


9.4.1(i)

To: Mayor Kelly and Members of Regional Council

Submitted by:



Dan English, Acting Chief Administrative Officer

Date: November 4, 2004

Subject: Case 00431: Plan Amendment to the Planning Districts 14 and 17 Municipal Planning Strategy

STAFF REPORT

ORIGIN:

Application by L. Archibald Holdings Ltd relating to lands along Rocky Lake Road in Waverley.

RECOMMENDATION:

It is recommended that Regional Council :

1. Amend the Municipal Planning Strategy for Planning District 14 and 17 (Shubenacadie Lakes) to allow residential development on the lands of L. Archibald Holdings Ltd. on Rocky Lake Road as per Attachment E;
2. Amend the Municipal Planning Strategy for Planning District 14 and 17 (Shubenacadie Lakes) and amend the Windsor Junction -Waverley Water Service Boundary to include the lands of L. Archibald Holdings Ltd. and adjacent parcels on Rocky Lake Road as per Attachment E;
3. Amend the Land Use By-law for Planning District 14 and 17 (Shubenacadie Lakes) to allow for residential development on the lands of L. Archibald Holdings Ltd. by development agreement as per Attachment F; and
4. Amend Schedule K and Schedule S of the Subdivision By-law for Halifax Regional Municipality to include the lands of L. Archibald Holdings Ltd. on Rocky Lake Road as part of the Water Service Boundary; as per Attachment G

Note: Regional Council will also receive a recommendation from the Marine Drive, Valley & Canal Community Council.

BACKGROUND:

Origin

A request by L. Archibald Holdings Limited to amend the MPS, LUB and Subdivision By-law to permit a residential subdivision in Waverley. On October 1, 2002, Regional Council authorized staff to initiate the process to consider the application.

Subject Property

L. Archibald Holdings Ltd. is the owner of lands located in the community of Waverley in the vicinity of Rocky Lake, Powder Mill Lake and Lake William. The subject lands, comprising approximately 584 acres, straddle Rocky Lake Road and are identified as Areas A, B and C (Map 1). A portion of the property is identified in the Municipal Planning Strategy (MPS) as the "C-I-L Lands" described in Attachment C.

Land Use History

This site was once used in conjunction with two explosive manufacturing facilities. One of the former manufacturing facilities, which produced nitroglycerin, was located on the west side of Rocky Lake Road (Map 1, Site 3). The other facility, which produced black powder, operated until 1915 from a 60 acre site east of Rocky Lake Road (Map 1, Site 1). Sites 1 and 2 are used for explosives storage by Atlantic Explosives Limited. The explosives stored on the site are primarily blasting caps. There is also an existing residential dwelling, under construction, located on Area C (Map 1).

Existing MPS Policy and Zoning

The area identified as Area C, on Map 1, is designated "Resource" and Zoned R-7 (Rural Estate) Zone under the MPS and land use by-law. The R-7 Zone permits as-of-right residential development, on minimum lot sizes of 80,000 square feet. Subdivision and development in this area is currently subject to limitations under the regional Interim Growth Management (IGM) policies.

Past practices associated with the manufacture and storage of explosives led to concerns about contaminated soils on a portion of the subject lands. Consequently, the area west of Rocky Lake Road (Area A), along with the approximately 60 acres east of Rocky Lake Road (Area B), were designated "Special Area" and zoned (H-1) Hazard with the consent of the previous property owner. Permitted uses in the Hazard Zone are limited to explosives storage facilities, but does not permit "as-of right" residential development.

The MPS contemplates future land uses on the lands zoned Hazard subject to an assessment being conducted on the extent of contamination and a determination of remedial measures required to render the lands suitable for development. Provision is made within the Municipal Planning Strategy to consider rezonings to permit residential, parkland or industrial uses. However, the MPS stipulates that lands formerly occupied or used for the manufacture or storage of explosives, together with lands fronting on Rocky Lake Drive, may only be considered for rezoning to industrial land uses. Thus, a large portion of the property, including all of Area B and a portion of Area A, is precluded from consideration for

residential development under current MPS policy.

Surrounding Land Uses

The subject property is surrounded by Rocky Lake, Powder Mill Lake and Lake William. Lands to the south are used as a rock quarry owned by Sovereign Resources Inc. (formerly the Tidewater Quarry). Lands to the northeast are within the residential community of Waverley. To the west is the residential community of Lakeview and the main CN Rail line into Halifax. To the northwest is Highway 102 and a small undeveloped parcel of land along with a small residential subdivision. The eastern portion of the property is bisected by the Burnside CN Rail line.

