

**REGIONAL PLAN ADVISORY COMMITTEE  
SPECIAL MEETING MINUTES  
Wednesday, May 28, 2008**

**PRESENT:** Councillor David Hendsbee, Vice-Chair  
Councillor Gloria McCluskey  
Mr. Paul Pettipas  
Ms. Bonnie Ryan  
Ms. Margo Grant  
Mr. Robert Batherson

**REGRETS:** Councillor Krista Snow  
Ms. Cheryl Newcombe  
Mr. Fred Morley, Chair  
Mr. Dan English, Chief Administrative Officer, HRM

**STAFF:** Mr. Roger Wells, Supervisor, Regional & Community Planning  
Ms. Chris Newson, Legislative Assistant

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**1. CALL TO ORDER**

Councillor David Hendsbee, Vice-Chair, called the meeting to order at 3:05 pm in the Media Room, 1<sup>st</sup> Floor, City Hall, 1841 Argyle Street, Halifax.

**2. APPROVAL OF THE MINUTES**

**MOVED by Councillor Gloria McCluskey, seconded by Mr. Paul Pettipas, that the minutes of March 19, 2008, March 26, 2008; joint meeting with the Urban Design Task Force of April 2, 2008, be approved as presented. MOTION PUT AND PASSED.**

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

**Deletion:** Item 8.2: To be deferred until the Chair, Mr. Fred Morley, is in attendance. June 4, 2008 meeting to be re-scheduled. Regional Plan Advisory Committee members will be contacted with new date for meeting.

**Addition:** 9.1 Amendment to the Regional Plan Advisory Committee Terms of Reference - Quorum.

**MOVED BY Councillor Gloria McCluskey, seconded by Mr. Robert Batherson that the order of business, as amended, be approved. MOTION PUT AND PASSED.**

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

**5. CONSIDERATION OF DEFERRED BUSINESS - None**

**6. CORRESPONDENCE, PETITIONS & DELEGATIONS - None**

**7. REPORTS**

**7.1 Proposed Amendments to Regional Municipal Planning Strategy**

**7.1.1 Case 00798: Marine Slips, Downtown Dartmouth Plan Amendment & Development Agreement.**

- A staff report dated May 13, 2008 was before the Committee.
- A copy of the PowerPoint presentation was circulated at this time.

Mr. David Lane, Senior Planner, Community Development, presented the report. He emphasized that the issue for consideration by the Regional Plan Advisory Committee is Policy CH-5 as it relates to the Applicant's request to build higher than the currently permitted 150' at sea level building height for the proposed development site. The request for an amendment to the policy is due to the shadow effect caused by the 200' building

height zone located immediately above (higher grade) the proposed development site. Existing viewplanes would not be adversely affected by the amendment.

The Committee raised the following concerns/comments during the ensuing discussion on the issue:

- Consistency in height for the viewplanes rather than staggered heights would be preferable, similar to the viewplane policies in Downtown Halifax.
- A panoramic view the closer you are to the water is preferable.

Mr. Roger Wells, Supervisor, Regional and Community Planning, commented that this situation is similar to the review of viewplanes that was done in regard to the Maritime Centre structure on the Halifax side of the harbour. Consideration was given for buildings that would be in the shadow of the Maritime Centre to build higher.

- HRM By Design guidelines are still under discussion and not yet “law”, therefore; existing requirements should be maintained. Mr. Wells responded that the Downtown Dartmouth area will be included in a future phase of the HRM By Design Initiative and that consistency in viewplane legislation can be addressed at that time.

Councillor McCluskey requested that staff provide more information to the Committee on the Downtown Dartmouth Height restrictions, in particular, the area of the recently approved Founder’s Corner development agreement.

Councillor Hendsbee suggested that a single map with the current lay of the land superimposed with the proposed development would be beneficial when reviewing such requests.

Mr. Lane advised that more detail will be available during the development agreement discussions. He added that all height restrictions are above sea level at the mean or average water mark; the development agreement also has provisions to address sea level rise and flooding. Mr. Lane commented that there had been three Public Information Meetings held on this issue over the last few years as the application has gone through many revisions. The Applicant held their own Public Information meeting in July 2007. The matter will go forward to the June 5, 2008 meeting of the Harbour East Community Council for recommendation and then to Regional Council for consideration.

**MOVED BY Mr. Paul Pettipas, seconded by Councillor Gloria McCluskey that the Regional Plan Advisory Committee recommend that Regional Council:**

- 1. Give first reading to consider an amendment to the Regional Municipal Planning Strategy, Dartmouth MPS and Downtown SPS and Land Use By-Law as provided in Attachments A,B,C, and D of the staff report dated May 13, 2008 and schedule a Public Hearing; and**
- 2. Approve the amendments to the Regional Municipal Planning Strategy,**

**Dartmouth MPS and Downtown Dartmouth SPS and Land Use By-Law regarding Dartmouth's Viewplanes and View Corridors as provided in Attachments A,B,C and D of this report.**

**MOTION PUT AND PASSED.**

**7.1.2 Case 001121: Amendments to MPS and LUB for Timberlea/Lakeside/Beechville/Halifax**

- A staff report dated April 14, 2008 was before the Committee.

