

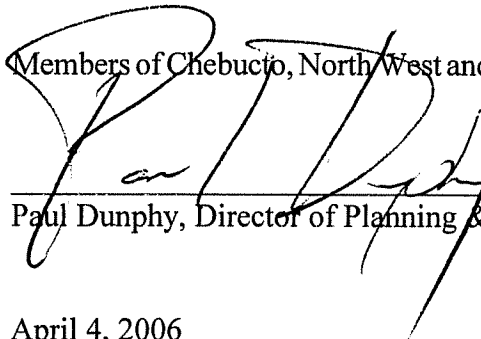


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**Joint Community Council Session
April 12, 2006**

TO: Members of Chebucto, North West and Western Region Community Councils

SUBMITTED BY:


Paul Dunphy, Director of Planning & Development Services

DATE: April 4, 2006

SUBJECT: Bedford West Master Plan

ORIGIN

- At the February 25, 2003 session, Regional Council approved the terms of reference for the Bedford West master planning study area and a public participation program. The public participation program was to be lead by a public participation committee with two representatives appointed by the Chebucto Community Council, two representatives by the Western Region Community Council and four representatives appointed by the North West Community Council
- The Public Participation Committee has prepared a report and draft Bedford West Secondary Planning Strategy for consideration of approval by Regional Council.

RECOMMENDATIONS

It is recommended that:

1. the draft Bedford West Secondary Planning Strategy and Business Campus Zone, presented as Attachment A to this report, be recommended for approval to Regional Council.
2. an area advisory committee be established for Bedford West, as recommended by the Public Participation Committee.

EXECUTIVE SUMMARY

At the February 25, 2003 session of Regional Council, the terms of reference for the Bedford West master planning study were approved¹. The primary purpose of the study was to determine the feasibility of developing a new community within the study area which would be serviced with municipal sewer and water.

Council also approved the formation of a committee to oversee a public participation program. The Bedford West Public Participation Committee was subsequently established with eight members selected by the three community councils with jurisdiction within the study area.. The Public Participation Committee has:

- chaired three public meetings
- held 14 committee meetings of which two were all day workshops
- collaborated with staff and land owners in preparing a draft Bedford West Secondary Planning Strategy with policies to guide future development of the study area
- presented the Secondary Planning Strategy to the Regional Planning Committee and the North West Planning Advisory Committee. Both committees have recommended approval.

Staff have reviewed the document and are satisfied that it provides a direction which adheres to the terms of reference approved by Regional Council and, with one minor exception, conforms with the draft Regional Planning Strategy that has been prepared for consideration of approval by Regional Council. Several minor amendments have been recommended by staff as a result of a final review and on-going negotiations with property owners. The amendments are presented in Attachment A.

Two property owners have requested amendments which were not supported by the Public Participation Committee. The requested amendments are explained in the discussion section of this report. Staff supports the position of the Public Participation Committee.

Staff is continuing to evaluate the impact of this project on municipal service systems. In particular, studies are currently being undertaken to determine whether there is sufficient capacity in the sanitary sewer system to support this project and other developments anticipated. It is anticipated that this work will be completed over the next several months and that a report with recommended capital cost contribution formula will be presented to Regional Council. The draft Secondary Planning Strategy specifies that no development approvals are to be granted until capacity has been confirmed and Regional Council has approved infrastructure charges under the Municipality's Subdivision By-law to pay for infrastructure upgrading costs apportioned to property owners in the study area.

¹ The terms of reference are reproduced in the draft Secondary Planning Strategy (see Attachment B, item 1(c)).

BACKGROUND

The report of the Bedford West Public Participation Committee ("the PPC") is presented in Attachment B, accompanied by the recommended Bedford West Secondary Planning Strategy and Business Campus Zone and submissions reviewed by the PPC. This report was presented to the North West Planning Advisory Committee on March 1st of this year. The report of the North West Planning Advisory Committee to North West Community Council is presented under separate cover.

DISCUSSION

Work to be Completed

This report focuses discussion on the draft Bedford West Secondary Planning Strategy proposed by the PPC; amendments recommended by staff; and two additional amendments requested by property owners that are not supported by the PPC or staff. Before proceeding with this discussion, there are two work programs associated with this project which may have bearing on the outcome. These are discussed as follows:

Sanitary Sewer Capacity Study:

Environmental Engineering Services (EES) has retained a consultant to prepare a waste water management strategy for the sewer collection system servicing the new Halifax Treatment Plant. One component of the study involves monitoring current flows in the Halifax Interceptor Sewer and analysing the impact of future development to determine if upgrades will be required. The Interceptor Sewer extends around the Bedford Basin from the Kearney Lake Rd. area to Fairview Cove and would receive sewage flows from major developments planned in Mainland South, including the Mother House Lands, Royale Hemlocks, Bedford South and Bedford West and may also receive flows from Timberlea².

EES has advised that:

- investigations are currently being undertaken to determine why waste water discharges onto the Bedford Highway during some wet weather events. A possible cause has been identified but has not been confirmed.
- additional flow monitoring and inspections will continue through April and May and modelling is being undertaken to estimate the flow impacts of future growth on the capacity of the Interceptor Sewer system.

² Further information regarding the Timberlea situation may be found in an information report to Regional Council re: Timberlea, Lakeside and Beechville Service Boundary and Bedford West Master Plan Area, dated February 8, 2006 and presented in Attachment A, item 10.

Upon completion, staff has committed to providing an overview of the technical issues, servicing options and the financial implications to Committee of the Whole.

Capital Cost Contribution Study:

A consultant has been retained to assist a staff team negotiate the capital cost contribution which will be required of property owners to pay for infrastructure improvements needed to service this development. A traffic impact study is being prepared and the final report is expected in the near future. Details of the water distribution system are currently being negotiated with the Water Commission and discussions are being held with property owners concerning the sanitary sewer system design.

Upon completion of the sanitary sewer study and capital cost contribution studies, a proposal will be brought forward for consideration of approval for infrastructure charges to be levied under the Municipality's Subdivision By-law. The charges would be imposed to recoup infrastructure upgrades required to service Bedford West. The Secondary Planning Strategy states that no development is to be permitted until the charges have been approved by Regional Council.

The Bedford West Secondary Planning Strategy

The Public Participation Committee Proposal:

The draft Secondary Planning Strategy recommended by the PPC is supported by staff for the following reasons:

- the Regional Greenfield Study (CBCL, March 2004), prepared under the regional planning program, identified Bedford West as a low cost area for new development to be serviced with municipal sewer and water with minimal constraints (the study ranked Bedford West as having the lowest development costs on a per acre basis among 10 sites studied).
- Bedford West has been identified in the draft Regional Planning Strategy as a future growth area for planned development. The Regional Plan designates the master plan area as a suburban district centre which a full range of community development (including higher density residential, commercial, institutional and recreational uses) is supported by public transit.
- the site location allows for good access to the regional road network and for good integration with a regional transit service, regardless as to whether this entails a high speed ferry service with a station at Mill Cove or an alternative transit mode.
- the Secondary Planning Strategy conforms with the draft Regional Planning Strategy with the exception of minimum setbacks from watercourses.

- the policies provide a well considered plan for environmental protection, provision of municipal services and land use allocation. The main points are highlighted in the PPC report to the North West Planning Advisory Committee (see Attachment B, item 1).

Staff Recommended Amendments:

Several requests for minor amendments have also been received from property owners and PPC members. The amendments recommended by staff are presented in Attachment A. To allow for comparison with the draft prepared by the PPC, the new text in Attachment A is presented in **bold** and text to be removed is shown ~~stricken~~.

Most of the suggested amendments are relatively minor and are summarized as follows:

Environmental Protection:

- Policy BW-3 is amended to specify that the water quality monitoring program is to be undertaken by a qualified person retained by the Municipality and prepared in accordance with the Canadian Council for Ministers of the Environment (CCME) guidelines.
- Water quality indicator thresholds must be established prior to any development activities commencing (see policy BW-3(c)). In the event that any thresholds are exceeded, the CCME guidelines are to be specifically considered in any subsequent assessment (BW-5). The scope of the assessment has also been broadened to include other remedial actions to land use policies originally specified.
- To conform with the draft Regional Planning Strategy, the minimum required setback from watercourses has been increased to 66 feet(BW-7). The PPC has proposed a minimum 100 foot setback from the major water courses (Kearney Lake, Kearney Lake Run and Black Duck Brook) but allows for a reduction to 50 feet on other watercourses and, possibly less, in accordance with current environmental policies adopted under the Bedford Planning Strategy.

Municipal Services

- The capacity of the temporary pumping station and force main (directing sewage to the Mill Cove Treatment facility) has been increased to service both sub-areas 5 and 9 before a permanent pumping station and forcemain are required to direct sewage to the Halifax Treatment Facility (BW-16, clause (d)). An application may be made to service sub-area 9 from the temporary pumping station provided that all associated servicing costs are assumed by the developers (BW-20, clause (h)). These amendments were made in response to a request by Cresco Developments Ltd.
- Greater flexibility is introduced in locating a regional trail system through the community by identifying destination nodes for the trail rather than the route previously specified (see schedule BW-5 and policy BW-17, clause (c)).

Land Use

- the intended function of all open space dedications must be specified during development agreement negotiations (BW-25).
- In the event that the school sites illustrated on the community concept plan illustrated schedule BW-7 are not required by the School Board, the Municipality may require that the sites, or portions thereof, be dedicated for community parks (BW-31).
- Additional architectural requirements are introduced into the Bedford West Business Campus Zone.

Requested Amendments by Property Owners:

Two amendments have been requested by property owners within the secondary plan area which have not been supported by the PPC or staff. A more detailed explanation of each of these requests and the staff position are presented as follows:

Request by Kimberly-Lloyd Developments Ltd. ("the Hamshaw Lands")

Kimberly-Lloyd is the owner of lands at the south-west end of Kearney Lake in the vicinity of Hamshaw Dr. and Saskatoon Ave. where an older residential neighbourhood has been established. The lands are illustrated on Attachment C (some of the lands are registered under the ownership of Bedford Basin Estates, a company related to Kimberly Lloyd).

Under the PPC proposal, new serviced development in this area, as well as all other lands governed by the Mainland Halifax Land Use By-law, would only be permitted after consultations have been held with the local neighbourhood and a development agreement has been approved by Chebucto Community Council.

Kimberly-Lloyd has requested that it be allowed to develop in accordance with the PPC provisions or, alternatively, in accordance with the current land use and subdivision regulations in effect. Under the Mainland Halifax Land Use-By-law, a majority of the Kimberly-Lloyd lands are zoned R-2 (Two Unit Dwelling) Zone which would allow single and two unit dwellings serviced with municipal sewer and water services.

As-of-Right Provisions

If Kimberly-Lloyd submits a completed tentative subdivision application prior to the advertisement for the public hearing for the Bedford West Secondary Planning Strategy, the lands could be developed in accordance with the R-2 zone provisions, provided that subdivision approvals are secured. If the subdivision approval lapses, any subsequent regulations approved for this area would prevail.

The Staff Position:

Staff support the PPC proposal. The Kimberly-Lloyd lands are located adjacent to an old subdivision, consisting primarily of single unit dwellings that are serviced by on site well and septic systems and a road system that would not conform with current municipal standards. There are no sidewalks or curbs in this subdivision. A serviced subdivision developed in accordance with the current R-2 zone standards may not be consistent with the surrounding context and may strain the road network.

The risk with this approach is that Kimberly-Lloyd might feel compelled to exercise its right to develop in accordance with the R-2 zone standards before the subdivision approvals lapsed rather than accepting the uncertainty of any outcome associated with development agreement approval process. However, since the company would have three to four years to negotiate an alternative design before an R-2 zone subdivision application lapses, staff hopes that the company would also pursue a development agreement.

Lands of Peter Beaini at 400 Hammonds Plains Road, Bedford

Peter Beaini is the owner of a property on the south side of Hammonds Plains Road in the vicinity of the Hwy. 102 interchange. The property, illustrated on Attachment D, has an area of approximately 30,000 square feet and 150 feet frontage on the highway. The property is currently zoned RSU (Residential Single Unit) under the Bedford Land Use By-law.

Mr. Beaini presented a proposal to the PPC to develop a 30 unit apartment building on the site. The PPC recommended against accommodating this proposal citing the following reasons:

1. The scale of the proposed building would be out of context with the adjacent single family residences on the Hammonds Plains Road.
2. The site plan presented to the committee showed that almost the entire site would be covered with the building and surface parking. This, again, would be out of context with the surrounding residences where a much higher percentage of landscaping has been maintained.
3. The development would increase traffic entering and exiting the site. As Hammonds Plains Road serves as an arterial road with heavy traffic volumes, traffic from abutting driveways should be minimized.

Mr. Beaini later requested that consideration be given to allowing for a townhouse development on the site. The PPC did not support this request. More recently, Mr. Beaini submitted alternative plans for a special care residence for 30 persons. The plans, presented in Attachment B, item 11, would accommodate the residence in one or three buildings.

The PPC Proposal:

Under the Bedford West Secondary Planning Strategy, the RSU zone is to remain on all properties with frontage on Hammonds Plains Road. However, a policy is introduced not to allow for

consideration of any rezoning or development agreement applications on these properties (policy BW-38).

Staff Recommendation:

Staff support the provisions as currently drafted for the reasons cited by the PPC. As an alternative, the existing developments on Hammonds Plains Road could be removed from the Bedford West Secondary Planning Strategy whereupon the current policy provisions would prevail. Under the existing Bedford Planning Strategy, these lands are within a “Residential Reserve” designation where institutional uses may be considered through a rezoning and development agreement process.

An Area Advisory Committee

Staff support the PPC to establish an area advisory committee for Bedford West. Such a committee could provide a forum for dialogue between area residents and land developers which could in turn resolve issues in a timely manner. The committee could also serve in a stewardship role in promoting activities by to preserve the water quality of lakes within the Paper Mill Lake watershed.

A Neighbourhood Park in Honour of Grant Mosher

Grant Mosher was a member of the PPC and was also an owner of a landscaping business located within the study area (Terra Nova Landscaping in Atlantic Acres Industrial Park). In late 2004, Grant passed away. The PPC has recommended that a neighbourhood park within Bedford West be dedicated in honour of Mr. Mosher. Staff feel gestures of this nature which honour volunteer participants in municipal affairs would be appropriate and should be supported.

BUDGET IMPLICATIONS

There are no budget implications associated with adoption of the recommendations of this report. Budgetary and financial implications will be presented with the report on capital cost contribution. This report is expected to be completed this Spring.

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.

ALTERNATIVES

1. Recommend that Regional Council approve the draft Secondary Planning Strategy and Business Campus Zone presented as Attachment A to this report. This is the course of action recommended by staff.

2. The draft Secondary Planning Strategy could be referred back to the PPC for reconsideration of additional matters identified by the Community Councils. If this option is chosen, the specifics of the matters should be explicitly identified.
3. A recommendation to Regional Council could be made to defer further consideration of this matter until the sanitary sewer study has been completed and a staff report has been prepared explaining the potential implications for servicing Bedford West, Timberlea and other areas that are tributary to this sewage collection system. It is staff's opinion that a deferral is not needed as servicing matters will be addressed in the capital cost contribution negotiations which must be approved by Regional Council before development is allowed to proceed over a majority of these lands.
4. A recommendation could be made to Regional Council that further consideration of the Secondary Planning Strategy be deferred until the capital cost contribution negotiations are completed and that a public hearing be held to consider approval of both the Secondary Planning Strategy and the capital cost contribution charges concurrently.

ATTACHMENTS

- A The Bedford West Secondary Planning Strategy and Bedford West Business Campus Zone (1st Draft, dated March 2006)
- B Memorandum to North West Planning Advisory Committee from Paul Morgan, Planner re: Bedford West Secondary Planning Strategy and Business Campus Zone, dated February 20, 2006 with attachments:
 1. Report to North West Planning Advisory Committee from Anthony Tucker, Chair of the Bedford West Public Participation Committee, dated February 17, 2006 with attachments:
 - (a) Bedford West Study Area Boundary
 - (b) Studies Reviewed by the Bedford West Public Participation Committee
 - (c) The Bedford West Secondary Planning Strategy (10th Draft: December 2005)
 - (d) Bedford West Business Campus Zone (10th Draft: December 2005)
 2. Correspondence from Kevin Riles, President and Chief Executive Officer of Caohmin Consulting, to Paul Morgan, dated April 15, 2005.
 3. Correspondence from Kevin Riles to Paul Dunphy, Director of Planning & Development, dated October 3, 2005.
 4. Correspondence from Paul Morgan to Kevin Riles, dated October 17, 2005.
 5. Correspondence from Kevin Riles to Paul Morgan, dated October 28, 2005.
 6. Correspondence from Maureen Donovan, President of the Dakin Company Ltd., dated November 2, 2005.
 7. Correspondence from J. Michael Hanusiak, Sr. Vice President & General Manager of Clayton Developments Ltd., to Paul Morgan, dated January 4, 2006.
 8. Correspondence from Robert MacPherson, Vice President of Development, Kimberly-Lloyd Developments, to Paul Morgan, dated January 11, 2006 (map attached)
 9. Correspondence from Paul Morgan to Robert MacPherson, dated February 10, 2006 with attachments.

10. Correspondence from Paul Morgan to Mike Hanusiak, dated February 20, 2006 with attached Information Report to Regional Council, dated February 8, 2006, Re: Timberlea, Lakeside, Beechville Service Boundary and Bedford West Master Plan.
11. Plans Received from Beaini & Associates for (i) a special care residence for 30 persons in three buildings at 400 Hammonds Plains Rd. and (ii) an alternative proposal for special care residence for 30 persons in one building on the same property.

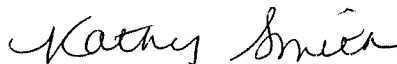
C. Sub-area 11 and lands of Kimberly-Lloyd Developments/Bedford Basin Estates

D. Property of Peter Beaini at 400 Hammonds Plains Rd.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.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, tel: 490-4482

Financial Review:


for Joan Broussard, Financial Consultant

THE BEDFORD WEST SECONDARY PLANNING STRATEGY

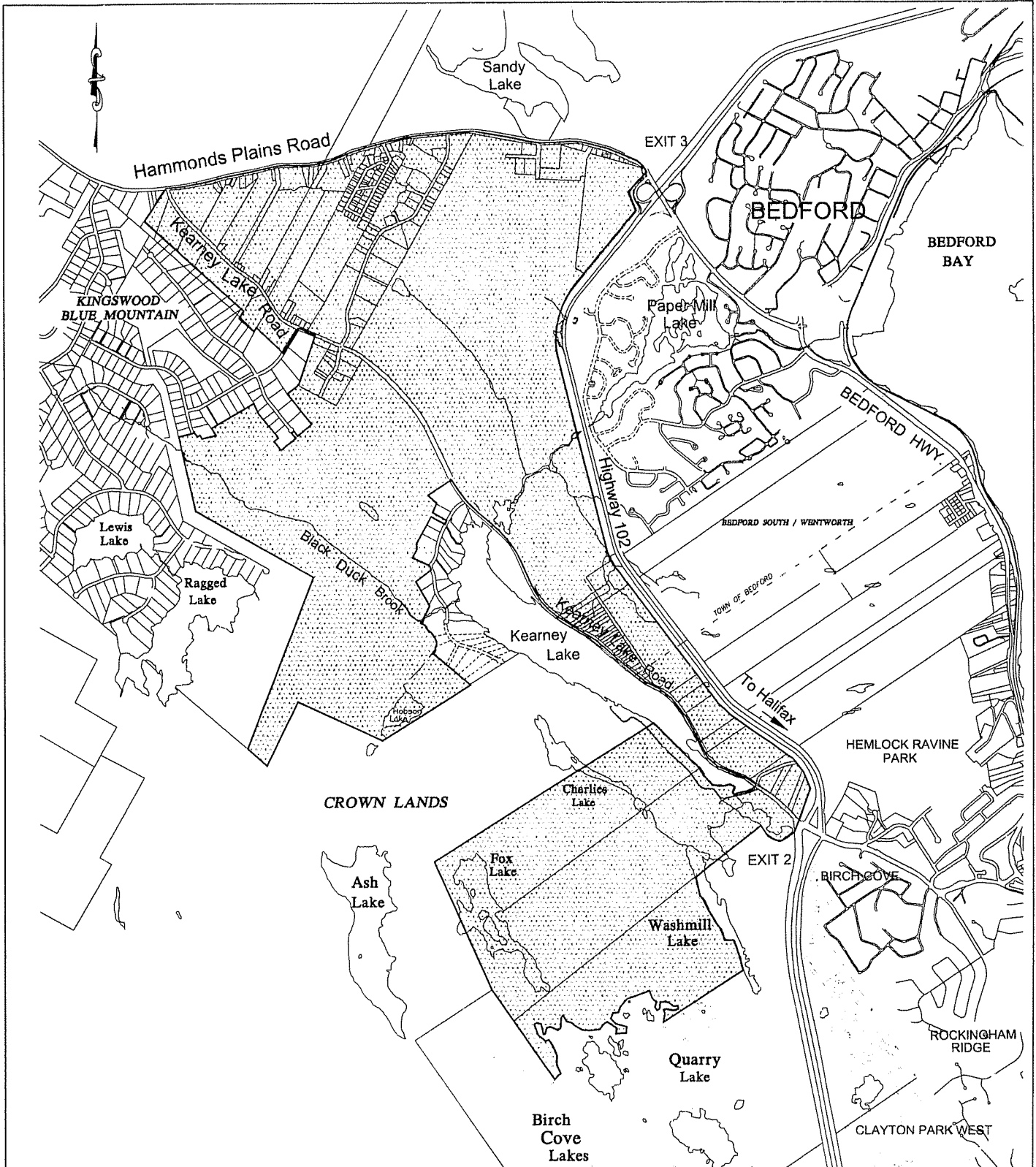
Background

In 2002, Regional Council directed that a master planning study be undertaken on lands on the west side of the Bicentennial Highway, in the vicinity of Hammonds Plains Road and Kearney Lake Road. The study was initiated in response to requests from two property owners to allow for development on municipal sewer and water services. Annapolis Group Ltd. owned approximately 1,200 acres and proposed to develop a comprehensively planned community while several family members requested municipal approvals to allow for a further 40 acre expansion of Peerless Subdivision with single unit dwellings.

In 2003, Council approved a study area boundary, study terms of reference and a public participation program¹. The study area boundaries, encompassing a total area of approximately 2,600 acres, are illustrated on Schedule BW-1. The terms of reference were to prepare conceptual community plans which:

- ☐ anticipate future community needs having regard for trends in demographics, housing affordability, building technologies, economics and social issues with specific consideration given to how the community proposed could fulfill a role in responding to needs within a regional context;
- ☐ integrate design with established neighbouring communities in terms of the natural and man made environment;
- ☐ reduce travel time and energy requirements, encourage the use of public transit, pedestrian and cycling facilities and enhance public safety through innovative integration of land use components with the transportation and open space systems;
- ☐ preserve sensitive environmental areas and unique cultural features and respond to the opportunities and constraints imposed by the environment;
- ☐ maintain adequate service levels for municipal infrastructure (sanitary sewer, storm drainage, potable water and road systems) both within the area of new development and off-site while minimizing costs to all parties;
- ☐ allow for design flexibility in recognition of future changes to external circumstances/market conditions;

¹ Details can be found in a staff report re: Bedford West Master Plan (Project 00382), dated January 17, 2003 and presented at the February 25, 2003 session of Regional Council.



STUDY AREA
BEDFORD WEST

SCHEDULE BW-1

MARCH, 2005

- ☐ minimize future demands on the Municipality's fiscal resources (capital and operating budgets) and provide fair and predictable cost-sharing of community infrastructure costs between the Municipality and individual property owners in terms of division and timing in accordance with the Municipality's Capital Cost Contribution Policy;
- ☐ provide policy guidance for more detailed negotiations with property owners/developers with specific consideration given to phasing of development with associated community infrastructure and the responsibilities of each party (property owners/developers and the Municipality).

A public participation committee was appointed with citizen representatives from Bedford, Hammonds Plains, and Prince's Lodge/Clayton Park. The committee's mandate was to ensure the public had opportunities to express opinions; collaborate with staff and developers in preparation of a plan; provide advice on policy and regulatory documents proposed; and confer with the Regional Planning Advisory Committee (the RPC).

The Bedford West master planning study was undertaken while a regional planning program that was being prepared under the supervision of the RPC. This secondary planning strategy has therefore been prepared in accordance with the master plan study terms of reference established by Council and in conformity with all relevant regional plan policies being proposed.

Environmental Protection

Lakes and Watercourses

A vast majority of the study area is within Paper Mill Lake watershed which includes Washmill Lake, Quarry Lake and Suzie Lake. Dam structures control water elevations at the outlets of Paper Mill Lake, Kearney Lake and Quarry Lake. The dams which remain under the ownership of Annapolis Group have historically been used for power generation at a turbine on Moirs Mills. Today, the lakes are used for various recreational activities such as swimming, fishing and boating - activities which are highly valued by the surrounding communities and which are dependent upon maintenance of the dams.

Annapolis Group has entered into negotiations with the Province pertaining to the upgrading of the dams and has proposed that control gates be introduced for flood control and storm water management purposes. Two studies: *Bedford Dams Comprehensive Review* (SGE Acres, October 2003) and *Bedford West Stormwater Management Pre-Design Brief* (SGE Acres, March 2004) were submitted by Annapolis to the Province in support of this proposal.

The Municipality supports preservation of the dams and the introduction of flow control mechanisms which reduce flood risks and which further good stormwater management practices provided that lake levels are maintained within ranges needed to sustain recreation activities and maintain shoreline aesthetic. ~~Municipal support is also contingent upon an acceptable~~ **The Municipality also supports an** ownership plan ~~be reached~~ to ensure proper long term operation and maintenance of the dams.

Annapolis Group also had two further studies prepared in support of its development proposal: *Water Quality Assessment of Water Bodies Contained in the Bedford West Planning Area Using a Phosphorous Loading Model Approach* (Dalhousie University Centre for Water Resource Studies, April 2004) and *Bedford West Planning Area: Subwatershed Management Plan* (Jacques Whitford, May 2004).

The first study concluded that best management practices may be needed both during development and afterward to maintain a water quality in the lakes that is satisfactory for recreational activities. Leaching from septic fields from existing development in adjacent areas may also contribute to phosphorous loading and mitigative measures may be needed over the long term. The study recommended that a monitoring program be established on lakes throughout the watershed.

The Jacques Whitford study examined the characteristics of the watershed and the proposed development and prepared guidance for more detailed stormwater management plans.

Objectives:

- ☐ to undertake storm water management planning on a watershed basis with community design based on natural drainage patterns;
- ☐ to prevent flooding of properties and safeguard flood plains;
- ☐ to preserve the water quality of lakes and rivers;
- ☐ to preserve groundwater flows;
- ☐ to support regional initiatives in solid waste recovery, Halifax Harbour remediation and watershed management.

Policy BW-1:

No development agreement shall be approved unless a master storm water management plan has been prepared, reviewed by the Bedford Waters Advisory Board and accepted by the Municipality. The management plan shall:

- (a) identify significant constraints and sensitivities with regard to flood potential, and environmental features and provide appropriate protection measures;*
- (b) provide estimates of pre-development and post development flow rates (where post development flow rate means the expected flow rates upon full build out of an area as permitted by the development agreement) at critical locations within watercourses such as at culverts and other road crossings and at downstream developments;*

- (c) *outline the type and location of storm water management facilities and the approach to protecting receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows; and*
- (d) *conform with the recommendations of the Bedford West Planning Area Subwatershed Management Plan (Jacques Whitford: May 2004) unless otherwise acceptable to the Municipality and the Province.*

Policy BW-2:

No subdivision approvals shall be granted unless the detailed design specifications conform with the master stormwater management plan approved under policy BW-1.

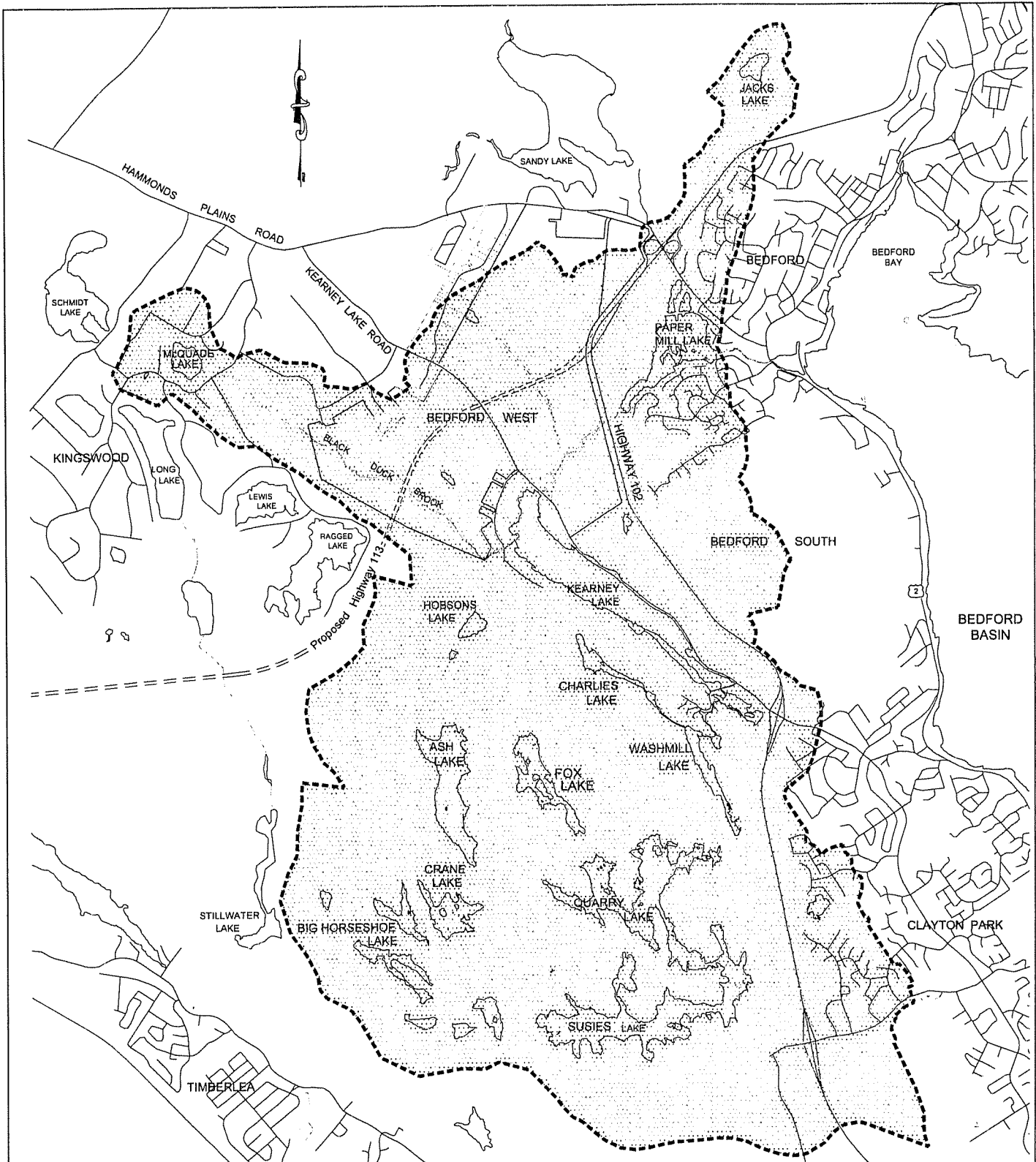
Policy BW-3:

*A water quality monitoring program shall be undertaken for the Paper Mill Lake watershed, illustrated on Schedule BW-2 to track the eutrophication process. The program is to be designed **in accordance with national guidelines established by the Canadian Council for Ministers of the Environment (the CCME guidelines)** and undertaken by **a qualified persons retained by the Municipality** and financed in whole or in part by developers within the watershed area. Specifics of the program are to be negotiated under the terms of a development agreement in consultation with the Bedford Watershed Advisory Board. The monitoring program shall:*

- (a) *specify the duration of monitoring for the pre-construction, construction and post-construction phases of development. Pre-construction phase means a period of time before construction activity starts. Post-construction phase means a period of time that commences at full build out of the area permitted by a development agreement. Construction phase means the full time period between the pre-construction and post-construction phase);*
- (b) *specify the physical and chemical water quality indicators to be measured, the location and frequency of testing and the format of submissions to the Municipality in each phase referenced under clause (a);*
- (c) *establish physical and chemical water quality indicator threshold levels for the recreational uses of the lakes which would be used as a basis for reevaluating watershed management controls and future development potential within the area. **The threshold indicators are to be established prior to any development approvals being granted;***
- (d) *conform with all water quality policies, specifications, protocols and review and approval procedures approved by Regional Council.*

Policy BW-4:

Where the Community Council is satisfied that a development agreement application has been made for a development proposal which could not be reasonably expected to impact the quality of water within the Paper Mill Lake watershed, the requirements of policy BW-3 may be waived.



**PAPERMILL LAKE WATERSHED
BEDFORD WEST**

SCHEDULE BW-2

MARCH, 2005

The Community Council shall seek the advice of the Bedford Watershed Advisory Board before granting any waiver.

Policy BW-5:

*In the event that water quality threshold levels, as specified under clause (c) of policy BW-3, for Paper Mill Lake or Kearney Lake are reached, the Municipality shall ~~review all land use policies contained herein~~ **undertake an assessment** and determine an appropriate course of action respecting watershed management and future land use development in the area. **An assessment shall consider the CCME guidelines.** Water quality thresholds **and any assessment reports** shall be made available to the public.*

Policy BW-6:

No stormwater shall be discharged directly into any natural watercourse without the use of mitigative measures as stipulated in under the stormwater management plan and in accordance with municipal and provincial guidelines.

Policy BW-7:

*No development, grade alteration, excavation, fill, pavement or removal of natural vegetation shall be permitted within one hundred (100) feet of the high water mark, or within the limits of any 1 in 20 year flood plain of Kearney Lake, Kearney Lake Run or Black Duck Brook or within ~~fifty (50)~~ **sixty-six (66)** feet of the high water mark of any other watercourse, or within the limits of any 1 in 20 year flood plain of any watercourse, except as provided for by development agreement in accordance with an approved water management plan approved pursuant to the provisions of policy BW-9 or as provided to allow for trail systems, transportation crossings or utilities. ~~The setback reduction provisions of policies E-4 and E-8 of the Bedford Municipal Planning Strategy shall apply to all lands within the Bedford West Secondary Plan Area.~~*

Preservation of Trees and Environmentally Significant Features:

Objectives:

- ☐ to identify, preserve and maintain significant environmental features;
- ☐ to protect riparian buffer areas around lakes and watercourses;
- ☐ to minimize site disturbance, maximize tree retention and to restore trees over area which have been disturbed by development activities

Policy BW-8:

No development agreement shall be entered into over lands on which trees have been removed except:

- (a) *as may be required for a bonafide land survey;*
- (b) *to satisfy any provincial or federal requirements; or*
- (c) *where, in the opinion of Council, the extent of such cutting would not preclude achieving the three objectives stated above.*

Policy BW-9:

Within any watercourse protection setback established under policy BW-7, no vegetation or soil shall be removed or altered unless a management plan has been approved to provide for restoration of vegetation, shoreline access paths, habitat management, safety and welfare or shoreline recreation where such provisions may be made without adversely affecting the primary purpose of preserving water quality in the lake. Any study or management plan submitted pursuant to this clause shall be prepared by a person qualified to make the required determinations and an approval procedure shall be established under the terms of a development agreement.

Policy BW-10:

Wetlands, lakes, watercourses, endangered species habitat and any other features of environmental significance shall be delineated as non-disturbance areas under development agreements. Non-disturbance areas shall be located to allow for continuity of non-disturbance areas on abutting lots, municipal parkland and open space dedications, and natural areas adjacent to watercourses.

Policy BW-11:

A tree replanting program shall be incorporated into development agreements. The program shall specify the locations, number, type and diameter of trees to be planted. The type of trees shall be indigenous to Nova Scotia.

Policy BW-12:

Development of major land areas on slopes in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value.

Policy BW-13:

The Municipality may allow for modifications to the service system specifications adopted under subdivision regulations where such modifications would enhance the ability to preserve the natural environment without compromising the intended objectives of the service systems.

Municipal Services

The feasibility of servicing the Bedford West area was examined and compared to ten other potential development areas around the metropolitan area under the regional planning program. A study concluded that Bedford West was one of two study areas with minimal constraints to development and had low servicing costs per acre².

Servicing costs were deemed low because there was already considerable infrastructure in the area which could be utilized for new development. The transmission main from the Pockwock Lake water supply to Halifax extends along Kearney Lake Road making a potable water supply readily available. Halifax Regional Water Commission had previously commissioned a study to determine infrastructure needed to service this area³.