Proposal

The property owner wishes to develop the property as a residential subdivision. The intention is to subdivide and develop the majority of Areas A, B and C with the initial phase to occur on the eastern side of Rocky Lake Road (Area B and C). The remainder of the property would be developed at a later time. The applicant would like to extend centralized water service from the Halifax Regional Water Commission trunk line situated off Lakeview Avenue to the proposed subdivision and requests that the property be rezoned to permit lots of approximately one acre in size.

PUBLIC PARTICIPATION:

Two public participation meetings respecting the proposed development were held in Waverley on October 16, 2002 and June 21, 2004, respectively. Meeting minutes are provided in Attachments A and B.

DISCUSSION:

Staff's review of this request for MPS amendments focusses on the following three aspects of this proposal:

- establishment of the proposed residential subdivision;
- inclusion of the subject lands in a water service district; and
- applicability of interim growth policies and regional planning objectives relative to the proposal

Establishment of a Residential Subdivision

Discussion of this aspect of the proposal is summarized under the following categories:

- Environmental considerations;
- Benefits of residential development;
- Impact on the village character of Waverley;
- Land use compatibility; and
- Appropriateness of proposed development

Environmental Considerations

Shortly after the approval of the Municipal Planning Strategy in 1989, an environmental analysis and

risk assessment of the subject lands were conducted by Nolan Davis & Associates to facilitate their sale. This analysis examined areas formerly used for the manufacture of explosives. It was determined that Area B had some minor contamination issues which could be remedied. Area A (Site 3) contained a significant contamination.

The owner of the property has taken steps to remedy or contain the identified contamination on the site and has been working with the Department of the Environment and Labour (NSDEL) to obtain approvals required to proceed with residential subdivision and development. The balance of Area A has been reviewed by NSDEL and studies have indicated there is no significant contamination. It is anticipated that NSDEL and the applicant will be in a position to agree on a remediation plan which will make the site suitable for residential development.

Benefits of Residential Development

There are a number of pros and cons associated with residential development of the subject lands as summarized below.

Pros:

- Controlled residential development may serve to better protect nearby lakes and watercourses than any industrial uses which may be permitted under existing MPS policies.
- Residential development provides an incentive to address environmental issues on the site.
- Residential development provides opportunity to acquire and develop parkland for use by area residents.
- The proposed extension of central water will ensure a safe water supply.
- The HRWC indicates that a second supply main into the south side of Waverley would be beneficial in the event of a break along the current single feeder main.
- Residential development will pre-empt future industrial uses encouraged under current policy resulting in a form of development that is more compatible with the residential community of Waverley.
- Residential development may limit the ability of the neighbouring quarry operation to expand further towards Waverley due to NSDEL regulations related to the proximity of quarries and residential land uses.

Cons:

- Pre-empting future industrial development on these lands would discourage potential employment opportunities for nearby residents. An objective of the Regional Planning project is to encourage mixed use communities where residents can work and shop where they reside.

- The proposed subdivision is typical of low density suburban subdivisions which make inefficient use of land and do not enable municipal services to be provided in a cost-effective manner.
- Residential development without water services in this area could result in complaints from future homeowners about groundwater contamination from arsenic or other contaminants unless piped water service is provided.
- Limiting the ability of the nearby quarry operation to expand by virtue of permitting new residential development could impact the cost and availability aggregate used in the construction of roads, houses and other things by the local construction industry.
- Residential development may complicate day to day operations of the adjacent quarry. Care has to be taken to ensure there are adequate separation distances between the Quarry and any residential buildings and additional safeguards in respect to blasting and other activities.
- Increased traffic on surrounding roads.
- Possible increase in "train whistling" as a result of any new roads crossing the adjacent railway leading to complaints from future homeowners.
- Private residential lot development along the shorelines of Powder Mill Lake and Lake William may lead to concerns about hindering public access to the lakes and degradation of lake water quality.

Village Character

Waverley has a distinct village core comprised of small lots with vintage buildings dating back to the early 1900's and a mix of commercial and industrial uses. Surrounding the community is residential development comprised of older and newer housing forms located along two main collector roads - Waverley Road and Rocky Lake Road. Beyond are several newer subdivisions which typify suburban subdivisions which rely on on-site sewer systems. Objectives in respect to "community character" are expressed through MPS policy objectives.