Mr. Roger Wells advised that the report was before the Committee for information purposes only, therefore; no motion was required at this time. A report will be available for the Committee's July meeting.

**7.2 HRM's Comments to the Nova Scotia Department of Environment and Labour re: Draft Water Resources Strategy Discussion Paper.**

- A copy of the WATER for LIFE document from the Nova Scotia Department of Environment and Labour was before the Committee.

Mr. Roger Wells advised that Mr. Tony Blouin, Compliance Coordinator, Halifax Water, compiled the comments from HRM's perspective. The information will be forwarded to the Province by June 1, 2008. All Committee members wishing to submit comments should forward those submissions to Mr. Wells within the next few days.

Councillor David Hendsbee suggested that discussions, in regard to the Regional Planning Strategy, should be identified by Watershed Boundaries rather than political or community boundaries.

Mr. Paul Pettipas commented that the Nova Scotia Home Builders Association (NSHB) has also offered comment on the issue of water conservation and has stressed the importance of the education component. People have to be educated as to what products are now available as a mistake made at the time of construction could remain for perhaps the next twenty years. Examples would be installing a 3 l / 6l toilet instead of the traditional 13l toilet in an R2000 home, low-flow faucets and rain water cisterns .

The Committee agreed that the topic of water conservation measures be included as part of HRM's comments to the Nova Scotia Department of Environment and Labour.

Mr. Robert Batherson and Ms. Margo Grant expressed concern with endorsing the comments as presented without fully understanding the implications, for example, the use of the term 'frivolous' water uses. In response, Mr. Pettipas suggested Mr. Blouin be invited to attend an upcoming meeting to provide feedback to these concerns.

**8. NEW BUSINESS**

## **8.1 Business Parks Development Functional Plan - Status Update**

- A copy of the Executive Summary for the Business Parks Functional Plan was before the Committee.
- A copy of the PowerPoint presentation was circulated at this time.

Mr. Peter Stickings, Manager of Real Property, Transportation and Public Works, introduced the Steering Committee and Mr. Ross Cantwell, Consultant with Colliers International, who presented the status update for the Business Parks Development Functional Plan.

In response to questions/comments made by the Committee, Mr. Cantwell and Mr. Wells provided the following information:

- There are restrictions to further growth of the Aerotech lands due to sewage treatment capacity. Receiving water for new growth is at issue as the effluent would become the larger flow; the alternative would be a land based disposal system.
- A Consultant is finalizing a report on the expansion of the Bennery Lake watershed. The information will be forthcoming to HRM and the Province.
- There are concerns with acid runoff from the acidic rock in the area of the Aerotech lands.
- Transportation to and from the business parks is an important issue; mediums need to line up with curb cuts.
- There are regional considerations for Bedford/Sackville with more residential planned around the Bedford Commons but there is a lack of long term capacity for commercial modes. Bedford West is a great area for office space.

Mr. Paul Pettipas commented that some of the rules/regulations for business parks can be restrictive such as parking regulations and that transport trucks are required to unload at the rear of the property which increases costs due to more land used, more asphalt required leading to possible drainage issues.

Councillor Gloria McCluskey advised that a petition had been received from the Burnside Business Park for more transit service to the area. Mr. Jim Donovan, Manager, Economic Development, added that the airport has also expressed interest in receiving transit service.

The Committee agreed to deal with Item 9.1 Amendment to the Terms of Reference - Quorum at this time.

## **9. ADDED ITEMS**

### **9.1 Amendment to Terms of Reference - Quorum**

**MOVED BY Councillor Gloria McCluskey, seconded by Mr. Paul Pettipas that the Regional Plan Advisory Committee request that Regional Council approve an amendment to their Terms of Reference to change the quorum requirements from**

**six (6) with 1 being a Councillor to 50% of the current membership at any given time with 1 member being a Councillor. MOTION PUT AND PASSED.**

Councillor McCluskey exited the meeting at 4:47 p.m. Quorum was lost at this time. The Committee then returned to discussion on Item 8.1 Business Parks Development Functional Plan - Status Update.

