

North West Community Council
November 23, 2006

TO: North West Community Council

SUBMITTED BY: Gail Harnish / for
Barb Grant, Vice Chair
North West Planning Advisory Committee

RE: Case 00753 - Amendment to the Paper Mill Lake Development Agreement,
Bedford

DATE: November 3, 2006

ORIGIN

North West Planning Advisory Committee meeting - November 1, 2006

RECOMMENDATION

The North West Planning Advisory Committee recommend that North West Community Council reject the proposal by Olympic International Limited, as recommended by the Paper Mill Lake Public Participation Committee and staff, to amend the Paper Mill Lake Development Agreement as set out in Attachment "B" of the staff report dated October 17, 2006.

ATTACHMENTS

Staff report dated October 17, 2006

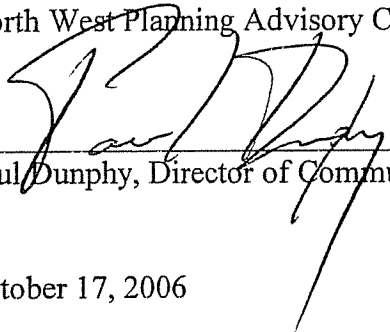
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.
Report prepared by: Gail Harnish, Admin/PAC Coordinator, 490-4937
Report reviewed by: Barb Grant, Vice Chair, North West PAC



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Planning Advisory Committee
November 1, 2006

TO: North West Planning Advisory Committee

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: October 17, 2006

SUBJECT: Case 00753 - Amendment to the Paper Mill Lake Development Agreement, Bedford

ORIGIN

An application by Olympic International Realty Limited to amend the Paper Mill Lake Development Agreement.

RECOMMENDATION

It is recommended that North West Community Council:

1. Reject the proposal by Olympic International Realty Limited to amend the Paper Mill Lake Development Agreement as set out in Attachment "B" of this report.

EXECUTIVE SUMMARY

Olympic International Realty Limited has applied to amend Section 14 (2) of the Paper Mill Lake Development Agreement. Section 14(2) states no more than 100 units can be developed prior to the completion of the collector road between Hammonds Plains Road and Moirs Mill Road. Presently, 100 units have been developed in the areas of Richardson Drive, Baha Court, Moirs Mill Road and Ahamdi Crescent. The land owners of the undeveloped portions of the Paper Mill Lake Development Agreement, Paper Mill Lake Development Ltd (Olympic International Realty is the authorized agent) and United Gulf Development Ltd., are experiencing difficulties in agreeing to the timing of the road construction. Further, the Paper Mill Lake Development Agreement does not contain a sunset or time-line clause for construction of the collector road. Consequently, Olympic International Realty has applied to enable more than 100 lots to be developed prior to the completion of the collector road from Moirs Mill Road to Hammonds Plains Road.

On July 7, 2005 the Northwest Community Council directed an Area Advisory Committee, the Paper Mill Lake Public Participation Committee, be formed to consider the proposed amendment to the agreement in accordance with the policies of Bedford Municipal Planning Strategy. On January 7, 2005 the Committee passed a Motion recommending Council refuse the proposed amendment on the basis that the circumstances which prompted the requirement for the collector road have not changed. The issues include traffic generation and functionality, safety, the ability to loop water services, and the assurances the collector road connection will ultimately be completed. The Committee also noted the widespread public concern of the proposed amendment based on these same issues. (Attachment A - Report from the Paper Mill Lake Public Participation Committee).

Staff has considered the application and concurs with the recommendation of Paper Mill Lake Public Participation Committee.

BACKGROUND

Existing Development Agreement:

In 1995, the Town of Bedford entered into a development agreement with the Annapolis Basin Group Inc. enabling the development of 921 units on 221 acres of land bounded by the Bicentennial Highway, Hammonds Plains Road, Paper Mill Lake and Moirs Mill Road (*refer to Map 4*). These lands were and still are designated and zoned RCDD (Residential Comprehensive Development District) in accordance with the Bedford Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) (*refer to Map 1 and 2*).

During the negotiation process in 1995, many concerns were raised relating to the potential impact of the proposed development on the residential neighbourhoods and existing municipal infrastructures. The concerns included:

- low domestic water pressure in the Paper Mill Lake area,
- construction traffic traveling through existing neighbourhoods such as Moirs Mill Road,
- anticipated traffic volumes on Moirs Mill Road, and
- no alternative access provided to the Paper Mill Lake development other than Moirs Mill Road and future connections to the Bedford Highway.

As a means of addressing the specific traffic concerns, Section 14(2) of the Development Agreement was adopted. Section 14 (2) states “ **The Developer shall be allowed to create no more than 100 residential units prior to the completion of collector road N/I which is to run from Moirs Mill Road to Hammonds Plains.**” Simply, this clause enables initial access by Moirs Mill Road while ensuring only a reasonable amount of traffic is added to the existing residential neighbourhoods.

In accordance with Section 14 (2) 100 units have been constructed in the areas of Moirs Mill Road, Richardson Drive, Baha Court and Ahmadi Crescent. The collector road from Moirs Mill Road or Nine Mile Drive to Hammonds Plains Road has yet to be constructed.

The Proposed Amendment:

The lands encompassed by the Paper Mill Lake Development Agreement are no longer owned by the Annapolis Basin Group Inc. United Gulf Development Ltd. owns the entire northern portion (north of Kearney Run) and portions of the land south of Kearney Run. Approximately 75 acres south of Kearney Run is owned by Paper Mill Lake Developments Ltd. (*refer to Map 3*)

In late May of 2005, Planning and Development Services received an application by Olympic International Realty to amend the Paper Mill Lake development agreement. The application is to amend Section 14 (2) of the agreement to enable more than 100 lots to be developed prior to the completion of the collector road from Moirs Mill Road to Hammonds Plains Road. Specifically, enable an additional 325 units prior to the completion of the portion of the Collector Road from Hammonds Plains Road to Moirs Mill Road. The applicant has provided the following rationale for the proposed amendment:

- level of service analysis indicates satisfactory access to existing street connections and Bedford Highway;
- developing the area south of Kearney Run will provide a needed connection between the Oceanview Drive and Paper Mill Lake subdivisions; and
- site generated traffic is not expected to have any significant impact on the operations on Moirs Mill Road, Oceanview Drive or Nelson’s Landing Boulevard.

The Paper Mill Lake Public Participation Committee:

Policy R-14 of the Bedford Municipal Planning Strategy requires all RCDD applications undertake a public participation process as part of the regular development agreement process.

North West Community Council approved a Public Participation Committee (Area Advisory Committee in accordance with the Municipal Government Act) to undertake the requirements of Policy R-14. The members were selected who represent the Bedford Waters Advisory Committee (BWAC), the North West Planning Advisory Committee (NWPAC) and the adjacent residential areas. The Committee met five times between October 24, 2005 and June 5, 2006. The Committee reviewed the proposed amendment to the Paper Mill Lake Development Agreement in context with the applicable policies within the Bedford Municipal Planning Strategy, the intent and rationale of the existing development agreement, and the present street network and development patterns in the area. On January 30th, 2006 the Committee made and passed unanimously the following motion:

Moved by Don Lowther, seconded by Bill Walsh, that the Paper Mill Lake Public Participation Committee recommends against the requested amendment, i.e., the deletion of Section 14.2 from the development agreement that exists for the Paper Mill Lake lands.

The justification and rationale for the Committee's motion and their review on how the proposed amendment does not meet the intent of the applicable policies of the Bedford Municipal Planning Strategy are provided in Attachment A.

DISCUSSION

Enabling Policy and Identified Issues:

The requirement to enable more than 100 lots to be developed prior to the completion of the collector road from Moirs Mill Road to Hammonds Plains Road is the only change that is being proposed through this application. The layout of the subdivision and its land uses are not proposed to change. Policy R-16 of the Bedford Municipal Planning Strategy (MPS) enables Council to consider an amendment to a development agreement for lands which are zone RCDD (Residential Comprehensive Development District). There are five critical MPS policy considerations to assess in reviewing this application: (a) traffic generation; (b) safety; (c) adequacy of domestic water supply, (d) original intent of the development agreement, and (e) connectivity of the collector road over Kearney Run.

Traffic: Generation and Safety (Policies T-13, R-16 (8), Z-3 (4), -3(5) (viii) and 6 (ii)):

Policy T-13 stresses the importance of identifying methods of directing traffic to the Bicentennial Highway in order to reduce traffic congestion on the Bedford Highway and Policy R-16 and Z-3 requires the consideration of adequacy of the street network regarding traffic generation, congestion and safety. (*Refer to Attachment C of A*)

The current traffic volumes on the Bedford Highway and in the Paper Mill Lake/Oceanview area are of major concern. Consequently, a Traffic Impact Study (dated April 2005) was completed by Atlantic Road & Traffic Management on behalf of Olympic International Realty as a component of this application. The study was reviewed by HRM who agrees with its technical findings. However, from the perspective of plan policy, functionality and safety enabling the proposed amendment is not recommended for the following reasons:

- The existing access points (Moirs Mill Road and Nelson's Landing Boulevard) intersect the Bedford Highway in very close proximity to one another. Consequently, these two intersections have a similar function to a single access point. The current engineering regulations permit a maximum of 300 units to be constructed with a single access prior to the construction of the second access in a phased development. Therefore, construction of the proposed additional units prior to the construction of the second access is contrary to current HRM regulations.

- Approximately 600 existing units are restricted by only one access at Royal Mast Way. Enabling development to occur south of Kearney Run without the connection of the collector road to Hammonds Plains Road would direct all traffic, including the additional 325 units, to Moirs Mill Road and Oceanview Drive (to Nelson's Landing Boulevard). This would contribute to the increasing traffic generation within the existing residential neighbourhoods and the Bedford Highway.
- The existing access points (Moirs Mill Road and Nelson's Landing Boulevard) are a serious concern with respect to providing emergency services (fire, ambulance, police) or in an event which requires an evacuation from the area. The proposed amendment adds an additional 325 units (approximately 1000+ people). An additional 325 units would (a) increase the safety risk to the current residents of Paper Mill Lake and Oceanview Drive areas, by means of additional traffic which would further complicate matters for emergency vehicles getting to/from the emergency in this area and (b) add more people to be evacuated in the event of a required evacuation.
- The construction activity related to the permitted 100 units (Moirs Mill Road, Richardson Drive, Baha Court, Ahamdi Crescent) has caused many safety concerns for the area residents for the past 10 years. The construction activity associated with an additional 325 units would be extensive. Without the completion of the collector road, all traffic, including construction traffic, would solely rely on Moirs Mill Road and Oceanview Drive (to Nelson's Landing Boulevard) as access. This would greatly impact the existing residents in this area.
- One of the reasons for Section 14(2) of the agreement was to ensure construction traffic utilized the collector road rather than traveling through an existing residential neighbourhoods. In requiring the construction of the collector road, safety concerns are minimizing, and conflict between construction traffic, residential traffic and pedestrian traffic is greatly reduced.
- As specified in the existing agreement, an alternative exit to Hammond Plains is needed for the perspective of public safety as well. As anticipated in 1995, a connection to Hammonds Plains Road is critical before any further development occurs in this area. Public safety remains a compelling reason for Section 14 (2) of the Agreement to remain.
- An alternative exit, other than points along the Bedford Highway, is critical before any further development occurs in the Paper Mill Lake Development Agreement area.

The issues and concerns of traffic generation (volumes) and safety along the Bedford Highway and within existing residential neighbourhoods remain as compelling reasons for Section 14 (2) of the Agreement to remain.

Domestic Water Supply (Policy Z-3)

Policy Z-3 requires adequacy of water services for domestic services and fire flows as well as the impact the development may have on existing water services. In the Staff Report dated April 27,

1994 it was stated that looping of the domestic water supply is necessary to service the long term water needs of the Paper Mill Lake area. A high pressure feeder running along the collector road from Hammonds Plains Road around Paper Mill Lake to Moirs Mill Road is the solution and a requirement of the development agreement. This looping has not been installed given the collector road has yet to be built. Consequently, area residents and the Halifax Regional Water Commission continue to live with an interim measure.

The report from Horner Associates Limited dated March 1, 2005 states the proposed development can be serviced from the existing water system on an interim measure. However, several residents have commented on low water pressure in Paper Mill Lake/Oceanview Drive area. An additional 325 units without the completion of the water system looping from Hammonds Plains Road would not improve the pressure in this area and would only further extend the time of the interim measure.

Original Intent:

The original intent of Section 14(2) is to ensure an access (a collector road from Hammonds Plains Road to Moirs Mill Road) is constructed to direct traffic to the Bicentennial Highway. This access will minimize the impact on the Bedford Highway and existing residential neighbourhoods. To assist the developer in achieving this intent initial access was provided to a maximum of 100 units. This provided a source of revenue for the construction of the collector road while ensuring only a reasonable amount of traffic is added to the existing residential neighbourhoods. Without the construction of the collector road from Hammonds Plains to Moirs Mill Road, all traffic would be directed to the Bedford Highway.

The reasons for requiring Section 14(2) of the Agreement in 1995 remain the same today. In many instances the reasons are a more pressing given 11 years has passed and the collector road is yet to be constructed and congestion on the Bedford Highway has increased.

Crossing of Kearney Run:

The completion of the collector road from Hammonds Plains Road to Moirs Mill Road requires the crossing of Kearney Run. The property boundaries for the Paper Mill Lake Development Limited lands and United Gulf Development lands end at Kearney Run (*refer to Map 3*). The change of land ownership on either side of Kearney Lake Run creates complexities regarding the crossing of Kearney Lake Run. Given the ownership change on either side of Kearney Run there is no assurance the bridge will actually be construction over Kearney Run. With no assurance in the development agreement or otherwise relating to the crossing, enabling construction south of Kearney Run could result in the bridge crossing being delayed for a significant period of time or never occurring.

Public Information Meeting:

A public information meeting was held on January 25, 2006. Approximately 120 members of the public attended this meeting and minutes of the meeting are provided in Attachment C. Should Community Council decide to proceed with a public hearing on this application, in addition to published newspaper advertisements, property owners in the immediate area will be individually notified as shown on Map 5.

Bedford Waters Advisory Board:

The application is a request to alter the phasing requirements of the development agreement. The application does not include a modification or amendments to the approved concept therefore did not require the review of the Bedford Waters Advisory Board.

Summary:

The Paper Mill Lake Public Participation Committee recommends against the request to amend the Paper Mill Lake Development Agreement. Further, it is opinion of staff the proposed amendment does not comply with the intent of Policies T-13, R-16 and Z-3 of the Bedford Municipal Planning Strategy nor the original intent of the agreement. Therefore, it is recommendation of staff that Community Council refuse this application to amend the Paper Mill Lake Development Agreement as provided in Attachment B.

BUDGET IMPLICATIONS

No budget implications.

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. Reject the amendment to the Paper Mill Lake Development Agreement as proposed. This is the recommendation of the staff and Paper Mill Lake Public Participation Committee. It is the opinion of the staff the proposed amendment does not meet the requirements specified in the Bedford Municipal Planning Strategy or the original intent of the agreement.
2. Council may choose to hold a Public Hearing. Should Council so choose, Council must give Notice of Motion to consider the proposed amendments to the Paper Mill Lake Development Agreement as provided for in Attachment B and schedule a public hearing;
3. Approve the amendment to the Paper Mill Lake Development Agreement as proposed following a public hearing. This alternative is not recommended. It is the opinion of the staff the proposed amendment does not meet the requirements specified in the Bedford Municipal Planning Strategy or the original intent of the agreement.