While the proposed development does not in itself create a village atmosphere, its location will not significantly detract from the village character of established areas of Waverley as it focuses on the lakeshore opposite the existing community of Waverley.

Land Use Compatibility

Concerns were expressed at the public information meetings about both industrial and residential land uses on the subject lands. Community residents feel residential development is more compatible with the existing adjacent residential land uses than industrial or quarry development enabled under current MPS policy.

Encouraging new residential growth in the Waverley could put to rest the long standing community concerns about the possible future expansion of the existing rock quarry towards Waverley. The NSDOEL regulations require an 800m (½ mile) separation between a quarry and the nearest dwelling. Establishing residential land uses, would limit the quarry operation from expanding further towards the new subdivision and Waverley. In order to maintain compatibility between the land uses, there must be a requirement for the separation to apply to the establishment of residential uses as well. This could be achieved through provisions of a development agreement.

Additionally, it is noted that industrial uses are more compatible with the adjacent quarry and that the result of not permitting residential development may be further quarry expansion.

Appropriateness of Proposed Development

Analysis undertaken as part of the Regional Planning project shows that municipal costs of providing services to suburban subdivisions are comparatively higher than for more compact forms of development.¹ Although the regional plan has not reached a stage at which Regional Council can consider this MPS amendment request in relation to land use policies aimed at encouraging more compact forms of community development, the analysis undertaken to date would suggest that development of low density residential subdivisions should not be encouraged in the future.

At the same time, however, it is acknowledged that suburban style subdivisions typified by this application are commonplace in HRM and have traditionally been viewed as an alternative to urban or “city” living. It should be noted that Area C is currently zoned to permit residential subdivision development on estate size lots although this is limited by the Interim Growth policies adopted by Council earlier this year.

Ultimately a decision on whether or not to amend the community MPS to accommodate this application rests with Regional Council and Council’s decision is final and not subject to appeal to the Nova Scotia Utility and Review Board. Should Council decide to approve residential development on this property, any future development should be subject to the terms and conditions of a development agreement. This would enable site specific subdivision and development controls which address some of the unique challenges presented by development of the subject lands to be applied. Any future development agreement would require the approval of Community Council subject to a public hearing.

Conclusion Re: Establishment of Residential Uses

Based on an analysis of the above noted issues, it is the opinion of Planning and Development Services that the proposed site is a reasonable location for residential development from a land use perspective.

Proposed Extension of Central Water Service

The subject lands are beyond the limits of a Water Service District established under the MPS for the

¹ Settlement Pattern and Form with Service Costs Analysis - Preliminary Report, Prepared for Regional Planning, Halifax Regional Municipality, by Financial Services, HRM, May 15, 2004

Windsor Junction-Waverley area. Current MPS policy precludes an extension of centralized water service to accommodate the proposed development.

The developer proposes to provide water service to the proposed development area by extending a new main from Lakeview Road to Rocky Lake Road over the subject lands. This new main would feed the proposed subdivision and connect to the existing Waverley Water System on Rocky Lake Road.

The applicant cites a number of factors in support of the water service extension. It will:

- increase the capacity of the Waverley water system;
- provide better fire flows;
- reduce demands on the existing supply line to Waverley; and
- provide looping of the water service.

Halifax Regional Water Commission (HRWC) has indicated that there are no current problems in the operation of the existing water system in Waverley. Any improvements to the fire flows in Waverley as a result of the proposed second connection would be marginal at best because of the small diameter main present in the Waverley system. The Commission has also indicated the proposal would provide some limited benefit through the looping of water infrastructure.

Although this proposal is inconsistent with several aspects of MPS policy criteria for considering requests to expand Water Service District boundaries (Attachment D), it warrants special consideration given past concerns related to arsenic contamination and its impact on groundwater resources in this area. The natural geology of the Waverley area, and a history of mining and industry has resulted in high concentrations of minerals in groundwater. These minerals, specifically arsenic, have historically been associated with human health problems. Arsenic is a naturally occurring element which, when found in sufficient concentrations in drinking water, is known to cause cancer.