During the continuing discussion on the issue, the following comments were raised:

- Once the designation is set as to what types of business/services would be permitted in the parks, it should be adhered to and made clear that those rules would not change for at least one year. There have been issues in the past where a business has set up and later becomes a “nuisance” due to the nature of their work. A space divide (separation) for those types of businesses should be considered.
- Would there be recreational capacity provided in these parks? Staff responded that walking trails are being integrated into the Burnside Business Park but due to a shortage of developable lands there may not be an opportunity for rinks, soccer fields or golf courses. There are two turfs within the City of Lakes boundary as well as bike lanes. Dartmouth Crossing is five minutes from the Brightwood Golf Course and ten minutes to Oakfield. There is a possibility of an arena for the Dartmouth Crossing area.
- In response to a question on whether or not the Municipality could regulate industrial development with Land Use By-Laws rather than own and develop Business parks itself, staff responded that the municipality is in a better position to administer the long term perspective of supply and demand and are able to wait for an industrial opportunity to present itself in line with economic projections whereas the private sector tends to act in response to shorter term opportunities, for example, through rezonings for commercial development opportunities.
- The Regional Plan suggests that residents should be able to walk 1000 feet to their work (live, work and play). Industrial development is important but with that you have to consider residential density, rationalize traffic flows and provide transit services.

Mr. Peter Stickings, Manger, Real Property, Transportation and Public Works, commented that the response received by most business owners in the Burnside Business Park was that there is a variety of quality housing choices for them within a five to ten minute commute to work. The real housing issue concerning their employees is how to get them to and from work as many cannot afford multiple vehicles and approximately 1/3 (mostly the younger generation) do not drive due to prohibitive costs.

- It is good that the Burnside Expressway is referenced on the map as there are advantages to having the corridor from Sackville through to Dartmouth as there is rail access on both sides which is beneficial for the industrial component. The Areotech Park does not have the direct rail link and would have to build a spur line.
- Public transit to these areas is not a new issue but it seems to be getting worse for the area residents. Staff advised that there are five bus routes that come to the fringe of the Burnside Business Park but few that provide internal service throughout the park. An internal park shuttle that would connect with the transit

- links would be beneficial.
- Staff responded to the Committee's concern with the provincial interest, or lack thereof, in business parks indicating that there have been ongoing discussions with the province but the Nova Scotia Business Inc. (NSBI) does not want to relinquish any of their land in the Woodside or Sackville areas as they feel it is a strategic asset for them. The province has considered relinquishing its administration of those business parks with infrastructure deficits such as Musquodoboit and Eastern Shore (lack of good road service).
  - Further development of the Bayers Lake Business Park should be managed and controlled to ensure land will be available for other than retail uses. Development should also be anticipated and managed in regard to the transportation impact.
  - Concern was expressed with potential development of the Shannon Park area as a residential area rather than for marine industrial purposes. Some people feel that too much of the harbourfront lands are being used for residential purposes. Staff commented that the Department of National Defense (DND) is still in the process of handing over the land, except for a ten acre parcel, to the Canada Lands Company. The Halifax Port Authority (HPA) has acquired the water lot but has limited interest in the entire property due to the shallow water depth and the proximity to the narrows as any wharf structure would further constrict the channel. The Harbour Plan exercise, reflected in the Regional Plan as a growth area, is for a mixed use commercial/residential/recreation area.
  - The Province has identified the Sackville / Burnside Expressway as one of their top two priorities for the Atlantic Gateway. Discussions are ongoing with Transportation and Infrastructure Renewal as to how that corridor could be constructed. HRM has been pushing the construction for years and have indicated to the province that HRM is in favour of the road. In regard to whether or not the road would be a toll road, the province is on record as saying they are not in favour of toll roads.
  - Consideration has to be given to an extension or twinning of Highway 107 from Cole Harbour, or; in providing transit connections/park 'n rides from other areas as employees of the park are frustrated with traffic into Burnside.
  - The top four priorities in regard to roads will be: Highway 113 (Blue Mountain/Hammonds Plains Road By-Pass), 101 Beaver Bank Road Connector, Larry Uteck Interchange and the Burnside Connector.
  - Given the scarcity of lands for long term industrial development, residential development should not encroach into HRM industrial areas. As an alternative, residential development may be more appropriate in the City of Lakes area given its proximity to non-industrial uses such as office, retail and parkland.

The Committee thanked the presenters. The next steps will be further consultation with the Greater Burnside Business Association, Dartmouth Crossing, Bayers Lake Business Association and other stakeholders, then to Regional Council.

## **8.2 RPAC Meeting Logistics (Scheduling/Coordination with other Committees, etc.)**

This item was deleted during the approval of the agenda. See Item 3. Page 3.

**9. ADDED ITEMS**

**9.1 Amendment to Terms of Reference - Quorum**

This item was dealt with earlier in the meeting. See page 6.

**10. DATE OF NEXT MEETING**

The next regularly scheduled meeting is June 18, 2008.

**11. ADJOURNMENT**

There being no further business, the meeting adjourned at 5:24 pm.

Chris Newson  
Legislative Assistant