

NORTH WEST PLANNING ADVISORY COMMITTEE

MINUTES

FEBRUARY 18, 2002

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

STAFF PRESENT: Paul Morgan, Planner
Gail Harnish, Admin/PAC Coordinator

REGRETS: Jan Gerrow

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 2 -

February 18, 2002

1. **CALL TO ORDER**

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

2. **APPROVAL OF THE AGENDA**

It was moved by Councillor Goucher, seconded by Ann Merritt, to approve the agenda as circulated. MOTION PUT AND PASSED.

3. **APPROVAL OF THE MINUTES FOR DECEMBER 13, 2001 (JOINT PAC MEETING) AND JANUARY 2, 2002 (REGULAR MEETING)**

It was moved by Karen Stadnyk, seconded by Gloria Lowther, to approve the minutes of December 13, as circulated. MOTION PUT AND PASSED.

It was moved by Tony Edwards, seconded by Councillor Goucher, to approve the minutes of January 2, 2002, as circulated. MOTION PUT AND PASSED.

4. **BUSINESS ARISING FROM THE MINUTES** - None.

5. **CONTINUATION OF DISCUSSION - SECONDARY PLANNING STRATEGY FOR THE COMMUNITY OF WENTWORTH/BEDFORD SOUTH**

Councillor Goucher advised they had an excellent meeting last week with the Bedford Waters Advisory Board (BWAC). Given time constraints, they had to be out by 9:00 p.m. so it was agreed that their chair, Don Lowther, should attend this meeting. They agreed that all members should forward their comments to Paul Morgan and Lynn LeBoutillier who would put them in a package for their March meeting. Before this matter goes forward to Community Council from this Committee, he would like to see a recommendation come forward from BWAC on the environmental section.

Committee members were provided with a memo which summarized the comments raised at the two previous meetings.

Councillor Goucher questioned how the concept plan would be worked into the secondary planning strategy. In the absence of a land use by-law, all we are dealing with is planning principles and policies. Paul advised that the Community Concept Plan would be attached as part of the MPS for Bedford.

Councillor Goucher questioned whether there would be a response from staff in terms of the physical

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 3 -

February 18, 2002

layout. Paul advised there has been some preliminary review. At this point, staff has been working on the policy document. Clayton Developments has let us know that that is what we can expect in a development agreement application.

Councillor Goucher indicated he understood that is a concept plan which has had a lot of work done on it but there is nothing that ties it to this document. If this land was sold, there would be no reference to that concept plan and the new owner of the property could come back with something different.

Paul Morgan concurred that Clayton Developments could sell the property and the new owner could come back with a different plan, however, they would be bound by the policies in the secondary planning strategy.

Councillor Goucher noted they have been working on this detailed plan for six months but was concerned that there was no staff comment. He questioned whether it would at the development agreement stage where they would hear that staff does not like the details of something. He questioned what vehicle they would use to arrive at a decision on an issue should a problem arise with regard to policy interpretation.

Paul Morgan advised that the ultimate arbitrator would be the Community Council who approves the development agreement.

Councillor Goucher questioned whether the primary document could provide guidance for the secondary planning strategy. Paul responded that it could deal with some more generalized matters that the secondary strategy does not deal with.

Councillor Goucher questioned how that would be addressed. Paul responded that the Halifax document, for instance, has a number of secondary planning strategies and there are a number of policies that apply to all areas. A secondary planning strategy takes one area and delves into more detail.

Ann Merritt questioned what happens if there is a conflict. Paul responded he thought the secondary planning strategy would prevail because it is more detailed.

Councillor Goucher questioned whether the secondary planning strategy can use the primary document for interpretation. Paul responded yes, and indicated it is still being incorporated into the Bedford MPS.

Councillor Goucher referenced the words "... "shall substantially conform" with neighbourhood concept plan..." in Policy RN-1 on Page 20. After discussion, it was agreed that the word

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 4 -

February 18, 2002

“substantially” should be deleted.

Reference was made to Policy MUBC-2 on Page 26 which at the end of the statement refers to Policy RN-4. The reference in the policy should be revised to refer to Policy RN-3.

Councillor Goucher indicated he felt the maximum coverage should not exceed 35% for 30-40' wide lots.

Councillor Goucher referenced the statement “Any apartment building development shall be limited to five storeys above grade and shall maintain a minimum 50' non-disturbance area from any existing single unit dwelling lot abutting Glenmount Avenue” in Policy RN-3. He indicated that Glenmount was one of the areas where they were going to abut R-1 homes with existing homes. He questioned whether a 50' non-disturbance area with an apartment building in behind was enough. He also questioned whether they could revise the concept to put townhouses abutting Glenmount as opposed to apartment buildings.