In general, the risk of arsenic contamination in Waverley can be attributed to three factors:

- Natural geology and groundwater fluctuations - fluctuating ground water levels can cause arsenic to enter the water table from the surrounding bedrock.
- Mining in the early 1900's - this resulted in the production of mine tailings which had a high concentration of arsenic. These tailings were redistributed throughout the community and were used as bedding material for the railway which passes through the subject site. Exposure to air and water has resulted in arsenic leaching into the groundwater.
- Increased development - development of land uses with on-site wells in areas which have a natural arsenic problem causes fluctuations in groundwater levels which may exacerbate arsenic contamination on the site or for surrounding properties. Prediction of such contamination is difficult and varies from site to site.

This area is likely to experience all three conditions which could cause arsenic contamination of groundwater. Such contamination may have a direct impact on life safety. Given this risk, there is some

merit to extending centralized water service to this area. If the intensity of land uses on the property were to increase through the establishment of residential or other land uses the inclusion of the property within a water service district may be warranted.

Through the MPS amendment process, Council has the flexibility to look beyond the parameters of current policy. In this instance, Council may wish to consider that the likelihood of future groundwater contamination from above noted risk factors is high. The Waverley area is known for arsenic contamination and there is a likelihood that in the future, water service may have to be extended to the proposed site at significant cost to the future land owners of the area if not permitted at this time. The potential for ground water contamination from arsenic may therefore be significant as to warrant extending the Waverley Water Service boundary to include the subject property.

In addition to the subject parcel there is approximately 32 acres of adjacent land to the north which would remain outside a water service boundary. These properties are owned by Halifax Regional Municipality and the Homburg Landbank Corporation Limited. In order to provide a consistent servicing policy in the Waverley area, staff are recommending the inclusion of these properties within the Water Service Boundary as well.

It should be noted that there is a link between Water Service Districts and the Interim Growth Management Controls Recently adopted by Council. The application of a Water Service District would exempt the development from those controls.

Interim Growth Management Measures

In the Spring of 2004, HRM Regional Council enacted policy amendments to the Municipal Planning Strategies, Land Use By-laws and Subdivision By-laws to restrict subdivision development outside areas identified as serviced (having sewer or water services). These policies are known as the Interim Growth Management Policies and Regulations.

The regulations and policies are designed to prevent uncontrolled growth that can take place when there is an anticipated change in regulations, such as when the Regional Plan is implemented. These controls are intended to limit uncontrolled growth and allow the public and Council time to explore settlement options (alternatives) and to choose the one that most closely achieves HRM's vision.

In relation to the subject property, the regulations removed the owners ability on Area C to pursue an "as-of-right" residential subdivision options permitted under the Land Use By-law. There is no impact on Areas B and C as residential land uses are not permitted at this time.

Planning and Development Services first received the subject application in 2002 . At the time, the subject property was subject to zoning and subdivision rights afforded under the community MPS and the applicant sought to change this by applying to amend the MPS in order to permit the proposed development and water service extension. On the basis of a staff report, Regional Council agreed to

initiate the MPS amendment process.

Since the initiation of the process, the developer and Planning and Development Services staff have been working to move this application toward a review and decision by Council. The process has taken much longer than anticipated, primarily due to the complications of ensuring the site meets environmental standards for residential development. During the course of reviewing the applicant's request, HRM has adopted interim subdivision controls in support of the regional planning project. The effect of this is that the applicant is caught between processes which has resulted in some frustration. In attempting to have a residential subdivision accommodated through the MPS amendment process, rather than an as-of-right subdivision, the land owner has effectively lost all residential land use rights through application of the growth management controls.

Staff have attempted to be fair, reasonable and consistent with land owners who had subdivision requests "in the system" at the time of the adoption of Interim Growth Measures. All existing approved applications had their land use rights protected and those subdivision applications "in-process" were grandfathered. Current legislation, however provides no direction on accommodating applications which were in the planning approval process. This application is the only planning case significantly impacted by the Growth Management policies.

Considering the property owner's previous development rights in evaluating this application for an MPS amendment would appear reasonable. Based on the circumstances and the analysis provided in this report, staff suggest that a reasonable course of action in respect to this application would be to amend the MPS such that:

- suburban-scale residential development could proceed as proposed subject to the developer undertaking any remediation of any contamination and addressing any other environmental issues to the satisfaction of NSDEL
- any residential subdivision and development on the subject lands be subject to the terms and conditions of a development agreement which would require approval by Community Council pursuant to specified MPS policy criteria included in MPS policy amendments included as part of this report (Attachment E).
- the Lands of L. Archibald Holdings as indicated on Map 4 be included in the Windsor Junction-Waverley Water Service District.