Traffic from Bedford West is easily accessible to the Bicentennial Highway - a principle arterial road for the region - via interchanges at the Hammonds Plains Road and Kearney Lake Road and from a future interchange proposed with Larry Uteck Boulevard. Annapolis Group Ltd., the major land owner within the Bedford West study area, prepared a transportation plan which concluded that minimal investment in transportation infrastructure would be required by the Municipality to facilitate development of this area⁴. The study identified transportation upgrades needed and a phasing plan.

Through the regional planning program, the Municipality has sought to encourage alternative transportation modes to the automobile. Bedford West is well situated to integrate with regional transit and trail systems and consideration was given to how the community could be designed to take advantage of these attributes.

Bedford West could be connected to either the municipal sanitary collection sewer system which is discharged to Mill Cove treatment plant or to the system which will discharge to the new Halifax treatment plant. In both instances, sewage would have to be pumped to existing gravity mains in the Hammonds Plains Road (discharging to Mill Cove) or in Kearney Lake Road (Halifax system). Careful consideration was given to available capacities for new development when allocating sewage flow from Bedford West to each of these systems.

A development phasing plan has been developed which integrates various servicing needs and, in accordance with the Municipality's capital cost contribution policy, an infrastructure charge area will be established under the subdivision by-law to recover the costs of infrastructure needed to accommodate new development.

² CBCL Ltd. & Marshall Macklin Monaghan. *Final Report: Greenfield Areas Servicing Analysis Report*. Prepared for Halifax Regional Municipality. July 2004.

³ CBCL Ltd. *Birch Cove North/Bedford West Water Infrastructure Master Plan*. Prepared for Halifax Regional Water Commission. February 1999.

⁴MRC Delphi. *Bedford West Master Plan: Transportation Study*. February 2004.

Objectives:

- ☐ to ensure that the municipal servicing systems are designed to satisfy the ultimate demands anticipated from this community and that services are phased with development to provide satisfactory service levels at all times;
- ☐ to employ service standards that are economical and innovative, and that achieve municipal objectives and policies, including public safety, healthy lifestyles and environmental protection;
- ☐ to safeguard the capacity of the Halifax and Mill Cove sewage treatment plants;
- ☐ to facilitate the safe and convenient movement of pedestrians and cyclists within the community and to surrounding neighbourhoods;
- ☐ to allow for a convenient and cost efficient public transit system that can provide a high level of service to residents in the community and which can integrate with the regional public transit system;
- ☐ to encourage synergy between land uses, lifestyle needs and transportation modes;
- ☐ to minimize motor vehicle traffic impacts on the regional transportation system;
- ☐ to preclude excessive traffic levels in residential neighbourhoods;
- ☐ to allow for efficient access to places of commerce and employment in the community;
- ☐ to recover the cost of new infrastructure needed to service development within the secondary plan areas in accordance with the capital cost contribution policy adopted by the Municipality.

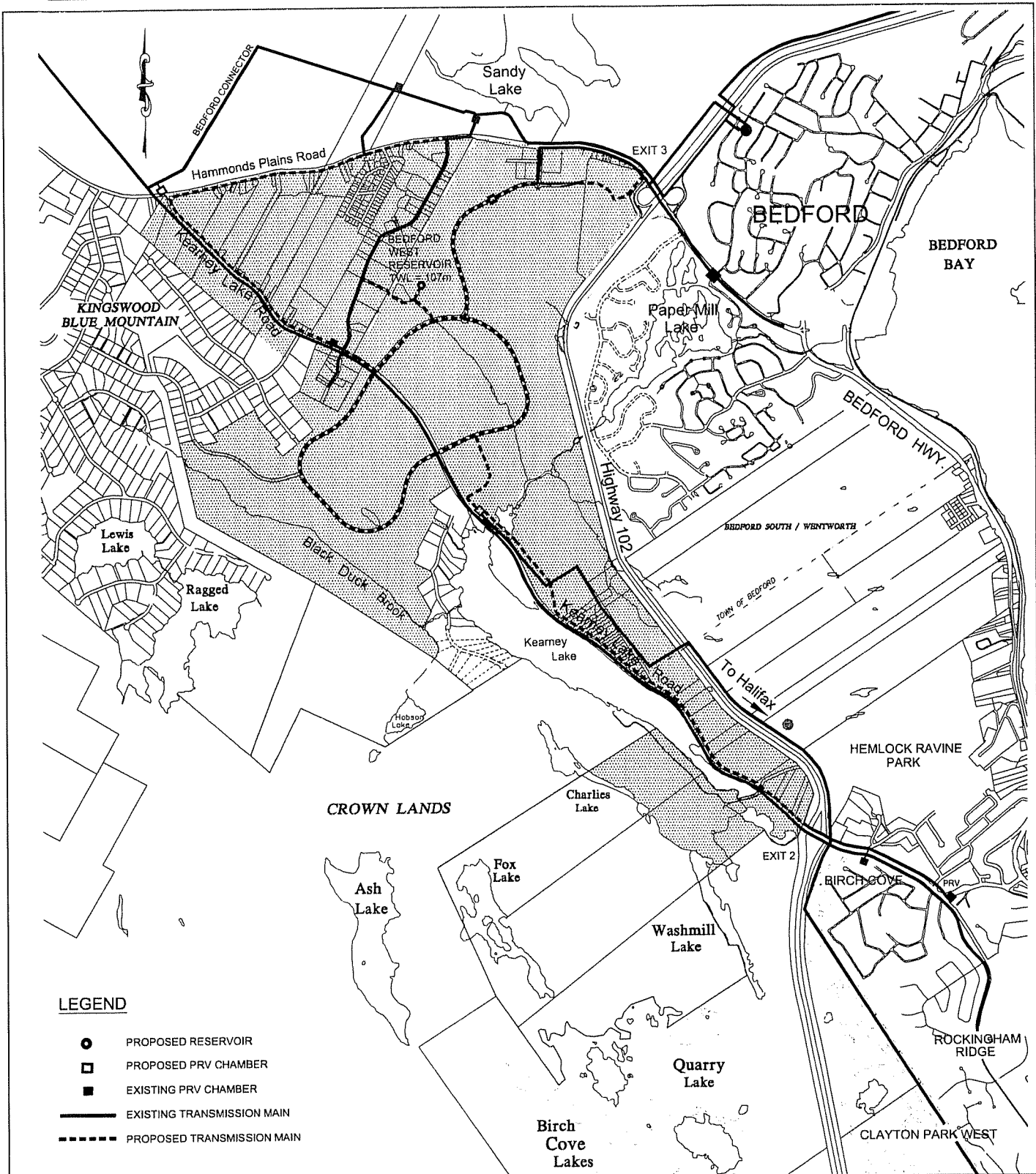
Water and Sanitary Sewer Systems:

Policy BW-14:

The water distribution system shall conform with the recommendations of the Birch Cove North/Bedford West Water Master Infrastructure Plan (CBCL, 1999) and with the system schematics illustrated on Schedule BW-3 unless otherwise acceptable to the Halifax Regional Water Commission and no development shall be approved by the Municipality unless notified by the Commission that the proposed distribution system conforms with all design and operating specifications established.

Policy BW-15:

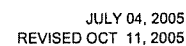
The sanitary sewer system shall be designed in conformity with the schematics illustrated on Schedule BW-4 and in accordance with the Municipality's Service Systems Specifications, as amended from time to time. Sewage flow calculations, shall be based on an assumed



WATER SERVICE SYSTEM BEDFORD WEST

SCHEDULE BW-3

MARCH, 2005



occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling; 50 persons per acre for general commercial uses within the Community Commercial Centre shown on Schedule BW-7 or proposed within Sub-Area 9; and 40 persons per acre for mixed use business campus uses; and 30 persons per acre for local commercial, community facility and institutional uses⁵.

Policy BW-16:

Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed to satisfy the following conditions:

- (a) a maximum density of 40 persons per acre shall be permitted for all lands to be developed as a mixed use business campus within Sub-Area 3;*
- (b) a maximum density of 50 persons per acre shall be permitted for all lands designated community commercial centre within Sub-Areas 2, 6, 7 and 8 as illustrated on schedule BW-7 or proposed for general commercial uses within Sub-Area 9 and 12;*
- (c) For all other Sub-Areas or part thereof, a maximum density of 20 person per acre shall be permitted; and*
- (d) the temporary pumping station and forcemain, illustrated as "PS (TEMP)" and "FORCEMAIN (TEMP)" on schedule BW-4, shall be permitted to service a maximum of ~~3,600~~ 6,100 persons where upon the permanent pumping station and forcemain along the Kearney Lake Road must be designed and constructed to service all lands intended to flow to the Halifax Sewage Treatment Plant (as illustrated on schedule BW-4). This requirement may be waived if:*
 - (i) the financing for the construction for the permanent pumping station and forcemain has been secured by the Municipality and a time frame for construction agreed upon; and*
 - (ii) there is sufficient capacity remaining in the temporary pumping station and forcemain to allow for additional sewage discharge to the Mill Cove Sewage Treatment Plant.*

In the event that any Sub-Area is not developed to the maximum permitted density, the Municipality may consider allowing the difference to be allocated to another Sub-Area provided that the development proposal conforms with all other policies established under this secondary planning strategy.

⁵ For the purposes of this Secondary Planning Strategy, all density calculations are based on gross area.

Transportation:

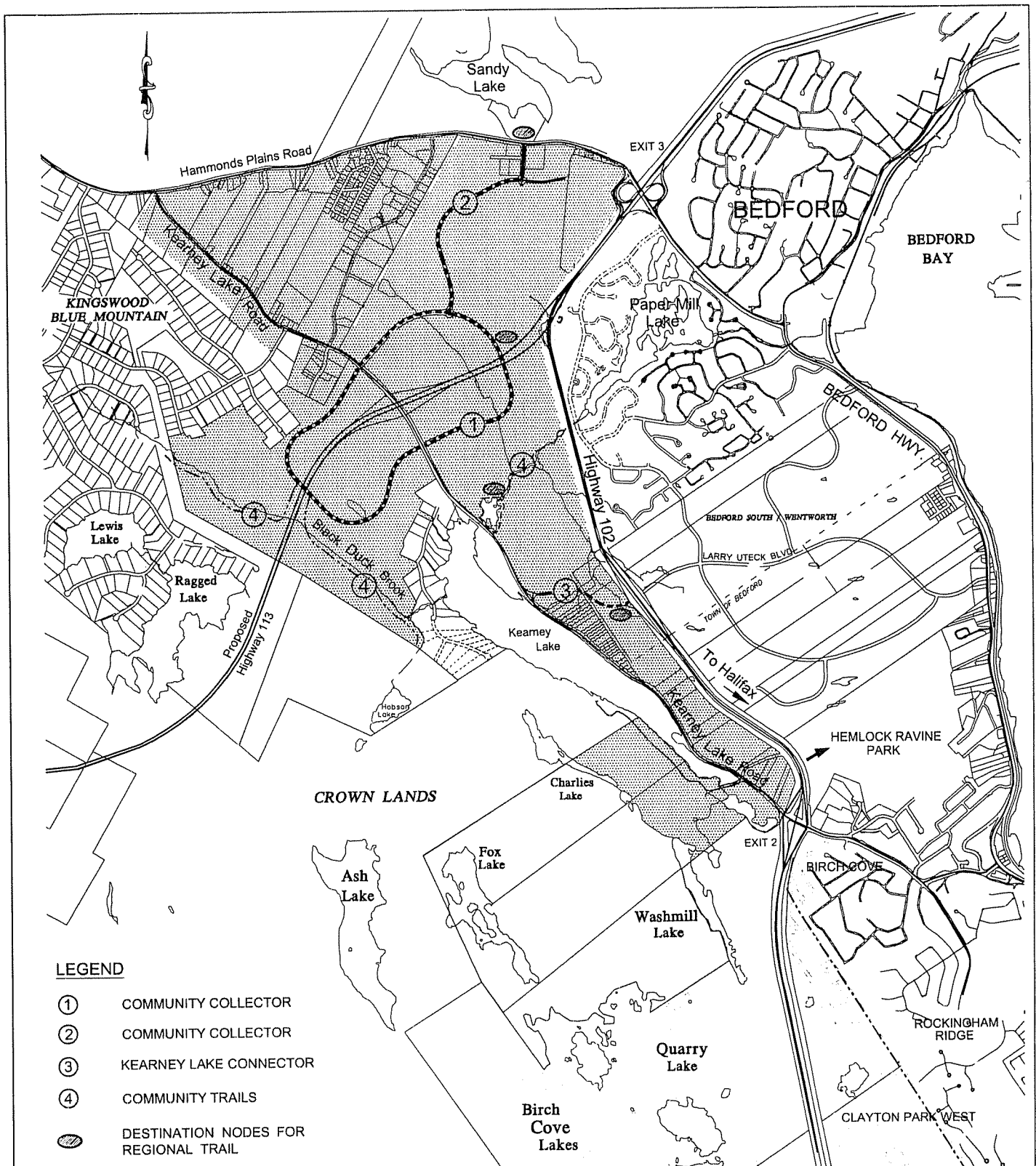
Policy BW-17:

A community street and trail system shall be developed in substantial conformity with the designations and alignments presented on Schedule BW-5 except that variations to the alignment may be considered to enhance safety, provide a better fit with the natural terrain, mitigate surface runoff or preserve significant environmental features. The following requirements shall be applied:

- (a) the connector road from Kearney Lake Road to the Larry Uteck Drive interchange shall be designed with a right-of-way width sufficient to allow for two lanes of through traffic with turning lanes at intersections. Direct driveway access shall be restricted to commercial developments in the vicinity of the interchange and all other access shall be restricted to street intersections. The need for sidewalks will be determined at the time a street plan is submitted in association with a development agreement for Sub-Area 9 as illustrated on Schedule BW-6;*
- (b) the Community Collector Road shall be designed as an **minor** urban **minor** collector with sufficient right-of-way width for two lanes of traffic, turning lanes, where required, and sidewalks on both sides. Direct driveway access shall be restricted to commercial developments, apartment buildings, institutions and clustered housing developments comprised of at least eight housing units with one driveway access to the Community Collector Road. One or more rotaries may be permitted;*
- (c) a regional trail system shall be designed to connect with the destination nodes illustrated on BW-5.*
- (d) community trail systems shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Trails shall be designed and constructed in accordance with the Guidelines of the Nova Scotia Trails Federation unless otherwise acceptable to the Municipality. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel in the community; and*
- (e) phasing of transportation system upgrades shall be undertaken in accordance with the recommendations of the Transportation Plan (MRC Delphi, February 2004) unless otherwise agreed to by the Municipality and the Province.*

Policy BW-18:

The Municipality shall prohibit motorized conveyances on all trails, except maintenance, emergency or patrol vehicles, and except electric wheelchairs or similar devices required for mobility by persons with disabilities.



LEGEND

- ① COMMUNITY COLLECTOR
- ② COMMUNITY COLLECTOR
- ③ KEARNEY LAKE CONNECTOR
- ④ COMMUNITY TRAILS
- DESTINATION NODES FOR REGIONAL TRAIL

**TRANSPORTATION SYSTEM
BEDFORD WEST**

SCHEDULE BW-5

APRIL 3, 2006

Policy BW-19:

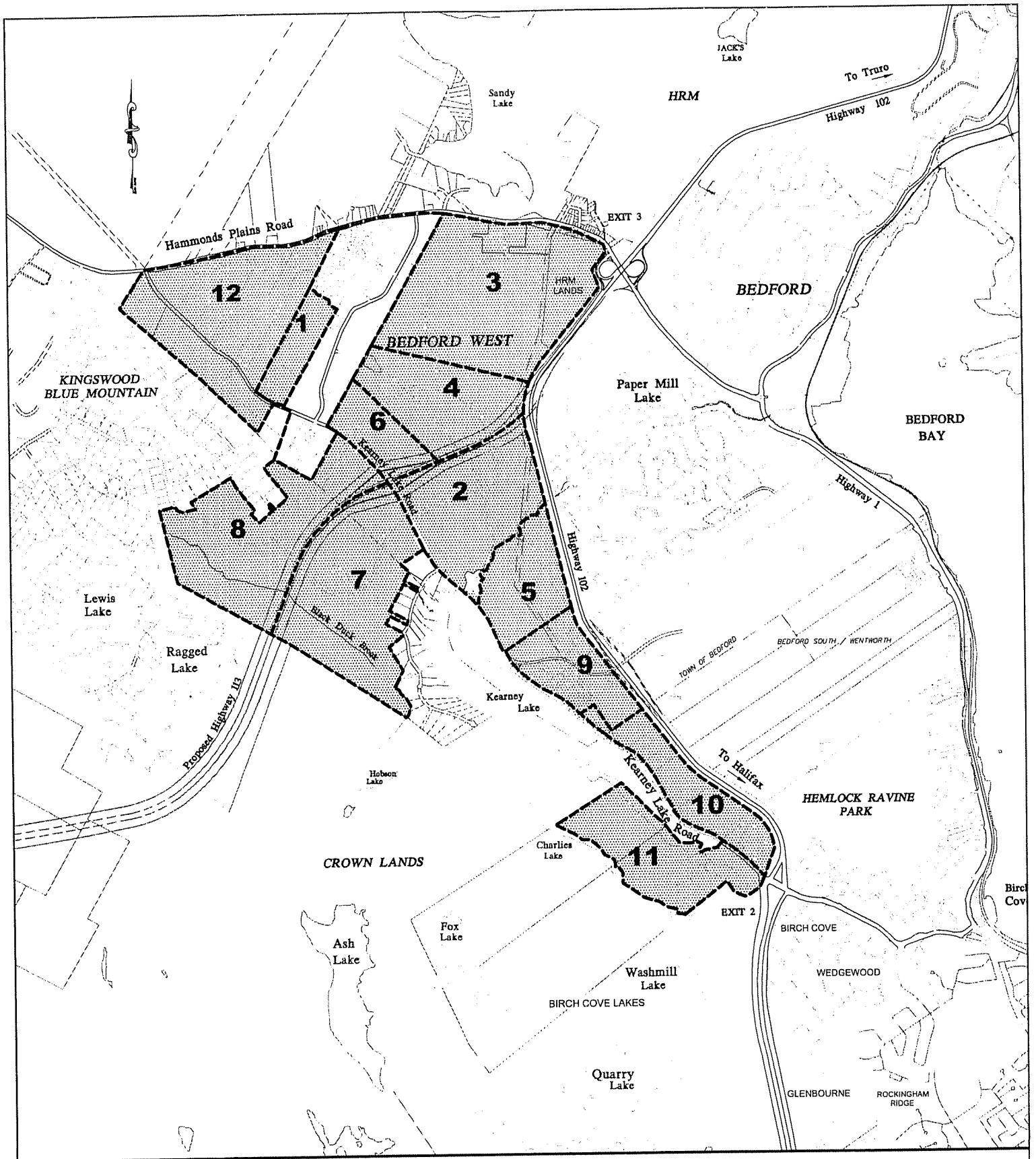
Variations to municipal service system standards may be considered where such variations conform with the principles set forth in the Transportation Association of Canada's "A New Vision for Urban Transportation" or any other guidelines or policies acceptable to the Municipality. Consideration shall be given to the objectives and policies established under this Municipal Planning Strategy, public safety, environmental and lifestyle factors, and capital and operating costs as well as other benefits to the Municipality, such as construction of trail systems on public lands.

Development Phasing and Cost Recovery

Policy BW-20:

A development Sub-Area plan is established for this secondary plan area as illustrated on Schedule BW-6 in which the following conditions shall apply:

- (a) Any approvals within Sub-Areas 1 to 12 will also be contingent upon availability of capacity within municipal service systems;*
- (b) any development agreement entered into within Sub-Areas 2 to 8 and 12 shall include provisions for all new development intended within the Sub-Area;*
- (c) any development agreement for Sub-Area 4 will require that either (i) the community collector road be completed from the Kearney Lake Road to the Hammonds Plains Road through Sub-Areas 2 and 3 or (ii) the community collector road is constructed through Sub-Area 6 to the Kearney Lake Road;*
- (d) approval for Sub-Area 6 may not precede Sub-Area 4 but approvals for both Sub-Areas may be considered concurrently and approval for Sub-Areas 3 and 4 may be considered concurrently;*
- (e) no municipal approval for Sub-Area 5 will be given until development agreements have been entered into for Sub-Areas 2, 3 and 4 or Sub-Areas 2, 4 and 6 but nothing will preclude allowing development to commence before completion of Sub-Areas 2, 3, 4 or 6;*
- (f) no municipal approvals will be granted for Sub-Areas 7, 8 and 9 until the Highway 102/Larry Uteck Drive interchange and Kearney Lake Road connector are constructed or financing has been secured and a time frame for completion agreed upon;*
- (g) no development agreement shall be entered into for Sub-Areas 5 unless a servicing and phasing plan has been prepared and included in the agreement for the extension of municipal sewer and water services to both Sub-Areas 5 and 9.*
- (h) The requirement of clause (g) may be waived if a development agreement application is received for Sub-Area 9 prior to an application for Sub-Area 5 and the application***



DEVELOPMENT SUB-AREAS

BEDFORD WEST

SCHEDULE BW-6

JULY 04, 2005
REVISED OCT 11, 2005

proposes to extend municipal services to Sub-area 9 at no cost to the Municipality.

Policy BW-21:

In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no subdivision approvals shall be granted until infrastructure charges are in effect.

Land Use

The following development guidelines are based on Schedule BW-6: Development Phasing.

Sub-Area 1

This Sub-Area approximately 45 acres of undeveloped land on which an extension of the Peerless Subdivision is proposed. All lots are to be developed with single unit dwellings on central sewer and water services. The extension is to be serviced with an extension of the sanitary sewage collection system which discharges into the Mill Cove treatment plant. The local street system shall be designed so as to discourage traffic external to this Sub-Area and Peerless Subdivision traveling between Kearney Lake Road and Hammonds Plains Road.

Policy BW-22:

Sub-Area 1 shall be designated Residential on the Generalized Future Land Use Map of this Municipal Planning Strategy and zoned Residential Single Unit (RSU) under the Land Use By-law.

The Community Concept Plan (Sub-Areas 2, 3, 4, 6, 7, and 8)

A Community Concept Plan has been prepared over lands owned by Annapolis Group Inc. - the major land owner within the master plan study area, as well as a 50 acre parcel owned by the Municipality adjacent to the Hammonds Plains Road/Bicentennial Highway interchange. The Plan, presented as Schedule BW-7, illustrates the main land use and transportation elements proposed. The design principles incorporated into the plan are highlighted as follows:

- ☐ Lands needed for daily living activities - housing, shops, workplaces, schools, parks, and civic facilities - are integrated within the community;
- ☐ The community collector streets facilitate efficient public transit routes which can provide a high level of service to the residential neighbourhoods and activity centres within the community and which conveniently connect with the regional transit system;

- ☐ Lands bordering Kearney Lake and Kearney Lake Run which are valued by the community for their aesthetics and recreational potential have been reserved for public uses;
- ☐ A sidewalk and trail system extends throughout the community which connects residents to the park system, commercial and other activity centres, and a future regional trail system which would extend from Clayton Park to Jacks Lake;
- ☐ The street system has been designed to prevent external traffic from traveling on local streets while accommodating pedestrians and cyclists throughout the community;
- ☐ The residential neighbourhoods encompass lands of varying topography allowing for differing identities and a range of housing opportunities within each;
- ☐ Lands have been allocated for a mixed use business campus adjacent to the Hammonds Plains Road/Bicentennial Highway which can potentially provide employment opportunities for residents of Bedford West and the surrounding community without introducing additional traffic on local residential streets.

The Community Concept Plan provides guidance for the overall development of this community. More detailed objectives and policies for each element are presented in the following sections.

Policy BW-23:

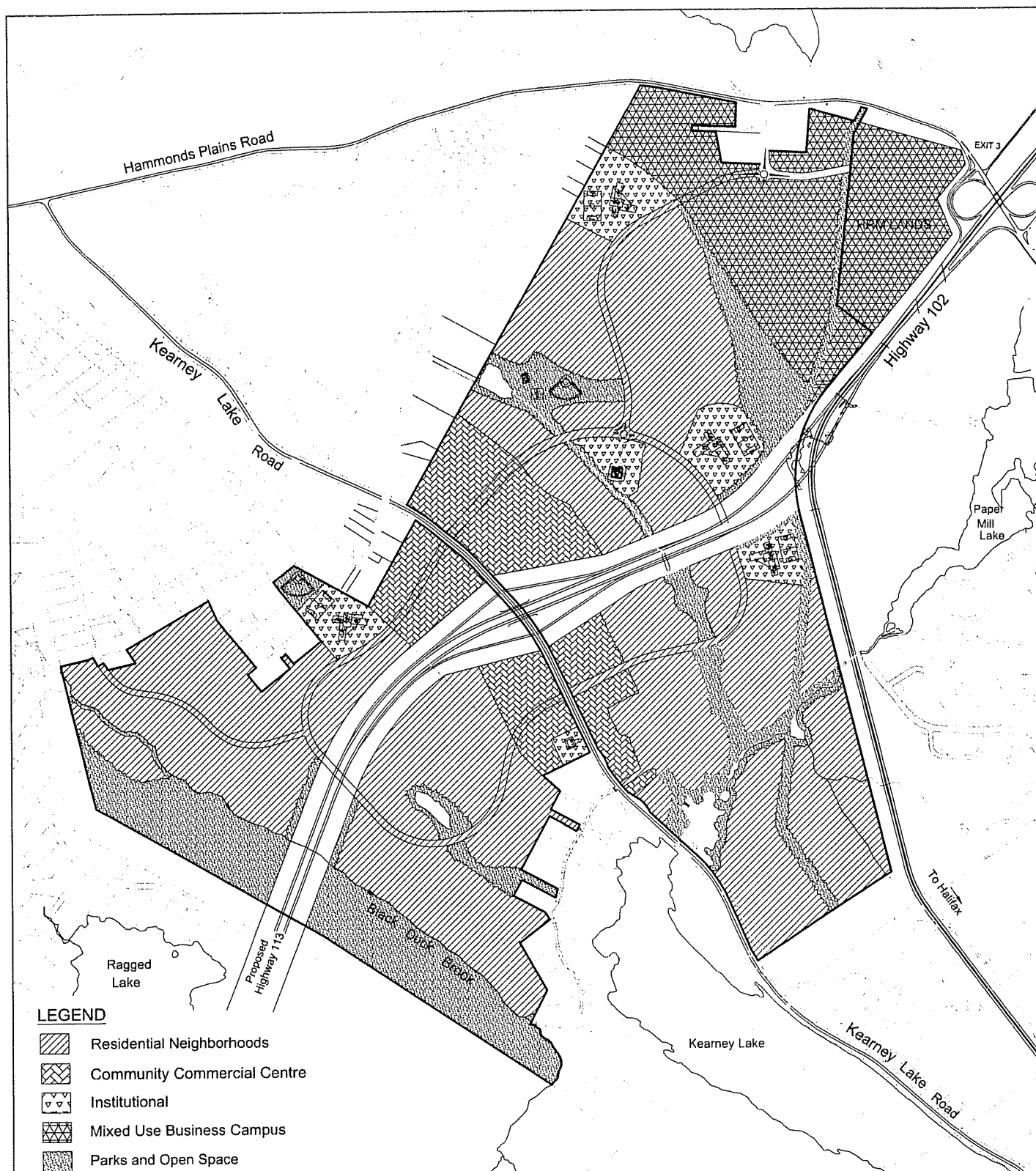
The Community Concept Plan, presented as Schedule BW-7, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the community concept plan area and any development of the land shall be subject to approval of a development agreement. In the event that the lands allocated for the proposed Highway 113 right-of-way are not required by the Province for a highway, then the lands may be used for development permitted within the abutting land use designation.

Policy BW-24:

To facilitate a variety of housing types and achieve both the overall density and open space allocations envisioned by the Regional Plan, consideration may be given to varying development standards established under the Bedford Municipal Planning Strategy and Land Use By-law. More specifically standards pertaining to lot area, lot frontage, lot coverage, setbacks and building height may be varied to reflect the uniqueness of each Sub-Area, the market being targeted and the theme of that Sub-Area.

Parks and Open Space

The Park/Open Space Designation encompasses lands around the major watercourses traversing the study area - Kearney Lake, Kearney Lake Run and Black Duck Brook - as well as smaller watercourses. These lands offer opportunities for recreational activities, environmental protection and preservation of areas which are highly valued for their aesthetics. Within these areas, paths for pedestrians and cyclists are proposed as well as facilities for passive recreational activities.



COMMUNITY CONCEPT PLAN
BEDFORD WEST

SCHEDULE BW-7

APRIL 3, 2006

Areas for active playgrounds are more centrally located. Four sites have been reserved for schools along the community collector road where sports fields and playgrounds would be suitably located. ~~Playground facilities for younger children~~ **Neighbourhood parks** are to be integrated within residential areas.

Policy BW-25:

*The areas designated as ~~Park~~/Open Space on Schedule BW-7 shall be reserved for ~~active and passive~~ recreational uses, **conservation uses including** stormwater management and environmental protection. Provided that the area of the designation is not materially reduced, the boundaries of the ~~Park~~/Open Space Designation may be varied where such changes provide:*

- (a) enhanced protection of environmentally sensitive site features;*
- (b) more opportunity for preservation of significant aesthetic features;*
- (c) more suitable lands for ~~active~~ recreational uses; or*
- (d) a more functional ~~path~~ trail system for pedestrians and cyclists.*

The intended purpose of all open spaces shall be identified and agreed to in a development agreement application. Lands within the Open Space Designation may be allocated to satisfy the Municipality's Subdivision By-law requirements for parkland dedication.

Policy BW-26:

Street crossings of the ~~Park~~/Open Space Designation shall be minimized and any trail development within a watercourse buffer zone established under policy BW-7 shall be subject to the requirements of policy BW-9.

Policy BW-27:

No stormwater management, sanitary sewer or water service system shall be located within the Open Space/~~Park~~ Designation which would adversely affect environmentally sensitive areas, detract from the aesthetics of the area or impair any recreational functions intended.

Policy BW-28:

In the event that the Municipality is unable to determine whether any undertaking will adversely affect environmentally sensitive areas, the Municipality shall require that an environmental impact analysis be undertaken at the cost of the developer by a person qualified to make such a determination and as selected or agreed upon by the Municipality.

Policy BW-29:

The development of all recreational facilities shall conform with the HRM Guidelines for Parkland Planning adopted by Council.

Policy BW-30:

Prior to any subdivision approval being granted, the developer shall prepare a recreation facilities plan for the development of ~~active and passive~~ recreational facilities for lands to be conveyed to the Municipality for parkland and open space dedication. The plan shall consider facility requirements in relation to present and future community needs, safety and convenience, environmental protection or enhancement, financial resources and phasing.

Policy BW-31:

*~~Sports fields and community playgrounds~~ **Community parks** are intended to be located on lands reserved for schools within the Institutional/Residential designation shown on Schedule BW-7. In the event that schools are not developed on these lands, the Municipality may require that ~~alternative these lands or portions thereof be reserved at suitable locations within the community concept plan area for community parks.~~*

Residential Neighbourhoods

The following objectives have been identified for residential development within this community:

- ☐ to plan neighbourhood development on a comprehensive basis;
- ☐ to support and integrate housing opportunities for a variety of income levels, lifestyles and age groups;
- ☐ to foster individual neighbourhood identities with attractive streetscapes and distinctive architectural and landscaping themes;
- ☐ to preserve natural drainage systems and areas of unique or sensitive terrain and vegetation and to encourage development designed to suit the natural terrain and reduce negative impacts on the natural environment;
- ☐ to provide attractive, **safe comfortable** and convenient routes for pedestrians and cyclists that connect with the community trail system, local commercial and community facilities and public transit stops;
- ☐ to provide neighbourhood parks at convenient locations that are **safe comfortable**, visible and **secure conform with the principals of crime prevention through environmental design (CPTED)**;

- ☐ to encourage innovative design within clearly defined performance criterion;
- ☐ to provide an effective integration with established neighbourhoods and to provide for adequate buffers from abutting commercial and industrial developments.

Policy BW-32:

The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation shown on Schedule BW-7:

- (a) the density of housing units shall not exceed six units per acre per Sub-Area except that if the maximum density permitted in one development Sub-Area is not achieved, the Municipality may consider transferring the difference between the maximum permitted and actual number of housing units to another development Sub-Area provided all policy criterion can be satisfied and the housing density does not exceed seven units per acre in any development Sub-Area;*
- (b) community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops;*
- (c) sidewalks and pathways facilitate **safe comfortable** and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services;*
- (d) the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists;*
- (e) a variety of housing types is provided within each Sub-Area and distributed so as to avoid a congested appearance of streetscapes. Consideration shall be given, but not limited, to the design guidelines of policies R-12A, R-12B and R-12C of the Municipal Planning Strategy, although the limitations placed on building height and units per building under policy R-12A shall not be applied;*
- (f) the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;*
- (g) building locations, height, scale, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian safety and compatibility with the natural environment;*

- (h) single unit dwelling lots have a minimum street frontage of 40 feet, a minimum area of 4,000 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings;*
- (i) natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a structure allowing for stacked parking shall be a mandatory component of the on-site parking supply;*
- (j) Vegetation is maintained or landscaping measures, a fence or other physical barrier provided so as to provide a buffer between new developments and commercial or industrial developments which is effective in ensuring public safety and mitigating visual or noise impacts;*
- (k) all open space/~~parkland~~ dedications proposed conform with the objectives and policies adopted for the ~~community parkland~~ open space under this secondary planning strategy and any administrative guidelines adopted by the Municipality; and*
- (l) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

The Community Commercial Centre

The Community Centre Designation envisions a built form with a diverse range of commercial, civic and residential activities. The following objectives are intended:

- ☐ to provide a focus for pedestrian oriented community and commercial activities with the community;
- ☐ to create a built form reminiscent of a town square or main street;
- ☐ to foster activities for all ages and a wide range of lifestyles in a safe and secure environment;
- ☐ to encourage innovative design and comprehensive planning;
- ☐ to support public transit.

Policy BW-33:

A range of community commercial, higher density residential, institutional, and recreational uses may be permitted within the Community Commercial Centre Designation shown on Schedule BW-7 subject to consideration of the following matters:

- (a) *preference is given to limiting parking or loading areas between a building and the Kearney Lake Road or the Community Collector Road and any buildings with commercial occupancies should be located in close proximity to the street line;*
- (b) *natural vegetation, landscaping or screening is employed around parking areas and measures are employed to provide safe and convenient pedestrian access to the buildings they are intended to serve;*
- (c) *sidewalks and plazas are provided so as to encourage a secure and inviting walking environment throughout the commercial centre and to neighbouring residential neighbourhoods;*
- (d) *provisions are made for the storage of bicycles;*
- (e) *exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;*
- (f) *the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;*
- (g) *the massing and height of buildings are consistent with and contribute to an pedestrian oriented environment;*
- (h) *the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

The Community Commercial Centre Designation might also be ideally located for public transit and park and ride facilities which could be utilized by residents of neighbouring subdivisions, such as Kingswood and Blue Mountain, where direct transit provision is not feasible.

Policy BW-34:

The Municipality may enter into an agreement to lease or purchase lands within the Community Commercial Centre Designation for public transit and park-and-ride facilities on either a temporary or permanent basis. Site preference will be given to lands directly abutting a Community Collector Road and from which access from Kearney Lake Road or the Community Collector Road could be conveniently and safely secured. Such facilities may include parking structures.

Institutional/Residential

Sites have been reserved along the Community Collector Roads for schools or other civic buildings **and parks**. In the event that they are not needed for institutional purposes, the sites may be developed with residential uses.

Policy BW-35:

*Lands designated Institutional ~~Residential~~ on Schedule BW-7 are intended for development of schools or other civic buildings, such as libraries or churches, which could benefit from being located on a collector road at central locations within the community, as well as community parks. No development agreement shall be entered into if notified by the Halifax Regional District School Board that such lands are required for a school site. This provision shall remain in effect until the greater of five years from the date of entering into a development agreement for the development Sub-Area in which the site is located or building permits have been granted for 90 percent of the lots within the development Sub-Area. In the event that the School Board or the Municipality does not acquire the site within this time frame, the property may be developed with alternative institutional uses or with residential developments that are compatible with established residential neighbourhoods and which conform with the requirements of **policiesy BW-31 and BW-32** provided that suitable sites for community parks are provided.*

The Mixed Use Business Campus

The Mixed Use Business Campus Designation which encompasses both private and municipal lands adjacent to the Hammonds Plains Road/Bicentennial Highway interchange are strategically located for businesses that produce goods and services and employment opportunities for the region. A campus style environment is envisioned where employment centres are integrated with public facilities and public spaces. In recognition of market uncertainties, residential developments may also be considered.

