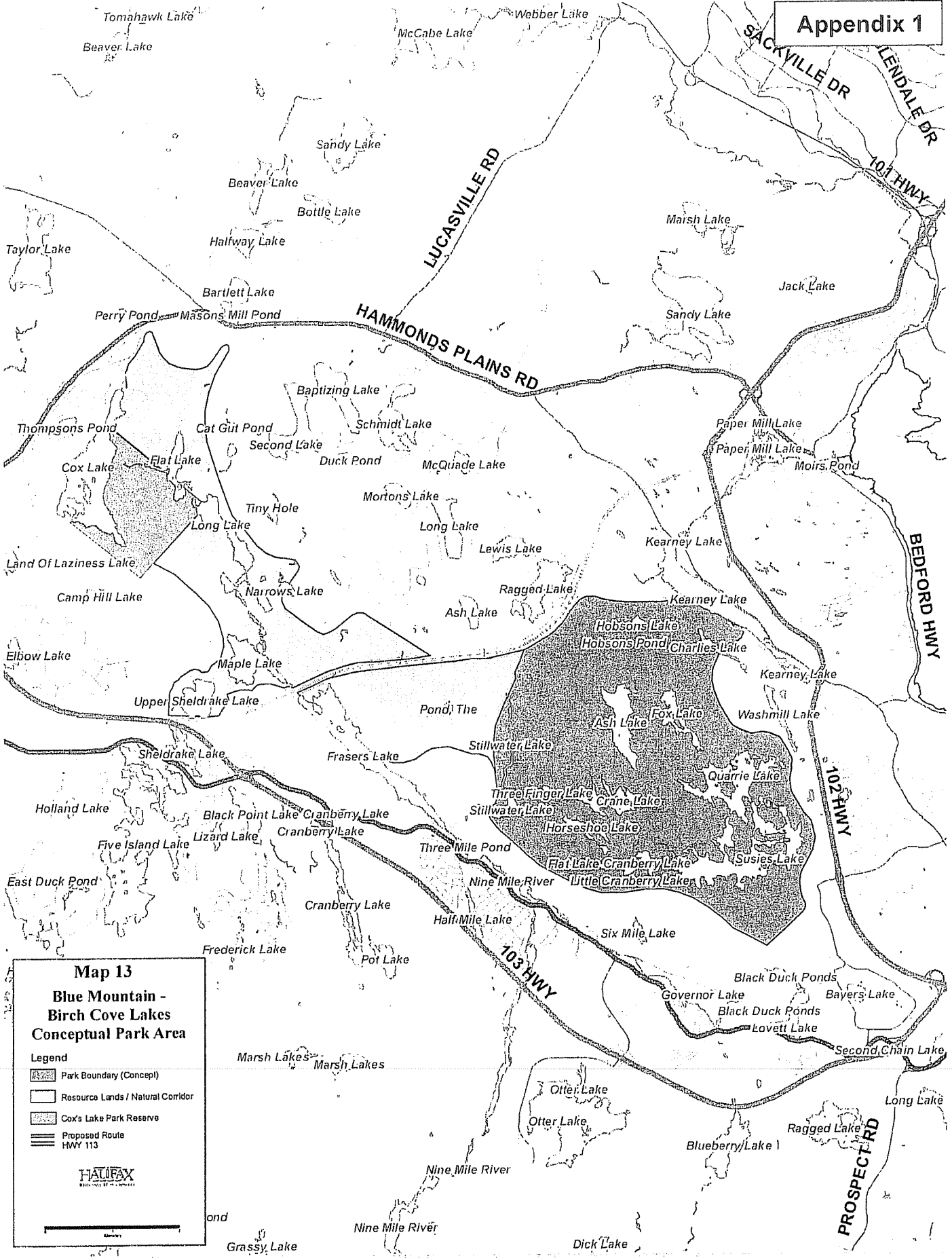
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208

Report Prepared by: John Charles, Planner, Real Property Planning, Infrastructure & Asset Management 490 -5771

Report Reviewed/
Approved by



Peter Bigelow, Manager, Real Property Planning, Infrastructure & Asset Management 490-6047