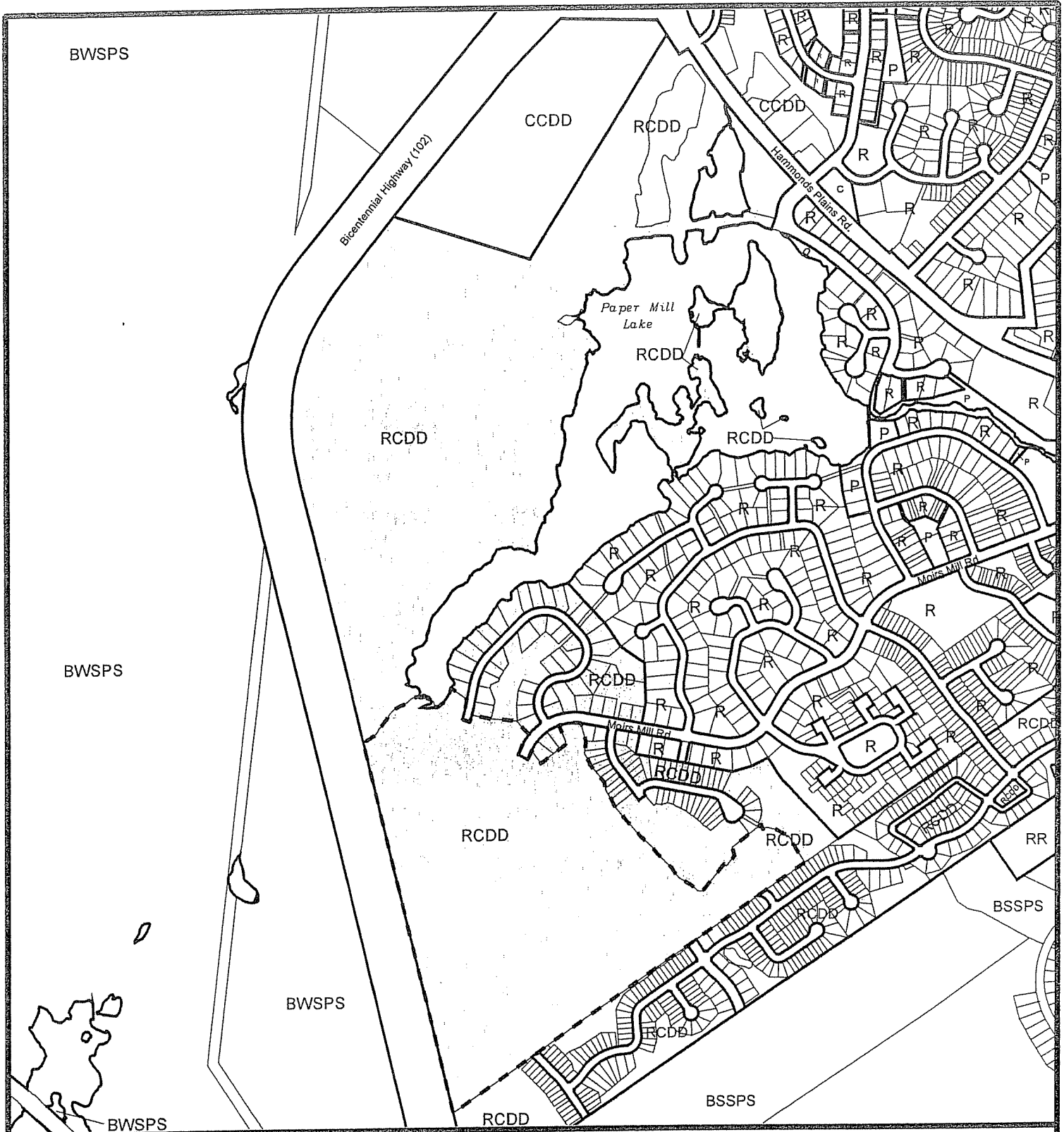
ATTACHMENTS

- | | |
|--------|---|
| Map 1: | Generalized Future Land Use Map |
| Map 2: | Zoning Map |
| Map 3: | Boundary of the Paper Mill Lake Development Agreement |

Map 4: Approved Site Plan/Ownership
Map 4: Notification Area Map
Attachment A: Report from the Paper Mill Lake Public Participation Committee dated July 20, 2006
Attachment B: Amended Development Agreement
Attachment C: Minutes from January 25, 2006 Public Information Meeting

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Thea Langille-Hanna, Senior Planner - Planning and Development Service 869-4262



Map 1
Generalized Future Land Use

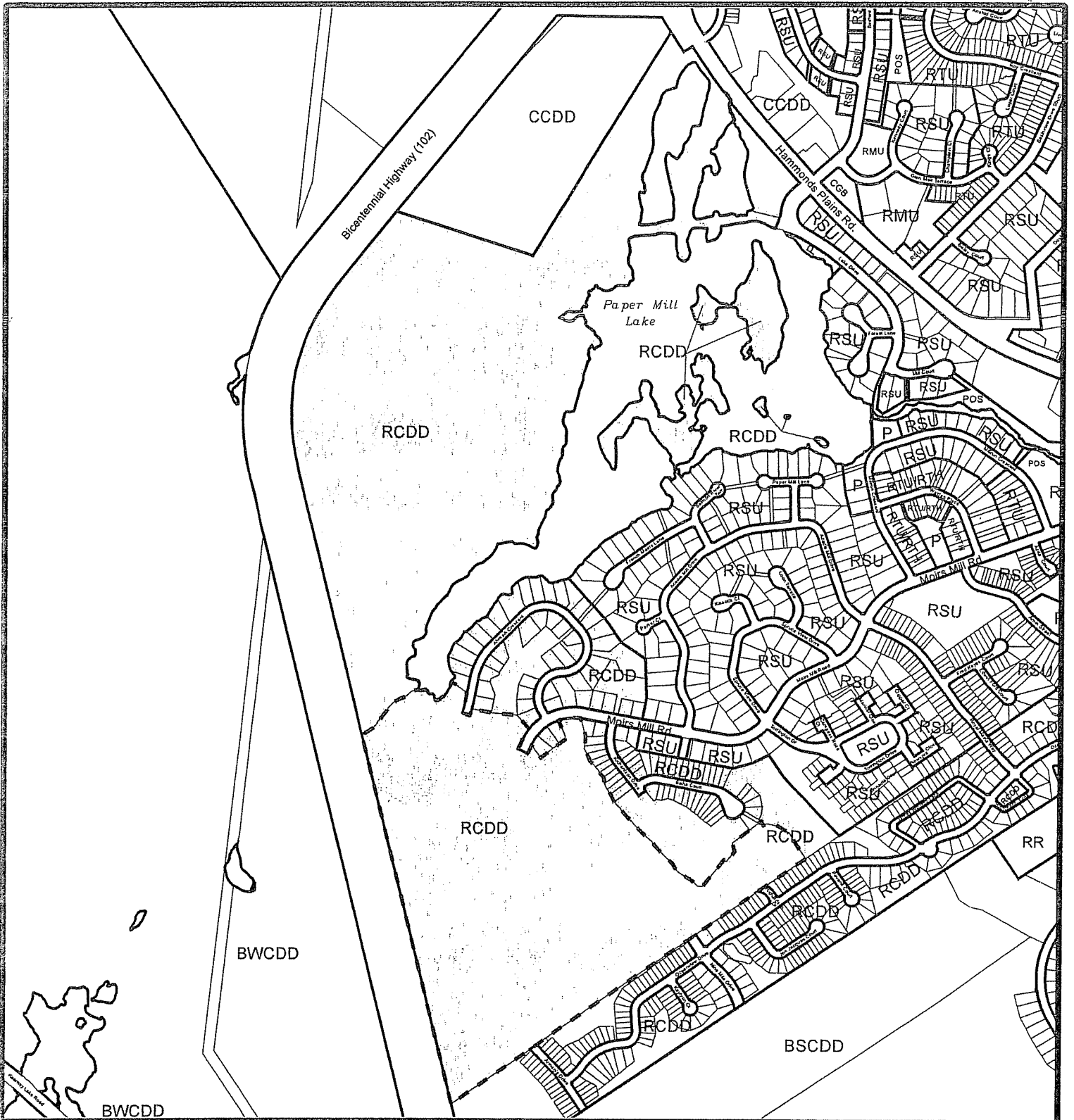
Paper Mill Lake Development Agreement Area
 - - - Lands of Olympic International Realty

HALIFAX
 REGIONAL MUNICIPALITY
 Planning Services

R Residential Designation
 P Park and Recreation Designation
 C Commercial Designation
 RR Residential Reserve Designation

RCDD Residential Comprehensive Development District
 CCDD Commercial Comprehensive Development District
 BSSPS Bedford South Comprehensive Development District
 BWSPS Bedford West Comprehensive Development District





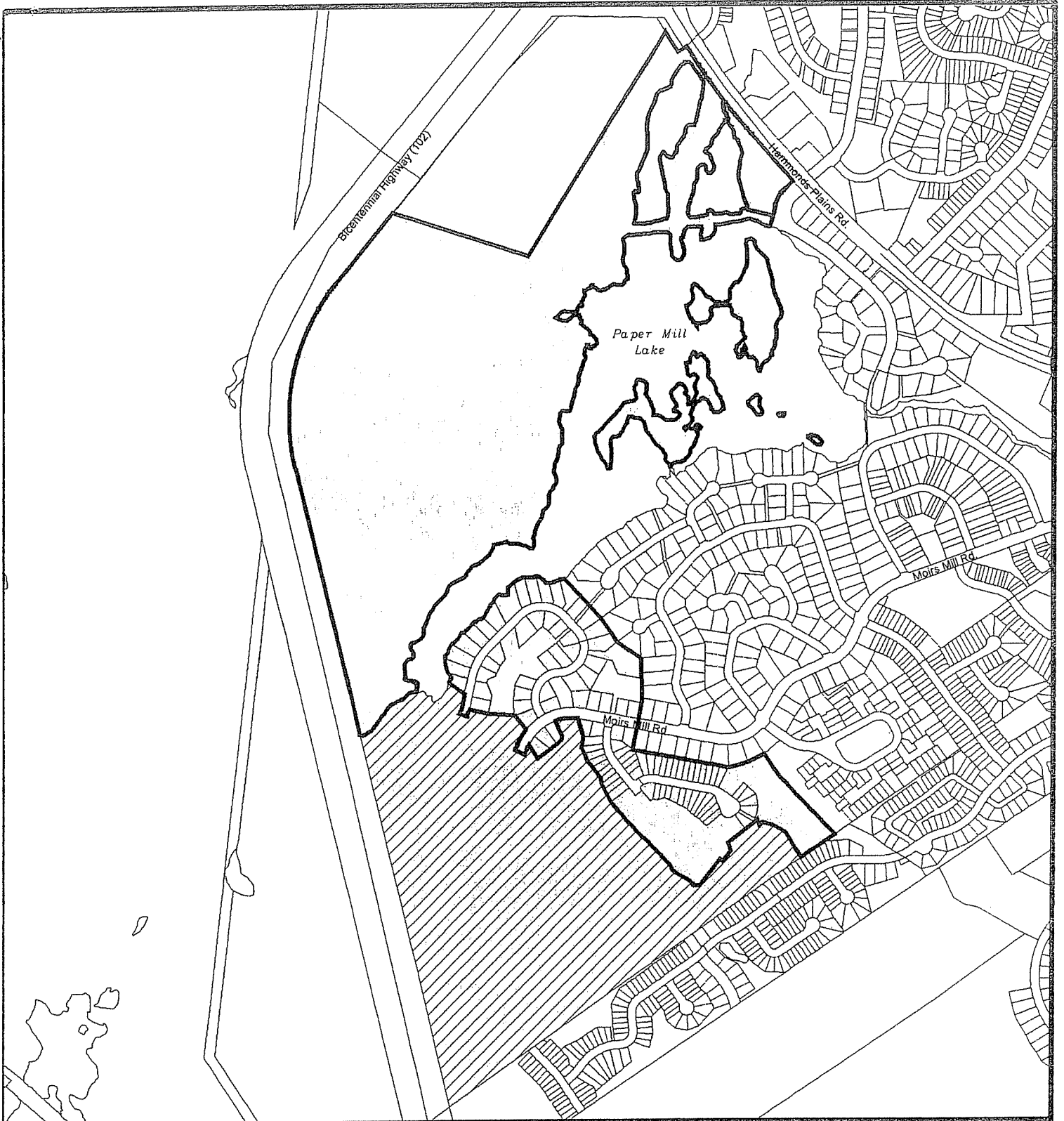
**Map 2
Zoning**

Paper Mill Lake Development Agreement Area
 - - - Lands of Olympic International Realty

RSU	Single Dwelling Unit Zone	POS	Park Open Space Zone
RTU	Two Dwelling Unit Zone	CCDD	Commercial Comprehensive Development District
RMU	Multiple Dwelling Zone	RCDD	Residential Comprehensive Development District
RTH	Townhouse Zone	CGB	General Business District Zone
RR	Residential Reserve Zone	BSCDD	Bedford South Comprehensive Development District
P	Park Zone	BWCCD	Bedford West Comprehensive Development District

HALIFAX
REGIONAL MUNICIPALITY
Planning Services



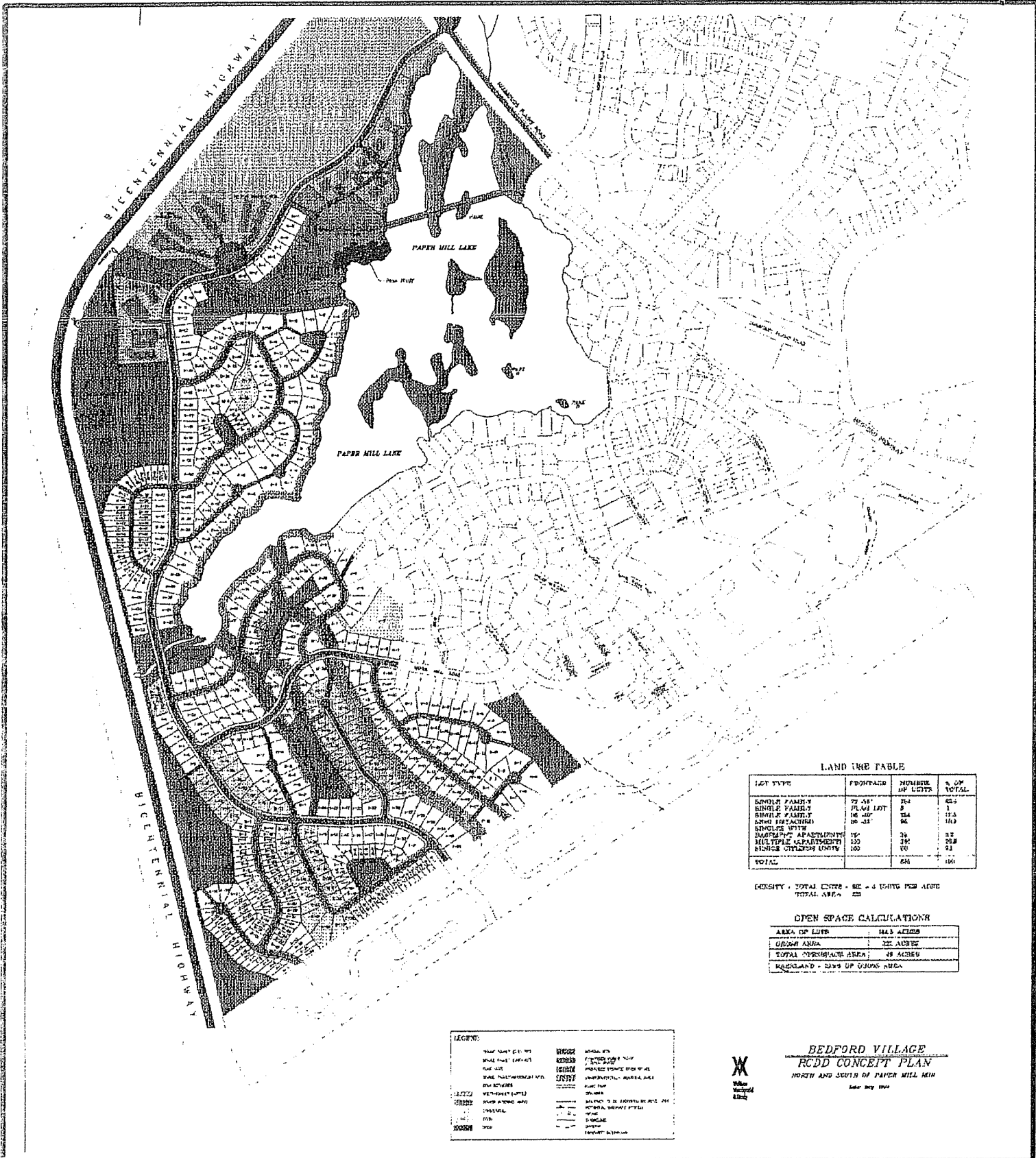


Map 3
Area of Application

HALIFAX
 REGIONAL MUNICIPALITY
 Planning Services

-  Paper Mill Lake Development Agreement Area
-  Lands of Olympic International Realty
-  Lands of United Gulf Development Ltd.