Objectives:

- ☐ to provide places of employment within the community that are easily accessible from the Community Collector Streets and Trail System and by public transit;
- ☐ to support a mixed use environment where opportunities are afforded to live and work in the same community;
- ☐ to create a setting where buildings and transportation systems networks are attractively integrated with the natural environment;
- ☐ to encourage business opportunities by adopting an efficient and flexible regulatory environment;
- ☐ to encourage innovative subdivision and community design;
- ☐ to support public transit provision.

Policy BW-36:

The Mixed Use Business Campus designation, illustrated on Schedule BW-7, shall support a wide range of businesses which produce goods and services, recreational uses, hotels, institutional facilities and park-and-ride facilities. Limited provisions shall be made for retail uses, personal and household services and restaurants and standards shall be established for landscaping, architectural design, signs, parking, loading areas and driveway access. A zone shall be established under the Land Use By-law to implement this intent but granting of a municipal development permit shall also be subject to site plan approval. The following matters shall be considered in any site plan approval application:

- (a) outdoor storage or outdoor display and sales shall be limited and any outdoor waste containers shall be screened;*
- (b) open spaces are integrated into the layout and where feasible, larger trees are retained;*
- (c) landscaping is introduced to all areas disturbed during construction;*
- (d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;*
- (e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;*
- (f) bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces;*
- (g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;*
- (h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and*
- (i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.*

Policy BW-37:

Residential developments may be considered by development agreement within the Mixed Use Business Campus Designation. Consideration will be given to policy BW-32.

Policy BW-38:

Existing lots with frontage on the Hammonds Plains, which are vacant or developed with single unit dwellings, shall be zoned RSU (Single Unit Dwelling) Zone under the Land Use By-law. No rezonings or development agreements shall be considered.

Sub-Area 9:

These lands drain towards the proposed sewage pumping station at the outlet of Kearney Lake and encompasses the proposed connector road between Kearney Lake Road and the new Larry Uteck Boulevard interchange with the Bicentennial Highway. Lands in the vicinity of the interchange may be suitable for both community commercial and highway commercial uses. The remaining lands may be developed with residential uses. The steep slopes offer challenges to integrating development with the natural environment and opportunities to take advantage of the vistas of Kearney Lake and the forested regions to the west. Comprehensive planning over larger properties is therefore supported with the opportunity for public input in the planning and design process.

There are also a number of narrow, smaller properties with frontage on the Kearney Lake Road - a number of which have been developed with residences serviced by well and septic systems. Municipal sewer and water systems proposed for surrounding lands will be designed to allow for extensions to these properties. The current zoning applied to these lands shall be reviewed before any extensions are considered.

Policy BW-39:

A comprehensive development district zone shall be applied to larger undeveloped parcels within Sub-Area 9. Commercial uses may be considered on lands in the vicinity of the proposed interchange with consideration given to the criteria of policy BW-33, except that clause (a) shall not apply. Residential uses may be permitted on the remaining lands with consideration given to the criteria of policy BW-32. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate collaboration in preparing a conceptual community design for the Sub-Area.

Policy BW-40:

The R-2 (Two Family Dwelling) Zone shall be applied to smaller parcels of land with frontage on the Kearney Lake Road. No municipal services shall be extended until such time as the zoning provisions have been reviewed in consultation with affected property owners. Such consultation shall also review the need to extend central services to these properties and the means of finance.

Sub-Areas 10, 11 and 12:

These current zoning provisions shall be maintained on these lands until such time as municipal services can be extended. When service extensions can be made, a comprehensive development

district zone shall be applied to all undeveloped lands within the Sub-Area to be serviced. Any future residential development shall be guided by the criterion of policy BW-32 and any commercial development shall be guided by policy BW-33 except that no commercial development shall be permitted within Sub-Area 11 unless the lands have frontage on the Kearney Lake Road.

Policy BW-41:

No municipal services shall be extended to existing developments within Sub-Areas 10, 11 and 12 until consultations have been held with affected property owners to determine:

(a) the need for amendments to existing policies under the Municipal Planning Strategy and zoning regulations under the Land Use By-law;

(b) the need for municipal services and a means of finance.

Policy BW-42:

*When municipal services are available for Sub-Areas 10, 11 or 12, a comprehensive development district zone may be applied to undeveloped properties within the Sub-Area to be serviced. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate collaboration in the preparation of a conceptual concept design for the entire Sub-Area. Any future residential development shall be guided by policy BW-32 and any commercial development shall be guided by policy BW-33. No commercial development shall be permitted within Sub-Area 11 **except for properties with frontage on Kearney Lake Road.***

PART 19A BEDFORD WEST BUSINESS CAMPUS (BWBC) ZONE

No development permit shall be issued on lands within the “A” Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

- a) Educational, research and development, and design facilities, excluding public schools;
- b) Laboratories and accessory research and processing facilities;
- c) offices
- e) Data processing and computer centres, including service and maintenance of electronic data processing equipment;
- f) Legal, medical, veterinarian, engineering, surveying, accounting, architectural, scientific and similar professional offices;
- g) Radio and television broadcasting stations as well as activities related to telecommunications research and development;
- h) Assembly, warehousing and distribution operations;
- i) Utility and public service facilities and uses needed to service the immediate vicinity;
- j) Recreational facilities;
- k) hotels and motels;
- l) Daycare and early childhood education centres;
- m) Special Care Facilities
- n) park and ride facilities
- o) ~~restaurants~~ **Restaurant Full-Service, Restaurant Take-Out**, and retail uses in association with any other permitted uses;
- p) Accessory buildings and use, including assembly operations limited to the development of prototypes, which are customarily incidental or specifically related to a principal permitted use are permitted.

No development permit shall be issued on lands within the “B” Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

- a) all uses permitted within the “A” Area;
- b) retail stores;
- c) food stores not exceeding 5,000 square feet of gross floor area per business;
- d) personal and household service shops
- e) medical, veterinary and health service clinics, except outdoor kennels associated with veterinary clinics;
- f) banks and financial institutions;
- g) dry cleaning depots;
- h) automotive service and supplies centre/outlet;

- i) welding, plumbing and heating, electrical and other trade contracting or sales and service shops
- j) outdoor display and sales, excluding automobile sales;
- k) funeral homes;
- l) amusement centres;
- m) garden markets;
- n) billiards and snooker clubs;
- o) full service, take out and drive through restaurants;
- p) commercial recreation uses such as fitness clubs and other similar recreation uses.

SUBDIVISION AND BUILDING REQUIREMENTS

In any Bedford West Business Campus (BWBC) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	43,560 sq.ft.(1 acre)
Maximum Lot Area for Area "B"	2 Hectares (5 Acres)
Minimum Lot Frontage	100 ft.
Minimum Front Yard or Flankage Yard	50 ft.
Minimum Rear Yard	20 ft.
Minimum Side Yard	20 ft.
Maximum Height of Building	52 ft.
Maximum Impervious Surface Coverage.....	75%

SPECIAL REQUIREMENTS

1. Restaurants and Retail Uses

Within the "A" Area, no restaurant or retail use shall occupy more than ten percent (10%) of the gross floor area of a building except that a restaurant in association with a hotel or motel may occupy a maximum of twenty percent (20%) of the gross floor area of a building

2. Height

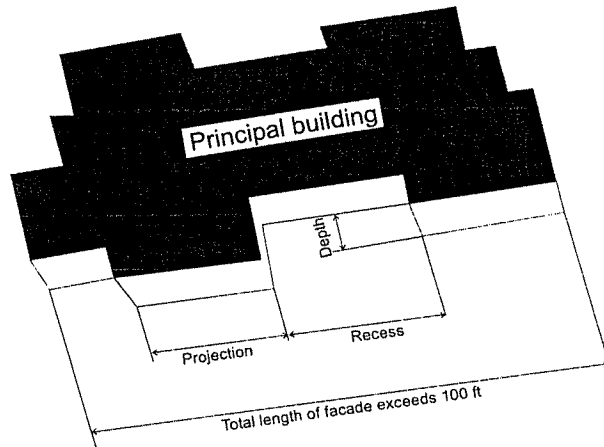
~~Maximum building height shall not apply to water towers;~~

The maximum height for hotels and motels within the "A" Area shall be 75 ft.

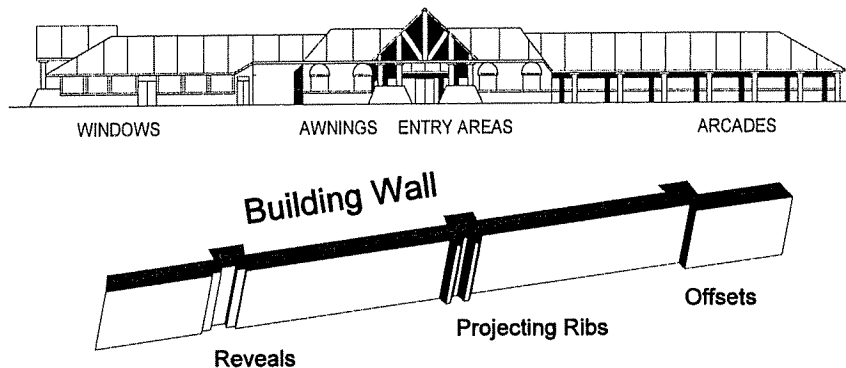
3. Architectural Requirements

- a) A combination of arcades, display windows, entry areas, awnings or other such features

shall be incorporated into all building facades along not less than 60% of their horizontal length facing a public street.



- b) No interrupted length of any facade facing a public street shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 horizontal metres (100 feet) in length, measured horizontally, having a depth of at least 3 of the length of the facade and extending at least 20% of the length of the facade.



- c) One clearly defined, visible entrance way shall be provided on the facade oriented to the public street shall be provided. The entrance way and front facade shall include no less than three of the following elements:
- (a) canopies or porticos
 - (b) overhangs
 - (c) recesses/projections
 - (d) arcades

- (e) raised corniced parapets over the door
- (f) peaked roof forms
- (g) outdoor patios
- (h) display windows
- (i) architectural details such as tile work, and moldings which are integrated into the building
- (j) integral planters or wing walls that incorporate landscaped areas and sitting places; and
- (k) or any other similar architectural treatment deemed to be an acceptable equivalent;

d) Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall to be screened (visually). The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

4. Landscaping

- a) A minimum of 25% of the property shall be landscaped. Landscaping shall include the retention of natural vegetation.
- b) At least 50% of the area between the street(s) and buildings shall be landscaped. Trimming and selective cutting of natural vegetation is permitted.
- c) A 15 foot landscape strip shall be installed along all street property lines, exclusive of driveways, walks and railroads rights-of-way. When the 15 foot landscape strip occurs between a parking area or vehicle manoeuvring area, loading area and the street, a landscape shrub screen of at least 50% opaqueness and a minimum of four feet in height within one year after installation is required. Mature trees at a maximum spacing of twenty feet may be substituted for or combined with a scrub screen. The landscaping may be calculated as part of the 25% landscaping requirement in (a) above.
- d) All other landscaped areas shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, walls made of natural materials, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minium of 45mm caliber) and three (3) shrubs per 4.6 metres (15 feet) of lot frontage. Tree Species from Appendix A shall be utilized. Planting of one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet of lot frontage shall reflect a natural setting thereby grouping of trees and shrubs is encouraged.
- e) Existing trees and shrubs ~~shall~~ **may** be incorporated into the 6.1 metres (20 **15** foot) landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet requirement specified under clause d).

5. Accessory Uses/Storage

- a) All permitted uses and accessory activities, including the storage of equipment or supplies used in any production or assembly shall be confined within an enclosed building. Accessory activities involving toxic or flammable products which cannot be located within an enclosed building shall be screened from view from all adjacent properties and public streets.
- b) External fuel storage tanks utilized as part of the heating equipment of an establishment or bulk storage of any materials used in any production or assembly shall be screened from view from all adjacent properties and public streets.
- c) All refuse shall be collected and stored in containers which shall be screened from view from all adjacent properties and public streets.
- d) Utility and public service facilities and uses need to service the immediate vicinity shall be screened from view from all adjacent properties and public streets.

6. Driveway Access

No use located within the "B" Area shall be permitted to have driveway access to the Hammonds Plains Road or to the Community Collector Road illustrated on Schedule I.

7. Parking

No parking spaces may be located within required yards, except that an area equivalent to not more than 50% of the total area of all required parking spaces may be located within a required yard for use as parking space for visitors, selected personnel and minor deliveries.

8. Loading

Notwithstanding the general loading space regulations in Part 5, Section 37, (General Provisions), the following shall apply:

- a) All loading must be on site and no on-street loading is permitted.
- b) Truck loading facilities shall be at the rear or side of the building and shall be screened from view from any adjacent residential property.
- c) Loading space areas, including driveways leading to such area, shall be paved with a dust free all-weather surface, be well drained and be of a strength adequate for the truck traffic expected.

9. Signage

Notwithstanding the general signage regulations in Part 5, Section 38, (General Provisions), the following shall apply:

- a) No more than two signs per business shall be permitted.
- b) Signs shall be restricted to advertising only the person, firm, company, or corporation operating the use conducted on the site or products sold therein.
- c) Signs shall have an area not to exceed one (1) square feet of surface for each one (1) foot of lineal frontage of building. However, no sign shall exceed one hundred (100) square feet per face.
- d) Signs shall be illuminated from the exterior.
- e) No more than one free-standing or ground mounted sign may be permitted per lot.
- f) Ground signs shall not exceed eight (16) feet above grade in vertical height and shall ~~not be erected in the first ten (10) feet, as measured from the property line, of any street setback~~ **be setback a minimal of 10 feet from any street line.**
- g) Businesses located in multiple tenant buildings may have a maximum of two (2) signs with a maximum of one (1) sign for each facade. Each sign shall not exceed an area equal to ten (10) percent of the business face upon which it is located. However, no sign shall exceed thirty-five (35) square feet in area.
- h) Directory listing signs: Detailed signs for multi-tenant buildings may list building tenants. The portion of the sign area devoted to such a listing shall be limited to 60% of the total permitted sign area, and the tenant listing shall be uniform in size, type, and lettering. It is understood, however, that tenant "logos" are permitted to be depicted on such signs, the size of the logo to be appropriate to the size of the sign lettering. Each sign shall not exceed twenty (20) feet in height.
- i) One **temporary** announcement/construction sign per lot is permitted **during active construction of building**. Announcement/construction signage shall not exceed 200 square feet in area per face ~~and shall be removed from the site at the time of issuance of permits for permanent signage.~~
- j) No signs shall be located on the roof of a building and billboards shall be prohibited.

Business Park Identification and Directory Signs

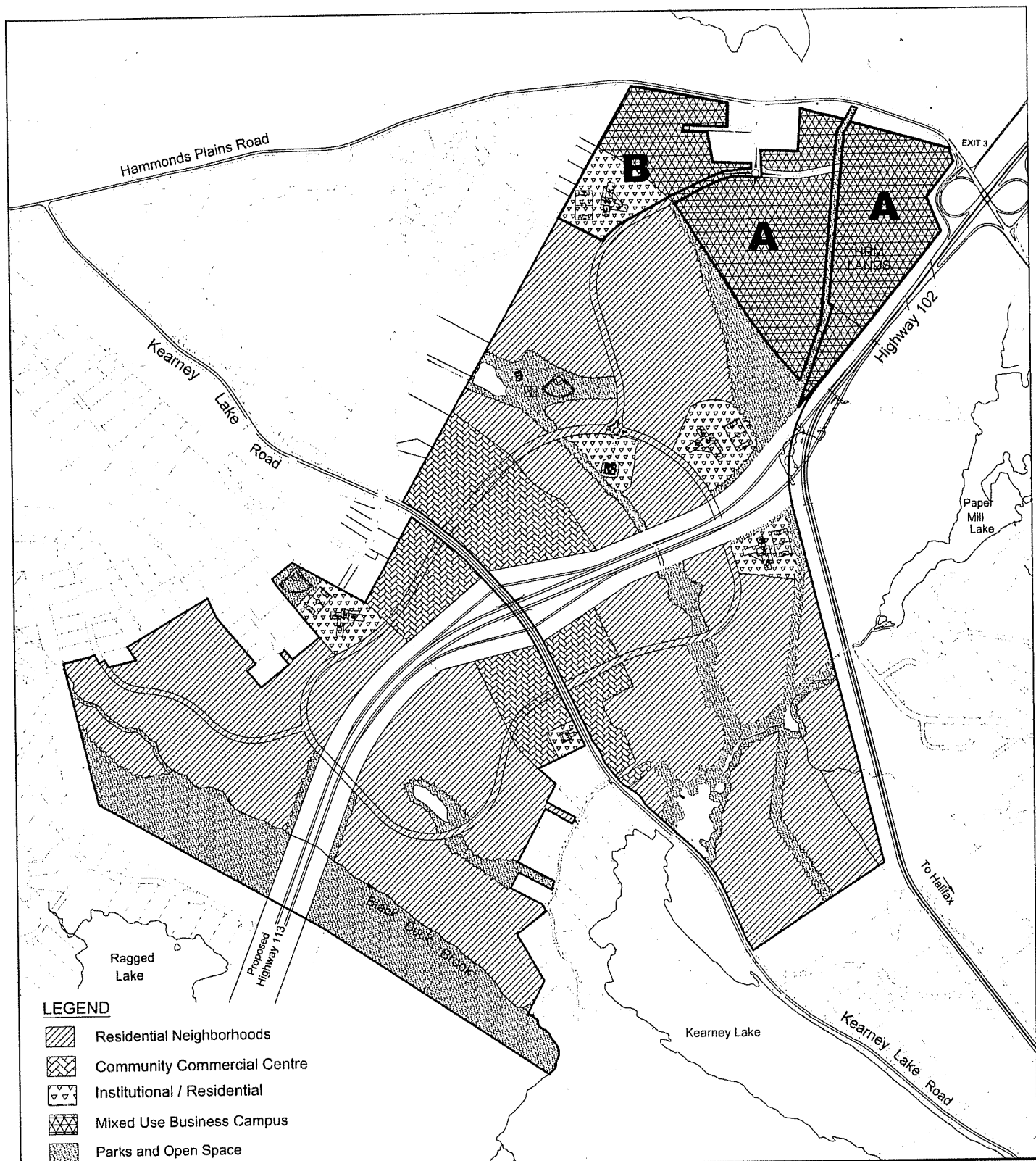
- k) Identification Sign: One identification sign with the park logo at each entrance or along each street abutting the boundaries of the tract shall be permitted. The maximum area of each sign face shall be one hundred and fifty (150) square feet.
- l) Directory Signs: Signs identifying companies in the research and development park shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign(s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.
- m) A map locator directory sign identifying companies in a research and development park shall be permitted. A maximum of two (2) such signs shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign (s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.

- n) Spaces on such directory signs allocated for company identification shall be of equal area, and letters and typeface must be of equal value and uniform throughout the sign.
- o) There shall be a maximum of two (2) directory signs.

10. Site Plan Approval

Site plan approval shall be required for any new development, **excluding internal renovation or change in occupancy with no external renovations**, within the Bedford West Business Campus (BWBC) Zone and no site plan approval shall be granted unless the following criterion are satisfied:

- a) no outdoor storage or outdoor display and sales shall be permitted within the "A" Area and any outdoor waste containers shall be screened in both Areas;
- b) open spaces are integrated into the layout and where feasible, larger trees are retained;
- c) landscaping is introduced to all areas disturbed during construction;
- d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;
- e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;
- f) bicycle storage facilities are provided near the main entrances to the building or in designated public spaces;
- g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;
- h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and
- i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.



COMMUNITY CONCEPT PLAN **BEDFORD WEST**

SCHEDULE I

FEBRUARY, 2006



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

MEMORANDUM

TO: North West Planning Advisory Committee

CC: Bedford West Public Participation Committee

FROM: Paul Morgan, Planner

DATE: February 20, 2006

SUBJECT: Bedford West Secondary Planning Strategy and Business Campus Zone

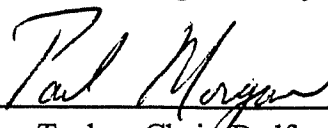
Attached for your consideration are the following materials:

1. Report to North West Planning Advisory Committee from Anthony Tucker, Chair of the Bedford West Public Participation Committee, dated February 17, 2006 with attachments:
 - (a) Bedford West Study Area Boundary
 - (b) Studies Reviewed by the Bedford West Public Participation Committee
 - (c) The Bedford West Secondary Planning Strategy (10th Draft: December 2005)
 - (d) Bedford West Business Campus Zone (10th Draft: December 2005)
2. Correspondence from Kevin Riles, President and Chief Executive Officer of Caohmin Consulting, to Paul Morgan, dated April 15, 2005.
3. Correspondence from Kevin Riles to Paul Dunphy, Director of Planning & Development, dated October 3, 2005.
4. Correspondence from Paul Morgan to Kevin Riles, dated October 17, 2005.
5. Correspondence from Kevin Riles to Paul Morgan, dated October 28, 2005.
6. Correspondence from Maureen Donovan, President of the Dakin Company Ltd., dated November 2, 2005.
7. Correspondence from J. Michael Hanusiak, Sr. Vice President & General Manager of Clayton Developments Ltd., to Paul Morgan, dated January 4, 2006.
8. Correspondence from Robert MacPherson, Vice President of Development, Kimberly-Lloyd Developments, to Paul Morgan, dated January 11, 2006 (map attached)
9. Correspondence from Paul Morgan to Robert MacPherson, dated February 10, 2006 with attachments.
10. Correspondence from Paul Morgan to Mike Hanusiak, dated February 20, 2006 with attached Information Report to Regional Council, dated February 8, 2006, Re: Timberlea, Lakeside, Beechville Service Boundary and Bedford West Master Plan.
11. Plans Received from Beanini & Associates for (i) a special care residence for 30 persons in three buildings at 400 Hammonds Plains Rd. and (ii) an alternative proposal for special care residence for 30 perons in one building on the same property.

Regional Planning
Halifax Ferry Terminal

**North West P.A.C.
March 1, 2006**

TO: North West Planning Advisory Committee

SUBMITTED BY: 
for Anthony Tucker, Chair, Bedford West Public Participation Committee

DATE: February 17, 2006

SUBJECT: Bedford West Secondary Planning Strategy

ORIGIN

At the February 23, 2003 session, Regional Council approved the terms of reference, the study area boundary and a public participation program for the Bedford West Master Planning Study. Under the public participation program, the Bedford West Public Participation Committee was established. In accordance with its mandate, the committee has prepared policies and regulations which would guide future development within the study area.

The policies would be adopted as secondary planning strategies within each of the three community planning strategies which govern the study area (Bedford, Halifax and Beaver Bank, Hammonds Plains and Upper Sackville). Approval by Regional Council will be required. The proposal is brought before this committee for review and recommendation to the North West Community Council.

RECOMMENDATION

It is recommended that:

1. the draft Bedford West Secondary Planning Strategy, presented as Attachment C to this report and the Bedford West Business Campus Zone, presented as Attachment D, be recommended for approval by Regional Council;
2. an area advisory committee be established for Bedford West with terms of reference similar to the Paper Mill Lake Advisory Committee; and
3. a neighbourhood park dedication within the Bedford West Master Plan Area be named in honour of Grant Mosher, a former member of the Bedford West Public Participation Committee.

BACKGROUND

At the February 23, 2003 session of Regional Council, the terms of reference and the boundaries of the Bedford West master plan study were approved. The study area boundary is illustrated on Attachment A and the terms of reference are reproduced on pages 1 and 3 of Attachment C¹. Council also approved the establishment of a public participation committee with four representatives from the Bedford Polling District and two representatives from each of Prince's Lodge/Clayton Park and Hammonds Plains Polling Districts. The Committee was given the following responsibilities:

- *Ensure that members of the public have adequate opportunities to participate in the Bedford West master planning study;*
- *Chair all public meetings;*
- *Collaborate in negotiations with the land owners and municipal staff in the preparation of the master plan;*
- *Provide advice on any amendments to planning and regulatory documents put forward for approval as a consequence of the master planning study; and*
- *Confer with the Municipality's Regional Planning Citizen Advisory Committee.*

Since it's first meeting on June 9th, 2003, the Committee has:

- chaired three public meetings;
- held thirteen meetings of which two were all day workshops;
- reviewed various studies submitted by Annapolis Group in support of development in the area. A list of studies reviewed is presented as Attachment B.
- collaborated with land owners within the study area and planning staff in the undertaking a master planning process in accordance with the terms of reference; and
- provided advice on the policy and regulatory documents that have been prepared to guide future development within the study area.
- presented a draft of the proposed secondary planning strategy to the Municipality's Regional

¹ Further detail can be found in the Staff Report to Regional Council Re: Bedford West Master Plan (Project 00382), dated January 17, 2003 and discussed at the February 25, 2003 session of Regional Council.

Planning Committee (the RPC) in July, 2005. The RPC unanimously approved a motion that the proposal was consistent with the draft regional planning strategy.

In accordance with the mandate of this committee, the public participation committee is presenting the most recent draft of the Bedford West Secondary Planning Strategy for review and recommendation to the North West Community Council. The three community councils have agreed to hold a joint meeting to review the documents and then each will make a separate recommendation to Regional Council.

DISCUSSION

Public Consultations:

A series of three public meetings were held in which each meeting focussed on one of three themes: land use planning (February 16, 2004 meeting); transportation issues (April 15, 2004); and environmental issues (June 10, 2004). Minutes of these meetings are available upon request. At each of the meetings, presentations were made by planning staff and representatives of Annapolis Group - the major property owner in the study area - followed by an opportunity for members of the public to comment and ask questions. The committee is satisfied that all members of the public in attendance had a fair opportunity to be heard.

Committee meetings were also open to members of the public. Several property owners within the study area regularly attended meetings and actively participated in deliberations. The committee is satisfied that any property owner within the study area had the opportunity to be heard and collaborate in preparing the policy and regulatory documents.

The Secondary Planning Strategy:

The Bedford West master plan study area approved by Council encompasses over 2,700 acres which represents an area of over four times the Bedford South study area and over twice the size of Morris-Russell Lake study area. The committee has recommended that two sub-areas not be considered for serviced development. These areas are illustrated on Attachment A as Areas 2B which encompasses 203 acres and 5B with 576 acres. A significant ridge divides these areas from the remainder of the study area which makes servicing these lands difficult. The remaining lands have an area of approximately 2,000 acres.

The Committee has worked with staff and property owners in preparing a comprehensive policy set to guide future development of this area. The document, entitled *The Bedford West Secondary Planning Strategy* is presented as Attachment C to this report. As the study area encompasses lands governed by three municipal planning strategies (Bedford, Halifax and Hammonds Plains, Beaver Bank and Upper Sackville), this secondary planning strategy would be included as a chapter in all three documents.

The secondary planning strategy is divided into three themes: environmental protection, municipal

services, and land use. The following is highlighted (policy references from the secondary planning strategy are presented in brackets).

Environmental Protection:

- a water quality program must be approved under the terms of a development agreement application for all developments within the Paper Mill Lake Watershed. This requirement would extend to development agreement applications outside the Bedford West Secondary Plan Area which are within the watershed unless granted an exemption by the local community councils (policies BW-3 and BW-4). Acceptance of a master stormwater management plan would also be required as a condition of municipal approvals (BW-1).
- No grade alterations or removal of vegetation are permitted within 100 feet of Kearney Lake, Kearney Lake Run or Black Duck Brook or within 50 feet of any other watercourse except to allow for trail systems and transportation crossings unless a management plan has been prepared (BW-7 and BW-9). Most of the lands around these watercourses are proposed to be included in public open space dedications.
- Tree replanting programs must be incorporated into development agreements (BW-10)

Municipal Services:

- Schematics of the main components of the water distribution system, the sanitary sewer system and the road network have been agreed upon and included in the policy statements (BW-14, BW-15 and BW-17). A trail system is also proposed (BW-17).
- A collector road has been designed which facilitates an efficient public transit service within the Bedford West community and strong connection with the surrounding region. Integration with any future regional transit system, whether bus rapid transit, fast ferry service or commuter rail, could easily be accommodated.
- A phasing plan is established with conditions under which each sub-area can develop (BW-20).
- Infrastructure charges for the cost recovery of new infrastructure needed to service development within the secondary plan area must be approved by Regional Council before any subdivision approvals may be granted (BW-21).

Land Use:

- A community concept plan has been prepared for the lands of Annapolis Group Ltd. - the largest property owner within this secondary plan area - which provides guidance for future land use allocation. The plan, presented on page 19 of Attachment G, illustrates the major parks and open space areas, residential neighbourhoods, a community commercial centre, sites for schools and other institutions, and a business campus.

- With the exception of the business campus, a community council must approve a development agreement for any development proposed within the community concept plan area. Policy criteria for development agreement applications are established for residential neighbourhoods under policy BW-32, the community commercial centre under policy BW-33 and the institutional/residential designation under BW-35.
- The policies emphasize creating a mixed used environment which supports and encourages public transit, pedestrians and cyclists, providing a variety of housing types and preserving significant natural features and environmentally sensitive areas while providing developers with flexibility to respond to changing market demands over time.
- Emphasis is placed on creating a pedestrian oriented environment within the Community Commercial Centre with specific policy measures such as encouraging buildings near the street line and limiting parking between building facades and the street
- The business campus lands are intended to create an employment centre which is easily accessible to the Bicentennial Highway via the Hammonds Plains Road interchange and which is not only in close proximity to the new Bedford West community being created but also to the surrounding communities. The Municipality owns 50 acres of these lands which had originally been purchased by the Town of Bedford. A new Bedford West Business Campus Zone, presented as Attachment D, is to be applied to these lands. The zone has provisions for site plan approval which allows for flexibility in achieving municipal objectives while providing relatively quick approvals when business opportunities arise. It should be noted that the zone does not support another commercial district. Commercial uses are restricted to a limited portion of the park.
- Guidance is provided for future development of the remaining sub-areas within the secondary plan area (BW-39, BW-40 and BW-41). In similar fashion to the Annapolis lands, a public participation process must be undertaken to prepare a master plan for the sub-area. Once this is done, a comprehensive development district must be applied and a development agreement approved by the local community council.

An Area Advisory Committee

The public participation committee is recommending to the applicable Community Council that an area advisory committee be established for Bedford West with terms of reference similar to that established for the Paper Mill Lake Advisory Committee (PMLAC). The primary purpose of the PMLAC is to allow citizens of the community to work with developers to monitor the development process, identify any problems that may arise and collaborate in resolving conflicts.

The PMLAC is composed of volunteer residents, municipal staff and representatives of developers. In the early stages it may be necessary to allow for membership from outside the Bedford West

community but in due course only residents from the community would serve. Upon completion of all development within the master plan area, this committee might evolve into a residents association with a mandate of providing stewardship on protecting the environment and working with municipal staff to resolve community issues that may arise from time to time.

A Neighbourhood Park Dedication

Grant Mosher was selected by the North West Community Council as a representative on the public participation committee. Grant also owned a landscaping business in the Atlantic Acres Business Park. On December 10th 2004, Grant passed away. The committee is recommending that a neighbourhood park be named in honour of his commitment to the community.

ALTERNATIVES

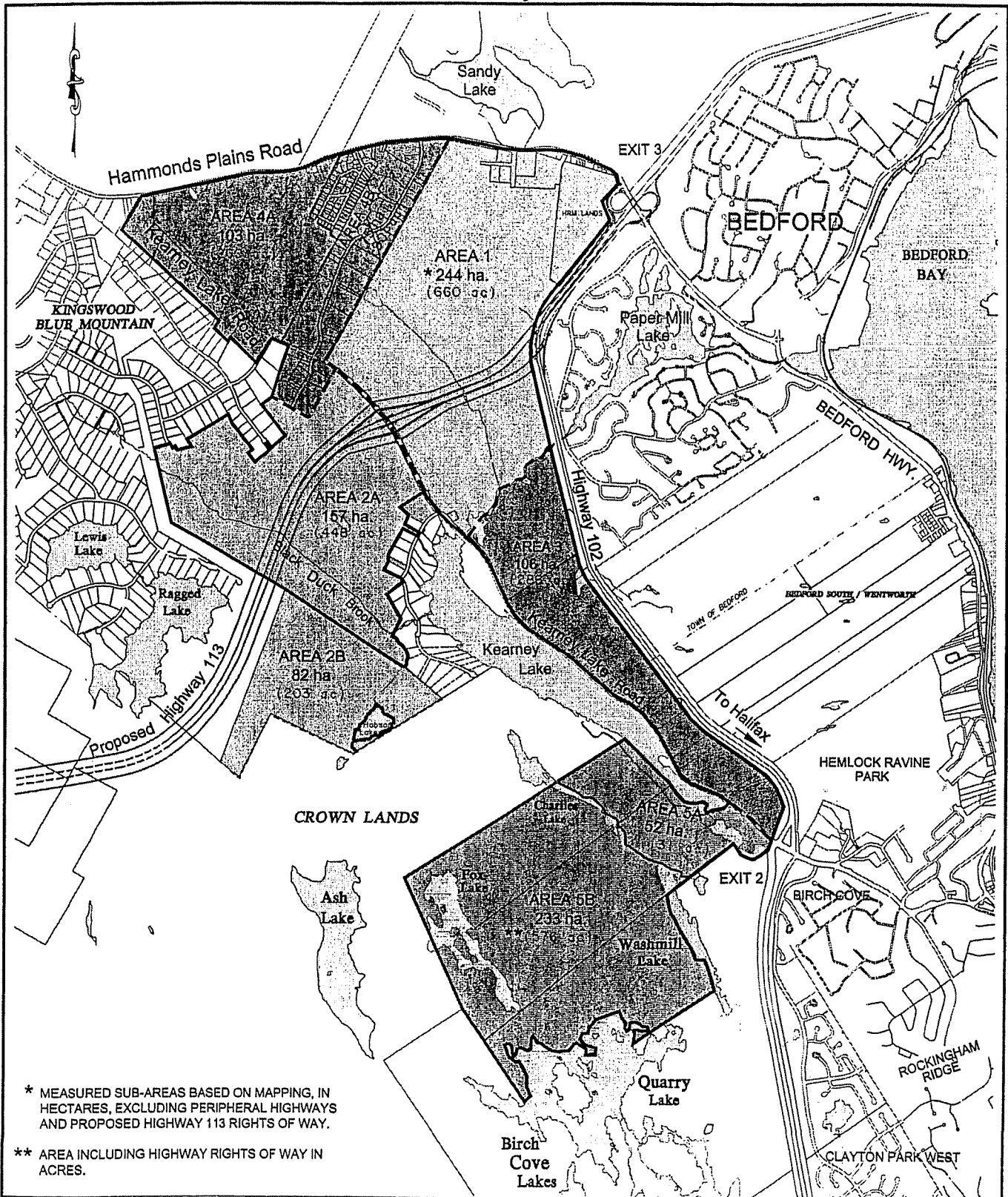
1. Accept the recommendations of the Public Participation Committee.
2. Request that the public participation committee consider certain matters further. If this option is chosen, specific direction should be given regarding the matters to be considered.

ATTACHMENTS

- A Bedford West Study Area Boundary
- B Studies Reviewed by the Bedford West Public Participation Committee
- C The Bedford West Secondary Planning Strategy (10th Draft: December 2005)
- D Bedford West Business Campus Zone (10th Draft: December 2005)

Report Prepared by: Paul Morgan, Planner, Regional Planning (tel: 490-4482)

Attachment A: Study Area Boundaries



BEDFORD WEST STUDY AREA

Studies Reviewed by the Bedford West Public Participation Committee

Delphi - MRC.. *Bedford West Master Plan: Transportation Study*. (December 2003).

SGE Acres. *Bedford Dams Comprehensive Review*. (final report: October, 2003)

SGE Acres. *Bedford West Stormwater Management Pre-Design Brief*. (March 2004).

R.S. Scott and W.C. Hart of Dalhousie University Centre for Water Resource Studies (CWRS).
*Water Quality Impact Assessment of Water Bodies Contained in the Bedford West Planning Area
using a Phosphorous Loading Model Approach* (April 28 2004)

Jacques Whitford . *Bedford West Planning Area Subwatershed Management Plan* (May, 2004).