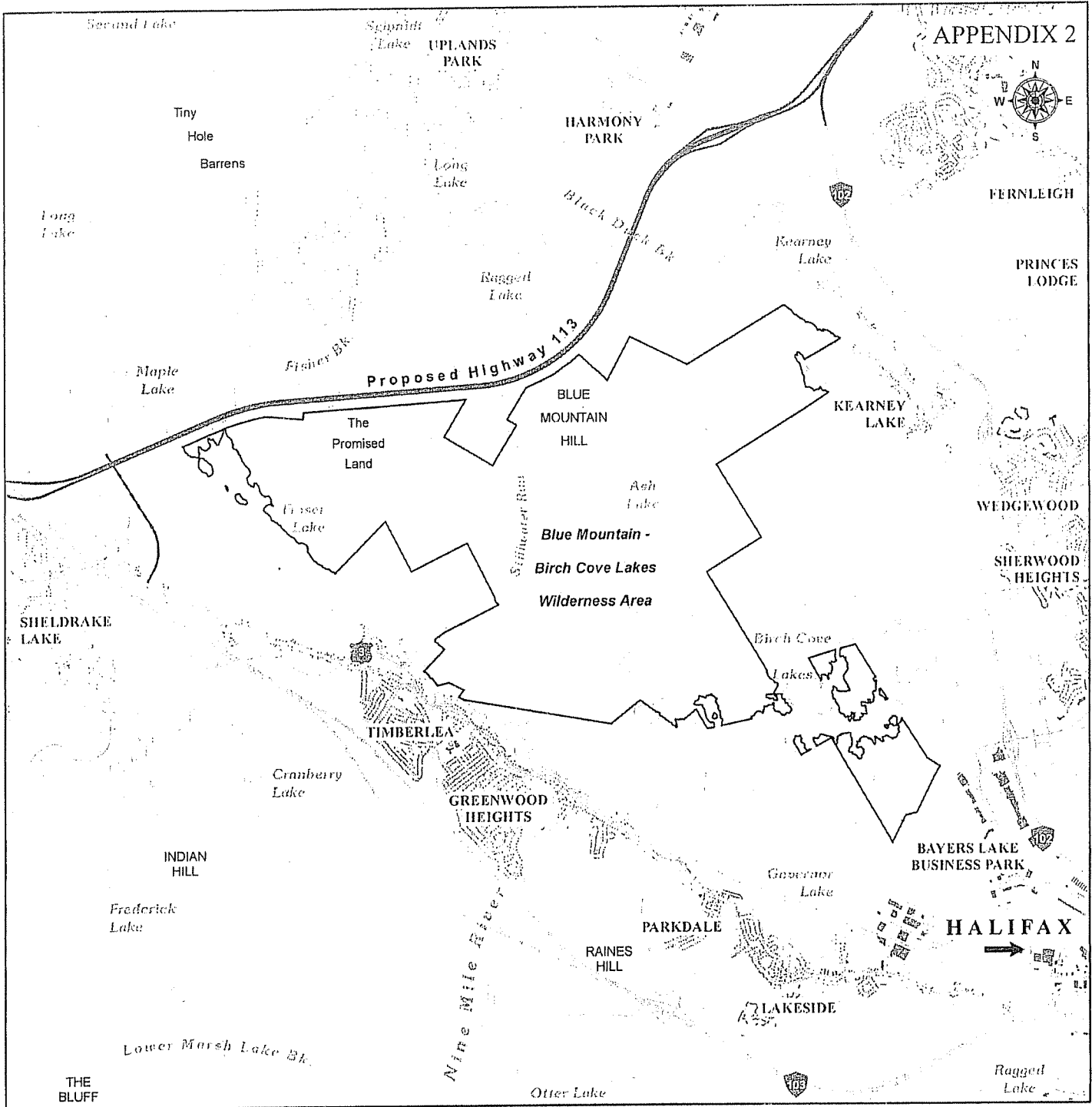
Map 13

Blue Mountain - Birch Cove Lakes Conceptual Park Area

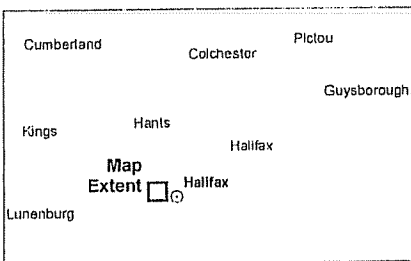
Legend

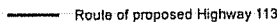




- Park Boundary (Concept)
- Resource Lands / Natural Corridor
- Cox's Lake Park Reserve
- Proposed Route HWY 113

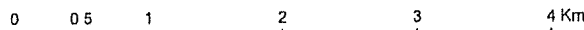




Blue Mountain - Birch Cove Lakes Wilderness Area



-  Route of proposed Highway 113
-  Blue Mountain - Birch Cove Lakes Wilderness Area
-  Designated Provincial Parks and Protected Areas
-  Crown Lands
-  Other Ownership