Mike Hanusiak pointed out the Blackie property, noting that not a lot of attention was spent on policies for that property. In that particular neighbourhood, up to 50% of the dwelling units could be multiples. This is a collector road leading to the Bedford Highway. It is impossible to put single family dwellings between the land and the road. They did some initial profiling. He displayed their proposal for a five storey 80 unit apartment building. They tried two 40 unit buildings but it would not work. The property drops off quite radically. They want to take a Shaunslieve approach. There is about six acres of land for this one building. He pointed out the area of the 50' non-disturbance area and indicated they are suggesting that the apartment building will not be seen. Also, at the December 10th meeting they did indicate that would be one of the two potential apartment building sites.

Councillor Goucher referenced Policy CCI-1 on Page 24 and questioned whether there was sufficient time for the Province and the School Board to react to this development to build a school.

Mike Hanusiak advised they have been meeting with the School Board. He noted they are talking about a lead time in excess of six years which they believed was more than sufficient time to make a determination on Oceanview School.

Councillor Goucher suggested that consideration be given to including a provision which remains in effect for so many years or 7000 units, whichever gives a longer period of time.

Mike Hanusiak indicated that the projection to get up to that corner is six years. In Clayton Park West, they had five years built in or they had to find another suitable site.

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 5 -

February 18, 2002

It was agreed that Policy CCI-2 should be revised to indicate “either 700 units or five years from the date of adoption of the secondary planning strategy, whichever gives longer time.

Ann Merritt questioned whether because there is no land use by-law could mean that when they come to a development agreement they could see a revised request for something different. For instance, could they see a commercial development for an area now shown as residential?

Paul Morgan responded that the land use by-law for Bedford will have effect. We would adopt a CDD over the entire portion of the site within the Bedford plan area. The same would apply in Halifax which means any development requires approval by Community Council.

Ann Merritt asked for confirmation that it would not leave it open for huge swings in terms of the use. Paul noted that in one of the neighbourhoods which has frontage on the Bedford Highway, they can consider commercial uses.

Ann Merritt provided an example of a piece of land shown on the concept plan slated for residential use but when it comes to a development agreement they could not come in and say they changed their minds and want to build a megashop. Mike Hanusiak pointed out that to do so would require a MPS amendment.

Paul Morgan noted it would be possible if Community Council chose to ignore its plan policy. It was also noted that such a decision would be open to appeal.

George Murphy commented he felt this review was a much better one than the one they experienced last year. In looking at this large project, he felt part of the problem will be marketing so that people are informed of plans for a proposed interchange, plans for a school, and plans for making better use of transportation, which would tend to play down the negative aspects of such a large project occurring over the next five years or so. If the developer and the City could be “singing to the same song” throughout the same process, that will allow a much better process as each development process comes up, which was not evidenced the last time.

Gloria Lowther indicated that she felt they should have an objective and a policy addressing tree retention and minimum site disturbances under either environment or parks and open space. She went to see where Royale Hemlocks started and they took the “moonscape” approach. She was concerned about that happening on the other part of the site.

Mike Hanusiak referenced a typical lot and site grading plan for Portland Hills where they work within a regulatory environment which is to a higher significantly standard. They have to prepare comprehensive site drainage plans. Not only do they have to drain water away from the home, but they also have to do it in relationship to the property as a whole. They have to preblast their pads

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 6 -

February 18, 2002

to make sure they have a comprehensive site drainage plan for the whole area. When they disturb an area, they have a much higher standard of site re-instatement in terms of the trees that have to be put back in. Also, what this does not show is that the lots in here are 110-120' deep. They do not have significant site clearing on the back 40' of the lots. They checked Royale Hemlocks today and indicated they have cleared from the back property line on one side of the street to three streets across.

Earle Richardson advised that what they typically do is put a no disturbance line 80' back from the right-of-way on both sides of the street which allows them enough room to go in and develop the lots according to the Lot Grading By-law.

Councillor Goucher indicated that the Bedford Waters Advisory Board would like to see a tree retention plan put in place prior to any development on the site.

It was agreed there should be an objective included within the secondary planning strategy to require that a tree retention plan be put in place prior to any development on the site (excepting for survey lines).

Gloria Lowther noted there is no land use by-law which would address things such as setbacks and lot coverage and questioned whether the Committee felt comfortable with them not being outlined in the secondary planning strategy.

Paul Morgan responded they tried to include a number of parameters to give the Committee a feeling of what each neighbourhood would look like. There is a risk of putting all of them in the policy. In some instances perhaps you would want the house closer to the road if trees are maintained in the back yard.