SGE Acres. *Bedford West Stormwater Management Report*. (May 2004)

THE BEDFORD WEST SECONDARY PLANNING STRATEGY

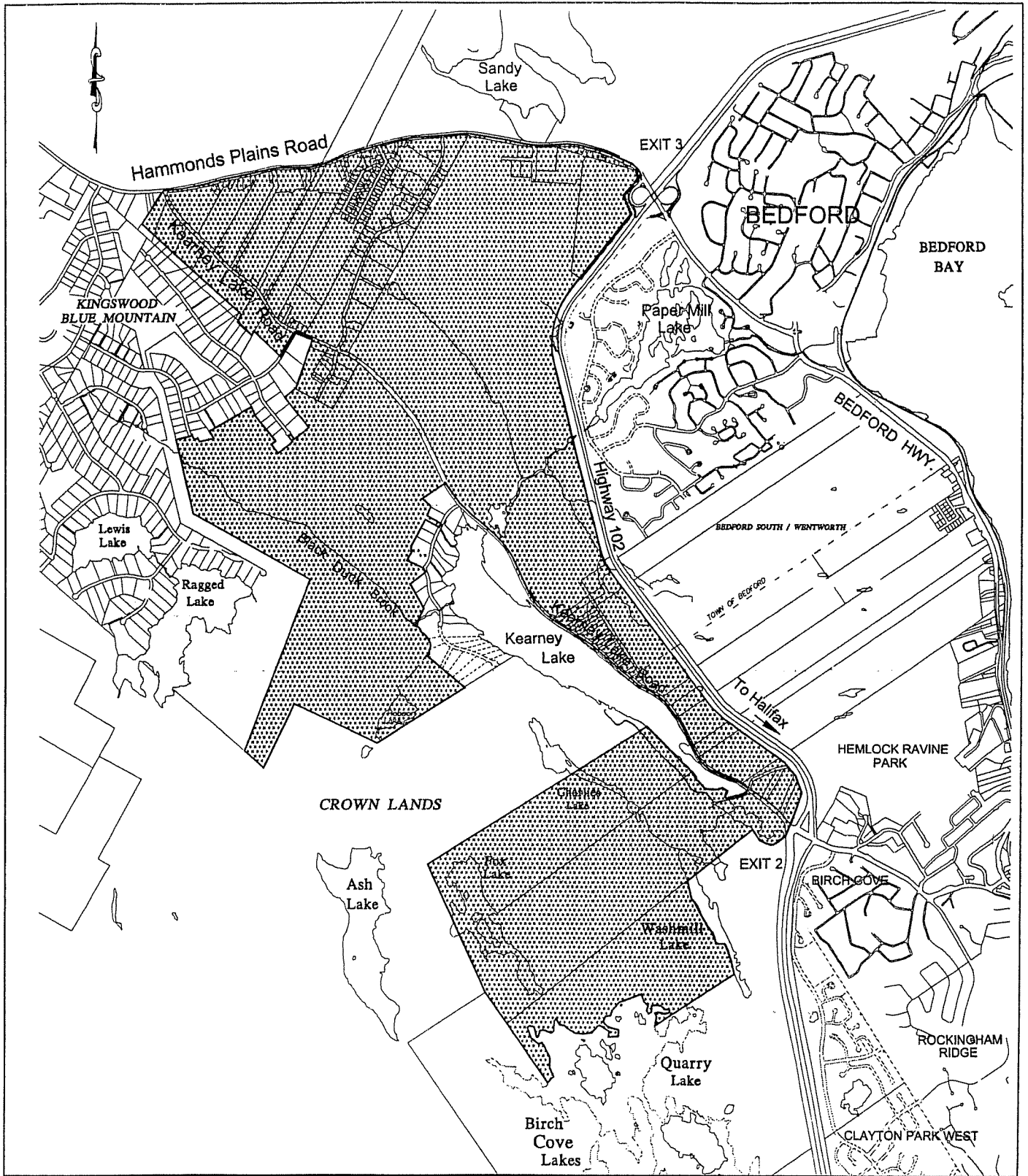
Background

In 2002, Regional Council directed that a master planning study be undertaken on lands on the west side of the Bicentennial Highway, in the vicinity of Hammonds Plains Road and Kearney Lake Road. The study was initiated in response to requests from two property owners to allow for development on municipal sewer and water services. Annapolis Group Ltd. owned approximately 1,200 acres and proposed to develop a comprehensively planned community while several family members requested municipal approvals to allow for a further 40 acre expansion of Peerless Subdivision with single unit dwellings.

In 2003, Council approved a study area boundary, study terms of reference and a public participation program¹. The study area boundaries, encompassing a total area of approximately 2,600 acres, are illustrated on Schedule BW-1. The terms of reference were to prepare conceptual community plans which:

- ☐ anticipate future community needs having regard for trends in demographics, housing affordability, building technologies, economics and social issues with specific consideration given to how the community proposed could fulfill a role in responding to needs within a regional context;
- ☐ integrate design with established neighbouring communities in terms of the natural and man made environment;
- ☐ reduce travel time and energy requirements, encourage the use of public transit, pedestrian and cycling facilities and enhance public safety through innovative integration of land use components with the transportation and open space systems;
- ☐ preserve sensitive environmental areas and unique cultural features and respond to the opportunities and constraints imposed by the environment;
- ☐ maintain adequate service levels for municipal infrastructure (sanitary sewer, storm drainage, potable water and road systems) both within the area of new development and off-site while minimizing costs to all parties;
- ☐ allow for design flexibility in recognition of future changes to external circumstances/market conditions;

¹ Details can be found in a staff report re: Bedford West Master Plan (Project 00382), dated January 17, 2003 and presented at the February 25, 2003 session of Regional Council.



STUDY AREA
BEDFORD WEST

SCHEDULE BW-1

MARCH, 2005

- ☐ minimize future demands on the Municipality's fiscal resources (capital and operating budgets) and provide fair and predictable cost-sharing of community infrastructure costs between the Municipality and individual property owners in terms of division and timing in accordance with the Municipality's Capital Cost Contribution Policy;
- ☐ provide policy guidance for more detailed negotiations with property owners/developers with specific consideration given to phasing of development with associated community infrastructure and the responsibilities of each party (property owners/developers and the Municipality).

A public participation committee was appointed with citizen representatives from Bedford, Hammonds Plains, and Prince's Lodge/Clayton Park. The committee's mandate was to ensure the public had opportunities to express opinions; collaborate with staff and developers in preparation of a plan; provide advice on policy and regulatory documents proposed; and confer with the Regional Planning Advisory Committee (the RPC).

The Bedford West master planning study was undertaken while a regional planning program that was being prepared under the supervision of the RPC. This secondary planning strategy has therefore been prepared in accordance with the master plan study terms of reference established by Council and in conformity with all relevant regional plan policies being proposed.

Environmental Protection

Lakes and Watercourses

A vast majority of the study area is within Paper Mill Lake watershed which includes Washmill Lake, Quarry Lake and Suzie Lake. Dam structures control water elevations at the outlets of Paper Mill Lake, Kearney Lake and Quarry Lake. The dams which remain under the ownership of Annapolis Group have historically been used for power generation at a turbine on Moirs Mills. Today, the lakes are used for various recreational activities such as swimming, fishing and boating - activities which are highly valued by the surrounding communities and which are dependent upon maintenance of the dams.

Annapolis Group has entered into negotiations with the Province pertaining to the upgrading of the dams and has proposed that control gates be introduced for flood control and storm water management purposes. Two studies: *Bedford Dams Comprehensive Review* (SGE Acres, October 2003) and *Bedford West Stormwater Management Pre-Design Brief* (SGE Acres, March 2004) were submitted by Annapolis to the Province in support of this proposal.

The Municipality supports preservation of the dams and the introduction of flow control mechanisms which reduce flood risks and which further good stormwater management practices provided that lake levels are maintained within ranges needed to sustain recreation activities and maintain shoreline aesthetic. Municipal support is also contingent upon an acceptable ownership plan be reached to ensure proper long term operation and maintenance of the dams.

Annapolis Group also had two further studies prepared in support of its development proposal: *Water Quality Assessment of Water Bodies Contained in the Bedford West Planning Area Using a Phosphorous Loading Model Approach* (Dalhousie University Centre for Water Resource Studies, April 2004) and *Bedford West Planning Area: Subwatershed Management Plan* (Jacques Whitford, May 2004).

The first study concluded that best management practices may be needed both during development and afterward to maintain a water quality in the lakes that is satisfactory for recreational activities. Leaching from septic fields from existing development in adjacent areas may also contribute to phosphorous loading and mitigative measures may be needed over the long term. The study recommended that a monitoring program be established on lakes throughout the watershed.

The Jacques Whitford study examined the characteristics of the watershed and the proposed development and prepared guidance for more detailed stormwater management plans.

Objectives:

- ☐ to undertake storm water management planning on a watershed basis with community design based on natural drainage patterns;
- ☐ to prevent flooding of properties and safeguard flood plains;
- ☐ to preserve the water quality of lakes and rivers;
- ☐ to preserve groundwater flows;
- ☐ to support regional initiatives in solid waste recovery, Halifax Harbour remediation and watershed management.

Policy BW-1:

No development agreement shall be approved unless a master storm water management plan has been prepared, reviewed by the Bedford Waters Advisory Board and accepted by the Municipality. The management plan shall:

- (a) identify significant constraints and sensitivities with regard to flood potential, and environmental features and provide appropriate protection measures;*
- (b) provide estimates of pre-development and post development flow rates (where post development flow rate means the expected flow rates upon full build out of an area as permitted by the development agreement) at critical locations within watercourses such as at culverts and other road crossings and at downstream developments;*
- (c) outline the type and location of storm water management facilities and the approach to protecting receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of groundwater flows; and*

- (d) *conform with the recommendations of the Bedford West Planning Area Subwatershed Management Plan (Jacques Whitford: May 2004) unless otherwise acceptable to the Municipality and the Province.*

Policy BW-2:

No subdivision approvals shall be granted unless the detailed design specifications conform with the master stormwater management plan approved under policy BW-1.

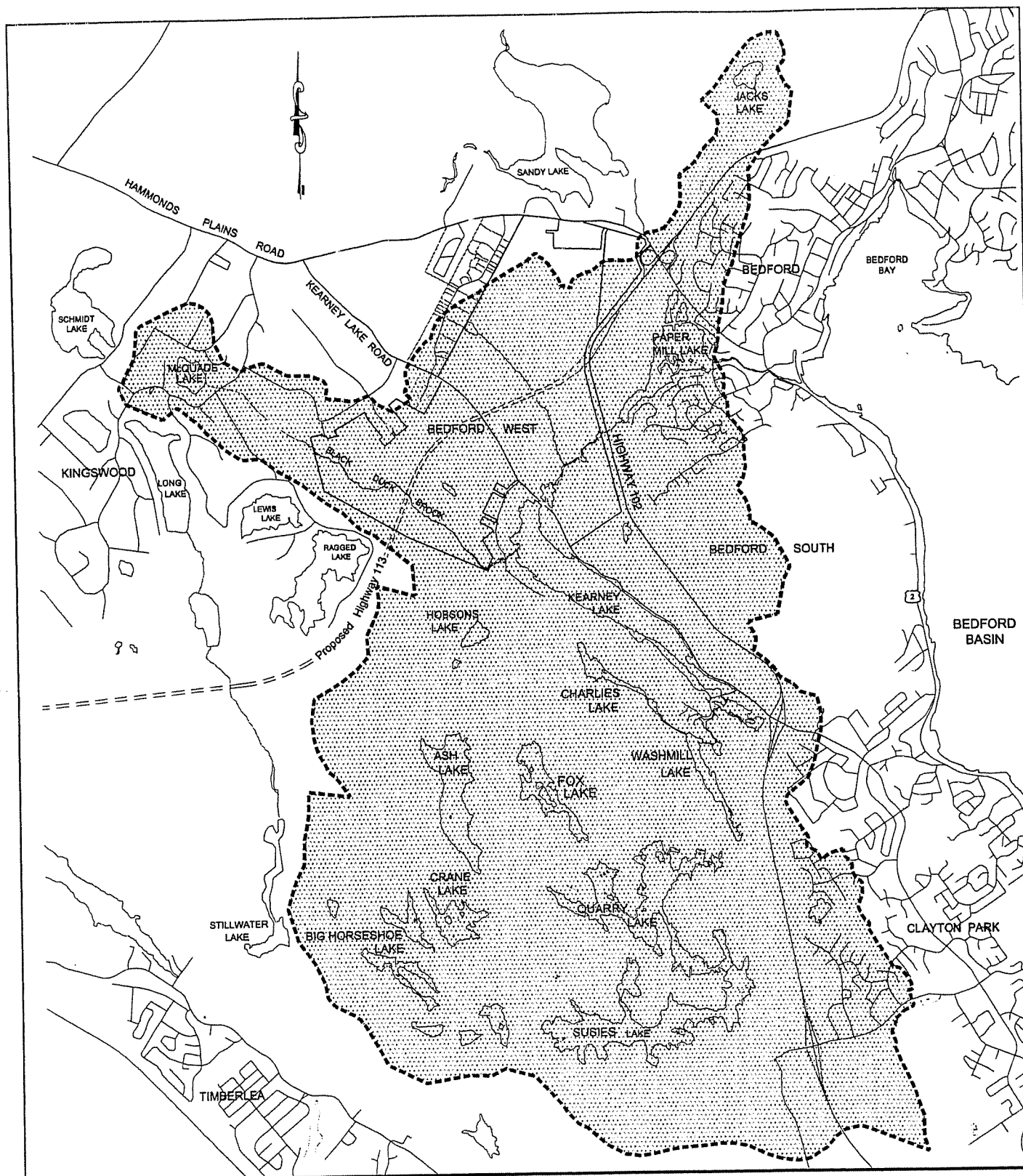
Policy BW-3:

A water quality monitoring program shall be undertaken for the Paper Mill Lake watershed, illustrated on Schedule BW-2 to track the eutrophication process. The program is to be designed and undertaken by qualified persons financed in whole or in part by developers within the watershed area. Specifics of the program are to be negotiated under the terms of a development agreement in consultation with the Bedford Watershed Advisory Board. The monitoring program shall:

- (a) *specify the duration of monitoring for the pre-construction, construction and post-construction phases of development. Pre-construction phase means a period of time before construction activity starts. Post-construction phase means a period of time that commences at full build out of the area permitted by a development agreement. Construction phase means the full time period between the pre-construction and post-construction phase);*
- (b) *specify the physical and chemical water quality indicators to be measured, the location and frequency of testing and the format of submissions to the Municipality in each phase referenced under clause (a);*
- (c) *establish physical and chemical water quality indicator threshold levels for the recreational uses of the lakes which would be used as a basis for reevaluating watershed management controls and future development potential within the area;*
- (d) *conform with all water quality policies, specifications, protocols and review and approval procedures approved by Regional Council.*

Policy BW-4:

Where the Community Council is satisfied that a development agreement application has been made for a development proposal which could not be reasonably expected to impact the quality of water within the Paper Mill Lake watershed, the requirements of policy BW-3 may be waived.



**PAPERMILL LAKE WATERSHED
BEDFORD WEST**

SCHEDULE BW-2

MARCH, 2005

The Community Council shall seek the advice of the Bedford Watershed Advisory Board before granting any waiver.

Policy BW-5:

In the event that water quality threshold levels, as specified under clause (c) of policy BW-3, for Paper Mill Lake or Kearney Lake are reached, the Municipality shall review all land use policies contained herein and determine an appropriate course of action respecting watershed management and future land use development in the area. Water quality thresholds shall be made available to the public.

Policy BW-6:

No stormwater shall be discharged directly into any natural watercourse without the use of mitigative measures as stipulated in under the stormwater management plan and in accordance with municipal and provincial guidelines.

Policy BW-7:

No development, grade alteration, excavation, fill, pavement or removal of natural vegetation shall be permitted within one hundred (100) feet of the high water mark, or within the limits of any 1 in 20 year flood plain of Kearney Lake, Kearney Lake Run or Black Duck Brook or within fifty (50) feet of the high water mark of any other watercourse, or within the limits of any 1 in 20 year flood plain of any watercourse, except as provided for by development agreement in accordance with an approved water management plan approved pursuant to the provisions of policy BW-9 or as provided to allow for trail systems, transportation crossings or utilities. The setback reduction provisions of policies E-4 and E-8 of the Bedford Municipal Planning Strategy shall apply to all lands within the Bedford West Secondary Plan Area.

Preservation of Trees and Environmentally Significant Features:

Objectives:

- ☐ to identify, preserve and maintain significant environmental features;
- ☐ to protect riparian buffer areas around lakes and watercourses;
- ☐ to minimize site disturbance, maximize tree retention and to restore trees over area which have been disturbed by development activities

Policy BW-8:

No development agreement shall be entered into over lands on which trees have been removed except:

- (a) as may be required for a bonafide land survey;

- (b) to satisfy any provincial or federal requirements; or
- (c) where, in the opinion of Council, the extent of such cutting would not preclude achieving the three objectives stated above.

Policy BW-9:

Within any watercourse protection setback established under policy BW-7, no vegetation or soil shall be removed or altered unless a management plan has been approved to provide for restoration of vegetation, shoreline access paths, habitat management, safety and welfare or shoreline recreation where such provisions may be made without adversely affecting the primary purpose of preserving water quality in the lake. Any study or management plan submitted pursuant to this clause shall be prepared by a person qualified to make the required determinations and an approval procedure shall be established under the terms of a development agreement.

Policy BW-10:

Wetlands, lakes, watercourses, endangered species habitat and any other features of environmental significance shall be delineated as non-disturbance areas under development agreements. Non-disturbance areas shall be located to allow for continuity of non-disturbance areas on abutting lots, municipal parkland and open space dedications, and natural areas adjacent to watercourses.

Policy BW-11:

A tree replanting program shall be incorporated into development agreements. The program shall specify the locations, number, type and diameter of trees to be planted. The type of trees shall be indigenous to Nova Scotia.

Policy BW-12:

Development of major land areas on slopes in excess of twenty-five percent (25%) shall be prohibited under any development agreement except where it can be demonstrated that such development would not create any hazard and could better preserve open spaces or areas of environmental value.

Policy BW-13:

The Municipality may allow for modifications to the service system specifications adopted under subdivision regulations where such modifications would enhance the ability to preserve the natural environment without compromising the intended objectives of the service systems.

Municipal Services

The feasibility of servicing the Bedford West area was examined and compared to ten other potential development areas around the metropolitan area under the regional planning program. A study concluded that Bedford West was one of two study areas with minimal constraints to development and had low servicing costs per acre².

Servicing costs were deemed low because there was already considerable infrastructure in the area which could be utilized for new development. The transmission main from the Pockwock Lake water supply to Halifax extends along Kearney Lake Road making a potable water supply readily available. Halifax Regional Water Commission had previously commissioned a study to determine infrastructure needed to service this area³.

Traffic from Bedford West is easily accessible to the Bicentennial Highway - a principle arterial road for the region - via interchanges at the Hammonds Plains Road and Kearney Lake Road and from a future interchange proposed with Larry Uteck Boulevard. Annapolis Group Ltd., the major land owner within the Bedford West study area, prepared a transportation plan which concluded that minimal investment in transportation infrastructure would be required by the Municipality to facilitate development of this area⁴. The study identified transportation upgrades needed and a phasing plan.

Through the regional planning program, the Municipality has sought to encourage alternative transportation modes to the automobile. Bedford West is well situated to integrate with regional transit and trail systems and consideration was given to how the community could be designed to take advantage of these attributes.

Bedford West could be connected to either the municipal sanitary collection sewer system which is discharged to Mill Cove treatment plant or to the system which will discharge to the new Halifax treatment plant. In both instances, sewage would have to be pumped to existing gravity mains in the Hammonds Plains Road (discharging to Mill Cove) or in Kearney Lake Road (Halifax system). Careful consideration was given to available capacities for new development when allocating sewage flow from Bedford West to each of these systems.

A development phasing plan has been developed which integrates various servicing needs and, in accordance with the Municipality's capital cost contribution policy, an infrastructure charge area will be established under the subdivision by-law to recover the costs of infrastructure needed to accommodate new development.

² CBCL Ltd. & Marshall Macklin Monaghan. *Final Report: Greenfield Areas Servicing Analysis Report*. Prepared for Halifax Regional Municipality. July 2004.

³ CBCL Ltd. *Birch Cove North/Bedford West Water Infrastructure Master Plan*. Prepared for Halifax Regional Water Commission. February 1999.

⁴MRC Delphi. *Bedford West Master Plan: Transportation Study*. February 2004.

Objectives:

- ☐ to ensure that the municipal servicing systems are designed to satisfy the ultimate demands anticipated from this community and that services are phased with development to provide satisfactory service levels at all times;
- ☐ to employ service standards that are economical and innovative, and that achieve municipal objectives and policies, including public safety, healthy lifestyles and environmental protection;
- ☐ to safeguard the capacity of the Halifax and Mill Cove sewage treatment plants;
- ☐ to facilitate the safe and convenient movement of pedestrians and cyclists within the community and to surrounding neighbourhoods;
- ☐ to allow for a convenient and cost efficient public transit system that can provide a high level of service to residents in the community and which can integrate with the regional public transit system;
- ☐ to encourage synergy between land uses, lifestyle needs and transportation modes;
- ☐ to minimize motor vehicle traffic impacts on the regional transportation system;
- ☐ to preclude excessive traffic levels in residential neighbourhoods;
- ☐ to allow for efficient access to places of commerce and employment in the community;
- ☐ to recover the cost of new infrastructure needed to service development within the secondary plan areas in accordance with the capital cost contribution policy adopted by the Municipality.

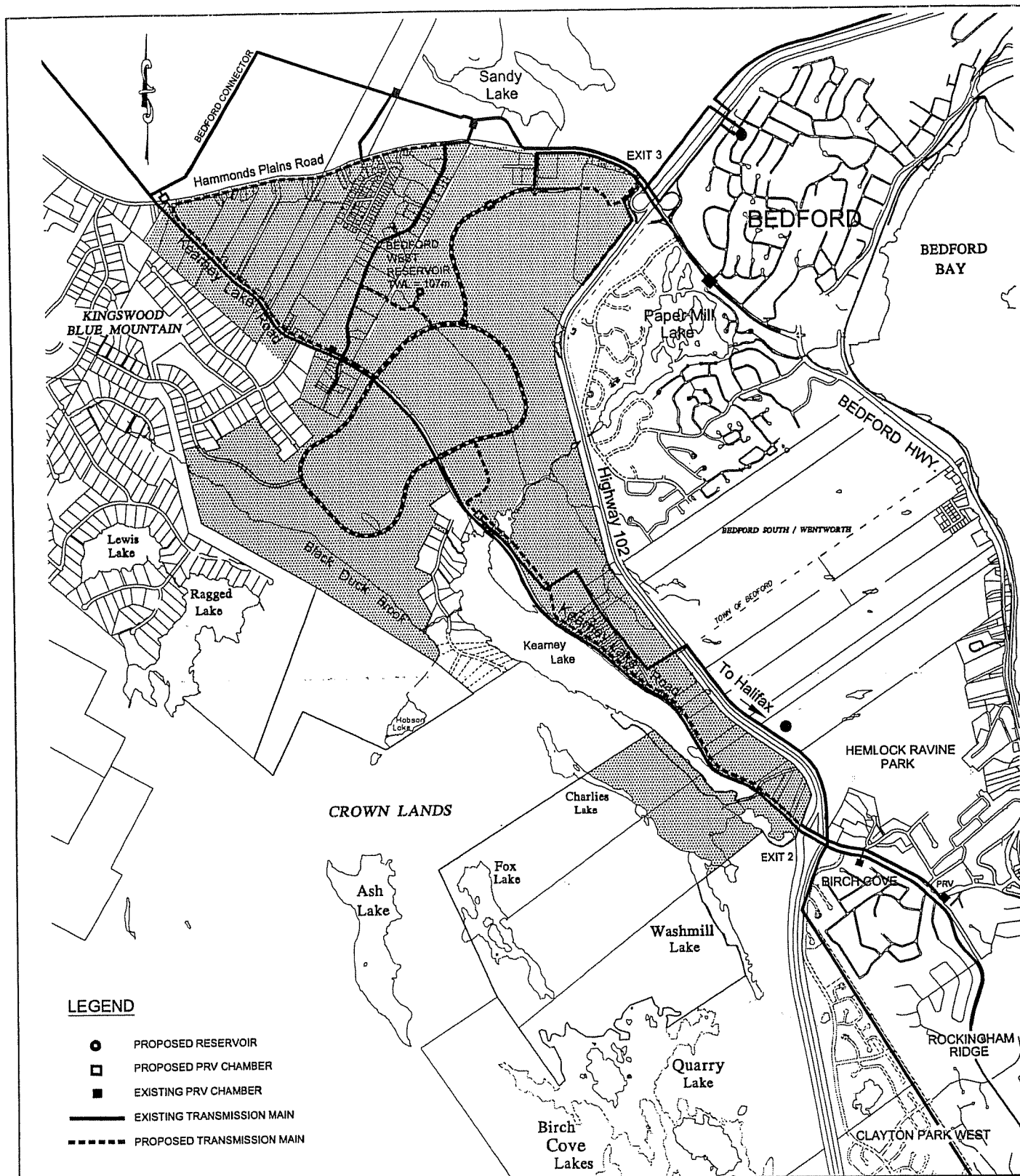
Water and Sanitary Sewer Systems:

Policy BW-14:

The water distribution system shall conform with the recommendations of the Birch Cove North/Bedford West Water Master Infrastructure Plan (CBCL, 1999) and with the system schematics illustrated on Schedule BW-3 unless otherwise acceptable to the Halifax Regional Water Commission and no development shall be approved by the Municipality unless notified by the Commission that the proposed distribution system conforms with all design and operating specifications established.

Policy BW-15:

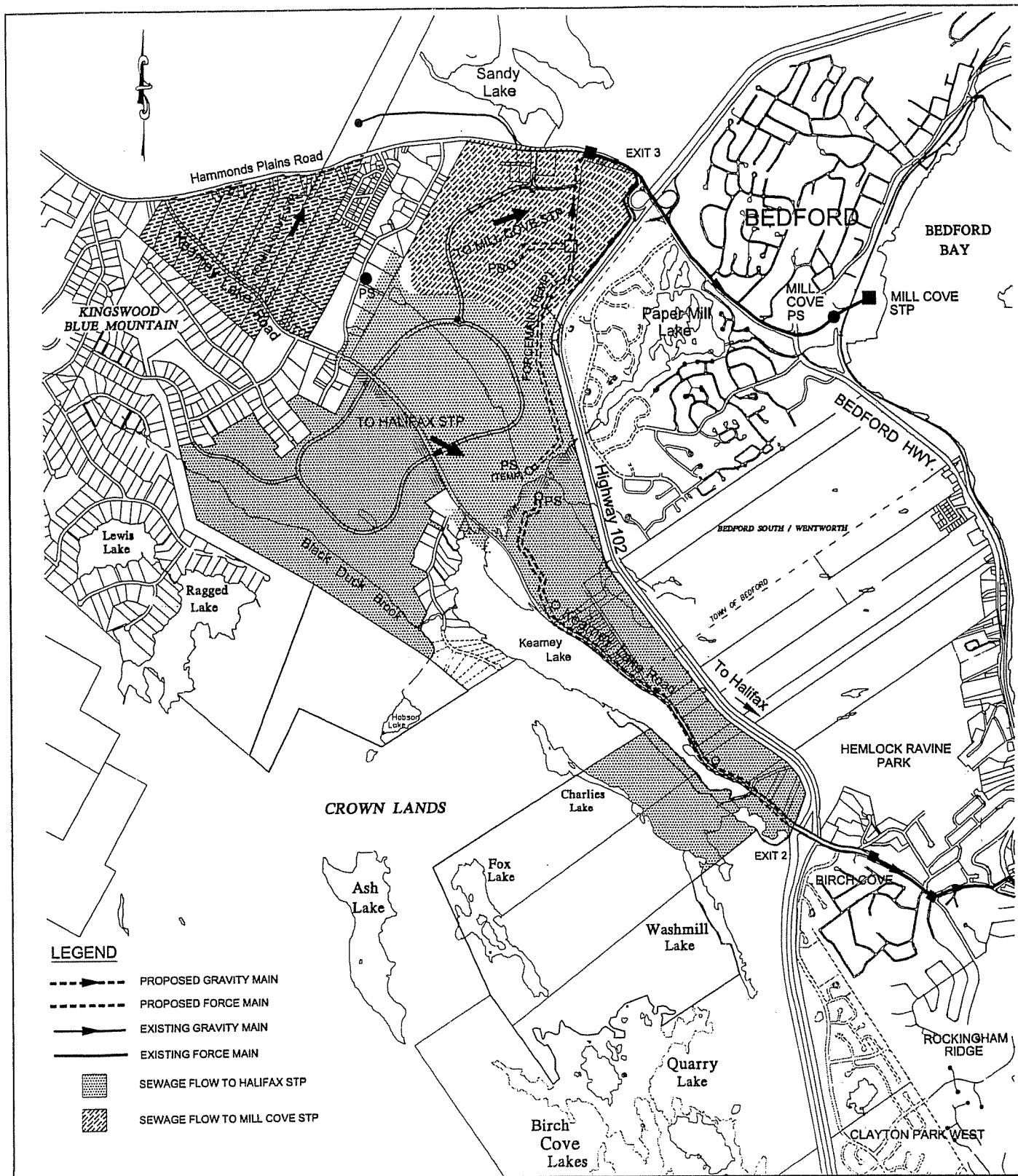
The sanitary sewer system shall be designed in conformity with the schematics illustrated on Schedule BW-4 and in accordance with the Municipality's Service Systems Specifications, as amended from time to time. Sewage flow calculations, shall be based on an assumed



WATER SERVICE SYSTEM BEDFORD WEST

SCHEDULE BW-3

MARCH, 2005



SANITARY SEWER SERVICING BEDFORD WEST

SCHEDULE BW-4

JULY 04, 2005
REVISED OCT. 11, 2005

occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling; 50 persons per acre for general commercial uses within the Community Commercial Centre shown on Schedule BW-7 or proposed within Sub-Area 9; and 40 persons per acre for mixed use business campus uses; and 30 persons per acre for local commercial, community facility and institutional uses⁵.

Policy BW-16:

Based on the assumed occupancies under policy BW-15 and the phasing plan illustrated on schedule BW-6, the sanitary sewer system shall be designed to satisfy the following conditions:

- (a) a maximum density of 40 persons per acre shall be permitted for all lands to be developed as a mixed use business campus within Sub-Area 3;*
- (b) a maximum density of 50 persons per acre shall be permitted for all lands designated community commercial centre within Sub-Areas 2, 6, 7 and 8 as illustrated on schedule BW-7 or proposed for general commercial uses within Sub-Area 9 and 12;*
- (c) For all other Sub-Areas or part thereof, a maximum density of 20 person per acre shall be permitted; and*
- (d) the temporary pumping station and forcemain, illustrated as "PS (TEMP)" and "FORCEMAIN (TEMP)" on schedule BW-4, shall be permitted to service a maximum of 3,600 persons where upon the permanent pumping station and forcemain along the Kearney Lake Road must be designed and constructed to service all lands intended to flow to the Halifax Sewage Treatment Plant (as illustrated on schedule BW-4) . This requirement may be waived if: (i)the financing for the construction for the permanent pumping station and forcemain has been secured by the Municipality and a time frame for construction agreed upon; and (ii) there is sufficient capacity remaining in the temporary pumping station and forcemain to allow for additional sewage discharge to the Mill Cove Sewage Treatment Plant.*

In the event that any Sub-Area is not developed to the maximum permitted density, the Municipality may consider allowing the difference to be allocated to another Sub-Area provided that the development proposal conforms will all other policies established under this secondary planning strategy.

⁵ For the purposes of this Secondary Planning Strategy, all density calculations are based on gross area.

Transportation:

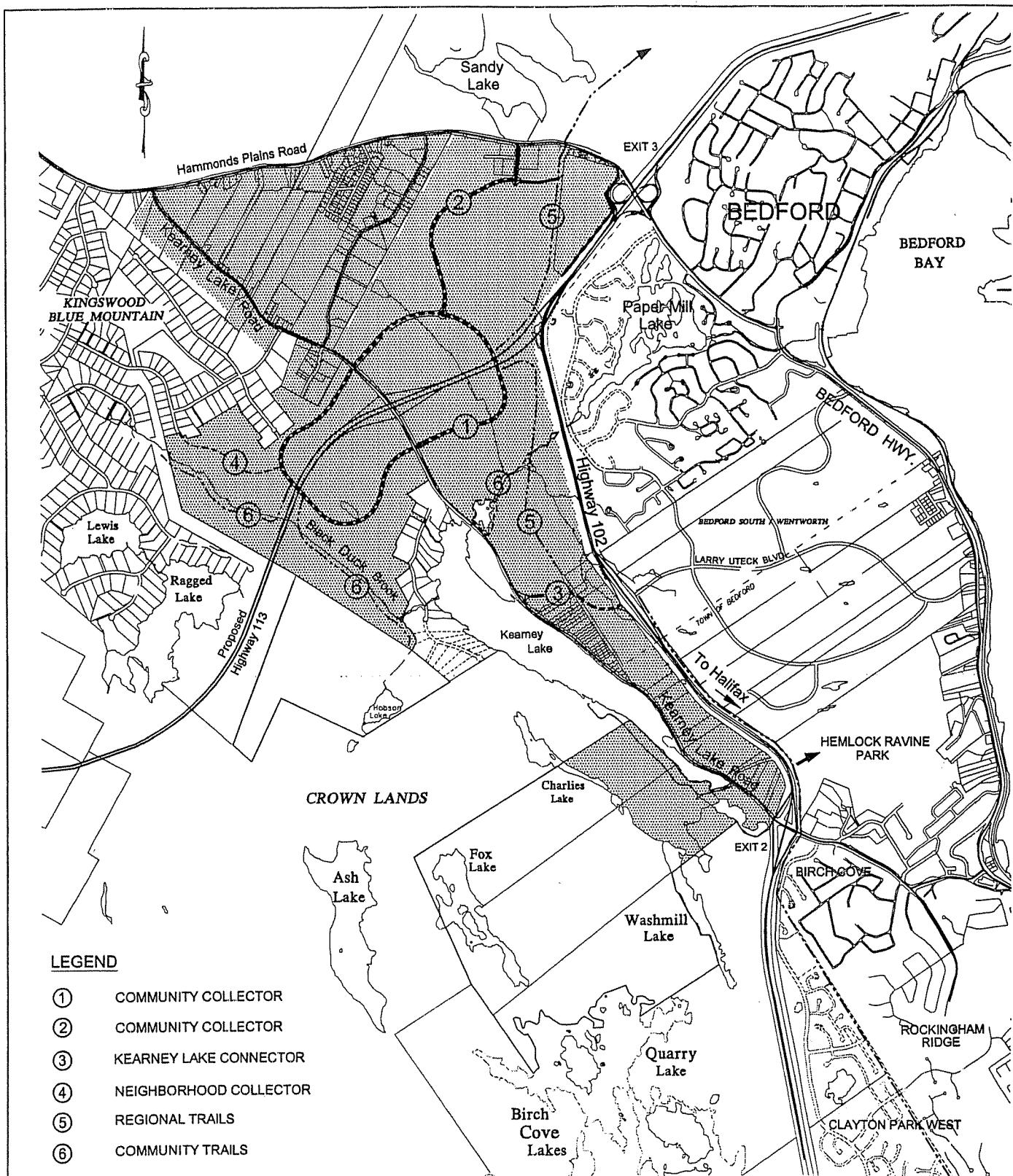
Policy BW-17:

A community street and trail system shall be developed in substantial conformity with the designations and alignments presented on Schedule BW-5 except that variations to the alignment may be considered to enhance safety, provide a better fit with the natural terrain, mitigate surface runoff or preserve significant environmental features. The following requirements shall be applied:

- (a) the connector road from Kearney Lake Road to the Larry Uteck Drive interchange shall be designed with a right-of-way width sufficient to allow for two lanes of through traffic with turning lanes at intersections. Direct driveway access shall be restricted to commercial developments in the vicinity of the interchange and all other access shall be restricted to street intersections. The need for sidewalks will be determined at the time a street plan is submitted in association with a development agreement for Sub-Area 9 as illustrated on Schedule BW-6;*
- (b) the Community Collector Road shall be designed as a minor urban collector with sufficient right-of-way width for two lanes of traffic, turning lanes, where required, and sidewalks on both sides. Direct driveway access shall be restricted to commercial developments, apartment buildings, institutions and clustered housing developments comprised of at least eight housing units with one driveway access to the Community Collector Road. One or more rotaries may be permitted;*
- (c) community trail system shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Trails shall be designed and constructed in accordance with the Guidelines of the Nova Scotia Trails Federation unless otherwise acceptable to the Municipality. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel in the community; and*
- (d) phasing of transportation system upgrades shall be undertaken in accordance with the recommendations of the Transportation Plan (MRC Delphi, February 2004) unless otherwise agreed to by the Municipality and the Province.*

Policy BW-18:

The Municipality shall prohibit motorized conveyances on all trails, except maintenance, emergency or patrol vehicles, and except electric wheelchairs or similar devices required for mobility by persons with disabilities.