Map produced by the Protected Areas Branch of NS Environment, March, 2009

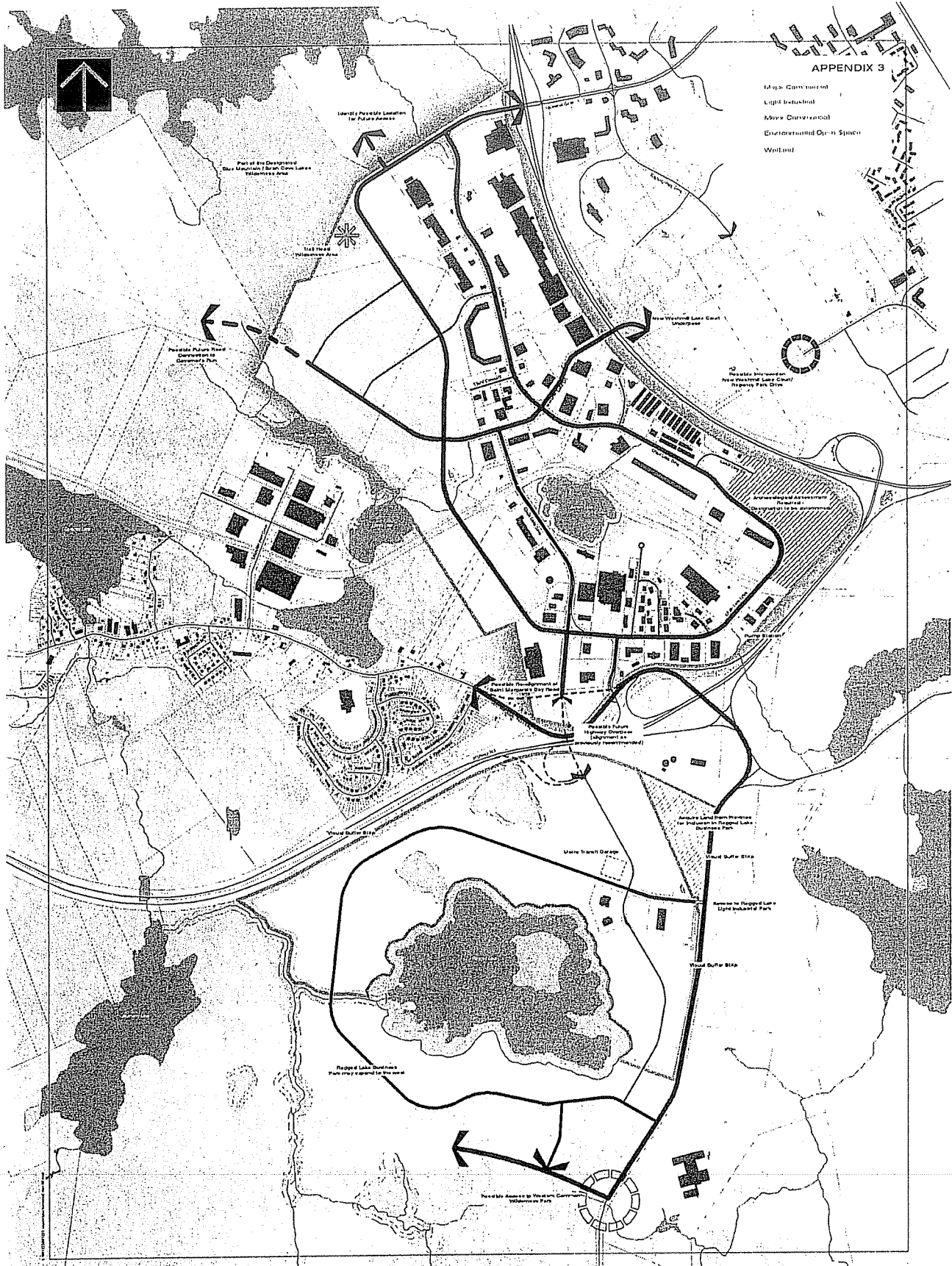
The information shown here was obtained courtesy of the NS Geomatics Centre (SNSMR) and the NS Department of Natural Resources

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This map is a geographic representation only NS Environment accepts no responsibility for any errors or omissions contained herein

APPENDIX 3

- Major Commercial
- Light Industrial
- Mixed Commercial
- Environmental Open Space
- Wetland