LAND USE TABLE

LOT TYPE	FRONTAGE	NUMBER OF LOTS	% OF TOTAL
SINGLE FAMILY	72-187	753	52.9
SINGLE FAMILY PLAZA LOT	0	0	0.0
SINGLE FAMILY	186-227	324	22.3
SMALL RESIDENTIAL	98-127	86	5.9
SINGLE WITH	0	0	0.0
MULTIPLE APARTMENTS	100	28	1.9
MULTIPLE APARTMENTS	100	28	1.9
SINGLE OFFICE UNIT	100	30	2.1
TOTAL		1421	100

DENSITY - TOTAL UNITS - 882 - 4 UNITS PER ACRE
TOTAL AREA - 222

OPEN SPACE CALCULATIONS

AREA OF LOTS	142.5 ACRES
OPEN AREA	222 ACRES
TOTAL OPENSPACE AREA	49 ACRES
RESERVED - 20% OF OPEN AREA	

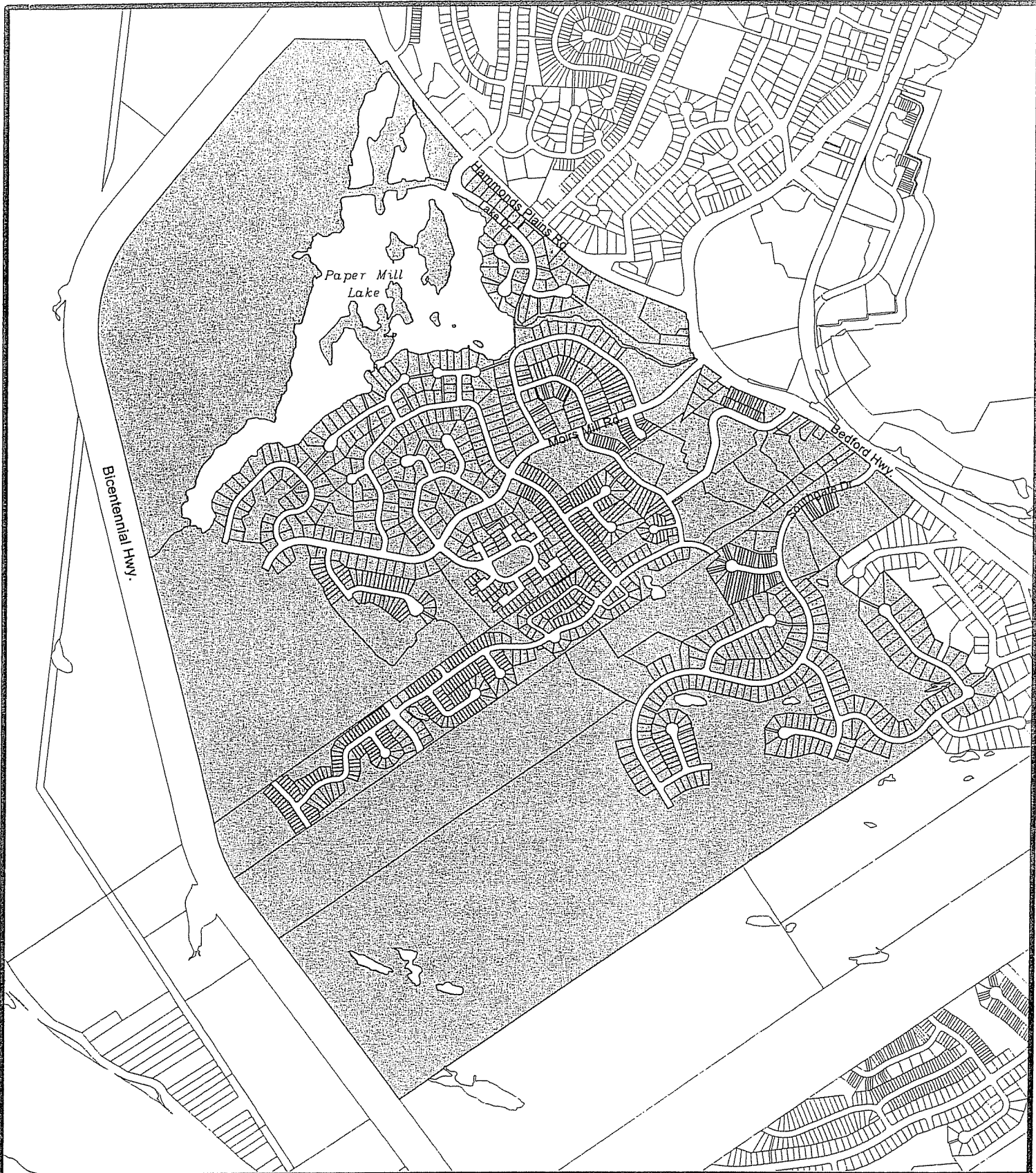
[Symbol]	EXISTING LOT	[Symbol]	OPEN SPACE
[Symbol]	NEW LOT	[Symbol]	ROAD
[Symbol]	EXISTING LOT	[Symbol]	RAILROAD
[Symbol]	EXISTING LOT	[Symbol]	UTILITIES
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BEDFORD VILLAGE
RCDD CONCEPT PLAN
NORTH AND SOUTH OF PAPER MILL LAKE
DATE: MAY 2006

Map 4
Approved Site Plan





Map 5



Notification Areas



HALIFAX
REGIONAL MUNICIPALITY
Planning Services

HALIFAX PO Box 1749
Halifax, Nova Scotia
REGIONAL MUNICIPALITY B3J 3A5 Canada

ATTACHMENT A

North West Community Council
July 20, 2006

TO: North West Community Council

SUBMITTED BY:

Joel Matheson, Chair
Paper Mill Lake Public Participation Committee

DATE: June 6, 2006

SUBJECT: Case 00753 - Paper Mill Lake Public Participation Committee Report

ORIGIN

1. An application by Olympic International Realty Limited to amend the Paper Mill Lake Development Agreement.
2. North West Community Council, on July 7, 2005, approved the formation of an area advisory committee in accordance with Section 201 of the MGA and the policies of the Bedford Municipal Planning Strategy and approved the Terms of Reference.

RECOMMENDATION

It is recommended that North West Community Council:

1. Reject the proposal by Olympic International Realty Limited to amend the Paper Mill Lake Development.

EXECUTIVE SUMMARY

On January 30th, 2006 the Paper Mill Lake Public Participation Committee made a motion recommending North West Community Council reject the proposed amendment to the Paper Mill Lake Development Agreement. The justification and rationale for the recommendation is summarized as follows:

- a) *No Compelling Reason*: no compelling argument has been presented to support the proposed amendment. The compelling reasons which resulted in the requirement of Clause 14(2) in 1995 remain the same today;
 - i) *Traffic*: the increase of traffic on the existing road network and the negative impact it would have on the existing residential neighbourhoods (i.e. construction traffic and increased volumes);
 - ii) *Safety*: the two entrances/exits to/from the Paper Mill Lake/Oceanview area effectively act as only one route to/from this area due to their proximity to one another on the Bedford Highway;
 - iii) *Domestic Water Supply*: the existing domestic water supply situation is intended to be an interim measure and looping from Hammonds Plain Road is necessary to complete domestic water supply and eliminate the interim measure that exists in the Paper Mill Lake/Oceanview area;
- b) *Crossing of Kearney Run*: no assurance of the bridge construction over Kearney Run.
- c) *Public Opposition*: there is an overwhelming public opposition to the proposed amendment.

BACKGROUND

Existing Development Agreement:

In 1995, the Town of Bedford entered into a development agreement with the Annapolis Basin Group Inc. enabling the development of 921 units on 221 acres of land bounded by the Bicentennial Highway, Hammonds Plains Road, Paper Mill Lake and Moirs Mill Road. These lands were and still are designated and zoned RCDD (Residential Comprehensive Development District) in accordance with the Bedford Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) and known as the Paper Mill Lake lands. (see Map #)

Within the agreement, the road network centers around the extension of Moirs Mill Road and the construction of a collector road from Hammonds Plains Road to the former Crestview Properties Boundaries (now known as Oceanview Drive). The construction of the collector road provides a number of transportation alternatives to existing and future residential of this area.

During the negotiation process in 1995, many concerns were raised relating to the potential impact of the proposed development on the residential neighbourhoods and existing municipal infrastructure.

These concerns included:

- (a) low domestic water pressure in the Paper Mill Lake area,
- (b) construction traffic traveling through existing neighbourhoods such as Moirs Mill Road,
- (c) anticipated traffic volumes on Moirs Mill Road, and
- (d) no alternative access provided to the Paper Mill Lake development other than Moirs Mill Road and future connections to the Bedford Highway.

As a means of addressing these concerns, Section 14(2) of the Development Agreement was adopted. Section 14 (2) states “ The Developer shall be allowed to create no more than 100 residential units prior to the completion of collector road N/I which is to run from Moirs Mill Road to Hammonds Plains.” Simply, this clause enables initial access by Moirs Mill Road while ensuring only a reasonable amount of traffic is added to the existing residential neighbourhood.

In accordance with Section 14 (2) 100 units have been constructed in the areas of Moirs Mill Road, Richardson Drive, Baha Court and Ahmadi Crescent. The collector road from Moirs Mill Road to Hammonds Plains Road is yet to be constructed.

The Proposed Amendment:

The Annapolis Basin Group Inc is no longer the owner of the subject lands. The north portion (lands north of Kearney Run) is owned by United Gulf Development Limited and 75 acres of the south portion (lands south of Kearney Run) is owned by Paper Mill Lake Developments Limited.

In late May of 2005, Planning and Development Services received an application by Olympic International Realty to amend the development agreement for the Paper Mill Lake Comprehensive Development District. Olympic International Realty is the authorized agent for the Paper Mill Lake Development Limited. The application is to amend Section 14 (2) of the agreement to enable more than 100 lots to be developed prior to the completion of the collector road from Moirs Mill Road to Hammonds Plains Road.

The Paper Mill Lake Public Participation Committee:

Policy R-14 of the Bedford Municipal Planning Strategy requires all RCDD applications to undertake a public participation process as part of the regular development agreement process.

North West Community Council approved an Public Participation Committee (Area Advisory Committee in accordance with the Municipal Government Act) to undertake the requirements of Policy R-14. The members were selected to represent the Bedford Waters Advisory Committee (BWAC), the North West Planning Advisory Committee (NWPAC) and the adjacent residential areas. HRM Staff and representatives for the developer attended the meetings as well but were not voting members. The members of the Paper Mill Lake Public Participation Committee were:

- Sharon Hawboldt, Community
- Robert Kerr, Community
- Bill Walsh, Community
- Don Lowther, Bedford Waters Advisory Committee

Kevin Dean, Bedford Waters Advisory Committee
Gloria Lowther, North West Planning Advisory Committee
Joel Matheson, North West Planning Advisory Committee

The Committee met 5 times. Minutes of these meetings are available on request. The meeting dates were as follows:

- October 24, 2005
- December 12, 2005
- January 30, 2006
- November 24, 2005
- January 25, 2006 (Public Information Meeting)
- June 5, 2006

DISCUSSION

The Committee reviewed the proposed amendment to the Paper Mill Lake Development Agreement in context with the applicable policies within the Bedford Municipal Planning Strategy, the intent and rationale of the existing development agreement and present street network and development pattern in the area. On January 30th, 2006 the Committee made and passed unanimously the following motion:

Moved by Don Lowther, seconded by Bill Walsh, that the Paper Mill Lake Public Participation Committee recommend against the requested amendment, ie. the deletion of Section 14.2 from the development agreement that exists for the Paper Mill Lake lands.

The following provides the justification and rationale for the Committee's motion and a review of how the proposed amendment does not meet the intent of the applicable Policies of the Bedford Municipal Planning Strategy.

The Justification and Rationale:

(a) No Compelling Reasons:

No compelling reasons have been presented to support Olympic's request to amended Section 14 (2) of the RCDD Paper Mill Lake Development Agreement dated May 17, 1995. Information presented throughout our review and concerns from the public lead us to the position that the clause should remain unchanged. Further, the reasons for requiring Section 14(2) of the Agreement in 1995 remain the same today and in many instances are a more pressuring concern given the interim measures have lasted nearly 11 years.

(i) Traffic (Policies R-16 (8), Z-3 (4), -3(5) (viii) and 6 (ii):

Enabling development to occur south of Kearney Run without the connection of the Collector Road N/I to Hammonds Plains Road would restrict all traffic, including the additional 325 units, to Moirs Mill Road and Oceanview Drive. As anticipated in the 1995 Traffic Study, the majority (65%) of the traffic uses Moirs Mill Road because it is the only intersection with traffic lights at the Bedford Highway. Consequently, Section 14(2) was placed in the agreement to restrict development to only

an additional 100 units prior to the completion of the Collector Road N/I in order to minimize the increased traffic on the existing road network and minimize the impact on the existing residential neighbourhoods.

Construction Activity:

The construction activity related to the permitted 100 unit (Moirs Mill Road, Richardson Drive, Baha Court, Ahamdi Crescent) has caused many safety issues for the area residents for the past 10 years. The construction activity associated with an additional 325 units is extensive. Without the completion of the Collection Road N/I, all traffic, including construction traffic, would solely rely on Moirs Mill Road and Oceanview Drive as access. This would greatly impact the existing residents in this area.

Olympic International Realty has stated that the heavy construction equipment is brought to the site and left there because it is more economical to do so than to move it several times. That may be true for some heavy equipment, but it does not take into account the earth and other excess surface materials (eg: trees, scrub) moving equipment, construction materials delivery equipment, construction workers' getting to and from the site daily, regulatory inspection employees' getting to and from the site daily.

One of the reasons for Section 14(2) of the agreement was to ensure construction traffic utilized the Collector Road N/I rather than traveling through an existing residential neighbourhood. In requiring the construction of the Collector Road N/I safety concerns are minimizing, and conflicts between construction traffic, residential traffic and pedestrians is greatly reduced. This remains a compelling reason for Section 14 (2) of the Agreement to remain.

Volumes:

The current traffic volumes on the Bedford Highway and in the Paper Mill Lake/Oceanview area is a major concern. The problem spots, especially at peak times, appear to be the intersection of Moirs Mill Road and the Bedford Highway, and Hammonds Plains Road between from the Bedford Highway and the Bicentennial Highway. The Traffic Impact Study prepared for Olympic indicates that the traffic volumes are within HRM standards.

However, adding more traffic to a congested area only compounds the problem. An alternative exit, other than points along the Bedford Highway, is critical before any further development occurs in the Paper Mill Lake Development Agreement area.

(ii) Safety (Policies R-16 (8), Z-3 (4) and Z-3 (5) (viii):

The current two entrances/exits to/from the Paper Mill Lake/Oceanview area effectively act as only one route to/from this area due to their proximity to one another on the Bedford Highway. This is a serious concern with respect to providing emergency services (fire, ambulance, police) or in an event which requires an evacuation from the area. This was most recently shown after the 2005 Canada Day Fireworks where no one could get into or out of the area for several hours. The proposed amendment adds an additional 325 units (approximately 1000+ people) to an existing

safety concern. An additional 325 units would (a) increase the safety risk to the current residents of Paper Mill Lake and Oceanview Drive areas, by means of additional traffic which would further complicate matters for emergency vehicles getting to/from the emergency in this area and (b) add more people to be evacuated in the event of a required evacuation.

As specified in the existing agreement, an alternative exit to Hammond Plains is needed for the perspective of public safety as well. As anticipated in 1995, a connection to Hammonds Plains Road is critical before any further development occurs in this area. Public safety remains a compelling reason for Section 14 (2) of the Agreement to remain.

(iii) Domestic Water Supply (Policy Z-3)

As stated in the Staff Report dated April 27, 1994, looping of the domestic water supply is necessary to service the long term water needs of the Paper Mill Lake area. A high pressure feeder running along the Collector Road N/I from Hammonds Plains Road around Paper Mill Lake to Moirs Mill Road is the solution and a requirement of the development agreement. This looping has not been installed given the Collector Road N/I has yet to be built. Consequently, area residents and the Halifax Regional Water Commission continue to live with an interim measure.

The report from Horner Associates Limited dated March 1, 2005 states the proposed development can be serviced from the existing water system on an interim measure. However, several residents have commented on low water pressure in Paper Mill Lake/Oceanview Drive area. An additional 325 units without the completion of the water system looping from Hammonds Plains Road would not improve the pressure in this area and would only further extend the time of the interim measure.