TRANSPORTATION SYSTEM BEDFORD WEST

SCHEDULE BW-5

MARCH, 2005

Policy BW-19:

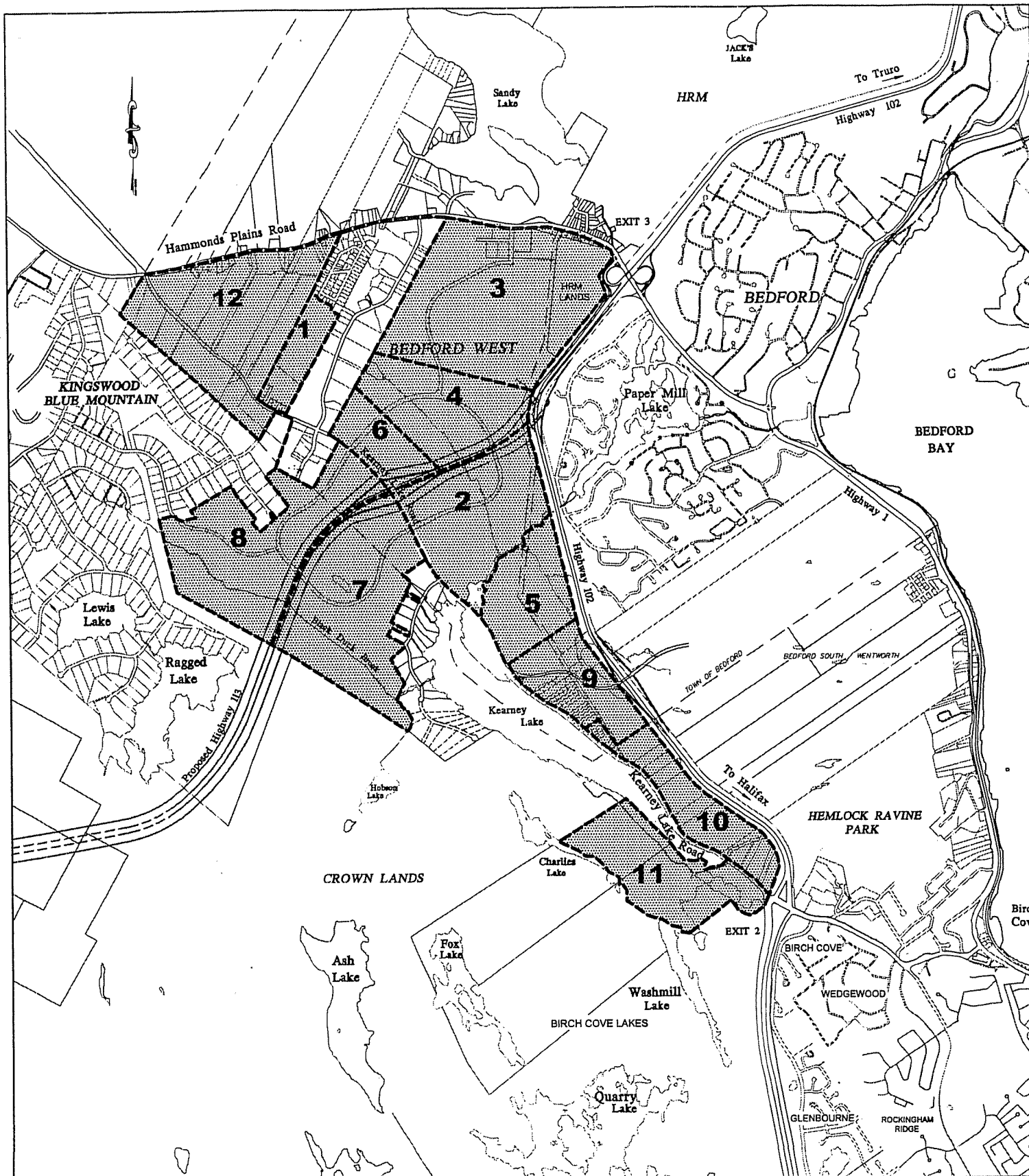
Variations to municipal service system standards may be considered where such variations conform with the principles set forth in the Transportation Association of Canada's "A New Vision for Urban Transportation" or any other guidelines or policies acceptable to the Municipality. Consideration shall be given to the objectives and policies established under this Municipal Planning Strategy, public safety, environmental and lifestyle factors, and capital and operating costs as well as other benefits to the Municipality, such as construction of trail systems on public lands.

Development Phasing and Cost Recovery

Policy BW-20:

A development Sub-Area plan is established for this secondary plan area as illustrated on Schedule BW-6 in which the following conditions shall apply:

- (a) Any approvals within Sub-Areas 1 to 12 will also be contingent upon availability of capacity within municipal service systems;*
- (b) any development agreement entered into within Sub-Areas 2 to 8 and 12 shall include provisions for all new development intended within the Sub-Area;*
- (c) any development agreement for Sub-Area 4 will require that either (i) the community collector road be completed from the Kearney Lake Road to the Hammonds Plains Road through Sub-Areas 2 and 3 or (ii) the community collector road is constructed through Sub-Area 6 to the Kearney Lake Road;*
- (d) approval for Sub-Area 6 may not precede Sub-Area 4 but approvals for both Sub-Areas may be considered concurrently and approval for Sub-Areas 3 and 4 may be considered concurrently;*
- (e) no municipal approval for Sub-Area 5 will be given until development agreements have been entered into for Sub-Areas 2, 3 and 4 or Sub-Areas 2, 4 and 6 but nothing will preclude allowing development to commence before completion of Sub-Areas 2, 3, 4 or 6;*
- (f) no municipal approvals will be granted for Sub-Areas 7, 8 and 9 until the Highway 102/Larry Uteck Drive interchange and Kearney Lake Road connector are constructed or financing has been secured and a time frame for completion agreed upon;*
- (g) no development agreement shall be entered into for Sub-Areas 5 unless a servicing and phasing plan has been prepared and included in the agreement for the extension of municipal sewer and water services to both Sub-Areas 5 and 9.*



DEVELOPMENT SUB-AREAS

BEDFORD WEST

SCHEDULE BW-6

JULY 04, 2005
REVISED OCT. 11, 2005

Policy BW-21:

In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no subdivision approvals shall be granted until infrastructure charges are in effect.

Land Use

The following development guidelines are based on Schedule BW-6: Development Phasing.

Sub-Area 1

This Sub-Area approximately 45 acres of undeveloped land on which an extension of the Peerless Subdivision is proposed. All lots are to be developed with single unit dwellings on central sewer and water services. The extension is to be serviced with an extension of the sanitary sewage collection system which discharges into the Mill Cove treatment plant. The local street system shall be designed so as to discourage traffic external to this Sub-Area and Peerless Subdivision traveling between Kearney Lake Road and Hammonds Plains Road.

Policy BW-22:

Sub-Area 1 shall be designated Residential on the Generalized Future Land Use Map of this Municipal Planning Strategy and zoned Residential Single Unit (RSU) under the Land Use By-law.

The Community Concept Plan (Sub-Areas 2, 3, 4, 6, 7, and 8)

A Community Concept Plan has been prepared over lands owned by Annapolis Group Inc. - the major land owner within the master plan study area, as well as a 50 acre parcel owned by the Municipality adjacent to the Hammonds Plains Road/Bicentennial Highway interchange. The Plan, presented as Schedule BW-7, illustrates the main land use and transportation elements proposed. The design principles incorporated into the plan are highlighted as follows:

- ☐ Lands needed for daily living activities - housing, shops, workplaces, schools, parks, and civic facilities - are integrated within the community;
- ☐ The community collector streets facilitate efficient public transit routes which can provide a high level of service to the residential neighbourhoods and activity centres within the community and which conveniently connect with the regional transit system;
- ☐ Lands bordering Kearney Lake and Kearney Lake Run which are valued by the community for their aesthetics and recreational potential have been reserved for public uses;

- ☐ A sidewalk and trail system extends throughout the community which connects residents to the park system, commercial and other activity centres, and a future regional trail system which would extend from Clayton Park to Jacks Lake;
- ☐ The street system has been designed to prevent external traffic from traveling on local streets while accommodating pedestrians and cyclists throughout the community;
- ☐ The residential neighbourhoods encompass lands of varying topography allowing for differing identities and a range of housing opportunities within each;
- ☐ Lands have been allocated for a mixed use business campus adjacent to the Hammonds Plains Road/Bicentennial Highway which can potentially provide employment opportunities for residents of Bedford West and the surrounding community without introducing additional traffic on local residential streets.

The Community Concept Plan provides guidance for the overall development of this community. More detailed objectives and policies for each element are presented in the following sections.

Policy BW-23:

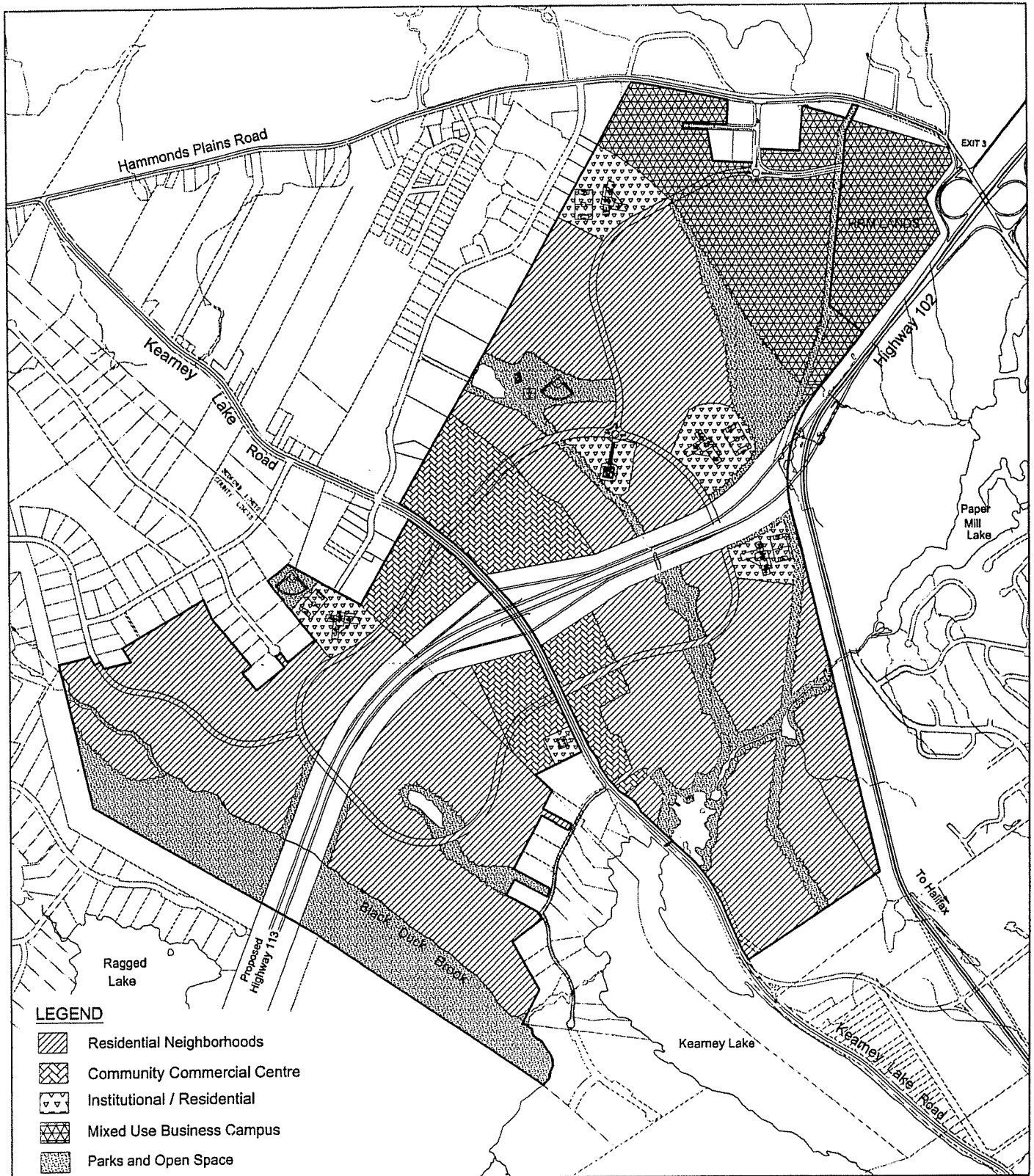
The Community Concept Plan, presented as Schedule BW-7, shall form the framework for land use allocation within the master plan area and all policies and actions taken by the Municipality shall conform with the intent of this plan. A comprehensive development district zone shall be applied to all lands within the community concept plan area and any development of the land shall be subject to approval of a development agreement. In the event that the lands allocated for the proposed Highway 113 right-of-way are not required by the Province for a highway, then the lands may be used for development permitted within the abutting land use designation.

Policy BW-24:






To facilitate a variety of housing types and achieve both the overall density and open space allocations envisioned by the Regional Plan, consideration may be given to varying development standards established under the Bedford Municipal Planning Strategy and Land Use By-law. More specifically standards pertaining to lot area, lot frontage, lot coverage, setbacks and building height may be varied to reflect the uniqueness of each Sub-Area, the market being targeted and the theme of that Sub-Area.

Parks and Open Space

The Park/Open Space Designation encompasses lands around the major watercourses traversing the study area - Kearney Lake, Kearney Lake Run and Black Duck Brook - as well as smaller watercourses. These lands offer opportunities for recreational activities, environmental protection and preservation of areas which are highly valued for their aesthetics. Within these areas, paths for pedestrians and cyclists are proposed as well as facilities for passive recreational activities.



LEGEND

-  Residential Neighborhoods
-  Community Commercial Centre
-  Institutional / Residential
-  Mixed Use Business Campus
-  Parks and Open Space

COMMUNITY CONCEPT PLAN

BEDFORD WEST

SCHEDULE BW-7

JUNE, 2005

Areas for active playgrounds are more centrally located. Four sites have been reserved for schools along the community collector road where sports fields and playgrounds would be suitably located. Playground facilities for younger children are to be integrated within residential areas.

Policy BW-25:

The areas designated as Park/Open Space on Schedule BW-7 shall be reserved for active and passive recreational uses, stormwater management and environmental protection. Provided that the area of the designation is not materially reduced, the boundaries of the Park/Open Space Designation may be varied where such changes provide:

- (a) enhanced protection of environmentally sensitive site features;*
- (b) more opportunity for preservation of significant aesthetic features;*
- (c) more suitable lands for active recreational uses; or*
- (d) a more functional path system for pedestrians and cyclists.*

Policy BW-26:

Street crossings of the Park/Open Space Designation shall be minimized and any trail development within a watercourse buffer zone established under policy BW-7 shall be subject to the requirements of policy BW-9.

Policy BW-27:

No stormwater management, sanitary sewer or water service system shall be located within the Open Space/Park Designation which would adversely affect environmentally sensitive areas, detract from the aesthetics of the area or impair any recreational functions intended.

Policy BW-28:

In the event that the Municipality is unable to determine whether any undertaking will adversely affect environmentally sensitive areas, the Municipality shall require that an environmental impact analysis be undertaken at the cost of the developer by a person qualified to make such a determination and as selected or agreed upon by the Municipality.

Policy BW-29:

The development of all recreational facilities shall conform with the HRM Guidelines for Parkland Planning adopted by Council.

Policy BW-30:

Prior to any subdivision approval being granted, the developer shall prepare a recreation facilities plan for the development of active and passive recreational facilities for lands to be conveyed to the Municipality for parkland and open space dedication. The plan shall consider facility requirements in relation to present and future community needs, safety and convenience, environmental protection or enhancement, financial resources and phasing.

Policy BW-31:

Sports fields and community playgrounds are intended to be located on lands reserved for schools within the Institutional/Residential designation shown on Schedule BW-7. In the event that schools are not developed on these lands, the Municipality may require that alternative lands be reserved at suitable locations within the community concept plan area.

Residential Neighbourhoods

The following objectives have been identified for residential development within this community:

- ☐ to plan neighbourhood development on a comprehensive basis;
- ☐ to support and integrate housing opportunities for a variety of income levels, lifestyles and age groups;
- ☐ to foster individual neighbourhood identities with attractive streetscapes and distinctive architectural and landscaping themes;
- ☐ to preserve natural drainage systems and areas of unique or sensitive terrain and vegetation and to encourage development designed to suit the natural terrain and reduce negative impacts on the natural environment;
- ☐ to provide attractive, safe and convenient routes for pedestrians and cyclists that connect with the community trail system, local commercial and community facilities and public transit stops;
- ☐ to provide neighbourhood parks at convenient locations that are safe, visible and secure;
- ☐ to encourage innovative design within clearly defined performance criterion;
- ☐ to provide an effective integration with established neighbourhoods and to provide for adequate buffers from abutting commercial and industrial developments.

Policy BW-32:

The following matters shall be considered for all development agreement applications within a Residential Neighbourhood Designation shown on Schedule BW-7:

- (a) the density of housing units shall not exceed six units per acre per Sub-Area except that if the maximum density permitted in one development Sub-Area is not achieved, the Municipality may consider transferring the difference between the maximum permitted and actual number of housing units to another development Sub-Area provided all policy criterion can be satisfied and the housing density does not exceed seven units per acre in any development Sub-Area;*
- (b) community facilities such as schools, churches and day care centres and businesses that provide goods and services at a neighbourhood level, such as convenience stores, may be permitted within a residential neighbourhood. Convenience stores shall be encouraged to locate at intersections with a Community Collector Street and at transit stops;*
- (c) sidewalks and pathways facilitate safe and convenient pedestrian travel to transit stops on the Community Collector Street System, the Community Trail System and to community services;*
- (d) the design of neighbourhood streets facilitate shared use by cyclists and encourage safe vehicular speeds and discourage short-cutting and excessive speeds by automobiles while enabling direct routes for pedestrians and cyclists;*
- (e) a variety of housing types is provided within each Sub-Area and distributed so as to avoid a congested appearance of streetscapes. Consideration shall be given, but not limited, to the design guidelines of policies R-12A, R-12B and R-12C of the Municipal Planning Strategy, although the limitations placed on building height and units per building under policy R-12A shall not be applied;*
- (f) the allocation of housing and the massing and placement of buildings contributes to a sense of community vitality, energy conservation, surveillance of public spaces and provides an effective integration with established neighbourhoods;*
- (g) building locations, height, scale, site and architectural design, landscaping, and streetscape elements reinforce the themes of neighbourhood identity, pedestrian safety and compatibility with the natural environment;*
- (h) single unit dwelling lots have a minimum street frontage of 40 feet, a minimum area of 4,000 square feet, a minimum side yard of 4 feet, and a minimum separation of 12 feet between buildings;*
- (i) natural vegetation, landscaping or screening is employed around parking areas for institutional and multiple unit buildings to provide screening from streets and, for buildings containing forty-eight or more housing units, provision of underground parking or a*

structure allowing for stacked parking shall be a mandatory component of the on-site parking supply;

- (j) Vegetation is maintained or landscaping measures, a fence or other physical barrier provided so as to provide a buffer between new developments and commercial or industrial developments which is effective in ensuring public safety and mitigating visual or noise impacts;*
- (k) all open space/parkland dedications proposed conform with the objectives and policies adopted for the community parkland/open space under this secondary planning strategy and any administrative guidelines adopted by the Municipality; and*
- (l) the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

The Community Commercial Centre

The Community Centre Designation envisions a built form with a diverse range of commercial, civic and residential activities. The following objectives are intended:

- ☐ to provide a focus for pedestrian oriented community and commercial activities with the community;
- ☐ to create a built form reminiscent of a town square or main street;
- ☐ to foster activities for all ages and a wide range of lifestyles in a safe and secure environment;
- ☐ to encourage innovative design and comprehensive planning;
- ☐ to support public transit.

Policy BW-33:

A range of community commercial, higher density residential, institutional, and recreational uses may be permitted within the Community Commercial Centre Designation shown on Schedule BW-7 subject to consideration of the following matters:

- (a) preference is given to limiting parking or loading areas between a building and the Kearney Lake Road or the Community Collector Road and any buildings with commercial occupancies should be located in close proximity to the street line;*
- (b) natural vegetation, landscaping or screening is employed around parking areas and measures are employed to provide safe and convenient pedestrian access to the buildings they are intended to serve;*

- (c) *sidewalks and plazas are provided so as to encourage a secure and inviting walking environment throughout the commercial centre and to neighbouring residential neighbourhoods;*
- (d) *provisions are made for the storage of bicycles;*
- (e) *exterior materials, street furniture; trees, lighting and landscaping measures are incorporated in buildings to foster an interesting and secure environment;*
- (f) *the windows, exterior features and materials and signs employed in any building create a sense of interest from public streets;*
- (g) *the massing and height of buildings are consistent with and contribute to an pedestrian oriented environment;*
- (h) *the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

The Community Commercial Centre Designation might also be ideally located for public transit and park and ride facilities which could be utilized by residents of neighbouring subdivisions, such as Kingswood and Blue Mountain, where direct transit provision is not feasible.

Policy BW-34:

The Municipality may enter into an agreement to lease or purchase lands within the Community Commercial Centre Designation for public transit and park-and-ride facilities on either a temporary or permanent basis. Site preference will be given to lands directly abutting a Community Collector Road and from which access from Kearney Lake Road or the Community Collector Road could be conveniently and safely secured. Such facilities may include parking structures.

Institutional/Residential

Sites have been reserved along the Community Collector Roads for schools or other civic buildings. In the event that they are not needed for institutional purposes, the sites may be developed with residential uses.

Policy BW-35:

Lands designated Institutional/Residential on Schedule BW-7 are intended for development of schools or other civic buildings, such as libraries or churches, which could benefit from being located on a collector road at central locations within the community, as well as community parks. No development agreement shall be entered into if notified by the Halifax Regional District School Board that such lands are required for a school site. This provision shall remain in effect

until the greater of five years from the date of entering into a development agreement for the development Sub-Area in which the site is located or building permits have been granted for 90 percent of the lots within the development Sub-Area. In the event that the School Board or the Municipality does not acquire the site within this time frame, the property may be developed with alternative institutional uses or with residential developments that are compatible with established residential neighbourhoods and which conform with the requirements of policy BW-32, provided that suitable sites are provided for community parks are provided.

The Mixed Use Business Campus

The Mixed Use Business Campus Designation which encompasses both private and municipal lands adjacent to the Hammonds Plains Road/Bicentennial Highway interchange are strategically located for businesses that produce goods and services and employment opportunities for the region. A campus style environment is envisioned where employment centres are integrated with public facilities and public spaces. In recognition of market uncertainties, residential developments may also be considered.

Objectives:

- ☐ to provide places of employment within the community that are easily accessible from the Community Collector Streets and Trail System and by public transit;
- ☐ to support a mixed use environment where opportunities are afforded to live and work in the same community;
- ☐ to create a setting where buildings and transportation systems networks are attractively integrated with the natural environment;
- ☐ to encourage business opportunities by adopting an efficient and flexible regulatory environment;
- ☐ to encourage innovative subdivision and community design;
- ☐ to support public transit provision.

Policy BW-36:

The Mixed Use Business Campus designation, illustrated on Schedule BW-7, shall support a wide range of businesses which produce goods and services, recreational uses, hotels, institutional facilities and park-and-ride facilities. Limited provisions shall be made for retail uses, personal and household services and restaurants and standards shall be established for landscaping, architectural design, signs, parking, loading areas and driveway access. A zone shall be established under the Land Use By-law to implement this intent but granting of a municipal development permit shall also be subject to site plan approval. The following matters shall be considered in any site plan approval application:

- (a) *outdoor storage or outdoor display and sales shall be limited and any outdoor waste containers shall be screened;*
- (b) *open spaces are integrated into the layout and where feasible, larger trees are retained;*
- (c) *landscaping is introduced to all areas disturbed during construction;*
- (d) *preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;*
- (e) *natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;*
- (f) *bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces;*
- (g) *walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;*
- (h) *buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and*
- (i) *a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.*

Policy BW-37:

Residential developments may be considered by development agreement within the Mixed Use Business Campus Designation. Consideration will be given to policy BW-32.

Policy BW-38:

Existing lots with frontage on the Hammonds Plains, which are vacant or developed with single unit dwellings, shall be zoned RSU (Single Unit Dwelling) Zone under the Land Use By-law. No rezonings or development agreements shall be considered.

Sub-Area 9:

These lands drain towards the proposed sewage pumping station at the outlet of Kearney Lake and encompasses the proposed connector road between Kearney Lake Road and the new Larry Uteck

Boulevard interchange with the Bicentennial Highway. Lands in the vicinity of the interchange may be suitable for both community commercial and highway commercial uses. The remaining lands may be developed with residential uses. The steep slopes offer challenges to integrating development with the natural environment and opportunities to take advantage of the vistas of Kearney Lake and the forested regions to the west. Comprehensive planning over larger properties is therefore supported with the opportunity for public input in the planning and design process.

There are also a number of narrow, smaller properties with frontage on the Kearney Lake Road - a number of which have been developed with residences serviced by well and septic systems. Municipal sewer and water systems proposed for surrounding lands will be designed to allow for extensions to these properties. The current zoning applied to these lands shall be reviewed before any extensions are considered.

Policy BW-39:

A comprehensive development district zone shall be applied to larger undeveloped parcels within Sub-Area 9. Commercial uses may be considered on lands in the vicinity of the proposed interchange with consideration given to the criteria of policy BW-33, except that clause (a) shall not apply. Residential uses may be permitted on the remaining lands with consideration given to the criteria of policy BW-32. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate collaboration in preparing a conceptual community design for the Sub-Area.

Policy BW-40:

The R-2 (Two Family Dwelling) Zone shall be applied to smaller parcels of land with frontage on the Kearney Lake Road. No municipal services shall be extended until such time as the zoning provisions have been reviewed in consultation with affected property owners. Such consultation shall also review the need to extend central services to these properties and the means of finance.

Sub-Areas 10, 11 and 12:

These current zoning provisions shall be maintained on these lands until such time as municipal services can be extended. When service extensions can be made, a comprehensive development district zone shall be applied to all undeveloped lands within the Sub-Area to be serviced. Any future residential development shall be guided by the criterion of policy BW-32 and any commercial development shall be guided by policy BW-33 except that no commercial development shall be permitted within Sub-Area 11 unless the lands have frontage on the Kearney Lake Road.

Policy BW-41:

No municipal services shall be extended to existing developments within Sub-Areas 10, 11 and 12 until consultations have been held with affected property owners to determine:

- (a) the need for amendments to existing policies under the Municipal Planning Strategy and zoning regulations under the Land Use By-law;*
- (b) the need for municipal services and a means of finance.*

Policy BW-42:

When municipal services are available for Sub-Areas 10, 11 or 12, a comprehensive development district zone may be applied to undeveloped properties within the Sub-Area to be serviced. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate collaboration in the preparation of a conceptual concept design for the entire Sub-Area. Any future residential development shall be guided by policy BW-32 and any commercial development shall be guided by policy BW-33. No commercial development shall be permitted within Sub-Area 11.

PART 19A BEDFORD WEST BUSINESS CAMPUS (BWBC) ZONE

No development permit shall be issued on lands within the "A" Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

- a) Educational, research and development, and design facilities, excluding public schools;
- b) Laboratories and accessory research and processing facilities;
- c) offices
- e) Data processing and computer centres, including service and maintenance of electronic data processing equipment;
- f) Legal, medical, veterinarian, engineering, surveying, accounting, architectural, scientific and similar professional offices;
- g) Radio and television broadcasting stations as well as activities related to telecommunications research and development;
- h) Assembly, warehousing and distribution operations;
- i) Utility and public service facilities and uses needed to service the immediate vicinity;
- j) Recreational facilities;
- k) hotels and motels;
- l) Daycare and early childhood education centres;
- m) Special Care Facilities
- n) park and ride facilities
- o) restaurants and retail uses in association with any other permitted uses;
- p) Accessory buildings and use, including assembly operations limited to the development of prototypes, which are customarily incidental or specifically related to a principal permitted use are permitted.

No development permit shall be issued on lands within the "B" Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

- a) all uses permitted within the "A" Area;
- b) retail stores;
- c) food stores not exceeding 5,000 square feet of gross floor area per business;
- d) personal and household service shops
- e) medical, veterinary and health service clinics, except outdoor kennels associated with veterinary clinics;
- f) banks and financial institutions;
- g) dry cleaning depots;
- h) automotive service and supplies centre/outlet;

- i) welding, plumbing and heating, electrical and other trade contracting or sales and service shops
- j) outdoor display and sales, excluding automobile sales;
- k) funeral homes;
- l) amusement centres;
- m) garden markets;
- n) billiards and snooker clubs;
- o) full service, take out and drive through restaurants;
- p) commercial recreation uses such as fitness clubs and other similar recreation uses.

SUBDIVISION AND BUILDING REQUIREMENTS

In any Bedford West Business Campus (BWBC) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	43,560 sq.ft.(1 acre)
Minimum Lot Frontage	100 ft.
Minimum Front Yard or Flankage Yard	50 ft.
Minimum Rear Yard	20 ft.
Minimum Side Yard	20 ft.
Maximum Height of Building	52 ft.
Maximum Impervious Surface Coverage.....	75%

SPECIAL REQUIREMENTS

1. Restaurants and Retail Uses

Within the "A" Area, no restaurant or retail use shall occupy more than ten percent (10%) of the gross floor area of a building except that a restaurant in association with a hotel or motel may occupy a maximum of twenty percent (20%) of the gross floor area of a building

2. Height

Maximum building height shall not apply to water towers;

The maximum height for hotels and motels within the "A" Area shall be 75 ft.

3. Architectural Requirements

- a) A combination of arcades, display windows, entry areas, awnings or other such features shall be incorporated into all building facades along not less than 60% of their horizontal length facing a public street.

- b) No interrupted length of any facade facing a public street shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 horizontal metres (100 feet) in length, measured horizontally, having a depth of at least 3 of the length of the facade and extending at least 20% of the length of the facade.

4. Landscaping

- a) A minimum of 25% of the property shall be landscaped. Landscaping shall include the retention of natural vegetation.
- b) At least 50% of the area between the street(s) and buildings shall be landscaped. Trimming and selective cutting of natural vegetation is permitted.
- c) A 15 foot landscape strip shall be installed along all street property lines, exclusive of driveways, walks and railroads rights-of-way. When the 15 foot landscape strip occurs between a parking area or vehicle manoeuvring area, loading area and the street, a landscape shrub screen of at least 50% opaqueness and a minimum of four feet in height within one year after installation is required. Mature trees at a maximum spacing of twenty feet may be substituted for or combined with a scrub screen. The landscaping may be calculated as part of the 25% landscaping requirement in (a) above.
- d) All other landscaped areas shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, walls made of natural materials, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minium of 45mm caliber) and three (3) shrubs per 4.6 metres (15 feet) of lot frontage. Tree Species from Appendix A shall be utilized. Planting of one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet of lot frontage shall reflect a natural setting thereby grouping of trees and shrubs is encouraged.
- e) Existing trees and shrubs shall be incorporated into the 6.1 metres (20 foot) landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet requirement specified under clause d).

5. Accessory Uses/Storage

- a) All permitted uses and accessory activities, including the storage of equipment or supplies used in any production or assembly shall be confined within an enclosed building. Accessory activities involving toxic or flammable products which cannot be located within an enclosed building shall be screened from view from all adjacent properties and public streets.
- b) External fuel storage tanks utilized as part of the heating equipment of an establishment or bulk storage of any materials used in any production or assembly shall be screened from view from all adjacent properties and public streets.

- c) All refuse shall be collected and stored in containers which shall be screened from view from all adjacent properties and public streets.
- d) Utility and public service facilities and uses need to service the immediate vicinity shall be screened from view from all adjacent properties and public streets.

6. Driveway Access

No use located within the "B" Area shall be permitted to have driveway access to the Hammonds Plains Road or to the Community Collector Road illustrated on Schedule I.

7. Parking

No parking spaces may be located within required yards, except that an area equivalent to not more than 50% of the total area of all required parking spaces may be located within a required yard for use as parking space for visitors, selected personnel and minor deliveries.

8. Loading

Notwithstanding the general loading space regulations in Part 5, Section 37, (General Provisions), the following shall apply:

- a) All loading must be on site and no on-street loading is permitted.
- b) Truck loading facilities shall be at the rear or side of the building and shall be screened from view from any adjacent residential property.
- c) Loading space areas, including driveways leading to such area, shall be paved with a dust free all-weather surface, be well drained and be of a strength adequate for the truck traffic expected.

9. Signage

Notwithstanding the general signage regulations in Part 5, Section 38, (General Provisions), the following shall apply:

- a) No more than two signs per business shall be permitted.
- b) Signs shall be restricted to advertising only the person, firm, company, or corporation operating the use conducted on the site or products sold therein.
- c) Signs shall have an area not to exceed one (1) square feet of surface for each one (1) foot of lineal frontage of building. However, no sign shall exceed one hundred (100) square feet per face.
- d) Signs shall be illuminated from the exterior.
- e) No more than one free-standing or ground mounted sign may be permitted per lot.

- f) Ground signs shall not exceed eight (16) feet above grade in vertical height and shall not be erected in the first ten (10) feet, as measured from the property line, of any street setback.
- g) Businesses located in multiple tenant buildings may have a maximum of two (2) signs with a maximum of one (1) sign for each facade. Each sign shall not exceed an area equal to ten (10) percent of the business face upon which it is located. However, no sign shall exceed thirty-five (35) square feet in area.
- h) Directory listing signs: Detailed signs for multi-tenant buildings may list building tenants. The portion of the sign area devoted to such a listing shall be limited to 60% of the total permitted sign area, and the tenant listing shall be uniform in size, type, and lettering. It is understood, however, that tenant "logos" are permitted to be depicted on such signs, the size of the logo to be appropriate to the size of the sign lettering. Each sign shall not exceed twenty (20) feet in height.
- i) One announcement/construction sign per lot is permitted. Announcement/construction signage shall not exceed 200 square feet in area per face and shall be removed from the site at the time of issuance of permits for permanent signage.
- j) No signs shall be located on the roof of a building and billboards shall be prohibited.

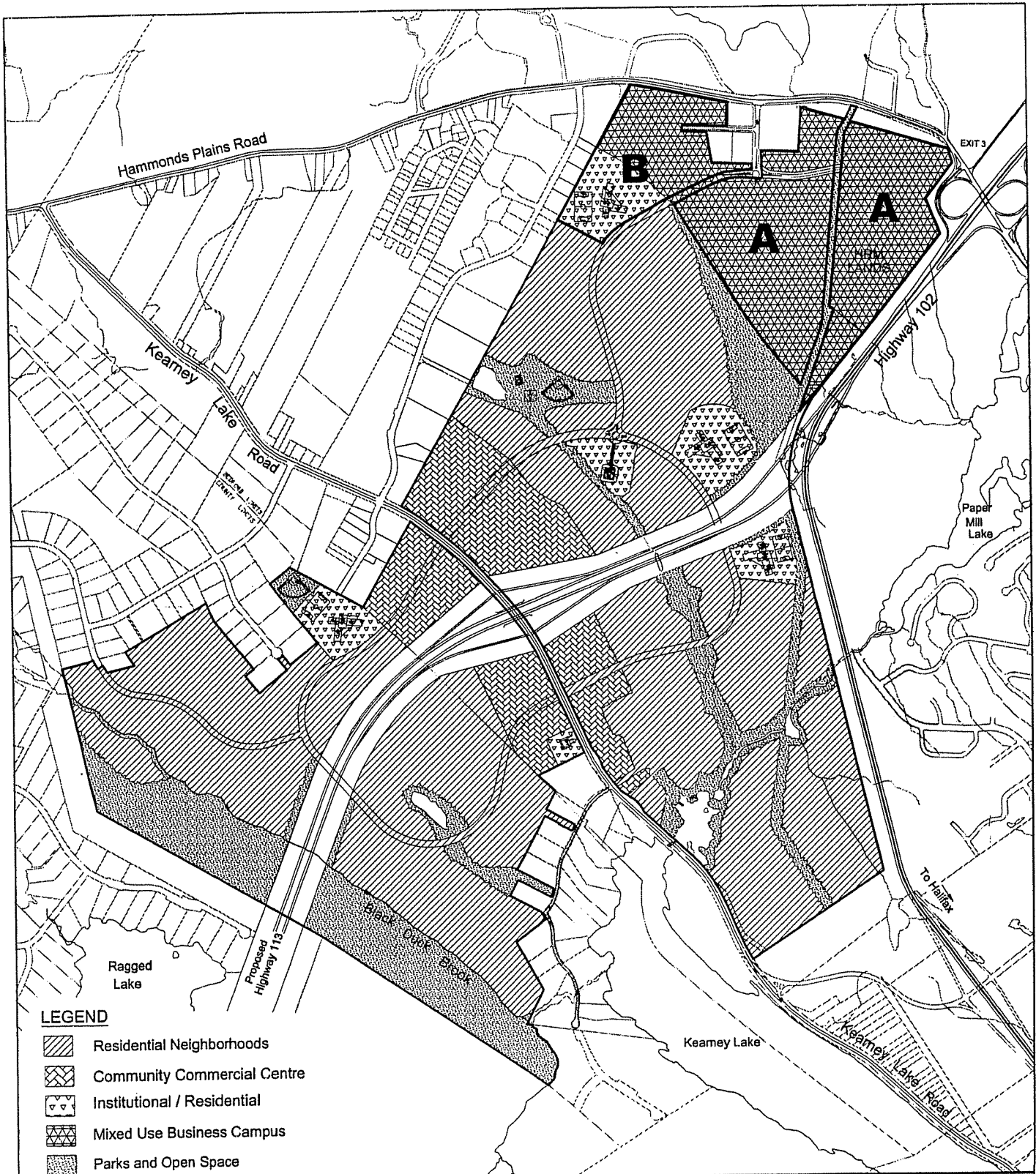
Business Park Identification and Directory Signs

- j) Identification Sign: One identification sign with the park logo at each entrance or along each street abutting the boundaries of the tract shall be permitted. The maximum area of each sign face shall be one hundred and fifty (150) square feet.
- k) Directory Signs: Signs identifying companies in the research and development park shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign(s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.
- l) A map locator directory sign identifying companies in a research and development park shall be permitted. A maximum of two (2) such signs shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign (s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.
- m) Spaces on such directory signs allocated for company identification shall be of equal area, and letters and typeface must be of equal value and uniform throughout the sign.
- n) There shall be a maximum of two (2) directory signs.