HRM BUSINESS PARKS FUNCTIONAL PLAN
 Bayers Lake - Ragged Lake Business Parks - Generalized Future Land Use

FINAL DRAFT



13th July 2008
 14th July 2008

Attachment L: Projected Build out Capacities - Serviceable Suburban Areas as of September 30, 2009

Western Region

Development	Area (acres)	Projected Capacity Range Units/Acre		Housing Units HRM Estimate	
		Low	High	Low	High
Wentworth Secondary Plan Area	290	6	8	1740	2320
Bedford West Secondary Plan Area	227	6.1	6.5	1378	1484
Birch Cove (Bedford Basin)				300	500
Briarwood				270	270
Governors Brook	351	2.6	3	905	905
McIntosh Run Estates				239	239
Lovett Lake	55	5	6	275	330
Maritime Broadcasting - Tremont Dr.	59	6	10	354	590
Motherhouse	75	6	10	450	750
Mount Royal				660	660
PID40550774 - Schedule K	20	6	10	120	200
Rockcliffe Village	34	10	11	347	384
Clayton Park West, Phase 5	62	8	10	496	620
50 Bedford Highway				155	200
Westgate Golf Course Community, Timberlea	500	6	7	3200	3500
Parkdale Developments Subdivision	14			51	51

Chambers Hills Subdivision					28	50
Hope Estate Subdivision					11	11
Maple Drive Extension Subdivision					7	7
Banc Properties Subdivision					75	75
Fishermans View Estate Subdivision					11	70
New Cap Inc. I-4 lands	71	4	6		284	426
Vacant - Herring Cove Sewershed	203	2.4	4		487	812
Remaining Vacant	804	4	6		3216	4824
Subtotal:					15,059	19,278

Central Region

Development	Area (acres)	Projected Capacity Range		Housing Units	
		Low	High	Low	High
Bedford South Secondary Plan Area	175	8	8.6	1320	1400
Bedford South, remainder of Neighbourhood C	5.8	4	5	23	29
Southgate Village				57	57
Apartment Building, 864 Bedford Hwy.				52	52
910 Bedford Hwy.				30	30
Bedford Waterfront		10	18	2400	4100

Bedford West Secondary Plan Area	1,512	5.8	7	8732	10610
Cobeguid Road Terminal				78	78
Walker Ave. apt.				64	64
Old Sackville Road apt.				52	52
Beaver Bank Rd. townhouses				28	28
Cobeguid Rd. Assisted Living Complex				75	75
Sunset Ridge	70	6	6	420	455
Wesleyan Church				44	73
Twin Brooks	34	5.6	6	194	204
Vacant	378	4	6	1512	2268
Subtotal:				15,051	19,575

Eastern Region

Development	Area (acres)	Projected Capacity Range		Housing Units	
		Low	High	Low	High
Portland Hills				149	149
Russell Lake West				389	489
Morris-Russell Lake remaining lands	232 304	6	8	1,392	2,432
Ocean Breeze Estates	65	8	10.8	520	700
Sheppard's Island	11			255	

Harbour Isle	20					547
Kenyata Drive Subdivision				12		12
PID 00403014 - Cole Harbour Road	16	4	6	64		96
Sailors Trail	11	4	6	44		6
Dartmouth Crossing	78	19	32	1,500		2,500
Vacant	242	5	7	1,210		1,694
Subtotal:				5,535		8,685
Regional Total				35,675		47,538