(b) Crossing of Kearney Run

The completion of the Collector Road N/I from Hammonds Plains Road to Moirs Mill Road requires the crossing of Kearney Run. The property boundaries for the Paper Mill Lake Development Limited lands and United Gulf Development lands end at Kearney Run (see Map 1). Given the ownership change on either side of Kearney Run there is no assurance the bridge will actually be construction over Kearney Run. With no assurance in the development agreement or otherwise relating to the crossing, enabling construction south of Kearney Run could result in the bridge crossing never occurring.

(c) Public Opinion:

Based on the reactions throughout the meeting, it appeared that the vast majority of the people attending the Public Information Meeting were opposed any proposed development going ahead without the completion of the collector road from Hammonds Plains to Moirs Mill Road.

Approximately 30 of the 220 people in attendance spoke. Judging from the response of the attendees, the comments of those that spoke represented the position of those that didn't speak. No one from the public spoke in favor of the project going ahead without the collector road. No correspondence has been received in favor of the proposed project proceeding. Further, the majority of speakers mentioned that they were fully aware of conditions of the agreement (specifically Section 14 (2)) and purchased property in this area with that in mind.

Summary:

The Paper Mill Lake Public Participation Committee recommends against the request to amend the Paper Mill Lake Development Agreement to enable development on the lands south of Kearney Run to occur without the completion of the collector from Hammonds Plains to Moirs Mill Road. Further, it is opinion of this Committee the proposed amendment does not comply with the intent of Policies R-16 and Z-3 of the Bedford Municipal Planning Strategy nor the original intent of the agreement.

BUDGET IMPLICATIONS

No budget implications.

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. Reject the amendment to the Paper Mill Lake Development Agreement as proposed. This is the recommendation of the Paper Mill Lake Public Participation Committee. It is the opinion of the Paper Mill Lake Public Participation Committee the proposed amendment does not meet the requirements specified in the Bedford Municipal Planning Strategy or the original intent of the agreement.
2. Approve the amendment to the Paper Mill Lake Development Agreement as proposed. This alternative is not recommended. It is the opinion of the Paper Mill Lake Public Participation Committee the proposed amendment does not meet the requirements specified in the Bedford Municipal Planning Strategy or the original intent of the agreement.

ATTACHMENTS

Map 1:	Area of Application
Attachment A:	List of Studies and Reports reviewed by the Paper Mill Lake Public Participation Committee
Attachment B:	Terms of Reference - North West Planning Advisory Committee's Public Participation Committee on the Olympic International Realty Application (Amendment to the Paper Mill Lake Development Agreement)
Attachment C:	Relevant Policies from the Bedford Municipal Planning Strategy
Attachment D:	Submission from the Public

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: The Paper Mill Lake Public Participation Committee

ATTACHMENT A of A

**Studies and Reports Reviewed
by the Paper Mill Lake Public Participation Committee**

Town of Bedford Staff Report. RE: Paper Mill Lake RCDD Development Agreement application by Annapolis Basin Pulp and Power Company Ltd. April 27, 1994

Paper Mill Lake Development Agreement. Annapolis Basin Group Inc & Town of Bedford, May 17th, 1005.

Town of Bedford Paper Mill Lake Area Traffic Impact Study. Streetwise Traffic Engineering, April 1994.

Final Report Traffic Impact Study: Proposed Residential Development Paper Mill Lake Area, Bedford, Nova Scotia. Atlantic Road & Traffic Management, April 2005

Development Brief Development Agreement Amendment - Paper Mill Lake, May 27, 2005

Olympic International Realty - Paper Mill Lake Development (Domestic Water Supply). Horner Associates Limited - Consulting and Design Engineers, March 1, 2005

ATTACHMENT B of A

**Terms of Reference
of the North West Planning Advisory Committee's Public Participation Committee
on the Olympic International Realty Application
(Amendment to the Paper Mill Lake Development Agreement)**

Membership

1. Two representatives from the North West Planning Advisory Committee;
2. Two representatives from the Bedford Waters Advisory Committee;
3. Three representatives from the adjacent residential areas; and

Appointments

1. Term - The Committee shall be dissolved when its report has been tabled with the North West Planning Advisory Committee and a decision on the development has been made by the North West Community Council.
2. Appointments shall be made by the North West Community Council.
3. The Committee shall elect a Chair and Vice-Chair.

Responsibilities

1. The Committee shall prepare a report to North West Planning Advisory Committee on the amendment to the Paper Mill Lake Development Agreement to enable more than 100 lots prior to the completion of the collector road from Hammonds Plains to Moirs Mill Road, under the Residential Comprehensive Development District policies in the Bedford Municipal Planning Strategy and Land Use By-law.
2. The Committee shall provide a forum in which the land owner/developer, HRM staff, and appointed citizens collaborate to comment and review the proposed amendment.

Meetings

1. The meetings shall be called as required by the Chair.
2. The quorum for regular meetings shall be four members.
3. Members shall advise by 12 noon on the day of a regular meeting if they are unable to attend any scheduled meeting.
4. All meetings shall be open to the public, or as allowed under Section 203 of the Municipal Government Act.

Remuneration

None.

ATTACHMENT C of A:

Relevant Policies from the Bedford Municipal Planning Strategy

RESIDENTIAL OBJECTIVE

To make provision for a choice of housing types; to make provision for construction of affordable housing; to provide for preservation of the character of existing neighbourhoods in their present form; to permit residential development to occur in areas where the Town can economically provide services; to consider the need for permanent buffers and/or separation distances where residential uses abut incompatible land uses; to encourage the provision of housing for those with special needs; to provide for a mix of housing types in new developments consistent with the trend in starts in Bedford since 1980; to plan for provision of supporting neighbourhood infrastructure such as schools, parkland and commercial facilities; and, to encourage development that would be designed to suit the natural terrain minimizing negative impacts to the natural environment.

Residential Comprehensive Development Districts

In order to maintain control on the housing mix in newly developing areas, three major undeveloped portions of the Town which are within the Residential Development Boundary are designated as "Residential Comprehensive Development Districts" on the Generalized Future Land Use Map as set out in Policy R-9. One area designated Residential Comprehensive Development District is the undeveloped land around Paper Mill Lake. Another is the area between the Bicentennial Highway and Union Street. This is the area where the Micmac petroglyphs are located. The third area includes 68 acres of land south of Nelson's Landing belonging to Crestview Properties Limited.

The Residential Comprehensive Development District designation requires developers to enter into negotiated development agreements with Council for areas which are zoned Residential Comprehensive Development District (RCDD) Zone as per Policy R-10. Within the Residential Comprehensive Development District Zone the following uses may be permitted:

- a) Single Detached Dwellings;
- b) Two-Unit Dwellings;
- c) Townhouse Dwellings;
- d) Multi-Unit Dwellings;
- e) Mobile Homes;
- f) Neighbourhood convenience stores;
- g) Neighbourhood commercial uses;
- h) Institutional uses;
- i) Parks and recreational uses;
- j) Uses accessory to any of the forgoing uses; and
- k) Senior Residential Complexes.

Introduction of Residential Comprehensive Development Districts is meant to permit Town Council to: a) encourage an environmentally sensitive design which recognizes the site's unique features including existing vegetation, topography, and physical characteristics; b) consider innovative housing forms such as cluster housing which may be proposed as a means to limit the extent of site disturbance for construction of housing or as a means to reduce servicing costs; c) consider the relationship with adjoining or proposed uses and whether such items as buffers and/or screens may be required; d) allow

flexibility in street and servicing standards appropriate to the levels of service required for the developments; e) make provision for new forms of subdivision, housing, and house siting; f) negotiate regarding provision of additional open space and parkland; and g) negotiate the phasing of a development as deemed appropriate.

The maximum density of development within RCDD's is specified in Policy R-11. What is to be implemented with this Strategy is a system to encourage the provision of such things as more open space, preservation of unique views, preservation of existing vegetation and the retention of natural features. In order to develop at densities between 1 and 4 dwelling units per gross acre, it will be necessary for developers to enter into a development agreement with the municipality. To be permitted development within this density range the developer must provide common open space to accomplish such things as preserving existing vegetation or retaining site features. Common open space may be provided in the form of additional public parkland or as communally owned and maintained open space such as the common green which has been provided within the Bedford Village adult lifestyle project.

In order to provide for a mix of residential units and to develop at a higher density of up to 6 units per gross acre a developer must again enter a development agreement. In addition to providing common open space, there must be use of the cluster concept. The cluster concept involves the use of lots smaller than what is permitted by the Land Use By-law provided the land area saved is to be provided for permanent common use.

Policy R-12A and R-12B establish the importance of site design standards for RCDD developments by setting out architectural design guidelines and non-site disturbance/landscaping requirements. Policy R-12C acknowledges the importance of streetscapes and their impact on the aesthetics of an RCDD neighbourhood. These site design standards and streetscape standards shall be just as important in influencing RCDD projects as Policy R-11 which discusses the maximum gross density of a project. The public participation committee may wish to consult with a qualified arborist or landscaper to help accomplish these objectives. Policy R-13 permits Council to consider mobile homes as a permitted use within the RCDD. The policy specifies evaluation criteria for considering inclusion of mobile homes within an RCDD project. Policy R-14 relates to all the RCDD areas where there is a desire to involve interested parties in negotiations for development agreements prior to the public hearings. As well, for the Barrens area RCDD, there is mention of the desire to preserve the authenticated aboriginal petroglyphs within public parkland. Policy R-15 indicates that the recommendations forthcoming from the Petroglyphs Advisory Committee will be considered as part of the public consultation process identified in Policy R-14.

In addition, a proposed development in a Residential Comprehensive Development District shall be evaluated with regard to compatibility of the proposed use with: adjacent uses; the scheduling of development; provision for public land dedication; vehicular and pedestrian circulation systems; protection afforded to any environmentally sensitive areas; location and capacity of schools and other community facilities; and servicing provisions. Policy R-16 details the evaluation criteria for consideration prior to entering into a development agreement.

Included in these criteria as points #10 and #11 are evaluation criteria for consideration of multiple-unit residential projects within RCDD areas. While recognizing the need to permit development of multiple-unit housing, Council also wishes to maintain a small town character. Point #10 supports this desire by preventing concentrations of multiple-unit buildings, buildings which are typically much larger than single-unit dwellings. Given the need for multiple-family units, there are several factors which must be

considered in assessing the impact of additional multiple-unit development. These factors are identified in Point #11, and include:

- a) Location - Generally it is preferable to locate multiple-unit projects next to or in close proximity to the collector or arterial roads and not on internal local streets. From a traffic movement perspective this will enable the street system to work most efficiently. Multiple-unit buildings are proposed within the Waterfront Development project subject to the Waterfront Policies identified in the Waterfront Chapter of this document. Consideration must also be given to the type of multiple-unit buildings to be constructed. Multiple-unit buildings with two or more bedroom units will likely include families as occupants. Locating the multiple-unit buildings near existing or proposed schools and recreational facilities would ensure that these facilities are near the greatest concentration of residents.
- b) Density - The density of multiple-unit residential development is one of the key elements in determining whether a proposal is viable to the developer and acceptable to the neighbours. Townhouse development has been limited to 15 units per net acre. Apartment development is of a medium density limited to 30 units per net acre. These densities will apply in the future in order to maintain the character of the community.
- c) On-Site Amenities - Because multiple-unit developments tend to place significantly more people on an area of land as compared to single dwelling unit development, there is a need for open space or amenity areas within the apartment development itself. Therefore the Land Use Bylaw will include provisions for multiple-unit projects to include usable on-site amenity areas to be provided by the developer.
- d) Compatibility With Adjacent Uses - Special consideration is needed where multiple-unit buildings abut lower density development. The bulk and scale of the buildings and extent of parking areas associated with multiple-unit developments may require provision of buffers or separation distances to separate them from lower density types of housing. Therefore, provisions are made in the Land Use By-law, and consideration will be given in negotiating development agreements, to include elements such as landscaping, buffers and setbacks to improve the compatibility of multiple-unit development.

Policy R-9:

It shall be the intention of Town Council to establish Residential Comprehensive Development Districts (RCDD) within the Residential Development Boundary where the predominant housing form of each residential district shall be the single-unit detached dwelling unit. These residential districts are shown on the Generalized Future Land Use Map. Council shall enter a development agreement to control the development within the area identified as RCDD. Permitted uses within RCDDs shall include, but not be limited to, single detached dwelling units, two unit attached dwellings, townhouses, multiple unit dwellings, mobile home, senior residential complexes, neighbourhood convenience stores, neighbourhood commercial uses, institutional uses, parks and recreational uses. Three RCDD areas have been identified: a) the remaining lands of Bedford Village Properties near Paper Mill Lake; b) the area between Union Street and the Bicentennial Highway; and, c) 68 acres of land south of Nelson's Landing belonging to Crestview Properties Limited.

Policy R-10:

It shall be the intention of Town Council to establish a Residential Comprehensive Development District (RCDD) Zone within the Land Use Bylaw to permit Council to: a) ensure that a comprehensive plan is prepared; b) encourage environmentally sensitive design through review and negotiations on development agreement applications; c) consider approving innovative

housing forms; d) permit flexibility and economies in street and servicing standards; e) consider the need for buffering and/or separation distances; f) consider innovative subdivision designs and house siting arrangements; g) permit negotiation regarding provision of open space; h) negotiate the phasing of development; i) encourage the use of cost effective construction technology; and, j) encourage the provision of a mix of housing types.

Policy R-14:

It shall be the intention of Town Council to require the undertaking of a public participation process in which the public, proponents, and Town staff: a) identify development constraints and opportunities pertaining to the three RCDD areas; and b) collaborate to produce the conceptual plans for the development of these areas. When negotiating provisions of the Union Street RCDD development agreement special attention shall be given to the protection of the aboriginal petroglyphs located within this area.

Policy R-16:

Pursuant to Policy R-9 and as provided for by Sections 55 and 56 of the Planning Act, the development of any RCDD shall only be considered by Council through a Development Agreement. Council shall evaluate the appropriateness of the proposed development in accordance with the provisions of Policy Z-3 and with regard to the following criteria:

1. Commercial uses shall front on a collector road;
2. The compatibility of the height, bulk and scale of the uses proposed in the project with one another, where specific design criteria have minimized potential incompatibility between different housing forms and/or between different land uses;
3. The adequacy and usability of private and public recreational and park lands and recreational facilities. Proponents will be encouraged to provide one (1) acre of public parkland per 100 dwelling units within RCDDs. Where subdivision occurs 5% of public open space is to be provided as per the Planning Act, and Council shall seek to obtain lands which are compact, having a minimum street frontage of 60 continuous feet or one-tenth of one per cent of the total park area, whichever is greater, and; where usability is defined generally as park or recreational lands having no dimension less than 30 feet (except walkway park entrances) and having at least 50 per cent of the area with a slope between 0 and 8 per cent in grade;
4. The adequacy of provisions for storm water management;
5. The Town will encourage development to maintain standards of water quality which will meet recreational standards;
6. Council shall discourage the diversion of any storm water from one watershed to the detriment of another watershed;
7. The implications of measures to mitigate the impact on watercourses;
8. The adequacy and arrangement of vehicular traffic and public transit access and circulation, including intersections, road widths, channelization, traffic controls and road grades;
9. The adequacy and arrangement of pedestrian traffic access and circulation including: physical separation of pedestrians from vehicular traffic, provision of walkway structures, and provision of crosswalk lights;
10. The maintenance of the small town character by discouraging concentrations of multiple-unit dwellings (townhouses and apartment units) in any one project or area; concentrations shall be viewed as individual projects exceeding 36 units or as clustering

- of more than three such multiple-unit projects on abutting lots and/or lots within 100 feet;
11. With respect to multiple-unit projects, Council shall consider, among other items, the:
 - i) access to the collector or arterial road system;
 - ii) proximity to existing or proposed recreational facilities;
 - iii) existence of adequate services in the area;
 - iv) conformance with all other relevant policies in this strategy;
 - v) preference to limit the maximum height of any apartment building to three stories except as provided for in Policy R-12A to maintain the small town character;
 - vi) density limitation of 30 units per net acre;
 - vii) requirements of the RMU Zone, where appropriate;
 - viii) the bulk and scale of multiple-unit projects in relation to abutting properties; and,
 - ix) a maximum of 36 units per building
 12. The adequacy of school facilities to accommodate any projected increase in enrolment.
 13. The adequacy of architectural design;
 14. The adequacy of non-site disturbance areas, landscaping areas, and horticultural practices to ensure the survival of these areas;
 15. The adequacy of streetscape design.