Mike Hanusiak pointed out that in Halifax, their Stage II agreements have to follow the requirements of the existing land use by-law.

Paul Morgan noted that the Bedford MPS does not specify requirements for lot coverage and setbacks, etc. In this instance, the parameters would be covered in the development agreement. Staff would refer to the land use by-law to see what the requirements are.

It was agreed there should be a policy included to indicate that where not defined in this document, the Bedford land use by-law will take precedence.

Gloria Lowther asked for confirmation that the secondary planning strategy will just be for the Wentworth/Bedford South area and that it would not include other lands at a later date. For instance, Annapolis Basin's lands.

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 7 -

February 18, 2002

Paul Morgan responded that the map will be attached to the secondary planning strategy and the policies will only apply to those lands.

Gloria Lowther noted the document refers to 2000 units being constructed before the interchange is required and expressed concern that we are not taking into consideration any other new development in that number.

Paul Morgan responded that when the traffic study was originally done there was no assumption that the baseline traffic level along the Bedford Highway would not increase. He noted that the wording says "not more than 2000 units".

Mike Hanusiak indicated that Ken O'Brien and his son, Greg, are in attendance, who prepared the original reports. What they indicated to staff is that they take the lead from the various traffic studies that have been done to-date. Subsequent to this, an independent consultant, SGE, has overviewed the work done previously and find the numbers to be fine. It was their understanding in the absence of this project, that traffic along the Bedford Highway will grow naturally half a percent over the next twenty years. There have to be qualifiers with respect to the figure of 2000.

Ken O'Brien stated they assume half a percentage increase per year. They also included the project initially known as Lot M beside Econo Lodge. Their study included 232 apartment units as if they existed for the year 2000. Although that development will not happen for another two to three years, it was included in the baseline study.

Gloria Lowther indicated that in reading through the various traffic studies, she felt it addressed what it will be like in five years time but the incremental use of additional traffic for the first number of years was not addressed.

Ken O'Brien advised that the study dated June, 2000, covers accumulative values after five years but the progressive years in the 1st and 2nd are included in the first five years. The part of the Bedford Highway they studied is from Kearney Lake Road north to Larry Uteck Boulevard to Moirs Mill traffic lights and to the Hammonds Plains Road. They suggested improvements to the Kearney Lake Road and improvements at Hammonds Plains Road in due course.

Mike Hanusiak indicated that the SGE study referenced improvements required at the intersection of Kearney Lake Road regardless of whether this project proceeds.

Gloria Lowther referenced Policy MS-7 on Page 32 and suggested that the sentence end after the words "Crestview Subdivision".

Councillor Goucher asked for confirmation that Policy MS-6 limits development within this particular area to 1000 units. Paul confirmed this.

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 8 -

February 18, 2002

Mike Hanusiak advised that one of the reasons they asked for a bit of latitude is because 1000 of the 2000 units have been assigned to Royale Hemlocks and they do not know how well Royale Hemlocks is doing. They believe the 1000 units to be about a six year build-out and pointed out the area where he believed the 1000 units should put them.

Councillor Goucher noted that a .5 to 1% increase is a lot of cars and that if they are wrong, then they have a problem and are stuck waiting for 2000 units.

Gloria Lowther questioned what was meant by “unreasonable deterioration”.

Paul Morgan noted that the terms of reference for the traffic impact study indicate we must maintain a ratio of .85 at intersections. There is a definition of what HRM determines to be an acceptable capacity.

Ken O'Brien indicated that he thought unreasonable would be if the p.m. peak was continually operating beyond 85% or if the p.m. peak all of a sudden increased from 1 hour to 4 hours and started lengthening out. “Unreasonable” is a broad word. The 85% capacity is what HRM requires in peak hours.

It was agreed there should be a definition included to indicate what is meant by an “unreasonable deterioration”.

Referencing Policy MS-7 (a), Councillor Goucher indicated that he would not like to see that particular connection being made without the completion of this road to Paper Mill Lake.

It was agreed to include a clause in Policy MP-7 (a) to indicate that the connection to Nine Mile Drive at Crestview Subdivision only be completed when collector road # for the Paper Mill Lake Subdivision is complete.

Gloria Lowther referenced Policy EP-1 on Page 8 and asked for confirmation that there would be a development agreement for each neighbourhood.

Mike Hanusiak responded that he suspected they would come forward with sufficient detail for the whole areas for Neighbourhoods A, B, and C.

David Perrier referenced Policy RN-1 on Page 20 and questioned whether a new neighbourhood concept plan would have to be developed. It was responded that they are bound by the original concept plan unless they can convince Community Council they have a better one.

Tony Edwards commented that he was much more comfortable with this proposal than the previous one they were struggling with. It seems more reasonable and better thought out.