Attachment M: Rationale for Projected Build out Capacities
Western Region

Development	Rationale For Estimates
Wentworth Secondary Plan Area	<p>allowable population = 20 p.p.a. X 290 acres = 5800 persons. Not subject to limit of 6 persons/acre for residential neighbourhoods applied in Bedford South. If developed entirely with low density, total units = 5800units/3.35 persons/unit = 1731 units. If developed entirely with apts., total units = 5800/2.25 = 2578 units.</p> <p>Neighbourhood B development agreement (case 00624) permitted 1,556 units over 70 acres (22 units/acre) of which 1,340 estimated to be in Wentworth (216 units over 10 acres in Bedford South). Remaining lands in Wentworth after Neighbourhood B is 290-60 = 230 acres.</p> <p>Estimate range of 6 units/acre (low) to 8 units/acre (high)</p>
Bedford West Secondary Plan Area	<p>low estimate: assume (a) 6 units/acre for residential designation; (b) 30% of community commercial designation allocated to high density residential @ maximum allowable density ie. 0.9 x (50 p.p.a./2.25 persons per dwelling unit) = 6.67 p.p.a.; (c) 20 % of business campus allocated to high density residential at maximum allowable density of 40 p.p.a; (d) 30 % of institutional designation allocated to high density residential at allowable density of 30 p.p.a.</p> <p>high estimate: assume (a) 6 units/acre for residential designation; (b) 50% of community commercial designation allocated to high density residential @ maximum allowable density of 50 p.p.a. (c) 40 % of business campus allocated to high density residential at maximum allowable density of 40 p.p.a; (d) 60 % of institutional designation allocated to high density residential at allowable density of 30 p.p.a.</p> <p>Western Region (sub-areas 10 & 11): 203 acres of residential and 24 acres commercial</p>
Birch Cove (Bedford Basin)	<p>Birch Cove Waterfront Plan (Elkistics) proposed up to 500 dwelling units (max.). Use 60% or 300 dwelling units as minimum.</p>
Briarwood	<p>Concept Plan 15287: 275 lots proposed</p>
Governors Brook	<p>Case 00943: amending development agreement</p>
McIntosh Run Estates	<p>Concept Plan 13634: 239 lots proposed</p>
Lovett Lake (PID 40049694)	<p>CDD application 01258 (dormant)</p>

Maritime Broadcasting - Tremont Drive	estimated range similar to Clayton Park West/Glenbourne
Motherhouse	estimated range similar to Clayton Park West/Glenbourne
Mount Royal	1000 units allowed under stage 1 da. Soori estimated remaining units to be constructed at 662 units
PID40550774 - Schedule K	estimated range similar to Clayton Park West/Glenbourne
Rockcliffe Village	estimates based on development agreement (case 01179), clause 2.4.5
Clayton Park West, Phase 5	Case 01304 stage 1 d.a. allows for a maximum of 1866 persons based on assumption of 1 person/unit for bachelor unit; 2 persons per one bedroom unit; 2.25 persons or other apt. units; 3.35 persons per townhouse unit
50 Bedford Highway	Case 01205. Clauses 2.3.3, 2.3.5 Unit count can range from 155 if all 2 bedroom to 348 units if all bachelor
Westgate Golf Course Community, Timberlea	Case 1040: Development agreement allows for 3,200 units
Parkdale Developments Subdivision PID. 40143174	Estimate provided by Soori, who is preparing subdivision plans
Chambers Hills Subdivision PID. 41182650	First phase application for 28 lots, 50 lots shown on conceptbased o subdivision plan
Hope Estate Subdivision PID. 00271692	based on subdivision plan
Maple Drive Extension Subdivision PID. 41078320	based on subdivision plan
Banc Properties Subdivision PID 40724973	based on subdivision plan
Fishermans View Estate Subdivision PID 40738114	based on subdivision plan
New Cap Inc. I-4 lands	4 units/acre is gross density of single unit dwellings on standard sized lots (low estimate); 6 units/acre is typical of planned communities for suburbs under CDD process (high estimate)
Vacant - Herring Cove Sewershed	4 units/acre maximum allowed by policy; use 60 % of maximum for low estimate
Remaining Vacant	4 units/acre is gross density of single unit dwellings on standard sized lots (low estimate); 6 units/acre is typical of planned communities for suburbs under CDD process (high estimate)

Central Region

Development	Rationale For Estimates
Bedford South Secondary Plan Area	case 624: neighbourhood B: estimated 216 units in Bedford South (408 units in Wentworth) case 1090 (part of neighbourhood D): 169 units cas 1159 (remainder of D, E & General/Community Commncial Designations: 479 +315 units
Bedford South, remainder of Neighbourhood C PID: 410923917	5.8 acres still to be developed.
Southgate Village PID 00360560	1 SUD+ 12 TH + 44 multi -units approved under development agreement (Case 00762)
Apartment Building, 864 Bedford Hwy.	52 unit apartment building approved by development agreement (case 01282)
Mixed Use Development at 910 Bedford Hwy.	30 units approved by development agreement (case00723)
Bedford Waterfront (Bedford Basin)	<p>Estimates based on draft final plan prepared by EKistics.</p> <p>(1) Pro forma statement: for WDC and United Gulf waterfront lands (phases 2A, 2B and 2C) shows 2340 units (high estimate). Use 60% x 2340 = 1404 units for low estimate.</p> <p>(2) Pro Forma for Bedford Highway land shows 411 units (high). Use 60% = 246 units (low)</p> <p>(3) Moirs Village: Low estimate use 1 building x 12 stories x 8 units/storey + 2 buildings x10 stories x 8 units/storey +1 building x 8 stories x 8 units/storey + 20 units in mixed use buildings = 340 units; High estimate use 1 building x 12 stories x 10 units/storey + 2 buildings x10 stories x 10 units/storey +1 building x 8 stories x 10 units/storey + 30 units in mixed use buildings = 430 units</p> <p>(4) Shore Drive: Low - 7 single unit dwellings; High: 12 townhouse unit + 4 stories x 6 units/storie = 36 units</p> <p>(5) Provident Development (Phase 1 WDC lands) 2 buildings - 78 units</p>