TRANSPORTATION OBJECTIVE:

To provide for an economical, safe, and attractive transportation network which: a) minimizes any detrimental impacts of the movement of vehicles on residential and business areas; b) maximizes accessibility from home to work, services and community facilities; c) provides for public transport; d) encourages the movement of pedestrians and cyclists in the Town; and, e) encourages investigation into alternative transportation forms including, but not limited to, rail and water.

Policy T-1:

It shall be the intention of Town Council to utilize the road classification system as shown on Map 1 in the ongoing development of the Town's transportation system. This hierarchy includes expressways, arterial roads, collector streets, and local streets. Town Council shall undertake a study to review this classification system and the servicing standards on which it is based.

Policy T-13:

It shall be the intention of Town Council to immediately commence a study to identify and evaluate alternative north-south routes between the Sunnyside area and the Mill Cove area and to identify methods of directing traffic to the Bicentennial Highway in order to reduce traffic congestion on the Bedford Highway.

Policy Z-3:

It shall be the policy of Town Council when considering zoning amendments and development agreements [excluding the WFCDD area] with the advice of the Planning Department, to have regard for all other relevant criteria as set out in various policies of this plan as well as the following matters :

1. That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town By-laws and regulations, and where applicable, Policy R-16 is specifically met;

2. That the proposal is compatible with adjacent uses and the existing development form in the neighbourhood in terms of the use, bulk, and scale of the proposal;
3. That provisions are made for buffers and/or separations to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated;
4. That provisions are made for safe access to the project with minimal impact on the adjacent street network;
5. That a written analysis of the proposal is provided by staff which addresses whether the proposal is premature or inappropriate by reason of:
 - i) the financial capability of the Town to absorb any capital or operating costs relating to the development;
 - ii) the adequacy of sewer services within the proposed development and the surrounding area, or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;
 - iii) the adequacy of water services for domestic services and fire flows at Insurers Advisory Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;
 - iv) precipitating or contributing to a pollution problem in the area relating to emissions to the air or discharge to the ground or water bodies of chemical pollutants;
 - v) the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;
 - vi) the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;
 - vii) the adequacy of recreational land and/ or facilities;
 - viii) the adequacy of street networks in, adjacent to, or leading toward the development regarding congestion and traffic hazards and the adequacy of existing and proposed access routes;
 - ix) impact on public access to rivers, lakes, and Bedford Bay shorelines;
 - x) the presence of significant natural features or historical buildings and sites;
 - xi) creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;
 - xii) impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,
 - xiii) suitability of the proposed development's siting plan with regard to the physical characteristics of the site.
6. Where this plan provides for development agreements to ensure compatibility or reduce potential conflicts with adjacent land uses, such agreements may relate to, but are not limited to, the following:
 - i) type of use, density, and phasing;
 - ii) traffic generation, access to and egress from the site, and parking;
 - iii) open storage and landscaping;
 - iv) provisions for pedestrian movement and safety;
 - v) provision and development of open space, parks, and walkways;
 - vi) drainage, both natural and subsurface;
 - vii) the compatibility of the structure(s) in terms of external design and external appearance with adjacent uses; and,
 - viii) the implementation of measures during construction to minimize and mitigate adverse impacts on watercourses.

Submission #1

From: Lynne and Richard
To: Langilt@halifax.ca
Date: 23/01/2006 8:26:05 am
Subject: Amending Olympic International Realty Application -Lands south of Kearney Run

Dear Ms Langille-Hanna:

I am writing to express my concern to proceed with further development prior to the development of the Collector Road

Given that I must provide my concern prior to having information at the meeting I wish to have the following to prepare my response:

1. The reason for the original recommendation and accepted approach to only developing 100 Lots prior to the collector Road being developed
2. The reason for Olympic International Realty to request an amendment and have they addressed the issues in item #1 if indeed they exist

Given that a major concern may be the continued creation of the traffic and residential nightmare of the "congested Road concept " I wonder if all the necessary studies been done on :

1. Property value- will this increase my property value or decrease it?
2. Public safety - will this create additional concerns?
3. Public Health -Environment studies for the 221 acres and the effects of the additional 781 Residential units on the watershed
4. The addition of another 1000-1500 cars to the Bedford Highway and Hammond Plains Road and its traffic problems- It seems so full now on Saturday and Sunday plus early mornings of the week
5. Is there adequate disaster planning for all folks to exit the area . What is the time period to exit now and how much will it increase with this and the other development coming on line in the area- at this time there are only two possible exits for all the folks in this Papermill development area, one of which is Moirs Mill Road.

If you can address these concerns in writing , as I will not be able to attend Wed Jan. 25, 2006 , I will be able to form an educated opinion on this development request

Thank You for requesting public opinion on this development

PS : On the surface, I recommend the collection Road and Infrastructure to the Hammond Plains Road /Bicentennial HWY be developed before further development or routing of traffic to this area

Submission #2

From: Lynne and Richard
To: Langilt@halifax.ca
Date: 24/01/2006 10:03:59 am
Subject: Amending Olympic International Realty Application -Lands south of Kearney Run

Good Morning Ms Langille- Hanna

I have received a lot of the information requested in a mass note received today from Olympic

International : therefore I have enough information to base my recommendation to you on:

I recommend the collection Road and Infrastructure to the Hammond Plains Road /Bicentennial HWY be developed before further development or routing of traffic to this area

The main reason is outlined in the Olympic Interantional note - The present situation is residents are trapped in the event of a diseaster/ accident now - There is no exit and it gets increasing very bad at the end of Moirs Mill where the proposed developed is planned

Please do not allow this to go ahead based on Public safety

Thank you

Submission #3

From: Jeanette Gill
To: langilt@halifax.ca
Date: 29/01/2006 10:53:22 pm
Subject: Case #00753 - Papermill Lake Development

I attended the January 26th Mtg. Concerning proposed development in the Paper Mill Lake area prior to the construction of a new connector road. I am opposed to further construction in the Moirs Mill Rd area without the construction of a new connector road.

I have lived at 30 Moirs Mill Rd, one block uphill from the Bedford Hwy., for the past six years.

When turning out of my driveway onto Moirs Mill Rd. to proceed downhill toward the Bedford Hwy. traffic light, I am in danger of entering the uphill lane to negotiate the turn and to clear the curb. The road is not wide enough. Drivers must ensure that both lanes are clear to turn out. This '(Moirs Mill) connector road' is extremely narrow to accommodate the current traffic. It may have been a 'connector road' in the past, however, the current population increase has been rapid and dramatic and the area is unrecognizable in appearance from a perspective of 10 years ago.

The downhill traffic lanes at the Moirs Mill (Bedford Hwy.) traffic lights (amazingly) split into 3 on this is narrow road. As one speaker pointed out at the above mentioned meeting, the middle lane exiting traffic hugs the middle line to allow the right lane room to proceed onto the Bedford Hwy. This intersection knowledge protocol has been gained through experience.

Further more, should the Emergency Measures Organization instruct residents to vacate the area (ie. hurricane or other natural/unnatural causes), there would not be a safe and immediate exit. We would be trapped in our driveways. We look to HRM and Planners to ensure our safety and depend on that responsibility entrusted to keep us safe. (Residents do not have the authority to make such planning decisions.)

It is my opinion that Moirs Mill Rd. cannot safely handle additional traffic.

Thank you, and trusting a wise decision will be made.

Sincerely

Jeanette Gill

Submission #4

From: Bill Richards
To: langilt@halifax.ca
Date: 23/01/2006 8:23:34 pm
Subject: Case #00753

With regard to the potential extension of housing development in Papermill Lake subdivision I have a concern which I would like to communicate. I will be out of town on business but will not be able to attend the meeting on Jan 25th.

I've lived in the neighbourhood since 1998 and have noticed increasing traffic noise from the 102 highway (about a kilometer from my house) - probably due to increased traffic, reduced trees due to the hurricane two years ago & housing development close to the highway.

My question is, has the effect of the proposed further been development on noise pollution in the neighbourhood been evaluated properly? This question might extend to much of Bedford in general - have residents commented & are there any plans to mitigate this problem with concrete noise barriers, different road surfaces or reduced speed limits, for example?

Thanks,
Bill Richards

Submission #5

From: S Murwin
To: langilt@halifax.ca
Date: 05/02/2006 11:52:58 am
Subject: case no. 00753

I am writing at this time to express 2 specific concerns that I have concerning the proposed amendment to the Paper Mill Lake development agreement. My concerns are as follows:

1. Danger - Potential disaster

There is only 1 way to exit our subdivision, Oceanview Drive. In the event of an emergency evacuation, residents from Royal Mast Drive up the hill are literally trapped. I have had occasion to experience how this could potentially cause an emergency situation. This occurred on an evening of local fireworks and the traffic was backed up the hill almost to the top which is approximately 2 kilometres from the Bedford highway.

Residents in our subdivisions depend on their cars to enter and exit our neighbourhood. Each and every household in this area has between 1 to 3 (or more) motor vehicles. There is no public transport of any sort.

2. Very poor water pressure.

We already live with substandard water pressure. With an additional 100 homes, with 2 dwellings per home, the demand for water will be significantly increased. As we pay the same municipal tax rate and water rate as all HRM residents and we would like the water pressure problem to be improved not worsened.

Thank you.

Yours sincerely
Susan Murwin

Submission #6

From: Bob Davies
To: langilt@halifax.ca
Date: 21/01/2006 4:36:35 pm
Subject: Case#00753: Paper Mill Lake Development

Thea & Len,

I have received information from both HRM and the Developer regarding the subject Case # and the open house scheduled for the 25th of January. Unfortunately I will be out of town and unable to attend, but I would like you to be aware of my concerns.

1. The proposal information put out by HRM does not indicate that an earlier request to build approx seven more homes in the area was turned down. I believe the reasons were: lack of water pressure; lack of a second exit from the area; and the fact that the developer has so far failed to comply with the agreement with respect to construction of the road in from Hammond Plains road.

- What has changed? Will this information be made public at the meeting?

2. A proper second exit is still a problem. The developer has sent a letter to residents indicating that the exit problem is no longer an issue as Ocean View Drive and Moirs Mill results in two exits. This is unrealistic as they both exit to the Bedford Hwy close to each other - an exit to the Bi Hi is required.

3. The Development Agreement is clear with regards to the road from Hammond Plains Road to the area in question. The land may be split between two developers now: but; why should that be the problem of HRM and the tax payers? If the amendment requested by Olympic is granted I have no doubt that before too long the "other developer - United Gulf" will want permission to start developing the land between the lake and the Bi Hi by putting a road in from the south across Kearny Run. Then, once that area is developed everyone will pressure HRM to put in the interchange with Hammond Plains Road - at tax payers expense! An agreement is an agreement - the developers were aware of the conditions and are now trying to Bully their way out of it. Why are we spending our tax money to even consider their request?

3. What happens if the request is denied and the Development Agreement expires? The developer in his letter to residents indicates that any new agreement will result in smaller lots and less parkland. Perhaps they stand to gain if the present agreement expires! Or would any new agreement follow the same guidelines as the existing?

Thank you,
Bob Davies

CC: <gouchel@halifax.ca>

Submission #7

From: Don MacLeod
To: Langilt@halifax.ca
Date: 19/01/2006 1:27:06 pm
Subject: FW: Case No. - 00753 - Application by Olympic International Realty with respect to the Paper Mill Lake Development Agreement

Dear Ms. Langil-Hannah:

I am in receipt of a notice of a Public Information Meeting to be held in Bedford on January 25, 2006 at the Basinveiw Drive Community Elementary School concerning an application by Olympic International Realty to vary the established Residential Development Plan in the Paper Mill Subdiyision. This will be the first public meeting in the application process and that Olympic International Realty have requested that this meeting be convened so that they can put forward their views with respect to an application for alteration of the established Development Plan. As I understand it, at present, if Olympic wants to develop additional housing units, they must build a connector road from the Hammonds Plains Road to their development at the west end of the Paper Mill Development designated in grey on the map provided as part of the public notice. I also understand that they would like to build somewhere in excess of 300 additional units in this area.

As a long-time resident of the Paper Mill area, we purchased our home as did the other residents in the area based on the established Development Plan, which called for an additional access road to alleviate congestion and to enable proper access to the residential community of Paper Mill as it expanded in accordance with the established Development Plan. At present, the main access area to Paper Mill by way of Moirs Mill has become congested and makes access to my home more difficult than in the past when there was less development. There is an additional access point further west, but this entails going through several side residential streets in close proximity to a public school with all the inherent safety and congestion issues related to this.

I would like to put on the record in absolutely plain terms the fact that I oppose the variation to the Development Plan that would remove the requirement of Olympic to build the additional access road before further residential units can be developed. It is important that this developer abide by the established and existing rules that are in place and that were in place at the time it purchased the land that it now wants to develop. The plan was put in place for good planning reasons to ensure that proper access was available and in line with future developments. To allow Olympic to do further development without abiding by this requirement will reduce the quality of life in our community by increasing traffic congestion and the number of vehicles in the neighbour hood with all the safety concerns that go with increased and cojested traffic ina a residential community. This should not even be an issue or point of discussion and id only being raised because the developer does not want to abide by the established Development Plan that was put in place prior to the purchase of the property and which was expected to be followed by all those people that purchased property in the Paper Mill area.

In conclusion, I would like to restate that the Development Plan was put in place for good policy reasons, to ensure that the lands developed in the Paper Mill area were done in accordance with good planning principles. People purchased their properties based on this plan as did the developer and, therefore, to retroactively amend the plan is unacceptable and must be rejected.

Yours very truly,

Donald A. MacLeod

Resident of Paper Mill

Submission #8

From: Signs On The Go
To: langilt@halifax.ca
Date: 26/01/2006 9:50:02 am
Subject: Hello Thea

Thank you for moderating the meeting last night. It ended less than graciously, but I think this shows the propensity of this developer; if we allow this work to go forward we will never see that connector road built, much less a wonderful development.

I have witnessed so many disappointing situations in the last 15 years that we have to stand firm on this issue and send a message: uphold the agreement in place or move on. No development without the connector road - period.

I look forward to hearing from you about the information on the status of Moirs Mill and Oceanview Drive being designated as collector roads.

Take care and have a good day!

David Scherer
Signs On The Go

Submission #9

From: Don and Cathy Murray
To: langilt@halifax.ca
Date: 28/01/2006 10:29:26 pm
Subject: Olympic International Realty - Proposal CASE

Good Day Thea,

I had attended the public information meeting on January 25th, 2006 along with my husband. We are very concerned of what is being proposed and we feel it is imperative that the developers be made responsible for the building of the collector road BEFORE any more units are built in the Moirs Mill area. Any homeowner is bond by covenants of a subdivision and the builder should be likewise. Safety should be PRIORITY for any community and I do hope HRM agrees and begins to make developers uphold their overall responsibilities. This will ensure the collector road is built first.

I have a couple of points to make:

1. If I recall correctly, the traffic study completed by Olympic International Realty commenced in August, when individuals were on holidays, school was closed and there were very few extra curriculum activities, can you please advise me of the dates of the study.
2. Mr Ali Roshani is obviously an individual who cannot be trusted...his letter and presentation reinforces this.

3. Mr Ali Roshani made a comment a couple of times " I have lots of money". Therefore, he should negotiate and/or offer to pay the whole collector road with United Gulf, obviously from his

4. Can you please advise me who is the present owner of the land in question? Is it a Mr Ahmadi and Ali Roshani has a proposal to purchase all of the land and develop it from this individual, or is it an agreement between Mr Ahmadi to have Mr. Roshani develop the land if Mr Roshani is able to obtain the amendment.

5. Who are the owners/president of United Gulf?

I do hope HRM takes everything into consideration and if they do, then I am confident they will insist the collector road be built before additional units are allowed to be built in the Papermill Lake area as initially agreed to in the agreement with Annapolis Basin Pulp and Paper Company Limited.

Please keep us informed of any future meetings and/or decision of this proposal.

Thanking You in advance for response and cooperation.

Regards,

Cathy Murray

Submission #10

From: John Greer
To: langilt@halifax.ca
Date: 27/01/2006 7:09:28 am
Subject: Olympic Realty Proposal

Hi Thea,

I live at 78 Ahmadi Crescent and I attended the meeting Wednesday night at the Basinview School.

I wanted to speak to you after the meeting however I had to leave so I decided to send you a note.

I wanted to compliment you on the way you handled the meeting. You are a very good speaker and you were clear and concise. I know you were in a difficult position as HRM had to "facilitate" this proposal, however you handled the situation very well. Although the meeting was at times emotional, you should know that this emotion was not directed at you or other HRM staff, but rather at the developer for his poorly conceived plan and for his embarrassing performance at the meeting.