10. Site Plan Approval

Site plan approval shall be required for any new development within the Bedford West Business Campus (BWBC) Zone and no site plan approval shall be granted unless the following criterion are satisfied:

- a) no outdoor storage or outdoor display and sales shall be permitted within the "A" Area and any outdoor waste containers shall be screened in both Areas;
- b) open spaces are integrated into the layout and where feasible, larger trees are retained;
- c) landscaping is introduced to all areas disturbed during construction;
- d) preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;
- e) natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;
- f) bicycle storage facilities are provided near the main entrances to the building and/or in designated public spaces;
- g) walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;
- h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and
- i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.



COMMUNITY CONCEPT PLAN **BEDFORD WEST**

SCHEDULE I

FEBRUARY, 2006

2

April 15, 2005

File No. 12.1.1.

Mr. Paul Morgan
Planner
Planning & Development Services
Halifax Regional Municipality
Halifax Ferry Terminal Office
2nd Floor, P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5

Re: Bedford West Secondary Planning Strategy Review (BWSPLR) Halifax Regional Municipality.

Dear Mr. Morgan:

Thank you for meeting several times over the previous month to review the status of HRM's Bedford West Secondary Planning Strategy Review and the impacts this process if brought to fruition could have on my client Cresco Homes. Cresco Homes as you are aware possesses significant land holdings in Phases 9 and 12. As requested please accept this letter as Cresco Homes formal response to your March 14, 2005 memorandum to the Bedford West Public Participation Committee (BWPPC), in which you requested written comments on the latest March 14th, 2005 draft report.

HRM's Planning & Development Department, BWPPC and you have obviously put a tremendous amount of hard work into the process to date and these efforts are acknowledged. While the fourth draft provides a good basis for initial commentary, the document falls well short of my client's expectations regarding future growth and development of the whole of the Plan area.

It is important to note that Bedford West's original study area has expanded from 2002 in which it included two land developers with land holdings of approximately 1200 and 40 acres. The expansion of the Study Area to include the lands of various property owners within Phases 9, 10, 11 and 12 is logical and makes rational sense. The addition of these four Phases to the Bedford West Study area anchor and infill two currently undeveloped pockets of lands. Including these additional land assemblies allows for better and advanced planning of servicing, transportation, engineering, environmental and land use requirements. This is good planning since it creates a tight future mixed used land assembly that promotes cohesive compact versus ribbon style development. This being said the inclusion of the four additional phases includes a notable portion of the overall Bedford West Study area and therefore **is deserving of equal consideration** to the two original land holdings comprising 1240 acres.

Mr. Paul Morgan

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If Phases 9 and 12 are worthy of inclusion into the Plan, these phases should be **given equal rights to available servicing capacity** relative to the Mill Cove and Halifax Treatment Plants. Proposed Policy BW-16 appears to give full assurances to Parcels 1, 2, 3 and 4 but not to other phases or areas with the Secondary Strategy. This is not fair. It would also be more appropriate to use the term areas versus phases for various land parcels. Phases by its nature, implies winners and losers in the development of Bedford West and does not reflect an approach that has all land owners within the study area receiving their fair share of development rights and flexibility.

How is it that Parcel 2 can proceed with development at any time (BW-20), notwithstanding the fact that it is in the Halifax Sewer Shed when the Plan does not provide language that facilitates the sewer line back to Halifax? Is it possible that this area is to be fed back to Bedford? The Plan not only needs to clearly articulate a servicing strategy but create one that is fair and equitable to all landowners in all areas.

The following are the key issues based on the present March 14th, 2005 draft Secondary Plan.

Phase 12

The introduction section to Phases 10, 11 and 12 of the draft March 14th, 2005 staff report (page 31) indicates that "Although municipal system services in other phases have been designed to accommodate serviced development within these phases, development of these lands is not expected for a number of years". The introduction goes on to indicate that the GFLUM designation shall be maintained on these lands until such time as consultants have occurred with affected property owners.

The Phase 12 lands are ideal for a mixed use residential, commercial, multiple family and even institutional development. These lands would be ideal for a RCDD/CCDD GFLUM designation that would allow future mixed use development proposals to be considered by a development agreement. Several property owners have already relayed to staff the desire to move forward immediately with development of these lands and therefore there is an expectation by several property owners including Cresco Homes that development could occur in the very near future if the planning and servicing options were available. The challenge for Phase 12 lands that has prevented this area from being considered for a RCDD/CCDD designation is not confirming if services could be provided to this area. As we discussed in our meeting, HRM's Engineering staff has been asked by the Planning & Development Department to clarify the servicing issue around Phase 12 and outline if capacity is available and or what options/ infrastructure is may be required to make a mixed use serviced development possible.

As indicated if there are challenges to providing servicing it is important the Engineering Department outline what options could be made available to allow servicing to occur. A RCDD/CCDD designation and subsequent development agreement could secure and address all the usual capital cost contribution (CCC) charges that would be required for extending servicing or any other infrastructure that may be needed. Bringing Phase 12 into the study area was a good planning decision and now is the opportunity to take it a step further and provide reasonable designations and policies that allow for good development and protect the public interest. Policies including revising BW-40 & 41 can be amended accordingly.

Mr. Paul Morgan

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Page 3

The lands in Phase 12 deserve in fairness to have as much capacity to available treatment capacity in the Mill Cove Plant as any other phase. A fair approach would be to determine the percentage of land Phase 12 comprises of the total land mass for the Bedford West Study Area. For example if Phase 12 comprises 15% of the total land mass of the subject area that it should have 15% of the capacity reserved for it within the Mill Cove Treatment Plant that is designated or set aside to service the entire Bedford West Study area. All land owners within the Bedford West Study area need to be treated fairly and equitably and one area should not be given priority to sewage and servicing capacity over another.

Phase 12 Requested Amendments

Cresco Homes is requesting the following amendments to Phase 12 be implemented for the next draft (number five) of the Bedford West Secondary Planning Strategy.

1. Phase 12 lands be designated RCDD/CCDD on the GFLUM Map and that mixed use development as previously outlined be permitted by development agreement.
2. To ensure fairness and equity Phase 12 lands should have the same density, development flexibility and development rights as proposed for Phases 1-8.
3. Phase 12 should be permitted to be developed at it's own pace through appropriate planning measures (i.e. development agreement) and not after any other particular phase within the Bedford West Secondary Planning Strategy.
4. Phase 12 should have equal right to capacity at the Mill Cove Treatment Plant as any Phase within the Bedford West Study Area. Phase 12 share of capacity should be determined by taking its percentage of land mass compared to the entire Bedford West land mass.

Phase 9

Phase 9 is a critical phase within the overall development scheme of Bedford West for HRM. Specifically Cresco Homes lands on the other side of Highway No. 102 in which the future Bedford South Interchange and off ramps will be constructed, is strategically important for the connector road from Kearney Lake Road to the Larry Uteck Interchange. These lands also offer a unique opportunity for HRM to see developed a magnificent mixed use development that can take into consideration not only significant and heavy road traffic but great views of Kearney Lake. We could envision a hotel, condo and other high quality exciting mixed use developments on this property. The Plan needs to be more comprehensive in establishing a game plan for this critical phase for the development of the entire Bedford West land area.

Phase 9 should be tied to the construction of the Larry Uteck interchange as per the Delphi recommendations and not with the phasing within Bedford West Secondary Strategy. This makes sense given the development proceeding with Bedford South. Has HRM and the Province agreed to this assumption or Delphi's report recommendations as prepared for its client?

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The connector road is defined as a rural arterial street within the Transportation Section of the draft Secondary Strategy. This is not consistent with previous transportation studies (i.e. Delphi Transportation Study) and the reality of the traffic that will occur on this road. This connector road should be classified as a Major Collector otherwise the importance of Phase 9 gets unfairly diminished. **A game plan needs to be established that clearly provides for the construction of the Kearney Lake Connector Road at a time when the Interchange is constructed.** This game plan needs to establish a communication plan with affected property owners, strategy for sewer and water and the impacts of traffic on access to Cresco lands.

We are having difficulty following the methodology of HRM in requiring the Bedford South Master Plan to build an interchange to relieve traffic pressure on the Bedford Highway yet Bedford West would be permitted to access Kearney Lake Drive and place all of its traffic on the Bedford Highway with no apparent CCC charges. Kearney Lake Drive would be under intense traffic pressure and is a critical piece to the transportation puzzle that needs to be treated accordingly. Considering this all phases of the Bedford West Secondary Strategy should be paying some CCC contribution toward the Kearney Lake Collector Road and Larry Uteck interchange and not just Phases 7-12.

Phase 9

We have a series concern with draft Policy BW-17 (a) that states no direct driveway access shall be permitted. This precludes Cresco Homes from having a transportation study undertaken to review direct access onto the Kearney Lake Collector Road. This statement should either be deleted or replaced with a requirement that a transportation and traffic study will be required as part of a development agreement application showing that direct access meets regulatory requirements. **Cresco Homes will not agree to the Kearney Lake Collector Road unless TPW agrees to and guarantees direct access.**

The phasing approach to Phase 9 is prejudicing my client's ability to develop their lands in a fair and equitable manner. Fair in the sense that Phase 9 should be permitted to be considered for development when the Larry Uteck Interchange is either constructed or financed. This being said the current draft Development Phasing and Cost Recovery approach as outlined in BW-20 requires my client to depend on the time frame of another phase regarding services before they can proceed. This is simply not acceptable. Policy BW-20(f) also states that any approvals on Phase 9 shall be contingent upon availability of capacity within municipal service systems. Therefore Phases 2 - 5 can dictate the timing when my client can actual proceed with Phase 9.

HRM needs a game plan that when the Larry Uteck Interchange is ready for construction or financing that Phase 9 can be moved forward for development consideration through a development agreement and the appropriate CCC charge negotiated. This game plan needs to address the force main for sanitary sewer for Phases 2, 5, 9, 10 and 11 and the appropriate charges.

Mr. Paul Morgan

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Phase 9 Requested Amendments

Cresco Homes is requesting the following amendments to Phase 12 be implemented for the next draft (number five) of the Bedford West Secondary Strategy.

1. Phase 9 lands be designated RCDD/CCDD on the GFLUM Map and that mixed use development as previously outlined be permitted by development agreement.
2. To ensure fairness and equity Phase 9 lands should have the same density, development flexibility and development rights as proposed for the Bedford South Master Plan at 50 people per acre.
3. Phase 9 should be permitted to be developed once the financing for the Larry Uteck Interchange is approved.
4. Policy BW-17 in the Transportation Section should be amended to allow for the consideration of direct access onto the Kearney Lake Collector for Phase 9 lands as guaranteed by TPW.

I look forward to your response. Thank you and Best Regards,

Yours truly,

Kevin W. Riles
President and Chief Executive Officer

/KWR

Cc: Mr. Paul Dunphy, Director of Planning and Development Services – HRM (copy by e-mail).
Mr. Hossein Mousavi, Cresco Homes (copy by e-mail).

Paul Morgan - Bedford West Secondary Planning Strategy.

From: <caohminpresident@eastlink.ca>
To: <morganp@halifax.ca>
Date: 28/09/2005 11:42 AM
Subject: Bedford West Secondary Planning Strategy.
CC: <dunphyp@halifax.ca>, 'Hossein Mousavi' <office@cresco.ca>, <taleb@cresco.ca>

Paul Morgan
Planner
Planning & Development Services
Halifax Regional Municipality

Good Morning Paul:

Thank you for providing me today the Porter Dillon Consulting Draft Report dated September 2005 and entitled '*Highway 102 Interchanges Operational Assessment*' and our overall discussion regarding the Bedford West Master Plan process. As we discussed Caohmin Consulting on behalf of our client Cresco is not able to prepare its formal response and position on the Bedford West Master Plan process as a result of a lack of information, guarantees and the usual sign off/proposed positions from various HRM Departments regarding several cornerstone aspects to this Master Plan Process. As I have indicated at numerous Bedford West Public Participation Committee (BWPPC) meetings and to you verbally Cresco has sizeable land holdings in Phases 9 and 12 of the Master Plan Study Area and is deserving of equal consideration as any other land holdings within the Master Plan Study Area.

At several previous BWPPC meetings, in the April 15th, 2005 letter to you and most recently at the August 31st, 2005 BWPPC meeting I indicated that Caohmin was having difficulty with the lack of information surrounding the servicing, phasing and transportation components of the Master Plan process. Although there has been positive steps taken to the planning component (i.e. establishment of a CCDD) aspect of Phase 9 there is still great certainty surrounding the Delphi Transportation study and whether HRM agrees with its findings and the entire servicing issue. Many stakeholders in the process are waiting for clarification and HRM's position regarding servicing capacity of Mill Cove Treatment Plant and in what manner Phases 12 and 9 will be serviced. Infrastructure and transportation are the backbone and/or cornerstone of a master plan community and in the case of Bedford West there are still many unanswered questions. We will await the next Bedford West Secondary Planning Strategy draft in which you anticipate circulating this week. After reviewing this upcoming draft and the Porter Dillon Study in detail we will forward further comments.

Presently the following are key questions we would like clarification or positions on that will assist my client in ultimately making a decision on whether to support this Master Plan process.

1. After nearly three years of working on this Master Plan Study area, the MPS should provide a strategic game plan that clearly defines the development expectations and timings. A fair and detailed servicing strategy for Phase 9 area needs to be completed or the Master Plan should be delayed until all servicing issues have been addressed. The Master Plan and subsequent Bedford West Secondary Planning Strategy processes are the place to get such major issues resolved, not future development agreements.

Does HRM have a servicing strategy for Phase 9 and if yes when can we receive it?

2. Policies within the draft plan appear to offer full assurances of service capacity (relative to the Mill Cove Treatment Plant) to Parcels 1, 3, and 4. However, no assurances of servicing capacity have been assigned to Phases 9 and 12. At several meetings we discussed the equitable approach of granting these phases assured capacity rights based on their percentage of the total land holdings within the Bedford West Master Plan. For example if Phase 12 makes up 10% of the

entire land holdings of Bedford West it should be assured a minimum of 10% of the service capacity being reserved for Bedford West. If Phase 12 is worthy of inclusion in the Plan, it should be given equal rights to available capacities at the Mill Cove Plant.

3. We are still having difficulty understanding how HRM envisions servicing Phase 9. Originally at one point I am of the understanding that the Annapolis Group was proposing extending trunk sewer from Phase 2 down the Kearney Lake Road past Phases 5, 9 and 10 into Birch Cove. This approach makes complete sense since the total area and density could be calculated and a subsequent Capital Cost Charge (CCC) applied. The temporary service approach Annapolis Group (15 years is what has been proposed by them) although servicing their interests could leave Cresco's land holdings in Phase 9 "*orphaned*". Orphaned in the time it would take to see accessible services along the Kearney Lake Road it which Phase 9 could tap into or the costs, logistical challenges and legal requirements to have a service connection from Phase 9 through Phase 5 to Phase 2 are prohibitive. The cost for pumping stations alone to bring services from Phase 2 to 9 makes this approach problematic.

Has the HRM Engineering Department signed off or do they support the temporary servicing approach proposed by Annapolis Group? Has the Engineering Department given their reasons why they approve of this approach versus providing a trunk sewer along Kearney Lake as previous discussed?

4. **Has the HRM Transportation Department and Province formally agreed with the Annapolis Group Delphi report?** The direction given the importance of Phase 9 to the Bedford West Master Plan transportation model needs to be clarified and formal positions put forward.

If you have any questions please contact me.

Thank you and Best Regards,
Kevin

Kevin W. Riles
President & Chief Executive Officer
Caohmin Consulting

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102 Chain Lake Drive
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October 3, 2005

File No. 12.1.2.

Mr. Paul Dunphy
Director
Planning & Development Services
Halifax Regional Municipality
2nd Floor, P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5

Re: Bedford West Secondary Planning Strategy Review (BWSPR).

Dear Mr. Dunphy:

Cresco possesses significant land holdings in Phases 9 and 12 of the Bedford West Master Plan Study Area. Caohmin Consulting was retained in March, 2005 to represent Cresco as its Chief Project Manager in this matter. Over the past seven months Caohmin Consulting has attended all but one of the Bedford West Public Participation Committee (BWPPC) meetings and forwarded on several occasions formal correspondence to the Planning & Development Department regarding questions, opportunities, suggestions and concerns with the Bedford West Secondary Planning Strategy Review. It is important to note my concerns in this matter are not with Paul Morgan who has been prompt in meeting when requested and in working with the BWPPC diligently but with the process and lack of information and explanation on why certain approaches are being proposed by HRM.

The last draft of the Secondary Planning Strategy falls well short of my client's expectations regarding future growth and development of the whole of the Plan area. I have expressed to Paul Morgan and to the BWPPC on several occasions concerns with the uncertainty, lack of information and absence of detailed/concise direction needed to objectively evaluate how the proposed Secondary Strategy will impact Cresco's land holdings.

On April 15th, 2005 I submitted a letter (attached) to the Planning & Development Department in which Caohmin's various suggestions, conditions for Cresco's support in the Bedford West process, concerns and questions are outlined. To date we have not received a response regarding this matter. The overall theme of the letter is if Phases 9 and 12 warrants being included into the Bedford West Master Plan Study area they **deserve equal consideration** as any other area and **should be given equal rights to available servicing capacity** relative to the Mill Cove and Halifax Treatment Plants. As per Schedule BW-6 (July 4, 2005) as contained in a recent HRM inter department memo dated September 29th, 2005 to Angus Schaffenburg, Phases 9 and 12 account for nearly one fifth (18.6%) of the entire land holdings within the Bedford West Study Area.

Mr. Paul Dunphy
October 3, 2005
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Our position throughout the process has been consistent in that all land owners within the Bedford West Study area need to be treated fairly and equitably and one area should not be given priority to sewage and servicing capacity over another. Phases 9 and 12 should be guaranteed servicing capacity relative to their percentage of the overall land mass within Bedford West. In essence these phases should be allotted approximately 20% of whatever servicing capacity is allocated to Bedford West. Throughout discussions with the BWPPC and Planning Staff, the latest draft of the Secondary Strategy proposes that Areas 12 and 9 have a CCDD designation, equal density to other areas within the Study Area and other similar considerations. **What remains silent is how these areas are to be serviced.**

Further to my letter of April 15th, 2005 I forwarded an e-mail to Paul Morgan on September 28th, 2005 (attached) regarding serious concerns my client has with the Bedford West Secondary Planning Strategy and not being able to receive answers to ongoing questions. The next day we requested a meeting with Planning Staff to review this matter.

The frustration by Caohmin and other members of the BWPPC have expressed this, is the difficulty in getting HRM to supply capacity information on treatment plants, confirming whether HRM Engineering and Transportation Services are in agreement with or have signed off on the various servicing, engineering and transportation components as proposed by the Annapolis Group or suggested in drafts of the Secondary Planning Strategy and receiving answers to questions put forwarded regarding Phases 9 and 12.

On September 29th, 2005 we received from Paul Morgan an inter departmental memo dated September 29th, 2005 entitled '*Bedford West Sewage Flow Allocation*' that outlines proposed allocation of sewage flows and population between the Mill Cove and Halifax Treatment Plants and various policies and schedules for the Secondary Planning Strategy. Don Williams of *Mac Williams Engineering Limited* has been retained to review the proposed servicing scheme and approaches for Bedford West as contained in the recent draft of the Secondary Planning Strategy and in the March 2005 Porter Dillon Study prepared for The Annapolis Group entitled '*Sanitary Servicing Review Bedford West Draft Report*'. On September 26th, 2005 we received the Porter Dillon Consulting Draft Report dated September 2005 and entitled '*Highway 102 Interchanges Operational Assessment*'. Dan O'Halloran of *O'Halloran Campbell* has been retained to review the proposed transportation scheme and approaches for Bedford West and specifically the impacts the Kearney Lake Collector Road will have on my client's ability to develop Phase 9.

Caohmin Consulting is requesting a meeting with senior HRM officials, engineering staff and Mr. Morgan to discuss our concerns and determine how they can be addressed. Again we are looking for a reply to the following questions and response to our request to implement certain approaches within the Bedford West Secondary Planning Strategy.

1. Appreciating the fact that we just received last week from HRM information on Bedford West Sewage Flow Allocation and the Porter Dillon Transportation Study we are requesting 90 days to review the information with our consultants, prepare our own studies and make formal submissions to HRM regarding the transportation and servicing matters.

Mr. Paul Dunphy
October 3, 2005
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2. Why was the servicing scheme changed by The Annapolis Group from their original proposal to extend a trunk sewer along Kearney Lake Road to Birch Cove to where they are now proposing to build a temporary line to Mill Cove that services their development? This approach would 'orphan' my clients Phase 9 lands and the ability to service it since going to Phase 2 through Phase 5 via force mains and pumping stations is extremely cost prohibitive. The original approach as promoted by The Annapolis Group makes the most planning, technical and engineering sense since a trunk sewer along Kearney Lake Road could service not only Annapolis lands but Phases 9, 10 and 11 through a Capital Cost Charge (CCC) charge.
3. Has HRM Engineering signed off on this temporary line as proposed by The Annapolis Group?
4. Will HRM commit as part of the Bedford West Secondary Strategy to in principle followed up by the standard CCC discussions putting a trunk sewer along the Kearney Lake Road as originally planned?
5. Will HRM guarantee servicing capacity for Cresco's lands in Phase 9 when they are ready to develop as per other policies within the Bedford West Secondary Planning Strategy?
6. Will HRM guarantee and reserve as it has done with other phases in Bedford West capacity for Phase 12 when it is ready to develop?
7. Phase 9 is a critical phase within the overall development scheme of Bedford West for HRM. Specifically Cresco lands on the other side of Highway No. 102 in which the future Bedford South Interchange and off ramps will be constructed, is strategically important for the connector road from Kearney Lake Road to the Larry Uteck Boulevard Interchange. Phase 9 should be tied to the construction of the Larry Uteck Interchange as per the Delphi recommendations and not with the phasing within Bedford West Secondary Strategy. This makes sense given the development proceeding with Bedford South. The economies of scale, 'cut and fill situation' and cost savings makes this approach viable and sound technically. **Will HRM commit to construction of the Kearney Lake Collector Road at the same time Larry Uteck Boulevard Interchange is being constructed?**

I look forward to your response and in meeting to review in detail. Thank you.

Yours truly,

Kevin W. Riles
President and Chief Executive Officer

/KWR

Cc: Mr. Dan English, Acting CAO – HRM (copy by e-mail).
Mr. Jim Donovan, Manager – Planning Applications, HRM (copy by e-mail).
Mr. Paul Morgan, Senior Planner, Planning & Development Services, HRM (copy by e-mail).
Cresco Homes (copy by e-mail).
Mr. Dan O'Halloran, O'Halloran Campbell Consultants Ltd (copy by e-mail).
Mr. Don Williams, Vice President, Mac Williams Engineering Limited (copy by e-mail).

October 17, 2005

Kevin Riles
Caohmin Consulting

By fax: 444-7577

Dear Kevin:

RE: Draft Bedford West Secondary Planning Strategy

I would like to take the opportunity to respond to the questions and comments posed in your E-mail correspondence to me dated September 29th, 2005 as well as your correspondence to Paul Dunphy, dated October 3, 2005.

In your correspondence to Paul Dunphy, you state that you have not received a response to your April 15th, 2005 correspondence which was addressed to me. My recollection is that I had requested that you put your concerns with the draft secondary planning strategy in written format so that I could put them on the agenda of the public participation committee (the PPC). Consequently, your correspondence was put on the agenda and discussed at the next meeting of the PPC on April 25th. A number of amendments were made by the PPC in response which are summarized as follows:

- Amendments were made to policy BW-20 regarding which phases will be serviced by the Mill Cove Sewage Treatment Plant and which will be serviced by the Halifax Sewage Treatment Plant. Phase 12 will be allowed to discharge to the Mill Cove Treatment Plant instead of the Halifax Treatment Plant, as previously proposed. Consequently, lands within phase 12 (including your client's) can develop, once a more detailed land use and servicing plan has been prepared for this phase.
- An amendment was made to allow direct driveway access for commercial uses to the proposed connector road in the vicinity of the interchange. This provision would apply to your client's property in phase 9.

.../2

- Policy BW-16 has been amended to clarify that any general commercial development within phase 9 will be assumed to have a density of 50 persons per acre for the purpose of calculating loading on the sanitary sewage system. In the next draft, this policy shall be further amended to clarify that this assumed density shall also be applied to any general commercial development contemplated within phase 12.
- Policy BW-20 has been amended to require that a servicing and phasing plan be prepared for both phases 5 and 9 as a precondition for entering into a development agreement for phase 5.

There is one point made in your April 15th correspondence that I would like to take the opportunity to respond to as I believe a number of your subsequent comments and questions raised in your correspondence to Paul Dunphy and me reflect a misunderstanding of the process. On page 4, you state that you are having difficulty understanding why the Bedford South master plan area had to agree to pay a capital cost contribution charge towards the construction of a new interchange in order to relieve congestion on the Bedford Highway while there is no apparent requirement for Bedford West to contribute to infrastructure upgrades. You specifically noted that Kearney Lake Road would come under intense traffic pressure without the new interchange and connector road.

In fact, a capital cost contribution charge will be levied against all benefiting property owners in Bedford West to recoup the cost of infrastructure upgrades needed to service the new development anticipated. CBCL Ltd. has been retained to assist the Municipality determining what infrastructure upgrades will be needed and when and the associated charges in accordance with the Municipality's *Capital Cost Contribution Policy Manual*. A copy of this document can be made available upon request.

At this point, studies are being reviewed and information gathered. In the near future, affected property owners will be invited to meet with HRM and CBCL staff to review the findings. You will receive an invitation. I think that it would be beneficial for your client to retain engineering consultants to attend these meetings. Your correspondence to Paul Dunphy suggests that this may be your intent. Many of the matters which you have raised are most appropriately addressed through these negotiations.

With that said, I would like to take the opportunity to respond to comments and questions raised in your correspondence to Paul Dunphy and me as follows:

.../3

- No detailed servicing plans have been prepared for phase 9 or any other phase within this master plan area. The master planning exercise will determine trunk services, both on and off site, needed to service each phase but it will be the responsibility of property owners to determine servicing needs within each phase. This would normally be done at the more detailed planning stage.
- The draft secondary planning strategy provides no assurances that service capacity will be available to any development phase and it provides no preferential treatment for whatever capacity will be available. Reference is made to clause (a) of policy BW-20 of the most recent draft secondary planning strategy. A copy is attached for your reference.
- Municipal staff have not signed off on the sanitary sewer system design proposed by Annapolis. The temporary pumping station and force main to the Mill Cove Treatment Plant has been proposed to accommodate development until sufficient flows can be generated to justify the larger pumping station and force main which will discharge into the Halifax sanitary sewer system. The system design, including any timing elements, will have to be agreed upon through the capital cost contribution negotiations.
- Neither provincial or municipal staff have agreed to any transportation improvement proposals needed to service Bedford West at this point. In the near future, provincial and municipal staff will be meeting to review the draft Dillon study regarding the interchanges, as well as previous studies. Following this, property owners within the Bedford West study area will be contacted to meet and discuss the findings as part of the capital cost contribution negotiations.
- No guarantees are provided at this point regarding the timing for construction of the connector road or any other infrastructure upgrade contemplated. These matters will be discussed as part of the capital cost contribution negotiations. In determining phasing requirements, the Municipality will give consideration to the needs for such upgrades in terms of providing a satisfactory level of service; the financial impact of such expenditure in terms of the Municipality's Multi-Year Financial Strategy and the potential benefits to the Municipality in relation to alternative investment opportunities.

I hope that this has been of assistance but if you have any further questions, please feel free to contact me. In your correspondence to Paul Dunphy, you requested a meeting with senior HRM officials, engineering staff and me to discuss your concerns

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and how they might be addressed. I would suggest that the appropriate time for these discussions would be through the capital cost contribution negotiations. Your client, through you, as well as all other property owners within the Bedford West study area will receive an invitation to attend. However, in the interim, if you still feel that there is a need to meet, please let me know.

On a final note, there will be at least one more meeting of the PPC. If you have any specific recommendations for amendments to the draft secondary planning strategy, it would probably be beneficial if you documented these in a written submission. I will ensure that your submission is placed on the agenda.

Yours truly,



Paul Morgan, Planner
Regional Planning

copy: Dan English, Paul Dunphy, Jim Donovan, Peter Duncan, David McCusker,
Denise Schofield, David Ellis, Thea Langille, Jon Eppell, Doug Brownrigg

Bedford West Public Participation Committee

**Attachment: Policy BW-20 of Draft
Bedford West Secondary Planning Strategy**

Policy BW-20:

A development phasing plan is established for this secondary plan area as illustrated on Schedule BW-6 in which the following conditions shall apply:

- (a) any approvals within phases 1 to 12 will also be contingent upon availability of capacity within municipal service systems;*
- (b) any development agreement entered into within phases 2 to 8 and 12 shall include provisions for all new development intended within the phase;*
- (c) any development agreement for phase 4 will require that either (i) the community collector road be completed from the Kearney Lake Road to the Hammonds Plains Road through phases 2 and 3 or (ii) the community collector road is constructed through phase 6 to the Kearney Lake Road;*
- (d) approval for Phase 6 may not precede phase 4 but approvals for both phases may be considered concurrently;*
- (e) no municipal approval for phase 5 will be given until development agreements have been entered into for phases 2, 3 and 4 but nothing will preclude allowing development to commence before build out of phases 2, 3 or 4;*
- (f) no municipal approvals will be granted for phases 7, 8 and 9 until the Highway 102/Larry Uteck Drive interchange and Kearney Lake Road connector are constructed or financing has been secured and a time frame for completion agreed upon;*
- (g) no development agreement shall be entered into for phase 5 unless a servicing and phasing plan has been prepared and included in the agreement for the extension of municipal sewer and water services to both phases 5 and 9.*

October 28th, 2005

File No. 12.1.3.

Mr. Paul Morgan
Planner
Regional Planning
Halifax Regional Municipality
2nd Floor, P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5

Re: Response to Your October 17th, 2005 Letter Entitled 'Draft Bedford West Secondary Planning Strategy Review'.

Dear Paul:

Thank you for your letter and comments provided. To simplify matters and make for easier cross referencing I have outlined in my letter your comments in bold and quotes (10 pt font) as per your aforementioned October 17th, 2005 letter.

"In your correspondence to Paul Dunphy, you state that you have not received a response to your April 15th, 2005 correspondence which was addressed to me. My recollection is that I had requested that you put your concerns with the draft secondary planning strategy in written format so that I could put them on the agenda of the public participation committee (the PPC). Consequently, your correspondence was put on the agenda and discussed at the next meeting of the PPC on April 25th."

I appreciate that the correspondence was forwarded to the Bedford West Public Participation Committee (BWPPC) for review and subsequently fair and positive amendments were made to the Secondary Planning Strategy. However, there were numerous questions in my letter that did not require a BWPPC recommendation or discussion, but simply a response or clarification from HRM. There were other questions that would have made it difficult for the BWPPC to informatively discuss various issues as a result of a lack of information from the Municipality.

On several occasions over the past six months at BWPPC meetings several members repeatedly requested servicing information from the Municipality in order to make informed decisions and ultimate recommendations. Fair to say there was frustration from several members not having the servicing information made available. I appreciate you were waiting for answers from several departments. I understand the Municipality has a bigger picture to review but it has only been in the last month that details from the Dillon Studies have allowed Caohmin Consulting, on behalf of its client to evaluate these studies with qualified engineering and transportation engineers of their own. This is why we asked for 90 days to review these Dillon studies with our own consultants and then subsequently prepare our formal response and position. **This is only fair and reasonable.**

Mr. Paul Morgan
October 28th, 2005
Page 2

"A number of amendments were made by the PPC in response which are summarized as follows:

- ! Amendments were made to policy BW-20 regarding which phases will be serviced by the Mill Cove Sewage Treatment Plant and which will be serviced by the Halifax Sewage Treatment Plant. Phase 12 will be allowed to discharge to the Mill Cove Treatment Plant instead of the Halifax Treatment Plant, as previously proposed. Consequently, lands within phase 12 (including your client's) can develop, once a more detailed land use and servicing plan has been prepared for this phase."

The core issue that keeps coming up is servicing and if Area 12 would have capacity made available at Mill Cove Treatment Plant (MCTP). We have repeatedly stated that if Area 12 along with other areas in Bedford West, makes planning sense to service Mill Cove Treatment Plant then it is fair to ask at this stage, is there servicing capacity available? It is understood that detailed plans may not be yet available but the acreage is known for Area 12 and assumptions can be discussed on density to determine what capacity can be reserved.

- ! "An amendment was made to allow direct driveway access for commercial uses to the proposed connector road in the vicinity of the interchange. This provision would apply to your client's property in phase 9."

Positive amendment but the servicing of Phase 9 is critical. All else is a moot point if Phase 9 is "orphaned" and cannot access services to move ahead with the Master Plan, CCC and subsequent development agreement negotiations whether the Larry Uteck Boulevard and Kearney Lake Collector Road is built or financed.

- ! "Policy BW-16 has been amended to clarify that any general commercial development within phase 9 will be assumed to have a density of 50 persons per acre for the purpose of calculating loading on the sanitary sewage system. In the next draft, this policy shall be further amended to clarify that this assumed density shall also be applied to any general commercial development contemplated within phase 12."

Thank you.

- ! "Policy BW-20 has been amended to require that a servicing and phasing plan be prepared for both phases 5 and 9 as a precondition for entering into a development agreement for phase 5."

We understand the premise for this policy but the critical question for my client has been and will remain how is Phase 9 to be serviced? It is not a question of them paying for their fair share which they would certainly do but having a reasonable degree of certainty of the direction of the Municipality at the Master Plan stage. This allows my client to make their final decision on whether to support the Master Plan and enter future CCC and development agreement discussions with a fair understanding of where the Municipality is on the issue of certainty.

"There is one point made in your April 15th correspondence that I would like to take the opportunity to respond to as I believe a number of your subsequent comments and questions raised in your correspondence to Paul Dunphy and me reflect a misunderstanding of the process. On page 4, you state that you are having difficulty understanding why the Bedford South master plan area had to agree to pay a capital cost contribution charge towards the construction of a new interchange in order to relieve congestion on the Bedford Highway while there is no apparent requirement for Bedford West to contribute to infrastructure upgrades. You specifically noted that Kearney Lake Road would come under intense traffic pressure without the new interchange and connector road."

Mr. Paul Morgan
October 28th, 2005
Page 3

"In fact, a capital cost contribution charge will be levied against all benefitting property owners in Bedford West to recoup the cost of infrastructure upgrades needed to service the new development anticipated. CBCL Ltd. has been retained to assist the Municipality determining what infrastructure upgrades will be needed and when and the associated charges in accordance with the Municipality's Capital Cost Contribution Policy Manual. A copy of this document can be made available upon request."