Bedford West Secondary Plan Area	low estimate: assume (a) 6 units/acre for residential designation; (b) 30% of community commercial designation allocated to high density residential @ maximum allowable density ie. 0.9 x (50 p.p.a./2.25 persons per dwelling unit) = 6.67 p.p.a.; (c) 20 % land allocation to high density residential at maximum allowable density of 40 p.p.a; (d) 30 % of institutional designation allocated to high density residential at allowable density of 30 p.p.a.
Cobeguid Road Terminal PID. 41087222	high estimate: assume (a) 6 units/acre for residential designation; (b) 50% of community commercial designation allocated to high density residential @ maximum allowable density of 50 p.p.a. (c) 40 % land allocation to high density residential at maximum allowable density of 40 p.p.a; (d) 60 % of institutional designation allocated to high density residential at allowable density of 30 p.p.a. Central Region: (sub-areas 1 - 9): Residential Designation: 1051 acres; community commercial 243.5 acres; business campus: 159 acres; institutional 59 acres
Walker Ave. PID. 40607996	Case 00256: 78 units under construction
Old Sackville Road (PID 40010241)	Case 00653: 64 unit apt. 52 unit building under construct (as-of-right)
Beaver Bank Rd. townhouses	Case 00987: 28 townhouses
Cobeguid Rd. Assisted Living Complex PID. 41294729	Case 00186: 75 units
Sunset Ridge Development Agreement	Low estimate based on approved d.a. (Case 01027). High estimate includes potential amendment for 35 additional lots with frontage on Sackville Drive.
Wesleyan Church Development Agreement	Low estimate based on approved d.a. . High estimate base on outstanding amendment application (case 01275)
Twin Brooks Development Agreement	low estimate of 194 units base on approved d.a. (Case 01147). High estimate assumes an additional 10 units approved under a future amendment.
Vacant	low estimate of 4 units/acre assumes all single unit dwellings on standard sized lots. High estimate based on allowable density for CDDs in Bedford.

Eastern Region

Development	Rationale for Estimates
Portland Hills Development Agreement	Estimate provided by Kevin Neatt of Clayton Developments, Feb. 9, 2010
Russell Lake West Development Agreement	Estimate provided by Kevin Neatt of Clayton Developments, Feb. 9, 2010
Morris-Russell Lake Secondary Plan Area - remaining lands	232 acres represents private lands designated for residential development and includes 20 acre parcel owned by I&NAC. 304 acres includes 72 acre DND parcel ("the boot"). 8 units/acre is maximum permitted by CDD policy under Dartmouth MPS.
Ocean Breeze Estates	Called Jilana Brown, engineer with EDM on Feb. 22, 2010. She said that EDM is currently working on a proposal which would have a total of 1,100 housing units over 65 acres. There are currently 397 units on the site. 700 units therefore used as high estimate. 6 units per acre x 65 acres used as low estimate. 6 units/acres is
Sheppard's Island Development Agreement Harbour Isle amendment proposed	Low estimate conforms with approved development agreement for Sheppard's Island, high estimate conforms with revised development agreement application for Harbour Isle
Kenya Drive Subdivision PIN. 40000887	based on subdivision plan
PID 00403014 - Cole Harbour Road	based on subdivision plan
PID 00401182 - Sailors Trail	based on subdivision plan
Vacant (Dartmouth Crossing CDD zone) Portions of PID 41255035, 00258889, 41149733	Case 01222: applicant proposes to build 1,500 dwelling units (low estimate). Regional Plan would allow densities of 50 units/acre for multi-unit and 36 units/acre for townhouse (policy EC-14). Use 32 units/acre as high estimate.
Vacant	low of 5 units/acre assumed as slightly higher than all single unit dwellings at 4 units per acre, high of 7 units /acre assumes slightly lower density than maximum permitted under CDD.