I was amazed at the "inaccuracies" this man proposed to the Papermill Lake area residents. Sketches showing 1 house on two areas when he wants 6 houses on 1 acre, promising generators and tennis courts, etc, not to mention the infamous letter.

For the record, I am firmly against the proposal.

I built my house on Ahmadi in 2001 - only three other residences have been constructed in the area since I built. I know full well the problems that construction and construction traffic bring to this area. My single home created a lot of issues with respect to construction traffic - I can only imagine what having 90 residences under construction would do to the area.

United Gulf, I'm sure, knew full well the issues relating to the collector road when they sold the north portion of the lands to Ahmadi. The fact that Ahmadi didn't do his due diligence is his problem, no

one else's. If United Gulf see's no need to build their portion of the road, that's fine. They don't have to build it. If that causes problems for Mr. Ahmadi - too bad - he should have done his homework. My company looked at purchasing the land and we knew full well the implications of the Development Agreement.

I do have a question though. What is HRM's definition of a "crescent" street. I thought Ahmadi Crescent was designed to link up with Moirs Mill. Olympics' proposal showed Ahmadi connected to the collector road. Can you clarify?

Once again, thank you for your professionalism on Wednesday evening.

John Greer

Submission #11

From: Lisa Haydon
To: langilt@halifax.ca
Date: 17/02/2006 11:21:17 am
Subject: Paper Mill Lake - Amendment to Development Agreement by Olympic International Realty

Any updates on the status of this application to amend development agreement?

Is it possible to be added to a list for communication via email? Read paper electronically so don't see public notices for meetings

If the application is progressing to the next level of considerations, will there be any additional information provided related to costs associated with developing the connector road and what's been allocated to date in funding to support this development? I am referencing the comment from the public meeting where additional development was granted several years ago conditional to a portion of sale proceeds being allocated to fund the future connector road development costs.

Look forward to hearing from you.

Lisa Haydon and Buddy Walzak

Lisa Haydon
Vice President
National and Public Sector Clients Atlantic
RBC Capital Markets

Submission #12:

From: Ross Woodworth
To: langilt@halifax.ca
Date: 29/01/2006 6:39:29 pm
Subject: Paper Mill Lake Development Agreement

Ms. Langille-Hanna:

Thank-you for meeting with us on January 26. We now have a greater understanding of what is

contained in the 1995 Paper Mill Lake Development Agreement.

In our opinion to revise this agreement as is being requested would be a serious aberration to the planning process. A change in the ownership of a property should not warrant a change in an approved development strategy. To proceed with further development in advance of the completion of a collector road to Hammonds Plains Road would be a significant compromise to the approved plan with the only benefits being in favour of the developer.

Living on Moirs Mill Road I have first hand knowledge of the current traffic conditions and of its egress limitations. One need only consider the several hours of backlog on Moirs Mill Road experienced following the 2005 Canada Day fireworks to realize that an upper egress route is required in the event of an incident on or near the Bedford Highway. A blockage of any nature on the Bedford Highway below makes it impossible for emergency vehicles to reach our neighbourhood or for us to evacuate the area if necessary due to fire or risks arising from the nearby gasoline station or rail traffic. This requirement alone should dictate that an upper collector road be constructed prior to any further development.

In that the majority of traffic to/from Oceanview Drive now uses Moirs Mill Road by way of Royal Masts Way rather than wind its way through Nelson's Landing one can expect that in the absence of a new route any traffic resulting from further development will also use Moirs Mill Road. Moreover, traffic from the existing Oceanview development will use the connecting streets when constructed to access Moirs Mill Road directly rather than travel the narrower, more constricted Oceanview Drive only to crossover at Royal Masts Way. Additionally, without a second entrance all construction traffic generated by future development will have no option but to travel Moirs Mill Road. This is not a condition that I anticipated when I purchased my home some 8 years ago nor is it a safe one for the numerous children who walk across and down Moirs Mill Road to/from school.

In the larger view the absence of a collector road leading to Highway 102 will simply add volume to the already taxed Bedford Highway which is surely not consistent with the longer term planning for the area.

We again thank you for your assistance and ask that you relay our concerns to the Advisory Committee and if a count is taken consider us as firmly opposed to the requested amendment.

Ross and Norma Woodworth
Moirs Mill Road

Submission #13:
Development Case #00753

We attended the Public event last week but, due to an earlier meeting, arrived after the formal presentations. Based on the tone of the public responses, we decided that trails were the last thing on the local residents minds. So we left without speaking and will submit comments directly to you for consideration. We had a quick glance at the posted map that supplemented the overall map of the region that you had forwarded. Our knowledge of the details is sketchy but I understand that open space and parkland as well as a walkway and pathway system are included as stated in the Proposal fact Sheet.

Based on the increase in awareness of the value of walking as a healthy recreation option, more and more communities are requesting and making available, simple pathways and trails for walking. It is this momentum that has pushed our small group, Halifax North West Trails, to move forward on awareness and interaction with new development opportunities in HRM to include trails. Our area

of Hammonds Plains Rd and further towards the Rotary.

We hope that trails and walkways, suitable for links in the Active Transportation movement with transit routes nearby can be considered in this new development. We need to get away from the car as being the focus for the families in these new homes. Walking to work or school should be a viable option. As the residents of this proposed area are not yet on board, it is the role of groups like our own to move forward and be proactive for the residents of tomorrow. The need for maximum available green space and safe walking routes were evident in the responses put forward at the meeting.

We strongly agree that a safe access collector road route be provided to the residents of this neighbourhood as further development goes forward. I trust that this will not compromise the opportunities to include trails, walkways or pathways – some means to achieve a level of health and fitness for all residents and local neighbours. The lake is a natural asset that also could be shared with the residents. It was apparent that the current design for development would allow very little public access to the water. A trail in close proximity to the water would be an alternate use of some of the dedicated parkland that is handed over to HRM. Residential properties with nearby trails, waterways or parkland would all benefit from these value added assets.

Wendy McDonald
Bob McDonald
Halifax North West Trails Association

Submission #14:

From: Peggy Watts
To: langilt@halifax.ca
Date: 05/02/2006 5:05:04 pm
Subject: Paper Mill Lake: Olympic International Realty Application

Dear Ms. Langille-Hanna:

I attended the January 25 meeting at Basinview School concerning the application by Olympic International Realty, Case No. 00753, to develop lands west of the Paper Mill Lake area.

Much as I regret seeing yet another piece of natural land disappear to development, I realize that it is unrealistic to assume that this land can stay in its natural state forever. However, like all of those who spoke at the public meeting, I strongly oppose the application by Olympic International Realty to proceed without building the collector road from Hammonds Plains Road to Moirs Mill Road.

As many pointed out, neither Moirs Mills Road nor Oceanview Drive is suitable as an access road for the large trucks and construction equipment that would be required to use them during the period of construction of the new development, nor for the increased volume of traffic that the new development would create. Safety was a major concern expressed by residents even under the current conditions, and was the basis for opposition to the designation of those two roads as collector roads that could bear more traffic than they do already.

I would like to point out an element of safety that was not mentioned at the meeting: the fact that both Moirs Mill Road and Oceanview Drive were very poorly designed from a safety perspective due to the presence of several blind curves and hills. I live on a small street that leads off Oceanview Drive near its upper end and I can attest to at least three areas of that road that are already dangerous

due to poor sight lines: the hill just below Royal Masts Way, the blind curve on the hill between the two ends of James Winfield Lane, and the blind hill between Peverill Court and Richardson Drive. The fact that people frequently park on one, if not both sides of these curves and blind hills only compounds the existing problem, as does winter snow which narrows the streets and further restricts the sight lines. Royal Masts Way, which leads from Moirs Mill to Oceanview, also has at least one blind hill, and the same issue with on-street parking and snow. I strongly urge the city to take not only the volume of traffic but also the topography into consideration when deciding the safe volume of traffic a road should bear.

I also share the concerns expressed at the meeting that having only one way out of the area-that is to the Bedford Highway, is also a safety concern. I have always lived in urban environments before moving to Halifax so suburbs are a new experience for me. I cannot understand how city planners can allow developers to create separate enclaves with one way out and no connecting streets between them. I was astounded to see, for example, that no connection was made between the new Ravines development and Crestview, so that parents wishing to drive children to Bedford South School from the Ravines must drive down to the Bedford Highway and back up to the school via Nelson's Landing. The suggested "alternate" egress from Crestview to the Ravines and from there to the Bicentennial Highway, as presented by the developer's team at the meeting, is clearly many years away, and does not, in my opinion, release Olympic International Realty from their obligation to build an access road, in collaboration with the owner of the other half of the land parcel, to Hammonds Plains Road.

Sincerely,

Peggy Watts

Submission #15:

From: Mr. Robert Walker and Mrs. Emily Walker, 245 Moirs Mill Road
To: Thea Langille-Hanna
Date: January 25, 2006
Subject: Proposal by Olympic International Realty to Amend the Paper Mill Lake Development Agreement (Case # 00753)

The purpose of this memo is to express our concerns regarding the subject proposal. As residents of the Paper Mill Lake area and, more specifically, as residents of Moirs Mill Road, we are worried about the potential detrimental outcome should this proposal be approved. While we are not averse to the eventual development of additional lots/residences in the area under consideration (indeed, it would appear that this is inevitable), we are very concerned at the prospect of this development commencing prior to the completion of a collector road from Hammonds Plains Road to Moirs Mill Road.

Moirs Mill Road already experiences very heavy use by local traffic (residents' vehicles and commercial vehicles servicing homes in the Paper Mill Lake area). If there is no other viable access route other than Moirs Mill Road from the Bedford Highway to the proposed area of development, there will be an inordinate increase in traffic (large commercial vehicles and heavy equipment) along with the accompanying noise and dirt associated with vehicles coming and going from the construction site. Due to the relatively steep incline on Moirs Mill Road, vehicles (especially trucks) make a lot of noise as they labour up the hill. Conversely, vehicles (especially trucks) going down the hill tend to travel at excessive speeds thereby posing a hazard to other vehicles and pedestrians (children, in particular). Furthermore, these vehicles often make a great deal of very irritating noise due to the use of engine braking.

An additional concern pertains to the current inadequacy of the intersection of Moirs Mill Road and Bedford Highway. Residents of the Paper Mill Lake area already experience long delays during peak hours waiting for the traffic lights to change when turning left onto the Bedford Highway from Moirs Mill Road. Furthermore, there is very restricted manoeuvring room (even for cars) when turning right onto Moirs Mill Road from the Bedford Highway. Finally, the road surface at the bottom of Moirs Mill Road is already badly rutted and uneven, no doubt due to hard braking by large, heavy vehicles approaching the intersection.

Approval of the proposal by Olympic International Realty (case # 00753) will only serve to exacerbate the aforementioned problems. If an access route (collector road) between Hammonds Plains Road and Moirs Mill Road were constructed prior to any further development in the area under consideration, most of these concerns would be addressed. We appreciate the developer's argument that commencement of development before expiry of the existing agreement (using the Town of Bedford's planning standards) in 2010 may result in a more desirable community than that envisaged under future HRM planning standards. However, we can't help but feel that the developer's real motivation is more self-serving than altruistic. It is our belief that the purpose of his proposal is to avoid the additional expense associated with construction of the collector road, even though approval of his proposal would undoubtedly result in inconvenience and disruption for the current residents of the Paper Mill Lake area.

We would like to suggest to the good folks at Olympic International Realty that they consider some of the benefits that might accrue from construction of a collector road from Hammonds Plains Road to Moirs Mill Road prior to commencement of any further development. This road would provide a much better route for construction vehicles and equipment (safer, unimpeded access/egress) and a much easier way into the area than via Moirs Mill Road. This road would intersect Hammonds Plains Road close to Highway 102 and would thereby prove to be a much quicker and easier route for most trucks and heavy equipment involved in clearing/preparing the site and transporting construction materiel. Furthermore, potential buyers of properties in this area would be very happy to see that there is already an alternate route into the area with quick access to both Hammonds Plains Road and Highway 102. Finally, the long term credibility of a developer who proposes to "produce a neighbourhood that Bedford would be proud of"¹ would be far more secure were he to truly put the interests of the residents ahead of the company's financial considerations.

We therefore respectfully recommend that the proposal by Olympic International Realty to amend Section 14 (2) of the Paper Mill Lake Development Agreement of 1995 not be approved.

Sincerely,
Robert and Emily Walker

Submission #16:

From: Graham Bagnell (Residence)
To: langilt@halifax.ca
Date: 18/01/2006 8:05:08 pm
Subject: Public Mtg Jan 25th 2006 - Case #00753

With respect to the proposed subject meeting, please advise whether the agenda / agenda item time allotment has been drafted for the evening to deal with the various issues that might arise or will this meeting be an open information forum whereby the proponent will be furnishing details for

immediate public consideration and response?

It is understood that an 'area advisory committee' has been established and that the committee members are currently reviewing the subject case application. Please advise the contact information for the chairperson of the committee if you would.

As a resident of Bedford since 1989, it is understood this meeting is critical in the approval process for this development case. Although development is inevitable in a growing community and all stakeholders must attempt to reach consensus on development proposals, I am one that firmly believes that development agreements must be honored.

Based on the fact sheet information, there are several comments, several recommendations, and proposed conditions that I have. In the event that I will not be able to attend the meeting due to a previous commitment, I will forward feedback to the advisory committee chair / lead at soonest opportunity.

Much Thanks and Kindest regards
G.C. Bagnell P.Eng.

Submission #17:

From: lesellors
To: langilt@halifax.ca
Date: 24/01/2006 12:13:37 pm
Subject: re proposal

As I am unable to attend meeting Jan.25th I wish to advise I object to the proposed amendment of Olympic International Realty to development in Paper Mill area.

Lillian E. Sellors

Submission #20:

From: Amer Al-Shaghay
To: langilt@halifax.ca
Date: 01/25/2006 12:58pm
Subject: Re: Case#00753: Paper Mill Lake Development

To Whom It May Concern,

We at 10 Bowsprit Close, Bedford, NS, B4A 4A3 object to the opening of a new road off the end of Moirs Mill Road leading to the 102 Highway.

The Al-Shaghay's

Submission #21:

From: Bruce Ford
To: langilt@halifax.ca
Date: 01/30/2006 9:06pm
Subject: Re: Case#00753: Paper Mill Lake Development

Dear Thea Langille-Hanna, HRM Planner:

I am writing to you to advise of my absolute disagreement with the above noted application of Olympic International Realty (OIR).

Based on the input so passionately communicated by most residents, and even Ali Roshani of OIR himself, at the Jan. 25/06 meeting at Basinview School, I trust you will have adequate information and feedback to refuse OIR's application to amend the development agreement: To summarize the main facts:

1. The original development agreement specifically requires the completion of a collector road from Hammonds Plains Road to Moirs Mill Road. This would take pressure off the Bedford Highway which is already at full capacity.
2. Any trucks and equipment required to build the new sub division(s) at the top of Moirs Mill Road should be required to use the "to be built" collector road to Hammonds Plains Rd, and not disrupt residents in the established Moirs Mill neighborhood.
3. Moirs Mill Road should not be considered a true collector road due to its steep grade, narrowness and sharp turns. Residents are concerned over the safety with the current traffic flow.
4. If the required collector road not built before more houses are built at the top of Moirs Mill Rd., there is a fear the collector road may never be built; thereby causing long term safety and quality of life issues.
5. A number of residents at the meeting advised that there is no capacity for more students at Bedford South School. Before any more subdivisions are built in Bedford it seems critical to have the proper infrastructure level (like school capacity, road capacity) in place in advance.
6. Thea, you advised that the unsolicited and unauthorized letter Ali Roshani of OIR sent directly to residents in advance of the meeting contained errors. This serious casts doubt on how much all stakeholders can trust OIR's plans and commitments.
7. Ali Roshani admitted to residents at the meeting he has never developed subdivision before. Based on resident feedback at the meeting, we don't want him or his company to practice building subdivisions in Bedford. If OIR is so interested in developing that area they should make a deal with United Gulf Developments Ltd. to purchase the northern portion of the undeveloped area so they have no excuse over building the required collector road.

Please allow Bedford's Paper Mill Lake residents to continue to enjoy their beautiful and serene neighbourhood. I look forward to your prompt refusal of the OIR application to amend the development agreement. I believe I echo the voices of many of the approximately 200 residents at the meeting and many other that were unable to attend. I would be glad to discuss this matter with you further.