Thank you for clarifying this. With all due respect I do not believe my April 15th, 2005 letter reflected a misunderstanding of the Master Plan process but rather asks questions of you when Caohmin Consulting formally became involved in the process in April to get clarity and a sense of direction of where the Municipality is heading in the Process. For the past seven months we have been consistent with our position and request for the same answers to the same questions. I have been involved in, managed, led and taken part in numerous master plan processes in my career and appreciate the differences between the flow in process of a Master Plan, Capital Cost Contribution (CCC) changes and the eventual development agreement. I have learned over my twenty year career when it comes to Master Plans that the more work and details that are resolved, addressed and solved upfront the far easier it is to have smoother CCC discussions and subsequent negotiations.

I sincerely appreciate the hard work staff, you and the BWPPC have put into this process and the challenges/sensitivities HRM has recently had with servicing overall. This being said there are still many unanswered questions regarding the master plan particularly around servicing that are best addressed at this stage while everyone is together and various consultants are working together for their prospective clients. I have witnessed in other jurisdictions too many times where the desire to get master plans approved has lead to great difficulties at the next steps of the process where CCC charges are negotiated and development agreements applied for.

"At this point, studies are being reviewed and information gathered. In the near future, affected property owners will be invited to meet with HRM and CBCL staff to review the findings. You will receive an invitation. I think that it would be beneficial for your client to retain engineering consultants to attend these meetings. Your correspondence to Paul Dunphy suggests that this may be your intent. Many of the matters which you have raised are most appropriately addressed through these negotiations."

As my October 3rd, 2005 letter to Mr. Dunphy outlines *O'Halloran Campbell* has been retained to review the transportation components and other studies of the Master Plan as well as *Mac Williams Engineering Ltd* on the engineering and servicing. Your comment in the above paragraph "in the near future" makes me nervous and again I am not sure why we cannot discuss and attempt to resolve the broad stroke servicing issues at the Master Plan stage. We are not asking to definitively determine costs but ask high level/ broad stroke questions such as "Will a certain amount of capacity be made available to Area 12 at the Mill Cove Treatment Plant" and "How is Area 9 to be serviced and what is the Municipality's position on trunk services along the Kearney Lake Road"?

"No detailed servicing plans have been prepared for phase 9 or any other phase within this master plan area. The master planning exercise will determine trunk services, both on and off site, needed to service each phase but it will be the responsibility of property owners to determine servicing needs within each phase. This would normally be done at the more detailed planning stage."

The Master Plan is the step in the process to determine trunk services both on and off-site.

! "The draft secondary planning strategy provides no assurances that service capacity will be available to any development phase and it provides no preferential treatment for whatever capacity will be available. Reference is made to clause (a) of policy BW-20 of the most recent draft secondary planning strategy. A copy is attached for your reference."

We appreciate hearing that no preferential treatment for capacity will be available to any development phase.

! "Municipal staff have not signed off on the sanitary sewer system design proposed by Annapolis. The temporary pumping station and force main to the Mill Cove Treatment Plant has been proposed to accommodate development until sufficient flows can be generated to justify the larger pumping station and force main which will discharge into the Halifax sanitary sewer system. The system design, including any timing elements, will have to be agreed upon through the capital cost contribution negotiations."

Our engineering consultants are requesting a meeting with HRM and Annapolis Group to gauge at what point would sufficient flows be available to technically warrant having a trunk sewer along the Kearney Lake Road.

! "Neither provincial or municipal staff have agreed to any transportation improvement proposals needed to service Bedford West at this point. In the near future, provincial and municipal staff will be meeting to review the draft Dillon study regarding the interchanges, as well as previous studies. Following this, property owners within the Bedford West study area will be contacted to meet and discuss the findings as part of the capital cost contribution negotiations."

Would it not be prudent to have provincial and or municipal staff sign off on any transportation improvement proposals as part of the Master Plan process and staff's ultimate recommendation to Regional Council? We understand future CCC negotiations will pin down details on cost sharing, costs and timing but I think the Municipality would want sign off at the Master Plan stage from the transportation authorities that what is being proposed is technically sound or will occur.

! "No guarantees are provided at this point regarding the timing for construction of the connector road or any other infrastructure upgrade contemplated. These matters will be discussed as part of the capital cost contribution negotiations. In determining phasing requirements, the Municipality will give consideration to the needs for such upgrades in terms of providing a satisfactory level of service; the financial impact of such expenditure in terms of the Municipality's Multi-Year Financial Strategy and the potential benefits to the Municipality in relation to alternative investment opportunities."

"On a final note, there will be at least one more meeting of the PPC. If you have any specific recommendations for amendments to the draft secondary planning strategy, it would probably be beneficial if you documented these in a written submission. I will ensure that your submission is placed on the agenda."

Caohmin Consulting will prepare specific recommendations and proposed amendments to the draft Bedford West Secondary Planning Strategy for you once we hear back from our transportation and engineering sub consultants.

Mr. Paul Morgan
October 28th, 2005
Page 5

I look forward to your response and in meeting to review this matter in detail. Thank you again.

Yours truly,



Kevin W. Riles
President and Chief Executive Officer

/KWR

Cc: Mr. Dan English, Acting CAO – *HRM* (copy by e-mail).
Mr. Paul Dunphy, Director – Planning & Development Services, *HRM* (copy by e-mail).
Mr. Jim Donovan, Manager – Planning Applications, *HRM* (copy by e-mail).
Cresco Developments Ltd. (copy by e-mail).
Mr. Dan O'Halloran, *O'Halloran Campbell Consultants Ltd* (copy by e-mail).
Mr. Don Williams, Vice President, *Mac Williams Engineering Limited* (copy by e-mail).

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Nov 2, 2005
Paul Morgan, Planner
Dept of Planning
Halifax Regional Municipality
The Ferry Building
Halifax, NS

Dear Paul:

Thank you very much for taking the time to respond to my concerns. While I appreciate your position I have to say that I would like to offer a different viewpoint.

In a worst- case scenario from a Bedford West perspective we are presuming that there is no question that there will be some capacity available. Based on the Greenfield Report, commissioned by HRM, Bedford West was identified as the most cost- effective area for development under review. On the basis of staff's report to Council, Morris Russell Lake and Bedford West were endorsed and approved by Council as the next areas for development.

My assumption is that there is some capacity available. Given that the phasing for this project covers a 25-30 year time span we would like to proceed to take up that capacity.

With respect to Timberlea, I believe that the capacity issues are sufficiently complex that the timeline for resolution is at least several years and we presume that staff are not proposing that the whole of the Bedford West project be held up while the Timberlea issue remains unresolved. This just simply would not make economic sense and would fly in the face of all of the planning work completed to date by the Committee, staff and stakeholders.

There has been a great deal of very positive citizen input- vis a vis the Bedford West Public Participation Committee which has been meeting for more than two years. As well one staff and oft-times two staff have been assigned to facilitate the Committee, guiding the members and interested parties through the complexities of planning- a job that has been very thorough in my view. All stakeholders have been actively encouraged by staff to participate and welcomed to the table.

However, after almost three years and expenses nearing the \$3,000,000 dollars by the largest stakeholder it is time to move forward. I simply fail to see the logic in holding up this development site any further given the extensive groundwork invested by the staff at

HRM.

Paul, I would like to be clear that I greatly appreciate your time and effort which, as always, is inclusive and fair but at this point I believe that the direction is wrong and that without a clear and compelling time frame from staff for going to Council I fail to see any benefit from delaying this well-planned community. I believe that staff should continue to move forward on this development on the basis of its Number 1 ranking from a host of proposed areas as being far and away the most sensible and economically feasible for the taxpayers of Halifax.

I look forward to further discussion of my concerns.

Yours truly

Maureen Donovan
President, The Dakin Co. Ltd.

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Subsidiaries
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Ridgevale Developers Limited

January 4, 2006

JAN 11 RECD

Mr. Paul Morgan
Planner
Halifax Regional Municipality
PO Box 1749
Halifax, NS B3J 3A5

RE: Questions & Observations – Bedford West Master Plan – Draft #10

I note from your recent e-mailing that Draft #10 of the proposed Bedford West Master Plan has been forwarded to members of the PPC and area stakeholders for comment. Barring any unforeseen problems, it would appear that the PPC has completed its work and that the Plan will now move forward for formal consideration by Regional Council. The PPC is to be congratulated on its commitment to this extraordinary undertaking.

As you know, we do not own property within the Master Plan area. However, there are a number of things in the most recent draft that could potentially impact our Bedford South development. With this in mind, I wonder if you would shed some light on the following questions and/or observations. While I appreciate that you are extremely busy these days, it would be helpful if a response could be provided before the final sign-off by the PPC.

Policy BW-1

Under the Bedford South/Wentworth Master Plan, we (along with the other property owners) were required to prepare a master storm water management plan for the entire master plan area (Policy EP-1). Can we assume that the proposed wording for Bedford West Plan will require that a storm water management plan be prepared for the whole of the master plan area before development agreements are considered for individual areas? I ask this simply because large sections of Bedford South fall within either the Kearney Lake or Paper Mill Lake watersheds. We would like to ensure that Bedford West takes into consideration the information, recommendations, and protocols contained in the duly approved Bedford South/Wentworth Storm Water Management Plan.

Assuming that a comprehensive plan has been prepared, can you confirm that the strategy has been reviewed and/or endorsed by BWAC, DOE, and the Department of Natural Resources (i.e. storm detention, wetland identification, etc.)? These were the agencies involved with the approval of the Bedford South/Wentworth management plan.

Policy BW-2

Should this not read "No development agreement shall..." as opposed to "No subdivision approval..." A similar provision is found at Policy EP-2 of the Bedford South Plan. Perhaps I am mistaken, but I don't believe the proposed MPS can directly control subdivision approvals unless

appropriate changes are made to the relevant subdivision by-law(s). I am not aware that changes to the various Subdivision By-laws governing this plan area are being considered pursuant to this policy.

Municipal Services (preamble)

Based on current information, it would appear that most of the preamble to the Municipal Services section is outdated or simply incorrect. The following observations help to illustrate this point:

1. In recent months, I have heard various staff make qualifications regarding the relevance of the Green Field Study. Even your own Director cautioned the PPC at its November meeting that the findings of this study were at best preliminary and should not be considered gospel in light of specific information to the contrary. Based on the recent Dillon servicing study, it would appear that Bedford West will be every expensive to service with municipal water and sanitary services – far more than originally contemplated by the Greenfield Study. Add to this the extraordinary costs associated with Dillon's recommended design for the new Larry Uteck/Highway 102 Interchange and the project "per acre" servicing costs begin to escalate rapidly.
2. I am unaware that the Water Commission has released its study for servicing Bedford West (my apologies if this is not correct). While the main transmission line is available to service parts of the plan area others will require construction of a new reservoir. Until such time as the CCC has been established, one should not assume that "Servicing costs were deemed low..."
3. With the greatest respect to staff and the PPC, traffic from Bedford West can not easily access the Bi-centennial Highway. Hammonds Pains Road is a busy overtaxed rural connector that is in need of immediate upgrading. Kearny Lake Road continues to attract increased levels of traffic yet it is only sanded during winter months. Both roads lead to older interchange structures which will require improvements in the future. Reference to the MRC Delphi report is somewhat misleading since the traffic study has yet to be endorsed by either HRM or TPW transportation engineers. The report's conclusion that "minimal investment in transportation infrastructure would be required by the Municipality to facilitate development of this area" has not been substantiated – certainly, the Dillon Report and its recommended design for the Larry Uteck interchange would suggest anything but a minimal investment in future infrastructure.
4. As for sanitary services, the proposed "temporary" force main for Area 2 would lead one to conclude that sanitary services represent a very real and substantial constraint to development. It remains unclear to our company how the HRM was able to allocate so much development to Mill Cove (even on a temporary basis) while restricting Bedford South to only 2900 people.

Policy BW-16

Perhaps I am mistaken in my calculations, but it appears that the whole of Bedford West can be constructed to a density exceeding 20 persons per acre. I glean this from my reading of subsections (a), (b), and (c). Individually, the various land components can and will exceed 20 ppa.

As you know, Policy MS-1 of the Bedford South/Wentworth Master Plan restricts the gross density for the whole of the plan area to 20 persons per acre. The same density calculations that are being applied to Bedford West were applied to Bedford South with one notable exception – in the case of Bedford South, all commercial, institutional, and residential entitlements were rolled into one overall density calculation.

Our 375 acre landholding in Bedford South has an overall density entitlement of 20 persons per acre. As such, we have taken great care to apportion our density allotment relative to the various land use scenarios outlined for Neighbourhoods A, B, C, D, and E along with our major and community commercial holdings adjacent to Highway 102.

Would you mind clarifying this situation as it would appear that Bedford West could be developed to a density in excess of 20 persons per acre?

Policy BW-16: subsection (b)

Can you clarify what studies have been prepared to support the position that servicing for 3600 people can be pumped “temporarily” to Mill Cove before a permanent pumping station and force main is required to Kearny Lake Road? I raise this issue in light of the considerable debate that took place in public as well as behind the scenes during the preparation of the Bedford South/Wentworth Master Plan. Although large sections of our landholdings were part of the former Town of Bedford we were not allowed to direct sanitary flows from these areas to Mill Cove. Rather, we were restricted to only 2900 persons for entire landholdings and required to pump the rest of our lands back to Halifax via a pumping station and force main to be constructed along Larry Uteck Blvd.

During the Bedford South planning process, various land owners (including the Annapolis Group) made representations to Council aimed at restricting the amount of flows from Bedford South in order to ensure sufficient capacity for other areas. We are not opposed to services being extended to Bedford West. However, we would like some additional information regarding this most recent allocation of service capacity at Mill Cove - specifically:

- Can you provide us with studies and/or correspondence regarding both the interim and longer-term capacity allocations for Mill Cove? Much has been discussed about this issue however, our files have not been updated since the conclusion of the Bedford South/Wentworth Master Plan.
- Is there any chance that Policy BW-16 could be interpreted to allow for 3600 people to remain permanently within the Mill Cove system? In other words, the first 3600 people can continue to use the Mill Cove facility however, any future development will be required to be serviced back to Halifax?
- Assuming that there is now confirmed capacity at Mill Cove, can we make application to amend Policy MS-3 of the Bedford South Master Plan for the purpose of increasing our sanitary sewer allotment? Knowing this now will better help us in the design of trunk sanitary services for the remainder of our master plan community.

Policy BW-17

I continue to have problems with subsection (d) of this Policy. To the best of my knowledge, the Delphi report has not been endorsed by either HRM or TPW transportation engineers. How then can the master plan prescribe system upgrades per Delphi when no consensus has been reached to date?

Phasing BW-20

This section seems to be a moving target, yet the one major concern that I have had, since day one, remains unresolved.

As you know, Policy MS-6 of the Bedford South/Wentworth Master Plan area restricts development to not more than 1330 residential units before construction of the proposed Larry Uteck Blvd. Highway 102 interchange. MPS language supports additional units subject to Council be satisfied that the interchange is under construction and that additional traffic can be accommodated.

We understand that this restriction was placed on Bedford South/ Wentworth not because of the amount of traffic on the Bedford Highway between Hammonds Plains Road and Kearney Lake Road, but because of the significant traffic volumes between Kearney Lake Road and the Fairview overpass. During morning rush hour this section of the Bedford Highway operates at or above capacity. Throughout the Bedford South Master Plan process, residents voiced concern that the road was already overloaded and that a new interchange was required sooner rather than later. In setting the 1330 threshold (actually 2000 units including Royale Hemlocks), Council had yet to authorize the commencement of the Bedford West Master Plan – certainly, the projected traffic from this development was never incorporated into any traffic study produced in relation to Bedford South (i.e. AR&T or the SGE reports).

My reading of Policy BW-20 would suggest that significant development can take place at Bedford West before construction of the new Highway 102 interchange. It appears that only areas 7, 8, and 9 are dependent upon the interchange before new development in these areas is permitted.

My question to you is quite simple – *where did all this new capacity for the Bedford Highway come from?* Even with a 50 per cent diversion rate to Highway 102 at Kearney Lake Road interchange, development of areas 1, 2, 3, 4, 5, 6, and 12 will add significantly to the peak hour traffic volumes along this section of the Bedford Highway. If the HRM was so concerned about Bedford South overloading the Bedford Highway, how can it openly invite 1000's of additional household units to make use of this overtaxed thoroughfare?

As you know, the Bedford South CCC contemplates construction of the new interchange in 2009. If not for the continued delays in processing the development agreement application for Neighbourhood "B" this timeframe would still appear reasonable.

My questions to you regarding this issue are as follows:

1. Has the HRM undertaken a study to determine the impact of Bedford West on the Bedford Highway – specifically, that section of the highway between Kearney Lake Road and the Fairview overpass? If so, would you please supply me with a copy of same?
2. What is HRM's position on the current diversion rate from Kearney Lake Road to Highway 102 interchange at Kearney Lake Road? Has HRM or its designate consultant

undertaken any recent traffic counts at this location to determine the current diversion rate?

3. Other than subsection (f), there is little reference to the connector road from Kearny Lake Road to the new Highway 102 Interchange. Certainly, the Plan does not appear to recognize the connector road and interchange as an integral part of the development of Bedford West. Can you explain why the Plan offers no real strategy regarding the completion of this road and connection to the new interchange? Why is there no restriction on development (i.e. 200 units) before the connector road and interchange have been committed for construction?
4. Have the various property owners affected by the proposed connector road and interchange been advised of the proposed approach to development? I raise this given the unfortunate situation involving Imperial Oil and the Morris-Russell Lake Master Plan. If you recall, the revised alignment of the Mount Hope Connector impacted a small portion of Imperial Oil's property. Unfortunately, no one advised Imperial of the change in alignment until the Master Plan was circulated for approval. If not for some last-minute scrambling by senior staff, the whole of the Master Plan could have been cast into turmoil.

Policy BW-39

My final comments relate to the D.A. process proposed for Area 9. Based on our previous discussions with the Cresco Group, it would appear that they have a fairly good handle on what they would like to do with this area. Certainly, the proposed plan captures the essence of future development possibilities both in terms of permitted density and land use. Why then, will this area be subjected to another round of formal PPC involvement?

I ask this question relative to the timing and design of the proposed Larry Uteck/Highway 102 Interchange. For our commercial lands at Bedford South, we are simply required to proceed with an application for Development Agreement, wherein the standard processing involving the PAC, BWAC, and Community Council(s) will prevail. To the best of our knowledge, there is nothing special or overly complex about Area 9 – certainly, nothing that could not have been discussed and resolved over the last three years.

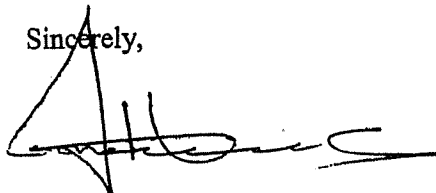
It is our view that Area 9 is vital to the future of the whole of Bedford West. Yet, it has not received the attention and strategic planning needed to ensure that its development will happen in a predictable and timely fashion. As such, we would encourage staff and the PPC to bring some clarity to this area of the master plan with the view to ensuring a smoother and more simplistic approach to development approvals. What if future development plans for this area fail to find support with the public, the PPC, or Community Council? Does that mean that the interchange and connector road will be delayed indefinitely? What will be the impact on the CCC if this were to happen? Finally, will the various levels of government suspend funding for the new interchange while the process for Area 9 runs its course?

On a related matter, I understand from your recent e-mails that staff intends to convene a meeting of the various stakeholders once municipal and TPW staff have completed their reviews of the Dillon report - specifically, its recommendations on the design of the Larry Uteck/Highway 102 Interchange. As you know we are extremely concerned about the proposed design and anticipated cost of the Dillon design. The Dillon design has major implications for our proposed commercial area abutting Highway 102, not to mention the approved CCC for the whole of Bedford South.

We eagerly await this meeting and trust that the Bedford West Master Plan will not be allowed to proceed until such time as this critical issue has been resolved.

Thank you for your timely response to this questionnaire.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Michael Hanusiak', written over a horizontal line.

J. Michael Hanusiak
Sr. Vice President & General Manager

cc. Cresco Group, Emscotte Ltd.

Kimberly-Lloyd

January 11, 2006

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Via Facsimile: 490-5730

Paul Morgan
Halifax Regional Municipality
Regional Planning
Halifax Ferry Terminal, 2nd Floor
5077 George Street
Halifax NS

Dear Mr. Morgan:

RE: Bedford West Master Plan

Thank you for meeting with us January 9, 2006 to discuss the issues from various correspondence between Kimberly-Lloyd Developments and yourself regarding the Bedford West Master Planning process. It was unfortunate that your manager Mr. Paul Dunphy was unable to attend as planned, but we acknowledge the presence of Austin French and Peter Duncan of the Regional Planning Group. This letter will serve to summarize our understanding of the discussions held at this meeting.

We believe a consensus was reached regarding the current status of the Hamshaw and MacDonald Lands which are referred to in the February 11 Staff Report as areas 5A and 5B. To confirm, we understand these Lands which were part of the former Halifax Development Plan are currently zoned R2 and holding. The Lands that are zoned R2 are permitted to proceed with development with onsite septic and well on existing streets. The right to develop on municipal water and sewer would be available at such time as municipal services were available. This process would be an as-of-right process. The Lands zoned holding are restricted for development until such time as municipal services are available and a Plan Amendment is undertaken to change the use of these Lands.

As there was no service boundary in the former Halifax Development Plan, we understand it was the intent to see all the lands within that plan developed with municipal services at such time as they were available. To this end, the Municipality participated in cost sharing of oversized services on adjacent developments to further the intent of the plan.

In 2002 Kimberly-Lloyd Developments requested all these Lands be included as part of the Bedford West Master Planning process so as to maximize the benefit of the future infrastructure in the Kearney Lake Road area and allow sufficient lands to participate in the capital cost contributions to achieve value. Throughout this process, you have been unsupportive of the inclusion of the rear portion of these lands that are currently zoned

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holding, based on an apparent single access point and a steep ridge running through the property which you have indicated you believe restricts development. You have also provided correspondence and comments indicating that the lands that have been recommended for inclusion are those lands that drain naturally towards Kearney Lake. We believe your comments to be unsubstantiated and acknowledge that you have not forwarded or received correspondence to/from supporting departments to verify your conclusions.

As we indicated during the meeting, we believe that the majority of the lands including the holding lands do drain naturally from a high contour point at the rear of the property towards the Kearney Lake Road; that engineering solutions are available for second access points, subject to negotiating with adjacent land owners; and that we do not concur that the steep sloped ridge running through the properties absolutely prevents access to the back lands.

We also discussed the fact that these lands are part of the former Halifax Development Plan with the intent to develop with municipal sewer and water. Therefore, regardless of whether these Lands are included as part of the Bedford West Master Plan or left to proceed with their current as-of-right uses, that reserve capacity in the sewer system has to be maintained for the future development of these lands. Leapfrogging to include lands in another development plan area which would use capacity in the Halifax system is unacceptable.

It is important to note that the portion of lands that are currently being recommended for inclusion in the Bedford West Master Plan are uniquely different than the balance of the Bedford West Lands in that they have an existing R2 zoning use.

Although we discussed the possibility of including the rear portion of these lands in a separate master planning process, we believe that it is still in the best interest of the Municipality to include all of these lands as part of the current Bedford West Master Plan area for the reasons as outlined above, and in previous correspondence. However, if staff feel that this proposal is still not supportable, then we would maintain our alternative recommendation, being that none of our lands be included as part of the Bedford West Plan area and that the lands within the R2 zone be allowed to proceed as-of-right, including the right to municipal services when available.

I trust the above fairly represents the discussions held during our meeting and if not, please provide your comments. I request that upon consideration of our discussions as outlined in this correspondence that a second meeting be scheduled to clarify any misinterpretations and verify which of the proposed amendments staff may be prepared to support so that the Planning Advisory Committee can be reconvened to consider our proposed amendments prior to the draft Plan going before Council.

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We maintain and believe that you will concur, that it is imperative that all land owners be provided fair and equitable treatment in the consideration of the boundaries of the Plan and associated policies.

We look forward to hearing from you with a proposed meeting date.

Yours truly,

KIMBERLY-LLOYD DEVELOPMENTS LIMITED

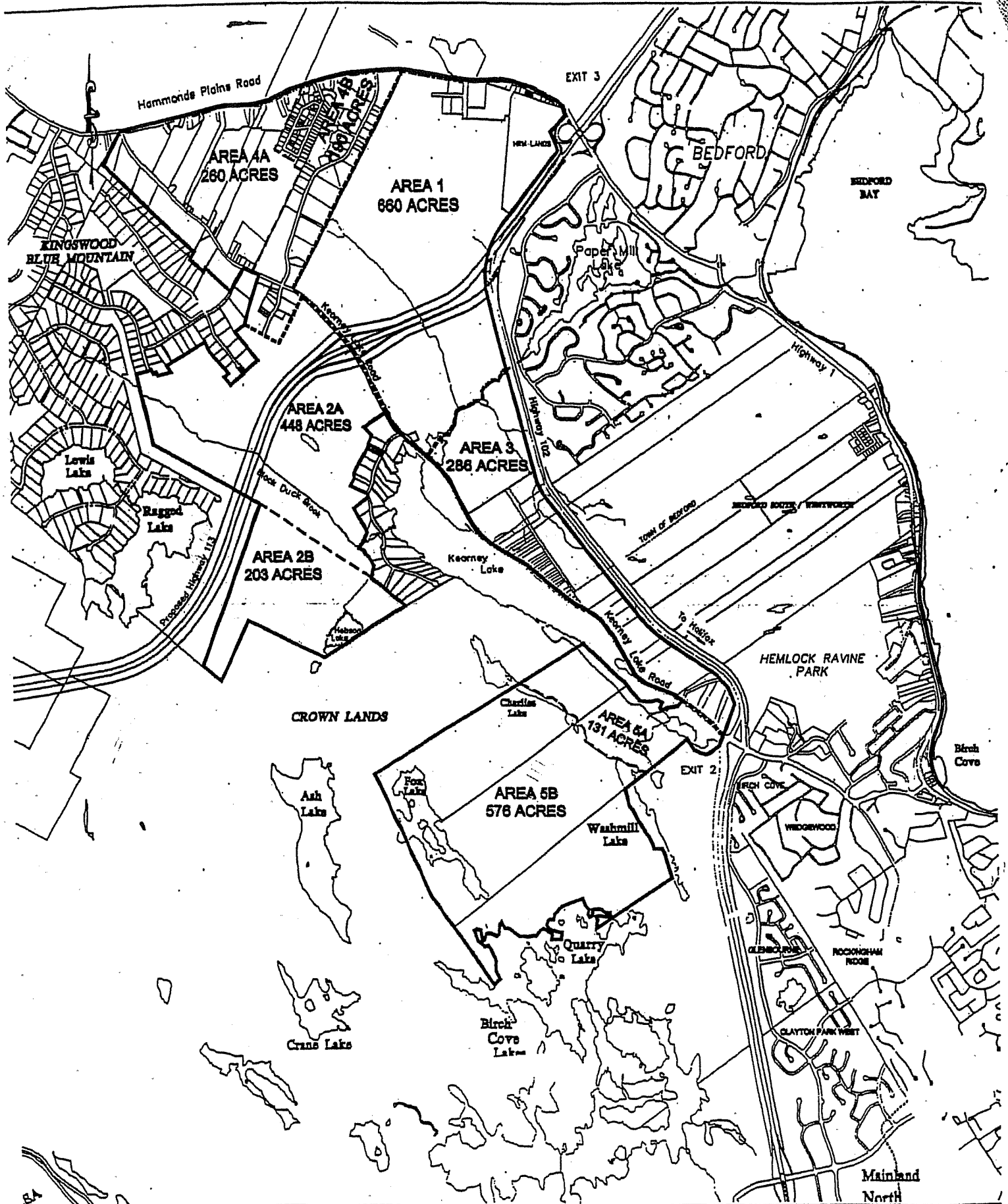
Michelle Allen

for: Robert MacPherson, P. Eng.
Vice President Development

RM/mja

cc: Mayor Peter Kelly
Dan English, Chief Administrative Officer
Paul Dunphy, Director of Planning & Development
Debbie Hum, Councillor, District 16
Austin French
Peter Duncan

Attachment I: Proposed Study Area Boundary



February 10, 2006

Robert MacPherson, P. Eng.
Vice President Development
Kimberly-Lloyd Developments Ltd.

By fax: 482-8136 (9 pages)

Dear Robert:

RE: Bedford West Master Plan

This correspondence has been prepared in response to your correspondence of January 11, 2006 and your request for a meeting with the Bedford West Public Participation Committee (the PPC) made in your correspondence of December 16, 2005.

In your January 11th correspondence, you assert that a consensus was reached at our January 9th meeting regarding the status of certain lands adjacent to Kearney Lake which were illustrated as areas 5A and 5B on Attachment I of the staff report to Regional Council. I most certainly do not concur that any consensus was reached on the status of these lands.

It was my recollection that the meeting concluded with me making a commitment to provide clarification regarding development rights on the lands zoned R-2 and providing further elaboration on the position of other municipal departments regarding the recommendation of the PPC not to consider serviced development over area 5B. There are several opinions expressed in your correspondence which do not accurately reflect our staff position. I would therefore like to take the opportunity to respond as follows:

Area 5A:

A vast majority of the lands within Area 5A are currently zoned R-2 (Two Unit Dwelling)

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under the Land Use By-law for Mainland Halifax. The provisions for water and sewer services are found under the general provisions of the by-law, section 14A (attached). Water and sewer services must be provided with the exceptions listed under clauses (a) to (g). Clause (g) specifically pertains to the lands with Area 5A.

Any existing lots within Area 5A which abut an existing public street would not be required to be serviced with municipal sewer or water services. All other lands would be required to be developed on "a city sewer or water system". Any subdivision proposal would also be required to be designed and constructed in accordance with the Halifax Subdivision By-law requirements and the Municipality's Service Systems Design Guidelines ("the Red Book") with all costs being assumed by the proponent.

Area 5B:

These lands are designated "Holding" under the Halifax Municipal Planning Strategy (formerly referenced as the Halifax Municipal Development Plan and referenced here as "the planning strategy") and zoned "Holding" under the Mainland Halifax Land Use By-law. You have stated that the intent of the planning strategy was to allow these lands to be developed with central sewer and water services and that capacity must be maintained in the municipal service system to allow this to happen.

Policies 2.1.5 and 2.1.6 of the planning strategy (copy attached) provides direction to the intended development on the west side of the Bicentennial Highway which includes Area 5B. These policies state that, due to environmental sensitivities and absence of municipal services, development is to be limited to single unit residential dwellings and community facilities with on-site services. Policy 2.1.6 allows for the provisions made under clause 14A(g) of the Land Use By-law.

The planning strategy makes no commitment that lands designated holding can be expected to receive municipal sewer and water services in the future and no suggestion is made that capacities are to be reserved in municipal service systems to service these lands. Nothing, however, would preclude Council from amending the planning strategy to allow for serviced development in the future.

Consideration would have to be given to a wide range of matters. Section I of the planning strategy (attached) emphasizes the basic approach and overall goals sought. The *Municipal Government Act* also stipulates a number of procedures to be followed, such as establishing a public participation program and holding a public hearing, before any decision is made about amending a planning strategy.

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As you are aware, both the master planning program and the regional greenfield study have been initiated by the Municipality to determine which areas of the Municipality might be best suited to accommodate future growth on municipal services. Area 5B was included in the master plan study for Bedford West. However, no commitment has been made that the Municipality will ultimately conclude that these lands or any others within Bedford West should receive municipal services.

You also stated that the recommendation of myself and the PPC not to recommend area 5A for extension of municipal services was not substantiated or reviewed by other departments. This recommendation has been reviewed by the staff members identified at the conclusion of this correspondence. The staff members have concurred that this area should not be included.

The primary reason is that there is no opportunity to develop a reasonable transportation network to service these lands due to the constraints of Kearney Lake and the Gateway quarrying operation. It would appear that all traffic would have to travel over the existing residential streets in the subdivisions in area 5A to access the Kearney Lake Road. These roads are old and developed for local traffic - not the higher levels of traffic that would be expected from development over area 5B.

Even if a second access to Kearney Lake Road could be secured from the Gateway quarry property, as suggested may be possible by you at our meeting, traffic would still be directed through local residential streets in area 5A - a situation which would not be desirable from the perspective of traffic management or provision of transit services.

I spoke with Scott Stephens, President of Gateway, on the phone on January 31st about the possibility of extending a street through the quarry property. He said that he had very preliminary discussions about this a year or two ago with a representative of Kimberly-Lloyd but no discussions have been held since that time. He said that the quarry operations are expected to continue for considerable time and that any other development would have to be done in such a manner as not to interfere with the quarry.

The ridge between areas 5A and 5B would prove to be a difficult challenge for road development which would likely entail significant grade alterations and environmental damage. The fact that there is a higher point of land on area 5B and that this area drains towards Kearney Lake is not relevant to the recommendation put forward. The obstacle pertains to the very sharp rise in elevation over a relatively short horizontal

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distance which would make road construction very difficult.

Staff have not concluded that area 5B could not be developed with municipal services. Consideration has been given to preparing a separate master plan for the lands around Suzie Lake in conjunction with a regional park. Area 5B would be included. As you are aware, EDM has been retained by Regional Planning to undertake some preliminary work on this proposal. A residential reserve designation is being proposed over these lands by the Regional Plan to allow for this possibility at some point in the future.

Further Deliberations:

The PPC has deliberated on your request for reconsideration and has advised that it is satisfied with its recommendations already made. These recommendations will now be reviewed by the North West Planning Advisory Committee (the PAC) and the three community councils having jurisdiction over this study area (Chebucto, North West and Western Region) for recommendation before proceeding to Regional Council for consideration of approval. Regional Council would be required to hold a public hearing before any approvals could be given.

If you are still interested in pursuing amendments, representations could be made before the PAC, the Community Councils and at the public hearing. Let me know if you are interested and I will advise you of meeting dates.

In previous correspondence, you requested that one of two alternative amendments be made. One was to include both areas 5A and 5B in a service boundary. The other was to exclude both from the master plan and allow this land to be developed in accordance with the current land use by-law and subdivision by-law provisions.

Since our meeting, Regional Planning staff have reviewed these requests. Consideration may be given to supporting the second alternative but not the first. I remain convinced that the PPC proposal may be in the best interests of both the Municipality and your company in finding cooperative and possibly innovative solutions to servicing lands within area 5A. However, you should satisfy yourself in this regard.

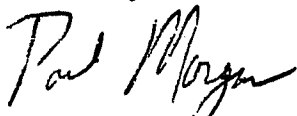
I understand that you have posed a number of questions to Kelly Denty to determine municipal regulatory requirements for subdivision approval. You should also be aware that you would not be eligible for cost sharing with the Municipality that could otherwise be considered under the Municipality's capital cost contribution (CCC) policy. The CCC

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policy may only be applied to lands where a master planning exercise has been undertaken.

I would appreciate receiving written confirmation as to which option your company wishes to pursue. If requested, another meeting can be scheduled before deciding.

Yours truly,



Paul Morgan, Planner
Regional Planning
/attachments

Correspondence Reviewed by:

Austin French, Manager of Regional Planning
Peter Duncan, Manager of the Environment, Regional Planning
David McCusker, Manager of Transportation Planning, Regional Planning
Denise Schofield, Acting Manager of Development Engineering, Development Services
Alan Taylor, Transportation Planner, Transportation & Public Works Services
David Ellis, Senior Environmental Engineer, Environmental Management Services

Correspondence copied to:

Mayor Peter Kelly
Councilor Debbie Hum
Bedford West Public Participation Committee
Dan English, Chief Administrative Officer
Paul Dunphy, Director of Planning & Development
Mike Labrecque, Director of Transportation & Public Works
Brad Anguish, Director of Environmental Management Services
John Sheppard, Manager of Environmental Management Services
Kelly Denty, Development Officer, Development Services

EXCERPT: MAINLAND HALIFAX, LAND USE BY-LAW

OFF STREET LOADING SPACE

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The owner of every hotel, retail or rental store, office building, wholesale house, industrial building, or any other building of a similar nature shall provide off-street loading space according to the following:

- (a) for a usable floor area up to and including 3,000 square feet, one space required;
- (b) for a usable floor area of over 3,000 square feet and up to and including 6,000 square feet, two spaces required;
- (c) for a usable floor area of over 6,000 square feet, three spaces required.

WATER/SEWER EXCEPTIONS

14A

No development permit shall be issued unless the proposed development is on a city sewer or water system, provided however, that this section shall not apply to:

- (a) developments within a holding zone or WC zone on lots which abut the existing public street network;
- (b) the replacement by a similar use, or the repair of a building which is not on city sewer and water but conforms in every other respect to the land use bylaw;
- (c) additions which do not result in a change in use or increase in the number of dwelling units;
- (d) accessory buildings.
- (e) developments within an I-3 Zone, located outside the Development Boundary identified on Map II, Appendix "C" of the Halifax-Dartmouth Metropolitan Regional Plan.
- (f) developments within the area designated as the "Bedford Highway Area" from the junction of the Kearney Lake Road north to the city boundary.
- (g) R-1 and R-2 uses on lots which abut the existing public street network for the area designated "Residential Environments" for the area of Kearney Lake west of the Bicentennial highway.