REGIONAL PLANNING COMMENT:

Regional Planning will soon be announcing proposed strategies relating to future residential development within HRM. These strategies will identify a number of focussed higher density settlement areas where growth should take place based on the efficient provision of municipal services. Surrounding these areas lower density growth may be permitted. Although the content of the Regional Plan has not

been approved by Council, staff will be recommending policies which will encourage compact, smaller lot, development in rural areas. In order to achieve this, Regional Planning will be recommending that suburban residential development such as being proposed in this application be developed on shared or “cluster” septic systems.

Cluster septic systems allow a more compact subdivision layout and provide protection of large areas of open space. They also are more suitable for areas adjacent to watercourses as centralized septic systems can be located where they have the least impact on the adjacent water bodies. This is consistent with provincial land use objectives expressed in the *Municipal Government Act* which state that “installing municipal water systems without municipal wastewater disposal systems should be discouraged.”

While the proposed policy to allow for this development does not preclude the use of cluster septic systems, it does not require or encourage it. Given the documented constraints of the site, Regional Planning is recommending that wastewater treatment for the proposed development be by cluster septic systems, if appropriate, in order to maximize the benefits to the residents, ensure an environmentally sustainable development and provide a cost effective delivery of services by the Municipality.

BUDGET IMPLICATIONS:

The proposed amendment to the plan does not provide any immediate budget implications. However the approximate costs relating to provision of Municipal services to the development are outlined within the report.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN:

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

ALTERNATIVES:

- Council could approve the amendment to the Municipal Planning Strategy, Land Use By-law and Subdivision By-law for Districts 14 and 17 to permit residential development on the subject lands and include the lands within the Windsor Junction-Waverley Water Service District. This is the staff recommendation.
- Council may choose to refuse the applicant's request. A decision by Council to refuse or approve is final and not subject to appeal to the NS Utility and Review Board.

- Council may choose to request changes to the proposed amendments described in this report. Depending on the extent of any requested change(s) additional staff reports may be required.

ATTACHMENTS:

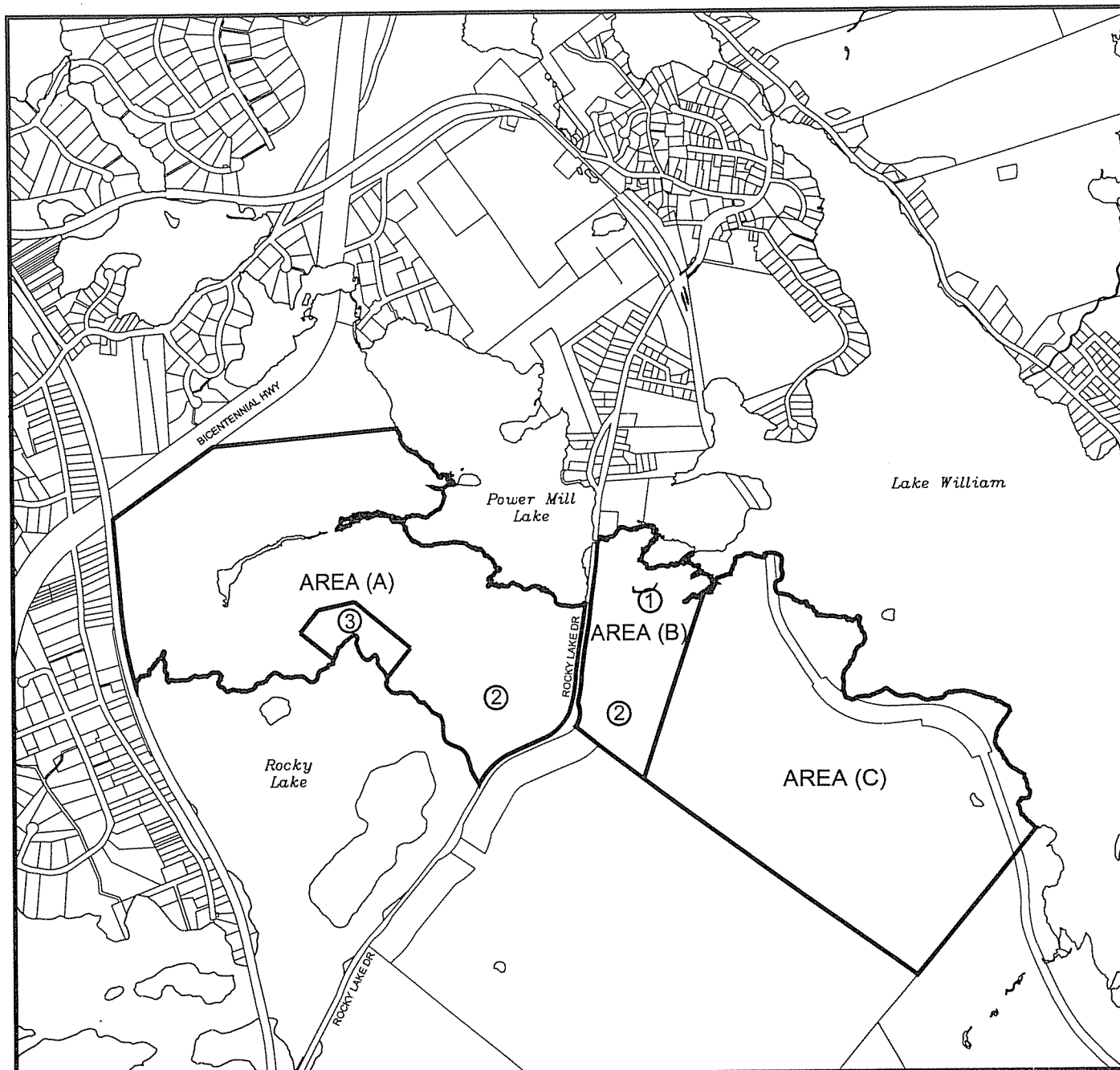
Map 1	Lands of Archibald Holdings Ltd.
Map 2	Generalized Future Land Use Map
Map 3	Zoning Map
Map 4	Windsor Junction - Waverley Water Service Boundary and Proposed Extension
Map 5	Draft Subdivision Proposal
Attachment A	Public Participation Meeting Minutes - November 4, 2002
Attachment B	Public Participation Meeting Minutes - June 21, 2004
Attachment C	MPS Policy for CIL Lands
Attachment D	MPS Policy Water Service Boundaries
Attachment E	Proposed MPS Policy Amendment
Attachment F	Proposed Land Use By-Law Amendment
Attachment G	Proposed Subdivision By-Law Amendment

ADDITIONAL REPORTS (available upon request)

1. Directed Phase I Environmental Assessment of the Waverley Hazard Lands, Waverley, N.S., Pinchin LeBlanc Environmental Limited, Hy-Grade Geoscience Division, November 2003
2. Final Report on Soli Sampling Former CIL/ICI Explosives Site Powder Works Area, Waverley, Nova Scotia, ADI Limited, July 2001
3. Report on Soil Sampling Undertaken on ICI Canada Property Near Waverley, Nova Scotia, ADI Nolan Davis (NS) Limited, November 1993
4. Shubenacadie Lakes Planning/Pollution Control Study, Vaughan Engineering Associates Limites, Griffiths Muecke Associates and Centre for Water Studies, May 1993.
5. Water Quality in the Headwaters of the Shubenacadie River System, R.S. Scott, W.C. Hart, D.H Waller, 1991.
6. An Environmental Assessment at the C-I-L Former Explosives Manufacturing Site, Waverley, Nova Scotia, Nolan, Davis & Associates (NS) Limited, September 1989.
7. Waverley Site Scoping Investigation, Porter Dillon Limited, October 1988.
8. The Impact of Past Gold Mining Activities on the Shubenacadie River Headwaters Ecosystem, Environment Canada, Inland Waters, Nova Scotia Department of the Environment, 1985.