Sincerely,
Bruce Ford

ATTACHMENT B

THIS AMENDING AGREEMENT made this day of 2006,

BETWEEN:

PAPER MILL LAKE DEVELOPMENTS LIMITED
a body corporate, in the Halifax Regional Municipality,
Province of Nova Scotia (the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY
a municipal body corporate,
(the "Municipality")

OF THE SECOND PART

WHEREAS Annapolis Basin Group entered into a Development Agreement with the Town of Bedford, 17th day of May, 1995, and registered at the Registry of Deeds in Halifax as Document Number 21405 in Book 5732 at Page 250, (the "Agreement");

AND WHEREAS the Developer is the registered owner of certain lands described as PID #00428375 in Bedford, Province of Nova Scotia and which said lands are more particularly described in Schedule A hereto (the "Lands");

AND WHEREAS the Developer has requested an amendment to the provisions of the Agreement to enable more than 100 lots to be developed prior to the completion of the collector road from Moirs Mill Road to Hammonds Plains Road as required in Section 14 (2) of the Agreement;

AND WHEREAS the North West Community Council for the Municipality approved this request at a meeting held on [INSERT-Date], referenced as Municipal Case Number 00753;

THEREFORE in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

1. Section 14 of the Existing Agreement shall be amended by adding Section 14 (3):

14 (3) Notwithstanding, Section 14(2) the area south of Kearney Run shall be developed upon the completion of the collector road from Kearney Run to Oceanview Drive with connector to Nine Mile Drive and Moirs Mill Road.

WITNESS that this Agreement, made in triplicate, was properly executed by the respective Parties on this _____ day of _____, A.D., 2006.

SIGNED, SEALED AND DELIVERED)
LIMITED)

in the presence of)

_____)

SEALED, DELIVERED AND)
ATTESTED to by the proper)
signing officers of Halifax Regional)
Municipality duly authorized)
in that behalf in the presence)
of)

_____)

PAPER MILL LAKE DEVELOPMENT

Per: _____

_____)
HALIFAX REGIONAL MUNICIPALITY

Per: _____)
MAYOR

Per: _____)
MUNICIPAL CLERK

ATTACHMENT C

**HALIFAX REGIONAL MUNICIPALITY
PLANNING SERVICES - SACKVILLE OFFICE
PUBLIC INFORMATION MEETING
CASE NO. 00753 - OLYMPIC INTERNATIONAL REALTY**

7:00 p.m.

Wednesday, January 25, 2006

Basinview Drive Community Elementary School, Bedford

STAFF IN

ATTENDANCE: Thea Langille-Hanna, Senior Planner
Kevin Warner, Development Officer
Jon Eppell, Development Engineer
Cara McFarlane, Administrative Assistant

APPLICANT: Ali Roshani, Olympic International Realty
Marcel Deveau, O'Halloran Campbell Consultants Limited
Ken O'Brien, Atlantic Road & Traffic Management

**PUBLIC
PARTICIPATION
COMMITTEE:**

Gloria Lowther
Don Lowther
Kevin Dean
Joel Matheson
Bob Kerr
Sharon Hawboldt

OTHER: Len Goucher, Deputy Mayor, District 21

REGRETS: Bill Walsh, Member of the Public Participation Committee

**MEMBERS OF
THE PUBLIC:** Approximately 200

Call to Order

The meeting commenced at approximately 7:05

Opening Remarks, Introductions of the Paper Mill Lake Public Participation Committee - Joel Matheson

Mr. Matheson introduced himself as the Chair for the Paper Mill Lake Public Participation Committee. He then asked the committee to introduced themselves: Gloria Lowther, Kevin Dean, Don Lowther, Sharon Hawboldt, and Bob Kerr.

The role and purpose of the committee which has been established was to hear and review the request of Olympic International Realty to have the Paper Mill Lake development agreement amended. The committee has met three times and presentations were heard from the developer and HRM staff. Traffic patterns have been reviewed in detail. Traffic patterns from developer's representation were presented to the committee. The committee has had full discussions on all of the issues involved in the proposal. As part of this whole process the committee has arranged to hold this public information meeting in order to receive input from the public.

The committee will then take all of the information received and review and discuss it in detail. The committee will then make a decision which will form their recommendation. The recommendation will be forwarded to North West Planning Advisory Committee (NWPAC) for consideration who in turn will make a recommendation to North West Community Council (NWCC). NWCC has the final decision in this matter.

Mr. Matheson pointed out the area in question.

Presentation by HRM Planning Staff - Thea Langille-Hanna

Ms. Langille-Hanna introduced herself as a Senior Planner with the Halifax Regional Municipality. Tonight's presentation is to provide an overview of the history of the Paper Mill Lake development area as well as to assist in providing some information on how this particular proposal came about, what type of process it is required to go through, and try to answer any questions or concerns that the public may have with respect to the planning process.

Please see Attachment A for Ms. Langille-Hanna's Power Point presentation.

Ms. Langille-Hanna introduced Jon Eppell, HRM Development Engineer; and Kevin Warner, HRM Development Officer. They are in attendance to try to answer questions the public may have.

Presentation by the Applicant - Olympic International Realty - Ali Roshani

Mr. Roshani is the owner and president of Olympic International Realty. Olympic International Realty is in the process of a purchase and sale agreement. The property has been bought, but the deal is not closed yet. He felt an obligation to send the letter that Ms. Langille-Hanna referred to in her presentation to the residents of Paper Mill Lake. He hopes there will be more meetings held on the proposal. He introduced his consultants and engineers, Dan O'Halloran and Marcel Deveau, O'Halloran Campbell; and Ken O'Brien, Atlantic Road & Traffic Management.

Marcel Deveau - O'Halloran Campbell Consultants Limited

Mr. Deveau will give an overview of the proposed development as well as a few words from Ken O'Brien who will talk about traffic matters. Olympic International Realty's proposed development is some of Kearney Run. It is bounded by Moirs Mill Road, Bicentennial Highway, Armenia Crescent, and Oceanview Drive to the south. The development consists of approximately 74.7 acres.

Mr. O'Brien explained that Mr. Roshani approached Atlantic Road & Traffic Management to perform a traffic impact study in January 2005. HRM has guidelines for completion of traffic impact studies and basically they follow four steps: 1) existing traffic situation; 2) how much traffic will be generated by proposed development; 3) what impacts can be expected; and 4) what mitigated measures are required.

Please see Attachment B for Mr. Deveau's and Mr. O'Brien's Power Point presentation.

Questions and Comments

Speaker

Francene Cosman, Moirs Mill Road, is keen to see single family homes start to return to the market place in Bedford as we are supersaturated with condo units. The original proposal in 1995 worked through a number of issues. In particular, the development issues dealing with traffic. There have been repeated patterns of poor traffic planning which resulted in the failure to construct a collector road at the top of old Central Bedford resulting in narrow residential streets and they are not designed as collectors. Gradually, they become collector roads regardless of the challenges to safety and the enjoyment of the neighbourhoods. Bedford Hills Road was used as one example.

Traffic volumes increase through streets not designed as collector roads. She does not agree that Moirs Mill Road is a minor collector road as there is not a white line down the centre. When the roads turn into collector roads, children are no longer safe to play in their front yards and people eventually decide to sell to get away from those hazards and noise of many thousands of vehicle trips shortcutting through their streets. There is a gradual decline in neighbourhoods and property values. It is important for residents to have an opportunity to have a say in any proposal.

It is irrelevant that the former developer no longer owns the lands in question. The current developer purchased it with the full knowledge of the requirement to construct a collector road. The need for a collector road does not go away at the whim of a developer. If for any reason, the bottom of Moirs Mill Road were to be blocked, it would be virtually life threatening.

She is concerned about the traffic produced by construction trades as these lands are developed. The property owners who pay yearly taxes should not have to take the brunt of that just to let the developer change his mind.

The developer recently circulated a letter to the residents to set the stage for this evening's meeting. There was no reference to a traffic analysis in that letter although it was presented this evening. She still questions what was shown on the screen. It doesn't talk about the construction traffic just the

number of trips in and out of Moirs Mill Road. It also talks about the active parks in the area. These are meaningless words at this point in time. She hopes that this parkland will actually be usable.

The developer talks about housing density changes and the typical agreements being four times more intense than before. Bedford is still semi-urban. Downtown density issues is not wanted. The artist renderings do not look to be 4.5 houses per acre.

Mr. Roshani on one hand wants to develop to old Bedford standards and on the other hand he complains that if he cannot have his own way on the amendment, he'll have to wait and go on with the changed standards in five years.

Ms. Langille-Hanna explained that HRM has to process an amendment request. This evening's meeting is to find out the issues and concerns from the community before a recommendation is made. The developer is entitled to due process.

Speaker

Edith Johnson, Oceanview Drive, would like to see some extra police patrol in the area as there are a lot of kids loitering and using drugs.

If this developer can amend the agreement and build the houses without the collector road, what will prevent the developer who owns the rest of the land from doing the same thing. There is already significant traffic issues on the Bedford Highway. Southgate Drive and Larry Uteck Boulevard was just another means of developers getting around building a collector road.

The letter that came out to the residents from Mr. Roshani had some inaccuracies. If the developer was inaccurate about the things that were in that letter, what is to prevent the developer from being inaccurate or change his mind about the promises he has made about how the development will be built. She believes the collector road should be built now.

Speaker

John Carnaghan, Millrun Crescent, remembers when the original development agreement was negotiated. That development agreement was negotiated partly on the premise the then developers were in the firm belief that it wasn't financially feasible for them to push the collector road through at that time. Town of Bedford Council, representing the residents of Bedford and the developer (at the time), negotiated a contract development agreement with the best intentions and good faith. It is now ten years later and there is no collector road.

In his view there are three principles at play here. The first is health and safety. The dangerous goods being transported in and out of Halifax and the potential for disaster happening have to be taken into consideration. When an emergency or disaster hits, there is no way out. The second being traffic congestion and flow. How many more developments does HRM intend to load onto the Bedford Highway? There is Paper Mill Lake, Nelson's Landing, Crestview and Larry Uteck Boulevard. The third principle being that this developer presumably bought (or at least has an agreement of purchase

and sale to close) on lands where he has full knowledge of the uses to which those lands can be put and what legal impediments, entanglements or considerations are in place.

Mr. Carnaghan recommends to the NWPAC, Paper Mill Lake PPC, and Halifax Regional Council that they reject this request and simply tell the developer to either build the collector road or sell the land.

Speaker

Kevin Riles, operates/owns a business in Bedford, received some calls from residents. He's been involved in development in Bedford for close to five years. Mr. Riles was the former Vice-president/developer of the northern portion. On that portion, there was a commercial section near the front of the Hammonds Plains Road that was approximately 25 acres that was not part of the RCDD. At the time, as the person running that development firm, it was very clear that the 1995 development agreement was 100 lots. When the 100 lots were built, the collector road went through. At that time, there were public statements to various committees and staff that the road had to be built once the 100 lots were developed. The premise for going forward with the RCDD at the time, the commitment was the road would be built before an application was done for the RCDD. Mr. Riles feels the commitment of building the collector road once 100 lots are built should be met.

Speaker

David Scherer, Oceanview Drive, wanted the number of household units of the development clarified. The mailout gave a total of 880 and today 340 units was mentioned. Ms. Langille-Hanna explained that the approved development agreement allows for 921 units (northern and southern portion) including the collector road. The 295 plus 15 basement apartments is what is permitted as a land use.

Mr. Scherer said taking the 74.7 acres plus the 300 or more units proposed and taking away the 22% parkland that is proposed, this leaves at least 4.5 units per acre. The pictures that were presented do not show anything close to 4.5 units per acre. There will not be a lot of land left on that acre once 4.5 units are built. People have moved out of the area because Oceanview Drive is similar to a raceway in the mornings. He is concerned that twice as much traffic will be on the road without the collector road being built. It is unacceptable.

Speaker

Jennifer Wende, Oceanview Drive, said she bought her house because of the greenbelt behind it. She was told there wouldn't be any development behind them. How much of a buffer zone would be included with the development? Will houses be built right behind? She thought that Bedford would be proud to have all the treed areas.

She is concerned about the amount of blasting that will have to be done due to the rocks and how much damage will be done to the houses.

The development will also affect the wildlife.

Ms. Langille-Hanna said according to the development agreement there would be houses behind Ms. Wende's home. The development agreement was approved back in 1995, that cannot be changed. Regrettably, Ms. Wende was not aware of the development that was approved when purchasing her home.

Ms. Wende asked what could be done about it. Could she purchase land behind her? It was suggested to Ms. Wende to speak to the developer after the meeting.

Speaker

Joan Walls, Acadia Mill Drive, understood that when the approval for the 100 lots was given, the proceeds and profits from those 100 units would contribute to the cost of building the collector road.

Crestview is not part of Paper Mill Lake development at all. Therefore, there is still only one access.

Ms. Walls is the Chair of the CPAllen High School Advisory Committee. Bedford South school is currently full. On average, every two units brings one student. All those children then feed into CPAllen High School. CPA is currently at the capacity it was before Lockview High School was built. Some classes have 40 students in attendance.

Infrastructure is something that has to really be looked at. Bedford residents have to drive all over Metro to play soccer, basketball, hockey, etc.

Ms. Walls' opinion is the development agreement should stand, the collector road should be built and if this development is allowed to go forward what is to prevent additional homes being built on the north end.

Ms. Langille-Hanna pointed out that the School Board is part of the staff review. They will advise as to whether or not there is capacity in the existing school system for additional lots.

Speaker

Geoff McGinn, James Winfield Lane, is concerned about the blasting and damage to homes. Not all of the homes are built with the best of quality. He believes there will be a lot of complaints and a lot of people looking for compensation when blasting starts.

He has concern for lack of sidewalks. The more traffic, the more concern he has for the children walking to school. The recreational parks would be a great idea as there is nothing to do in the neighbourhoods. He enjoys Paper Mill Lake and would hate to see future development ruin this. He asked if Armenia Drive will team up with this development and link to Oceanview Drive.

Ms. Langille-Hanna said the approved development agreement concept plan indicates it would be through Nine Mile Drive and Armenia Drive.

Speaker

Rob Walker, Moirs Mill Road, has noticed during peak hours that there is a terrific amount of traffic going down and up Moirs Mill Road especially on the weekends. The construction traffic issue was not addressed in the traffic flow study. He is concerned with what will happen over the next few years while this construction is going on if the collector road is not constructed. Moirs Mill Road is probably the major access route into this area. It is a steep hill with large construction vehicles carrying heavy equipment up and down that hill on a regular basis. The intersection is very restricted not only leaving but worse coming in from the Bedford Highway. It will be impossible for the larger trucks to get around the corner of the road at Bedford Highway. Moirs Mill Road is in bad shape and will only get worse when heavy equipment is brought up and down the road on a regular basis. He believes people who will be buying into this area when the new houses do go up, would be very pleased to see that there is an alternate route in and out directly to Hammonds Plains Road with quick access to Highway 102.

Speaker

Bruce Ford, Bowsprit Close, said there has been a lot of development over time. Recently, there was a statement that HRM was putting a hold or freeze temporarily on development until the infrastructure could meet capacity. Ms. Langille-Hanna believed he was referring to the HRM Interim Growth Management Policies that were established about two years ago. Those policies and that strategy were designed for on-site serviced areas (rely on well and septic).

Mr. Ford asked if there is not some Municipal Planning Strategy in place that would assist in this development without the proper infrastructure in place?

Ms. Langille-Hanna said Bedford does have a Municipal Planning Strategy and it is the basis for staff recommendation to council on any proposal. Mr. Ford asked if all the criteria have been met at this point. Ms. Langille-Hanna explained that it is something that still has to be reviewed. It is important to find out what the public's comments and concerns are before formulating any recommendations. Mr. Ford asked if it would be better to hold off having a meeting until those criteria were met. Ms. Langille-Hanna mentioned that when an application comes in, a review team meeting of all the internal/external staff that may be involved in this type of project at some point in time is held. That meeting is designed to identify any "red flags". There have been several review meetings and some issues have been identified and worked through but there is no final recommendation at this point. It is important that the recommendation is done after this meeting.