EXCERPT FROM HALIFAX MUNICIPAL PLANNING STRATEGY

2. RESIDENTIAL ENVIRONMENTS

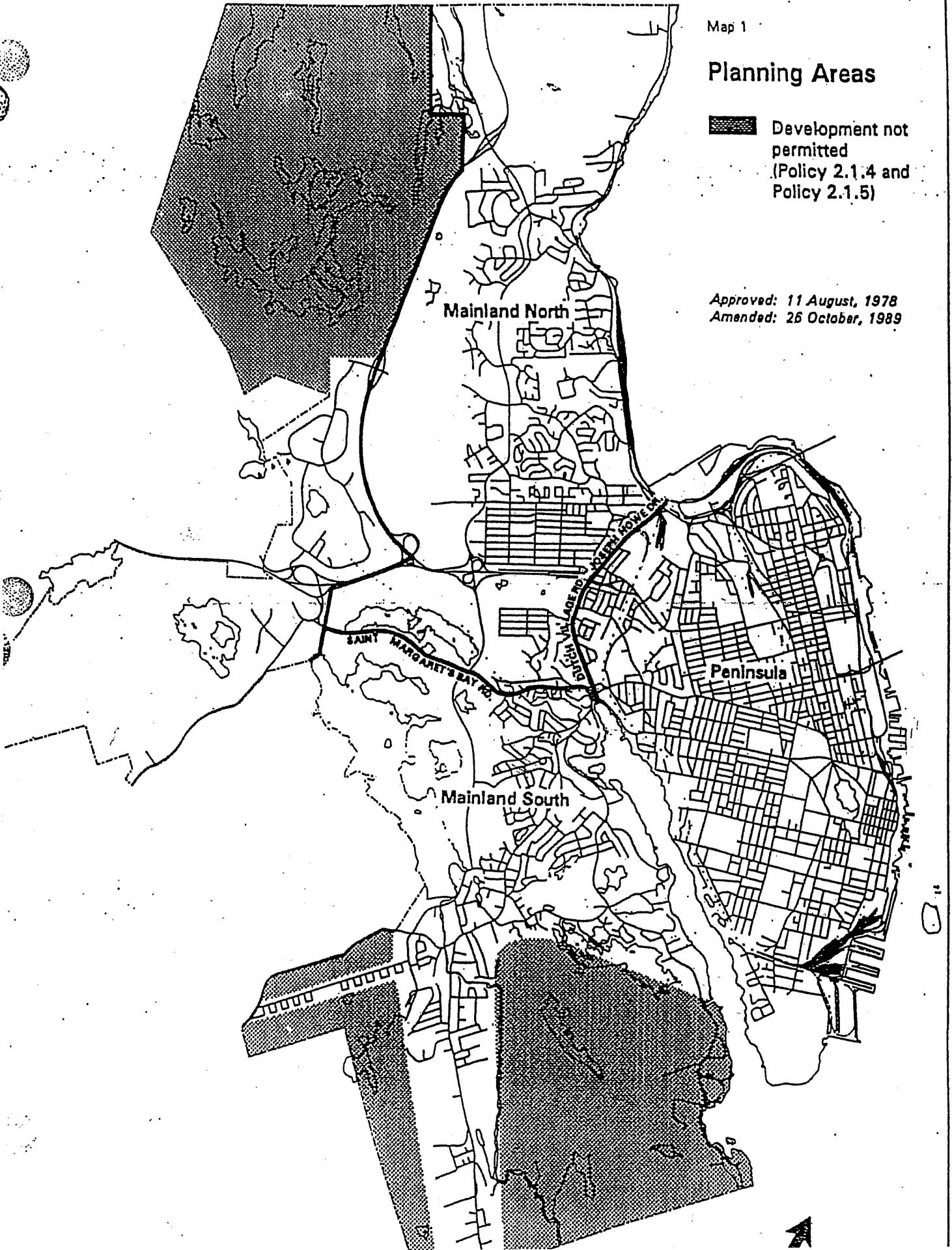
- Objective The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.
- 2.1 Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.
- 2.1.1 On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.
- 2.1.2 On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.
- 2.1.3 Repealed.
- 2.1.4 In accordance with Policy 2.1.3, the City shall permit only limited development with on-site services in that portion of the Mainland South area indicated on Map 1 and this shall be accomplished by Implementation Policy 3.6.
- 2.1.5 Development in the area shown on Map 1 to the west of the Bicentennial Drive shall be limited due to environmental sensitivity and a lack of municipal services. Only detached single unit residential dwellings and community facilities with on-site services shall be permitted.
- 2.1.6 Development with on-site services shall be permitted on lots which abut the existing public street network for the area surrounding Kearney Lake Road and currently designated "Residential Environments" on Map 9.
- 2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.3 The City shall investigate alternative means for encouraging well-planned, integrated development.

Map 1

Planning Areas

 Development not permitted
(Policy 2.1.4 and
Policy 2.1.5)

Approved: 11 August, 1978
Amended: 26 October, 1989



EXCERPTS FROM HALIFAX MUNICIPAL PLANNING STRATEGY

SECTION I

BASIC APPROACH AND OVERALL OBJECTIVE

The basic decision-making approach to the City of Halifax with respect to development is that:

Objectives, policies, plans, and programs shall be identified and shall be the foundation for decision-making with regard to the physical, social and economic development of Halifax. In consideration of development matters, alternative courses of action shall be identified and evaluated, whereupon the proper course of action can be selected.

The overall objective of the Halifax Municipal Development Plan and for ongoing planning is:

The enhancement of the physical, social, and economic well-being of the citizenry of Halifax through the preservation, creation, and maintenance of an interesting and livable City, developed at a scale and density which preserve and enhance the quality of life.

February 20, 2006

Mike Hanusiak
Senior Vice President & General Manager
Clayton Developments Ltd.

By fax: 443-1611

Dear Mike:

RE: Bedford West Master Plan

I am responding to your correspondence to me, dated January 4th 2006 and received by courier on the morning of January 11th. I will try to respond to your questions posed in the order presented. However, before doing so, I would like to make a general comment that I wish you had been able to raise these issues and questions earlier in the process.

You were forwarded a copy of the previous drafts of the secondary planning strategy with the agenda packages at the same time as the members of the Bedford West Public Participation Committee ("the PPC"). You were also advised of your right to attend and participate in the committee meetings. From your involvement in the Morris-Russell Lake master planning exercise, you know that preparation of these documents takes a lot of time and commitment from citizens who are serving in a volunteer capacity.

My responses to your questions are as follows:

Policy BW-1:

- The preamble to this policy identifies four studies pertaining to watershed and stormwater management which have been undertaken in support of the master plan and which will form the basis for negotiations for more detailed stormwater

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management plans submitted in conjunction with development agreement applications. These studies pertain not only to the master plan area but to lands throughout the Paper Mill Lake watershed. No studies were submitted prior to the adoption of the Bedford South Secondary Planning Strategy so a more comprehensive stormwater management plan was required at the time of the first development agreement application.

- These studies have been reviewed by Bedford Waters Advisory Board (BWAB) and various provincial and federal agencies. N.S. Department of Environment & Labour has been coordinating the review of both provincial and federal agencies. The only issue that remains unresolved is a request by Fisheries & Oceans for the construction of a fish ladder over the Paper Mill Lake and Kearney Lake dams. Although the Municipality has no authority over this matter, both BWAB and senior HRM staff have advised that they do not support fish ladders.
- A portion of Bedford South is within the Paper Mill Lake watershed which discharge beneath the Bicentennial Highway and through a small watercourse to Kearney Lake Run. Clearly then, the criteria of Policy BW-1 would require that the any stormwater management plan submitted for sub-areas 5 and 9 of Bedford West (see schedule BW-6) take into account the plans approved for Bedford South as these lands are upstream. If the Municipality subsequently failed to follow this policy, Bedford South lands would not be adversely affected as these lands are upstream of sub-areas 5 and 9.

Policy BW-2:

- Although the MPS does not directly regulate subdivision approvals, it can provide direction regarding development agreements and hence the requirements for subdivision approval which may differ from subdivision approvals under the subdivision by-law (I refer you to clause 227(1)(g) of the *Municipal Government Act*). I don't understand how this affects your interests in Bedford South but this is how this policy is to be interpreted.

Municipal Services (preamble)

- There is no evidence to suggest that this preamble is outdated or incorrect and you have misconstrued what Paul Dunphy said at the last PPC meeting. The Regional Greenfield Study (CBCL, July 2004) provided a comparative analysis of land use

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and servicing opportunities of ten greenfield sites throughout the metropolitan area from a broad perspective taking into account alternative development scenarios throughout the region. The study concluded that Bedford West had the lowest servicing costs per acre of the ten sites compared.

Paul Dunphy told the PPC that when each master plan area is examined at a more detailed level, additional costs could be expected. This certainly was the case when the capital cost contribution study was undertaken for the first phase of development (the Russell Lake West development agreement) within the Morris-Russell Lake Master Plan Area) and it could be expected in all others.

- Your assertions regarding escalating costs associated with sanitary servicing and transportation infrastructure are clearly premature. As explained in my recent E-mail to you, negotiations concerning the interchange will take place once the Dillon traffic study has been completed through the capital cost contribution (CCC) program. You have been provided with the first draft of the Dillon study but our engineers and engineers from N.S. Department of Transportation & Public Works requested further information and revisions. When a revised document has been received that is acceptable to HRM and provincial staff, you and other affected property owners will be contacted about a meeting.

Similarly, if you have had the opportunity to read the Information Report to Regional Council, dated 8 February 2006 (previously forwarded and copy attached), you will note that our staff are still working on completing an infrastructure needs analysis for the sanitary sewer system. This work is expected to be completed this Spring but, as stated in the report, the exact timing cannot be stated at this time. One of the reasons for the uncertainty is that the work has to be reviewed by the provincial regulatory authority (NSDEL). Complexities have also been introduced due to the on-going investigation of sewage from Timberlea being discharged to the Halifax sewage collection system and treatment plant.

- The Regional Water Commission had the *Birch Cove North/Bedford West Water Infrastructure Master Plan* (CBCL, April 1999) prepared to determine water servicing infrastructure requirements in both the Bedford South and Bedford West master planning studies. The need for a new reservoir to service Bedford West was identified and the cost accounted for in the Greenfield Study. Details are now being finalized by CBCL, the Municipality's consultant for the CCC program.
- Bedford West is well situated for access to the Bicentennial Highway with two

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existing interchanges on it's boundary and a third one planned within the near future. The MRC Delphi report has identified upgrades which will be needed to the Hammonds Plains and Kearney Lake Roads and the timing of such improvements.

The Municipality and the Province have jointly commissioned Dillon Consulting to review the MRC Delphi traffic study, as well as other traffic studies undertaken for this area (including the one prepared for Bedford South), to verify the conclusions reached by these studies. Until this work is completed, the assertions you make are premature.

- Further information concerning the capacity of the Mill Cove and Halifax treatment plants and their respective collection systems will be forthcoming once the infrastructure assessment analysis, referenced in the February 8, 2006 Information Report, is completed.

Policy BW-16:

- For the purposes of sewage flow calculations, Bedford West allows for a maximum density of 20 persons per acre within residential neighbourhoods and up to 50 persons per acre in the community commercial centre. The higher density is allocated to allow for a somewhat greater concentration of development in the community centre and to take into account the higher flow rates which will be anticipated from certain commercial developments. As you may recall, a similar approach was taken in the Morris-Russell Lake Secondary Planning Strategy, although this document also allowed for a slightly higher density within residential areas (refer to policies ML-19 and ML20) of the Dartmouth Municipal Planning Strategy.

An overall density of 20 persons per acre had to be established on lands within the Halifax sewershed of Bedford South because the sanitary main servicing this area had previously been sized and constructed on the basis of this assumption. Within the Bedford sewershed, your company had proposed to comply with the standard established under the Bedford MPS of 6 units per acre for comprehensive residential development districts which also equates to about 20 persons per acre.

- At the last PPC meeting (which you attended), I advised that the limitation of 3,600 person referenced under clause (d) of policy BW-16 was based on a study of the pumping station prepared by Dillon Consulting. I also advised that the study was

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under review and the number may have to be adjusted. Clause (d) also clearly specifies the lands which are to be serviced by the permanent pumping station which sends flows back to Halifax.

- If the servicing analysis demonstrates that additional capacity is available at Mill Cove, then your company is free to seek a plan amendment for further allocation to Bedford South. As you are aware, it would be the responsibility of your company to provide the justification for the amendment sought and approval would be subject to the sole discretion of Regional Council.

Policy BW-17:

- Clause (d) of this policy has been drafted on the assumption that the Delphi study will be accepted. However, if this is not the case, it will be amended accordingly. You will also note a further safeguard to the Municipality is made under clause (a) of policy BW-20 which specifies that municipal approvals for any development agreement will be contingent upon the availability of capacity within municipal service systems.

Phasing BW-20:

- As previously stated, the various traffic studies are still under review by municipal and provincial traffic engineers. The questions you pose are very technical in nature and are most appropriately addressed through this review process which is being undertaken under the capital cost contribution program. As was the case for Bedford South, our staff will have to be satisfied that the technical questions have been resolved or can be addressed in subsequent negotiations before proceeding to seek Council approval of the planning policies. If this is not the case, staff may recommend amendments to the Secondary Planning Strategy before seeking approval.
- Affected property owners will be notified about the interchange and connector road during the CCC negotiations.

Policy BW-39:

- The PPC has received only sketchy information about what may be proposed on the Cresco lands at this time. This information came in the form of a letter that you

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presented to the committee. You should also be aware that the Cresco property forms part of a larger sub-area. The policies requires the consultation and involvement of other property owners within this sub-area in preparing a plans and a development agreement application for the entire sub-area. Kevin Riles of Caohmin Consulting has represented Cresco in this planning process and has advised that this process is acceptable.

I hope that these responses have been assistance.

Yours sincerely,



Paul Morgan, Planner
Regional Planning Services

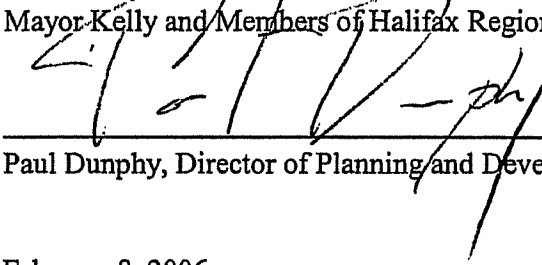
copy: Bedford West Public Participation Committee
Paul Dunphy, Director of Planning & Development
Austin French, Manager of Regional Planning
John Sheppard, Environmental Engineering Services
Bedford West Capital Cost Contribution Steering Committee
Doug Brownrigg, CBCL Ltd.



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
February 14, 2006

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Paul Dunphy, Director of Planning and Development Services

DATE: February 8, 2006

SUBJECT: Timberlea, Lakeside and Beechville Service Boundary and Bedford West Master Plan

INFORMATION REPORT

ORIGIN

Timberlea, Lakeside and Beechville

- April 5, 2005 Information Report on Timberlea, Lakeside, Beechville (TLB) Sewage Treatment Plant Capacity;
- June 28, 2005 Supplementary Report was deleted from the July 5, 2005 Regional Council agenda; and
- Information Report dated July 27, 2005 tabled at Regional Council on August 9, 2005.

Bedford West Master Plan

- On February 11, 2003, Regional Council approved the boundaries of the Bedford West Master Plan Study Area and the creation of a Public Participation Committee (PPC) to oversee public consultations and collaborate with staff and property owners in preparing a master plan.
- On October 4, 2004, staff presented the results of the Greenfield Study and Regional Council confirmed Bedford West as a future area for development.

DISCUSSION

The Halifax Treatment Plant can accommodate, if directed by Council:

- a significant portion of the Timberlea, Lakeside, Beechville service area;
- a portion of the Bedford West Master Plan area;
- infill development within the Halifax Service Boundary.

This solution would accommodate the population growth projection for the next 25 years. With respect to the Timberlea, Lakeside, Beechville service area, focus of this solution has been upon the Westgate lands under development agreement, current applications and infill properties. Staff have not been able to identify a servicing solution for the large vacant backlands in the Timberlea, Lakeside, Beechville service area. A Municipal Planning Strategy amendment will therefore be required to reduce the current Timberlea, Lakeside and Beechville Service Boundary.

This determination is based on a number of estimates and certain future commitments. One is the estimated total volume of sanitary flows to the Halifax Sewage Treatment Plant (STP). Actual flows will not be known until the Halifax plant becomes operational in 2007. Other estimates are the rates of population growth in this sewer shed and the estimate of sanitary discharge per person. Provincial regulation may also influence the total amount of available capacity.

Effluent from Timberlea, Lakeside, Beechville service boundary area and Bedford West Master Plan areas along with other vacant lands and existing users would use the Mainland North and Halifax Peninsula sewage collection systems. Various analyses are currently underway to determine the characteristics of the existing collection system and the impact of directing additional wastewater flows to this collection system

Timberlea, Lakeside, Beechville Service Boundary

The June 28, 2005 Supplementary Report was not discussed by Regional Council. Since that time both HRM staff and Westgate representatives have been exploring options for the wastewater flow. Fundamental to the options is a financial contribution from Westgate towards the solution. This concept will also apply to other undeveloped lands which will benefit from any infrastructure solution.

One option being reviewed is to determine if there are alternate ways to handle the treated effluent that would be discharged from an expanded Lakeside/Timberlea Sewage Treatment Plant. One of the servicing scenarios involves the use of a combination of irrigation and wetlands. The Nova Scotia Department of Environment and Labour (NSEL) recently indicated that they have given concept approval to the combination of irrigation and subsurface treatment and would be willing to consider a detailed full application for approval.

A second option is redirecting flow from the TLB area to the Halifax STP. This option would require construction of a new sewage collection system to carry wastewater from the Timberlea, Lakeside,

Beechville area to the Mainland North and Halifax Peninsula sewer systems and then to the Halifax Sewage Treatment Plant. Analysis of a proposed sewage collection system from the Timberlea area as well as analysis of the existing Mainland North and Halifax Peninsula collection systems are currently underway.

Next Steps

- Staff will present a high level overview of both the technical issues and estimated costs at a Committee of the Whole meeting in Spring of 2006.
- This presentation will also provide details of options and financial implications.
- At the COW meeting, staff will seek direction regarding Regional Council's preferred option.
- Staff will then finalize technical and financial details of the selected option and complete negotiations with benefiting land owners.
- Finally, staff will return to Regional Council with a presentation and report to implement the selected option.

Bedford West Master Plan

Since being given the Council mandate, the Bedford West Public Participation Committee (PPC) and staff have been working on a framework for development of this area. The PPC hosted three public information meetings, held two weekend workshops as well as their regular meetings. A draft secondary planning strategy for Bedford West has been prepared and endorsed by the Public Participation Committee.

The infrastructure requirements for the development of the Bedford West Master Plan area and the resulting Capital Cost Contribution analysis is currently underway. Much of the analysis being undertaken for the Timberlea, Lakeside, Beechville Service Boundary issue (see above discussion) is required for the Bedford West Master Plan as both areas will discharge into the same sewage collection system towards the Halifax STP. It should be noted that a significant portion of Bedford West will also discharge into the Mill Cove Sewage Treatment Plant in Bedford.

Next Steps

- The draft secondary planning strategy for Bedford West will be forwarded for review by the North West Planning Advisory Committee (NWPAC) on March 1, 2006.
- A recommendation from the NWPAC is anticipated to be submitted to a joint meeting of the North West, Chebucto, and Western Community Councils mid-March, 2006.
- The Joint Community Council recommendation would be submitted to Regional Council to set a public hearing date for approximately the end of April, 2006.
- The infrastructure analysis and negotiations for the Bedford West Master Plan Capital Cost Contribution is anticipated to be completed in Spring of 2006. This proposed timing is dependent on many factors associated with the present infrastructure needs and analysis.
- A report for the subdivision bylaw amendments related to the Bedford West Master Plan Capital Cost Contribution (CCC) will be submitted to Regional Council to set the CCC public hearing date for approximately end of May, 2006.

The next steps for both Timberlea, Lakeside, Beechville Service Boundary issue and Bedford West Master Plan requires input from other agencies (NSEL, PAC) in addition to HRM staff and may impact the proposed timing. Therefore, if there are any significant changes to the proposed timelines for either Timberlea, Lakeside, Beechville or Bedford West, staff will inform Council.

BUDGET IMPLICATIONS

None at this time.

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.

ALTERNATIVES

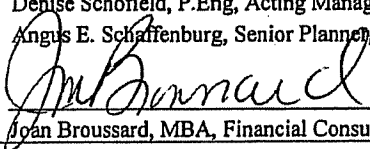
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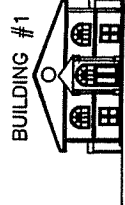
ATTACHMENTS

None

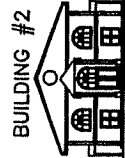
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Denise Schofield, P.Eng, Acting Manager, Development Engineering 490-6252
Angus E. Schaffenburg, Senior Planner, Planning & Development Services, 869-4747

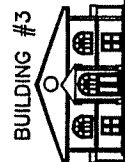
Financial Review : 
Joan Broussard, MBA, Financial Consultant



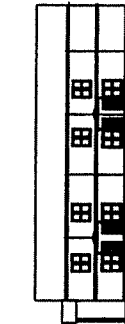
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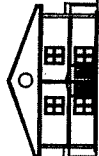
FRONT VIEW



FRONT VIEW



RIGHT SIDE VIEW



BACK VIEW



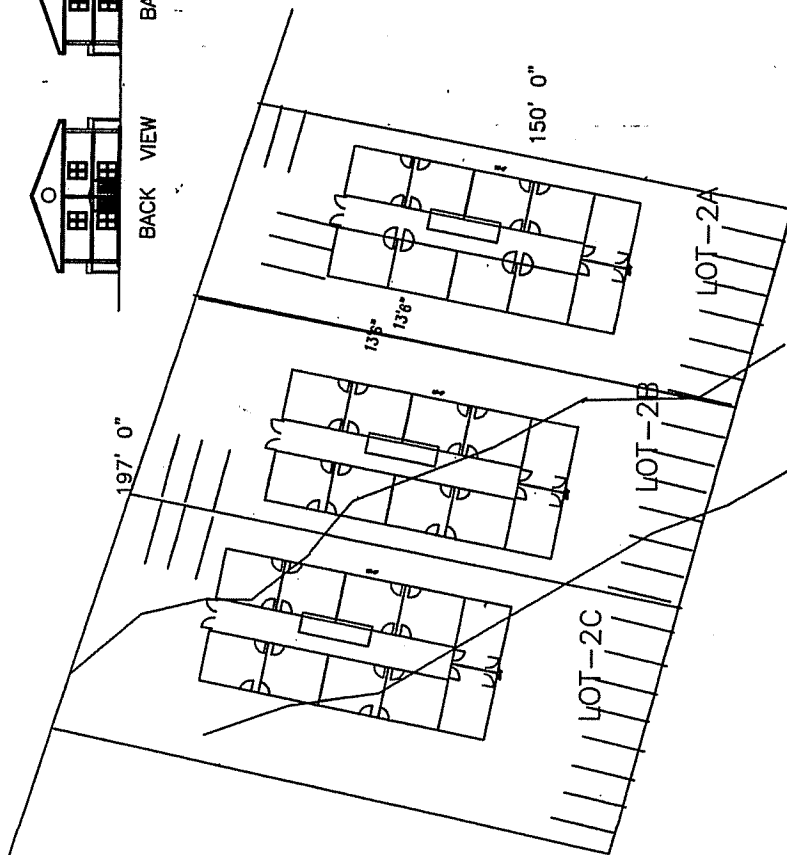
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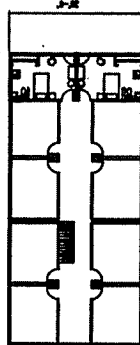
BACK VIEW



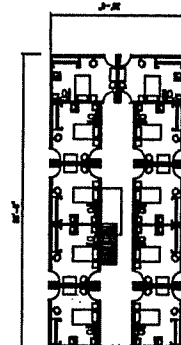
LEFT SIDE VIEW



2ND FLOOR LAYOUT



1ST FLOOR LAYOUT



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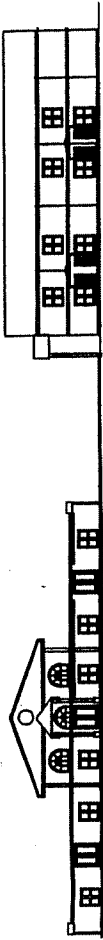
**SPECIAL CARE RESIDENCE FOR 10 PERSONS
FOR EACH BUILDING (TOTAL 30)**
400 HAMMONDS PLAIN RD
BEDFORD, NOVA SCOTIA

**Bealini & Associate
Engineers Limited**
3 SUTHER RD.
DARTMOUTH, NOVA SCOTIA
B3B 1B1
PHONE (902) 830-3302
FAX (902) 830-8404
MECHANICAL ELECTRICAL

REVISIONS	DATE	BY	CHKD	APPD

LAYOUT

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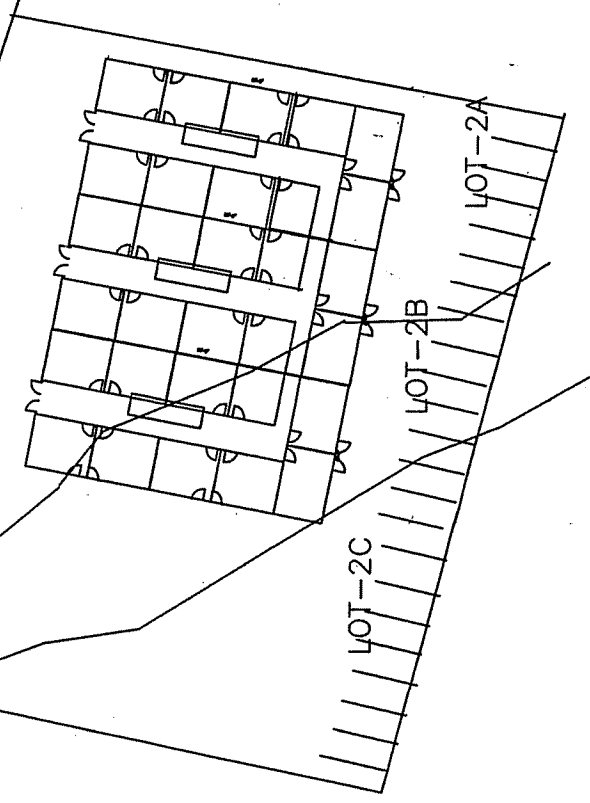
RIGHT SIDE VIEW

FRONT VIEW

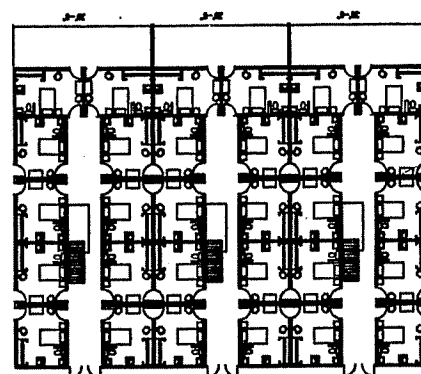
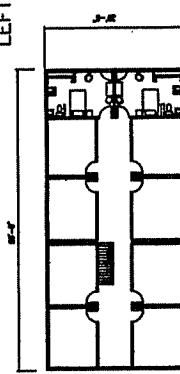


LEFT SIDE VIEW

BACK VIEW

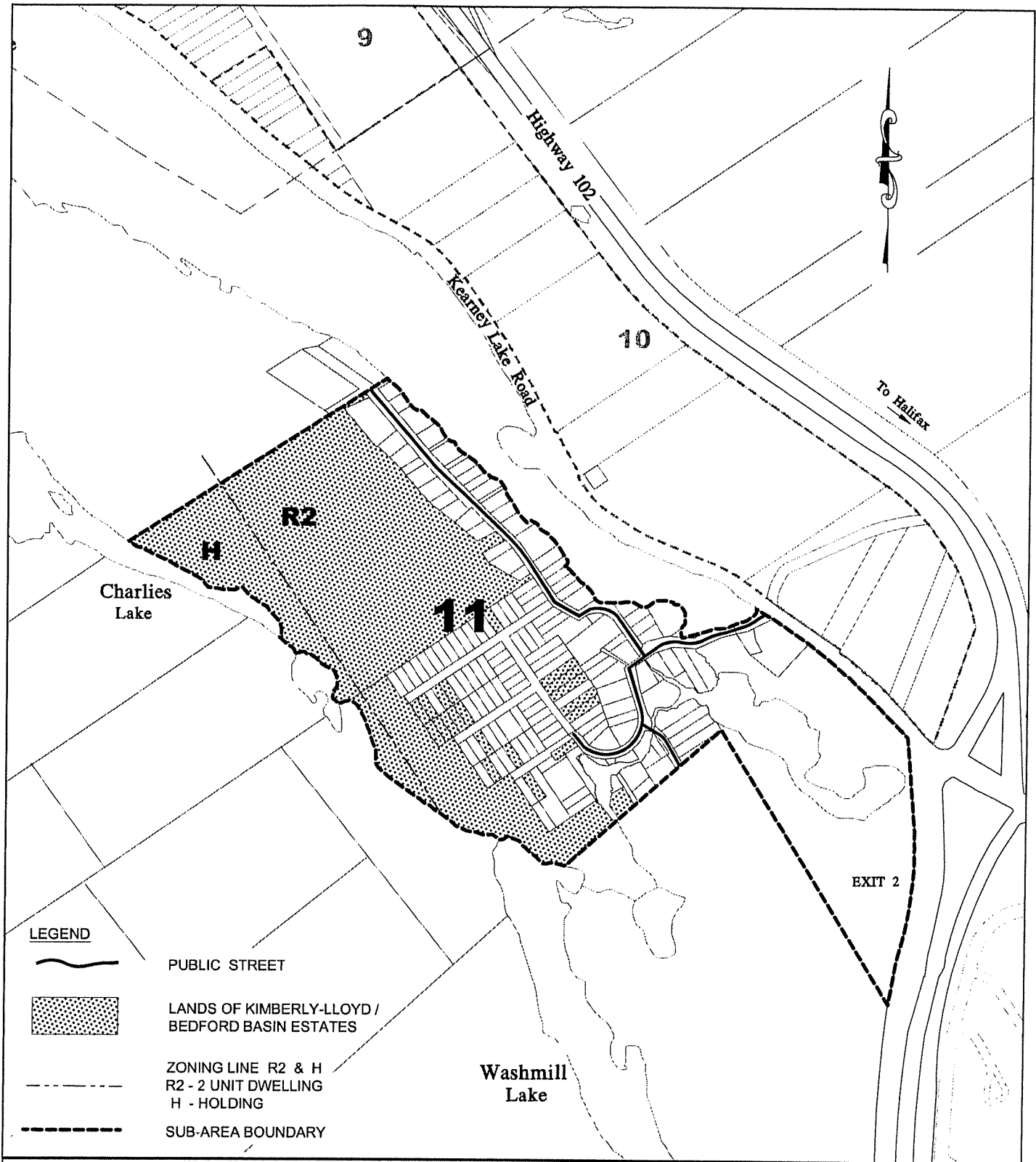


2ND FLOOR LAYOUT



1ST FLOOR LAYOUT

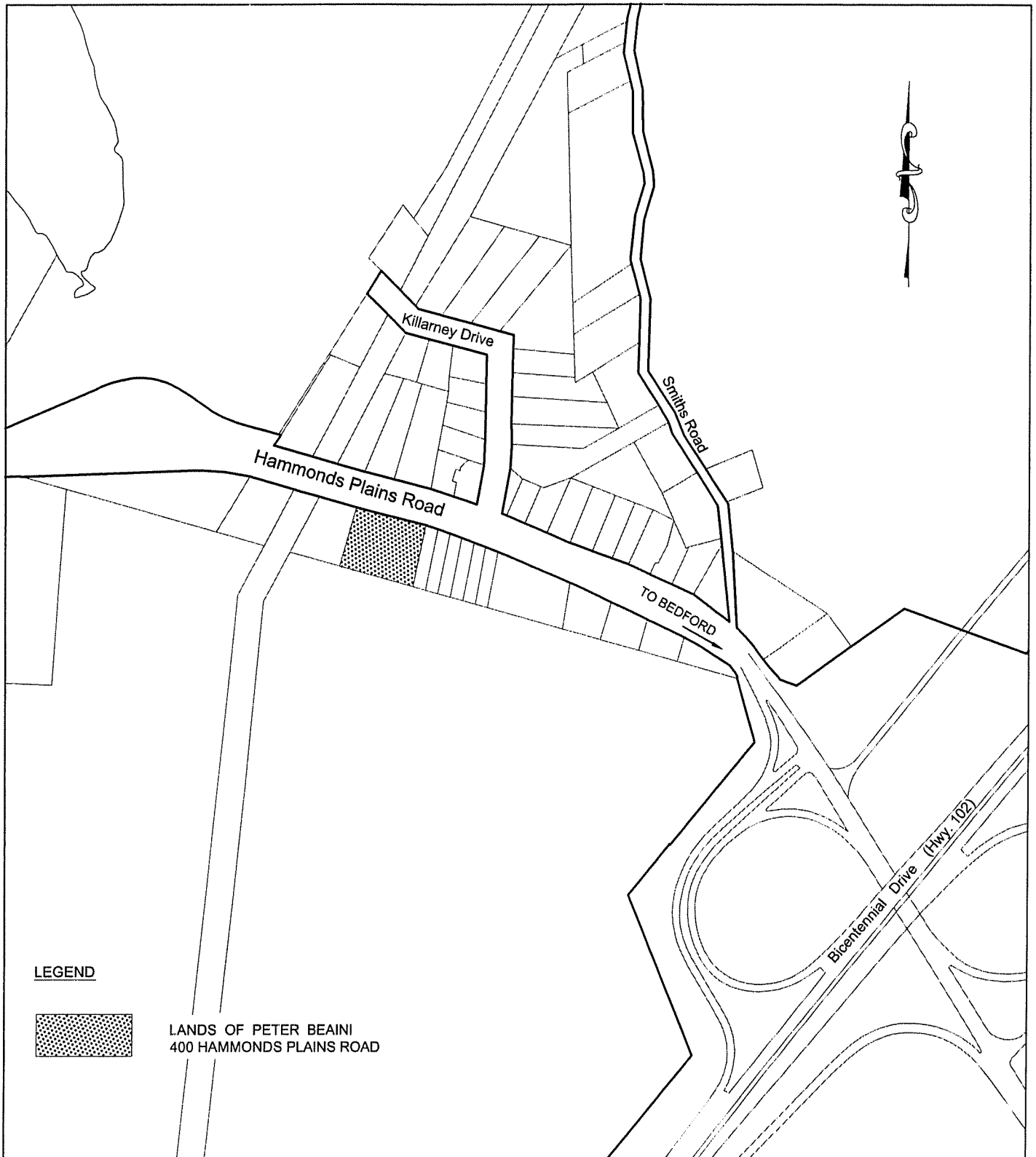
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<p>DESIGNER: Beadini & Associate Engineers Limited 3 SMITHS RD. BEDFORD, NOVA SCOTIA B4B 1E5 PHONE (902) 839-3382 FAX (902) 839-4404 MEDICAL, ELECTRICAL</p>	<p>DATE: 01/01/94</p>	<p>REVISIONS:</p>	<p>DATE: 01/01/94</p>	<p>BY: A-1</p>
<p>PROJECT: SPECIAL CARE RESIDENCE FOR 30 PERSONS 1 BUILDING 400 HAMMONDS PLAIN RD BEDFORD, NOVA SCOTIA</p>	<p>DATE: 01/01/94</p>	<p>REVISIONS:</p>	<p>DATE: 01/01/94</p>	<p>BY: A-1</p>
<p>PROJECT: SPECIAL CARE RESIDENCE FOR 30 PERSONS 1 BUILDING 400 HAMMONDS PLAIN RD BEDFORD, NOVA SCOTIA</p>	<p>DATE: 01/01/94</p>	<p>REVISIONS:</p>	<p>DATE: 01/01/94</p>	<p>BY: A-1</p>
<p>PROJECT: SPECIAL CARE RESIDENCE FOR 30 PERSONS 1 BUILDING 400 HAMMONDS PLAIN RD BEDFORD, NOVA SCOTIA</p>	<p>DATE: 01/01/94</p>	<p>REVISIONS:</p>	<p>DATE: 01/01/94</p>	<p>BY: A-1</p>



ATTACHMENT

SUB-AREA 11

Attachment D



ATTACHMENT

MARCH, 2006