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 9 -

February 18, 2002

Tony Edwards indicated that he felt 4' sideyards between two buildings was too small. Also, he felt the frontages should be increased to 50-60'. In addition, he was not in favour of 12 storey apartment buildings and suggested perhaps instead 6-8 storeys.

Mike Hanusiak advised they would have no problem with 4' side yards and a minimum separation between buildings of 12'. With respect to minimum lot widths, the vast majority of the single family lots are 50' wide. They are not accustomed to building small lot developments and would not be doing 32' wide lots or zero lot line developments. They are looking for affordability.

It was agreed that where the document refers to 4' side yards and a minimum separation of 8', the 8' is to be revised to 12'.

Dick Miller stated that in terms to attempting to do good planning and good architectural control and allowing them to effectively deal with a 40' wide lot, they will be in the mid to upper price range but that is the result of doing it in this way. They also have covenants which they try their best to enforce to prevent that from happening on an ongoing basis. He was concerned about affordability. It is okay to add on a lot of requirements but he was concerned that his kids would not be able to afford to buy a house in metro. They are trying to address that in terms of having a mix. They would rather do semis and townhouses and do detail and offer value as opposed to going the other route.

Mike Willett noted that their market research indicate that people are looking for an enclosed garage. He showed some examples of what they hope to achieve. He referenced Area E by the BiHi which was a business campus, which they have withdrawn in favour of single family. The emphasis is still on ownership.

Delphis Roy noted that the height issue of apartment buildings was addressed at the previous meeting.

Mike Hanusiak referenced a slide in response, pointing out the only area they are looking for apartments. He advised that in Schedule K in the former City of Halifax it is not uncommon to find 9-10 storey buildings. They just carried that benchmark over to this site mindful of where they are putting it.

Tony Edwards asked about the selection of street names. Councillor Goucher advised that the issue of street naming is being dealt with under the new Street Naming Policy, which is being modeled after the one for Bedford.

Tony Edwards advised that the Street Naming Policy was put together by the Bedford Heritage Society and approved by Town Council. They discussed this matter about one year ago when the other proposal was being considered. That group, along with some members of the Rockingham Heritage Society, would be interested in helping to select names.

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 10 -

February 18, 2002

Dick Miller stated they would be very interested in that.

Councillor Goucher asked that Clayton Developments give consideration to burying wires from telephone poles.

Mike Hanusiak responded they have taken that into consideration and did not think they would see a repeat of what they see at the top of Crestview.

It was moved by George Murphy, seconded by David Perrier, that the North West Planning Advisory Committee recommend approval of the Secondary Planning Strategy dated January, 2002, for the community of Wentworth/Bedford South with the following changes:

- **the word “substantially” is to be deleted from the last sentence in Policy RN-1 on Page 20;**
- **include a policy to indicate that where not defined in the Secondary Planning Strategy, the Bedford Land Use By-law will take precedence. For instance, lot coverage should not exceed 35%.**
- **the words “700 housing units” in the second sentence in Policy CCI-2 is to be revised to state “either 700 units or five years from the date of adoption of the Secondary Planning Strategy, whichever gives a longer period of time” on Page 24;**
- **the reference to Policy RN-4 in Policy MUBC-2 is to be revised to refer to Policy RN-3 on Page 26;**
- **include an objective within the Secondary Planning Strategy to require that a tree retention plan be in place prior to any development on the site (except for surveying of lot lines);**
- **include a definition to indicate what is considered to be “an unreasonable deterioration of traffic”;**
- **include a clause in Policy MS-7 (a) to indicate that the connection at Nine Mile Drive at Crestview Subdivision only be completed when collector road # for the Paper Mill Lake Subdivision is complete;**
- **where the document refers to 4' side yards and a minimum separation of 8', the 8' is to be revised to 12'.**

Councillor Goucher indicated that he was satisfied with forwarding this item to the March meeting of North West Community Council on the understanding that the comments from the Bedford Watershed Advisory Board are forwarded for consideration at the same meeting.

Motion put and passed.

Councillor Goucher requested that Committee members be provided with a copy of the revised

HALIFAX REGIONAL MUNICIPALITY
NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

- 11 -

February 18, 2002

document at the next regular meeting.

6. **NEW BUSINESS**

- (a) Public meeting - Sackville Drive Secondary Planning Strategy and Land Use By-law

Gail Harnish advised that the public meeting has been confirmed for Monday, March 4, 2002, in the Fenerty Room, Sackville Library.

7. **NEXT REGULAR MEETING DATE** - Wednesday, March 6, 2002 at 7:00 p.m.

8. **ADJOURN**

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