Mr. Ford asked if Bedford has its own unique planning strategy. Ms. Langille-Hanna explained that Bedford has its own Municipal Planning Strategy and Land Use By-law. It dictates and identifies how land will be developed now and in the future. There is a whole policy series that explains what options are available to council to consider development. In this particular case, the lands that have been talked about have a zoning on them that is called Residential Comprehensive Development District (RCDD). Meaning, this area is intended for residential development and when doing so it must go through a contract (development agreement) process. This development agreement has been in place since 1995. The development agreement was designed, reviewed and recommended based on the policies of the document that existed at that time and are actually the same policies that exist today.

Mr. Ford asked if there were any “red flags” in the Municipal Planning Strategy with this application at this point. Ms. Langille-Hanna said not specific to this particular one. The application is something the developer can request and staff has to review.

Mr. Ford’s biggest concern is traffic flow. Not only getting from Moirs Mill Road to the Bedford Highway but also once on Bedford Highway it is ridiculously slow. In his opinion, it is crazy to add 300 houses at the top of Moirs Mill Road.

Mr. Ford noted the three principles that were brought up by Mr. Carnaghan and added a fourth principle. This being stewardship. He suggested HRM needs to improve on their stewardship in this area.

Speaker

Harry Churchill, Acadia Mill Drive, says the developer is forgetting about the Paper Mill Lake community as he keeps referring to Oceanview Drive, etc. Did the developer take the whole area into consideration when the traffic counts were done? He asked the developer if he thought the people in Bedford would just let him build. Did he not think of the implications on this collector road? If the residents don’t fight this now, a collector road will never be built.

Speaker

Ed Grant, Oceanview Drive, said when they bought their house in 1999, their real estate agent identified the backing area of their property as a greenbelt. When will detailed information be available on the phase development? Ms. Langille-Hanna understands that the developer has a phasing plan but they do not have an overhead available this evening. At a future date, anyone could contact Ms. Langille-Hanna. Regrettably she has seen many people buy a home and years down the road find out that there was an approved development in behind their home.

Mr. Grant asked if the duration of the traffic lights at the bottom of Moirs Mill Road will be expanded.

Mr. Grant wasn’t sure if the developer knew to build in Bedford will be very difficult and expensive.

Speaker

Dan Spears, Ahmadi Crescent, has the same issues that were covered by previous residents. He is concerned about safety. The average vehicles at single family residences is 2.25 vehicles. Therefore, 300 units will add 675 additional vehicles. There are approximately 3.5 people in each house. This will bring an additional 1060 people. Sidewalks are very limited in these communities. The roads are not laid out the best. Snow banks are a hazard. The additional traffic is, in his opinion, ridiculous. There is a collector road that has to be built. That is what is in the development agreement. This will address the safety issues, traffic and heavy equipment coming to the site. He believes if Council’s procedures are being followed, a vote should be taken before the residents leave tonight.

Speaker

Michael Scholler, Acadia Mill Drive, has read and understands the development agreement. His children are not going to have to deal with the large trucks, workers, increase traffic and everything that comes with construction of the huge amount of additional lots at the top of the subdivision as a collector road needs to be built before more lots can be built. He is concerned about the safety of the children walking to school particularly along Acadia Mill Drive. The intersection there is very busy where the road comes down and around a corner.

He was bothered by the letter the developer sent out as it was full of inaccuracies and making promises. Not a good way to start a relationship. The artist rendering of what the neighbourhood will look like does not represent the development at all. Many people moved into this area based on the fact that no more houses would be built until the collector road is built. The road will never get built if it is not done now.

Speaker

Denis Dommer, James Winfield Lane, said that the traffic study was done on a stand alone study based upon this parcel of land. The issue was brought in of the other developers contributing to improving the traffic flow. If this application is approved as the applicant wishes, the remaining land owner then has an excellent opportunity to develop his project without a collector road. The traffic study done with all the numbers then would be meaningless because a lot of the development that is on a portion (not the closest one to Hammonds Plains Road) closer to this development would feed in. Any numbers from the study are meaningless to him.

Mr. Dommer asked what other developments has this developer personally been involved in and built. Mr. Roshani said they have built a few homes in subdivisions in Clayton Park, Portland Estates and Portland Hills. They have the best engineers in the city. To build the collector road, United Gulf has to be pressured to build their part.

Speaker

John McDonald, Paper Mill Lane, walks from Acadia Mill to Larry Uteck Boulevard. The construction traffic is probably five times of what it is from the residents. He has a great concern for safety. The only crossing guard for the school children is at Royal Mast Way. It is extremely unsafe at times now and with the added construction traffic, it would be a tremendous safety hazard.

If the collector road out to Hammonds Plains Road was put in place when it was required in 1995 to keep traffic off of the Bedford Highway. The levels of traffic then was tremendous. Look at them now. Why would we want the collector road ignored now?

Speaker

Beth Kerpel, Moirs Mill Road, said at the end of her road there is now big gullies with huge boulders sitting on the edge of the gullies. Her son was pinned by one of the boulders that had fallen into the gully. There is now a barrier in that area. Safety is a huge issue with Ms. Kerpel. The parklands are rubble.

Speaker

Lem Murphy, Kissock Court, has already gone through the construction traffic and has watched the traffic on Moirs Mill Road increase consistently. Moirs Mill Road is not big enough or designed to be a collector road. The road is already overstressed. It is very difficult getting onto that street in the morning and at peak hours of the evening. It is not rational to put more traffic on Moirs Mill Road to build the proposed lots. The residents went through it before and they don't want it this time without the building of the collector road. In his opinion, build the collector road or don't develop the property.

Speaker

Sheila Mann, Edwin Ford Court, is concerned about the traffic safety issue. Many cars on Moirs Mill Road are illegally parked which causes the moving vehicles to line up singularly until the parked cars are towed or ticketed. Royal Masts Way has parking on two sides of the streets. There is high density housing. This causes the cars to travel in a single file fashion.

Speaker

Scott Neil, Armenia Drive, has some ill feelings towards the developer who developed Oceanview area. The play areas were never developed. This pours onto the next developer as the area will always have these issues. What happens if this goes away and we talk about the policy that is written now? What will happen in 2010? Ms. Langille-Hanna explained that the development agreement has a clause that states after fifteen years from the date of approval (May 1995) there are three options that can be considered by NWCC in consultation with the developer: 1) to discharge the agreement; 2) extend the time of the agreement (renew it again); or 3) look at removing the agreement and placing zoning on the property that would reflect that rights that presently exist under the agreement.

Speaker

Howard Pedvis, Loon Terrace, finds it impossible to make a left-hand turn onto Moirs Mill Road in the mornings. Three years ago he made a call to Councillor Goucher who had said that he has done everything he can for this area to put stop signs at Acadia Mill Drive, Royal Masts Way, and Spruceview Drive. Mr. Pedvis then called the City and didn't receive any help. About three months ago he made another complaint to Councillor Goucher who cannot do anymore. Councillor Goucher suggested he call a certain individual with HRM. The HRM staff member said that a traffic check would be done. An e-mail was sent to Mr. Pedvis from HRM to say that nothing could be done. He was told by Councillor Goucher that the stats from the study were done by the builder without a permit. He wants to know what will happen with the left-hand turn at Acadia Mill Drive. He was told by the City that it would take a death to put up a stop sign at Acadia Mill Drive.

Mr. Eppell, HRM Development Engineer, said the traffic counts done a couple of months ago were done by the developer as part of their traffic study. A permit is not required to put counting loops across the road.

Moirs Mill Road is termed a collector road. Bedford Town Council determined that back in 1994/95. A collector road was not defined, but referred to it as a collector. Today, HRM terms a collector road

as primarily being there for access or through movements with traffic volumes up to 12 000 vehicles per day for a minor collector road. A major collector road would have over 12 000 vehicles per day.

An analysis was done for a stop sign. The warrant was not there for a stop sign. A stop sign will not be put there because if the warrant is not there, people will end up driving straight through the stop sign. It creates a false sense of security and that is a decision that traffic authority makes. They are taxed with that responsibility.

Mr. Pedvis mentioned that putting a stop sign at Acadia Mill Drive and Moirs Mill Road will slow traffic down coming up and down the hill. Mr. Eppell said an analysis was done recently and will check for Mr. Pedvis. Mr. Pedvis wondered if putting more cars on the road will warrant a stop sign. Mr. Eppell said that it depends on where they are coming from.

Speaker

Jack Sadubin, Paper Mill Lane, knew there was a development agreement on the lands. When there is a contract, people live by the contract or there are repercussions. He understands that a developer can ask to have the development agreement changed. Most people here tonight would want that contract to be upheld.

When a person comes to the end of Moirs Mill Road, the street is a bit unusual as it has a bit of a lane to turn right. Because of that, as cars collect at the bottom of the street, many cars move to the left to allow other cars to merge on the right to make the turn. This causes the cars that are turning left to be very much at or passed the centre of the line. This is why cars coming onto that street has such a tight space. There are no lines painted on the road and the intersection is not normal. Things will be dicey once construction traffic is added to this. Moirs Mill Road is not an ideal collector road by any means. The light at the bottom is very short. Residents avoid exiting from Nelson's Landing Boulevard as there are no traffic lights. He doesn't appreciate the developer breaking the contract.

Speaker

Jean Morgan, Royal Masts Way, became aware of how trapped the residents in the area were when the bomb scare was experienced. Emergency Measures was contacted and they were not aware of how trapped the residents were. She also called City Hall and the media. She knew there was going to further development and there would be a collector road after the 100 dwellings had been completed. She agrees with all the concerns mentioned previously. She sees this as a good opportunity for HRM to think about community health. People's living, recreation, mental health as well as safety have to be thought of. The vote should be to not allow further development to occur until this collector road is built and then we could all work together to have a show piece here in Bedford.

Speaker

Grant Walker, Clipper Court, said to have a collector road there has to be a bridge that crosses Kearney Lake and another bridge that would cross just by the beaver dam. Who will build those bridges? Ms. Langille-Hanna said the construction of the bridges would be the responsibility of the developer. Mr. Walker asked Mr. Roshani if it is in his plans to build the first bridge across Kearney

Lake Run. Mr. Roshani said Olympic International Realty has paid their portion. United Gulf needs to be encouraged to do the same. He doesn't believe that HRM staff explained the amendment to the public. Ms. Langille-Hanna indicated that Mr. Walker's point is one that HRM is well aware of and is being looked at very carefully. Mr. Walker said the reason for the collector road was to diminish and distinguish construction traffic on Moirs Mill Road and Oceanview Drive so that residents would not be inconvenienced and he stands behind the decision that was made in 1995 and would encourage everyone to work towards getting the collector road constructed before changing any agreements to this part of the lands.

Speaker

David Scherer, Oceanview Drive, said when the 22% parkland from the equation, the density actually jumps up to about six units per acre of land to be developed.

What is the process of having Moirs Mill Road and Oceanview Drive declassified as collector roads. Some people don't think they fit the description of a collector road. He concurs with a previous speaking about Bedford South school being full. There is no room for more students. This project should not go through until Olympic International Realty and United Gulf can get together and build the collector road. Ms. Langille-Hanna said she is not sure on the process that would be required to declassify the roads as collectors but it will be looked into.

Speaker

Barbara Bossy, Amin Street, referred to the letter where it talked about the viable exit that Oceanview Drive is. All the traffic from the schools come off of Oceanview Drive and onto Amin Street. They can continue down to the Bedford Highway by Moirs Mill Road or Nelson's Landing Boulevard but there are not any traffic lights at the bottom of Nelson's Landing Boulevard; therefore, everyone opts to go to the bottom of Moirs Mill Road.

Speaker

Bonnie MacKenzie, Moirs Mill Road, said there should be stops signs to slow down the traffic. The bottom of the street is very congested and the turn is extremely dangerous turning right onto Moirs Mill Road. There should be traffic lights at the bottom of Nelson's Landing Boulevard. She is concerned about the appearance of Paper Mill Lake. She wanted to make the residents aware of another development at the bottom of Moirs Mill Road at the corner of Bedford Highway. This is going to be a commercial and condo development and traffic will come out onto Moirs Mill Road. Is that approved? Ms. Langille-Hanna said a public meeting was held quite some time ago. The developer has gone back and revised some of their plans. The application is still under review by staff. By no means is there a final recommendation on that particular application. All the issues identified are being looked at.

Speaker

Richard MacNeil, Nelson's Landing Boulevard, is glad to see such a big turnout for this meeting. He sees the repeated concern as being the collector road not being built and in turn, the safety issues. Is there a mechanism to force the other developer? United Gulf seems to be the ones taking their time to build this. Mr. Roshani has already said he will put his road in as far as his property goes. Ms.

Langille-Hanna said the completion of the collector road is definitely an interest from HRM's perspective. It is something that was clearly identified in the existing development agreement and the agreement that stands here today. She has talked to numerous individuals about this over the past several years. HRM has worked with both developers in trying to find out ways in which they can deal with their development agreement and the construction of this collector road and have yet to be successful. The only tools before us at this point in time from HRM's perspective is the actual development agreement. Currently, neither developer can build any additional lots without the construction of that collector road. There is a clause that indicates in four years there is an opportunity for review. At that time, some other options may be possible.

Mr. MacNeil asked the developer what mechanism is in place or what guarantee can he give to the residents that the promises will be fulfilled. Ms. Langille-Hanna explained that tonight is the first time HRM has seen any renderings. With respect to the items that have been referred to, the application that was received by HRM was one to amend the phasing clause. These additional things have been talked about but is not part of the formal application as of today. However, if the developer wishes to put those forward, then we could look at amending the development agreement. The caution has to be there because the development agreement is owned by two major individuals as well as several individual property owners that have built in the area. An amendment to a development agreement cannot be made that would result in a burden to another property owner. Essentially, the answer would be no.

Speaker

Michael Scholler, Acadia Mill Drive, asked if the maximum housing density in Bedford is six units per acre. Ms. Langille-Hanna explained that the Bedford MPS has a number of four units per acre in most areas. It can, however, be increased to a maximum of six units per acre provided a development agreement process is entered into. The development has to be designed in a cluster open space design concept. Meaning there are smaller lots closer together with larger greenspace areas. Torrington is a good example. This development is at 4.5 units. That includes the overall land mass (which includes a couple of islands in Paper Mill Lake). The developer is proposing 4.5 units per acre. The entire development agreement is at 4.5. There may smaller sections of the development agreement that have more units per acre and then other may have less.

Mr. Scholler asked Mr. Roshani what specific subdivisions in the HRM has he developed. Mr. Roshani said he has not developed a subdivision. This would be his first with lots of money. He thinks the residents have been mislead. He said if you walk against it, talk against it, this is going to stay. It is not going to stay. It is everyone's right to develop their own land. If you owned it yourselves, you would be trying to develop it. Mr. Scholler agreed but you need to develop it within the agreements. Mr. Roshani said he is not going to renew the development agreement. He is a straight-forward person, if he has to have it cancelled, if he has to go to court, he has a lot of money. An agreement is an agreement and both sides have benefits from it. If he has to cancel it and come back for a new agreement then he will not give the people 22% parkland. Mr. Scholler told Mr. Roshani that threatening the people in the neighbourhood is not going to do any good. A lot of people in the neighbourhood have a lot of money as well. Mr. Roshani said he is just being honest.

Speaker

Edith Johnson, Oceanview Drive, asked who was acting on United Gulf's behalf. Ms. Langille-Hanna indicated that the property owner is a gentleman by the name of Mr. Ahmadi. He has given authority to Olympic International Realty through a purchase and sale agreement to make this application. As to regards to what he spoke directly, she will not comment.

Speaker

Jan Wood, Walden Place, said through the years development has occurred. Policies have changed to suit development. People become very upset at many of these proposals and in the end nothing works. She is concerned that Moirs Mill Road will become a Bayview. If Bedford Hill Road has three stop signs, why can't Moirs Mill Road? The potential is there for people to travel fast. If Moirs Mill Road is going to take the brunt of the traffic for five years or so then something has to be done to alleviate the traffic that is already there.

Closing Comments

Ms. Langille-Hanna thanked everyone for coming to the meeting. The comments that were made are very invaluable to this process. It is very important that staff had a good appreciation for the issues. This information will become public record and forwarded to NWPAC for their information as well as NWCC.

Mr. Matheson thanked everyone for their presentations and the courtesy extended throughout the meeting. He also thanked staff for a job well done. All of the information gathered will come to the committee who will then review it, process it and then deliberate on it.

Councillor Goucher thanked, on behalf of the community and everyone in attendance, all the members of the Paper Mill Lake Public Participation committee for all their time and effort that has been put into this.

Adjournment

The meeting adjourned at approximately 9:24 p.m.