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 Approved by: 
Paul Dunphy, Director, Planning & Development Services

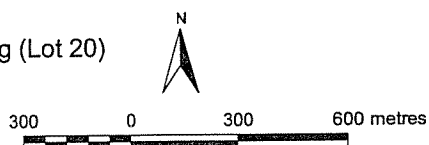


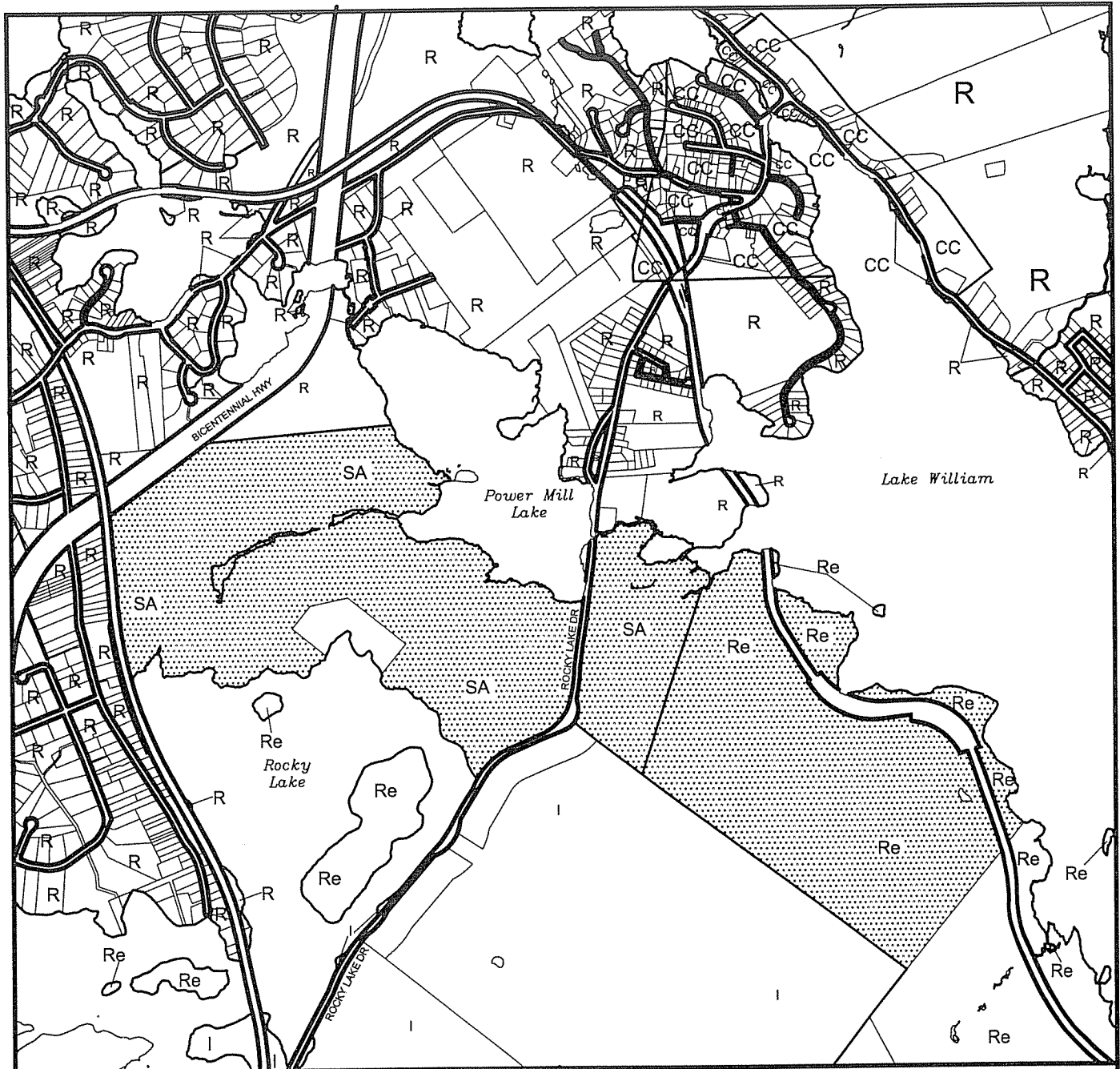
Map 1
Lands of L. Archibault Holdings Ltd.

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES


Past and Present Land Uses :

- ① Former Acadia Powder Works (Black Powder Manufacturing)
- ② Existing Storage of Explosives
- ③ Former Nitro Glycerin Manufacturing (Lot 20)



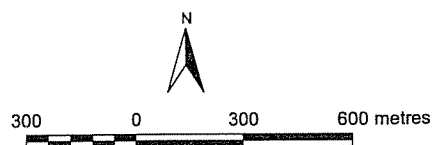


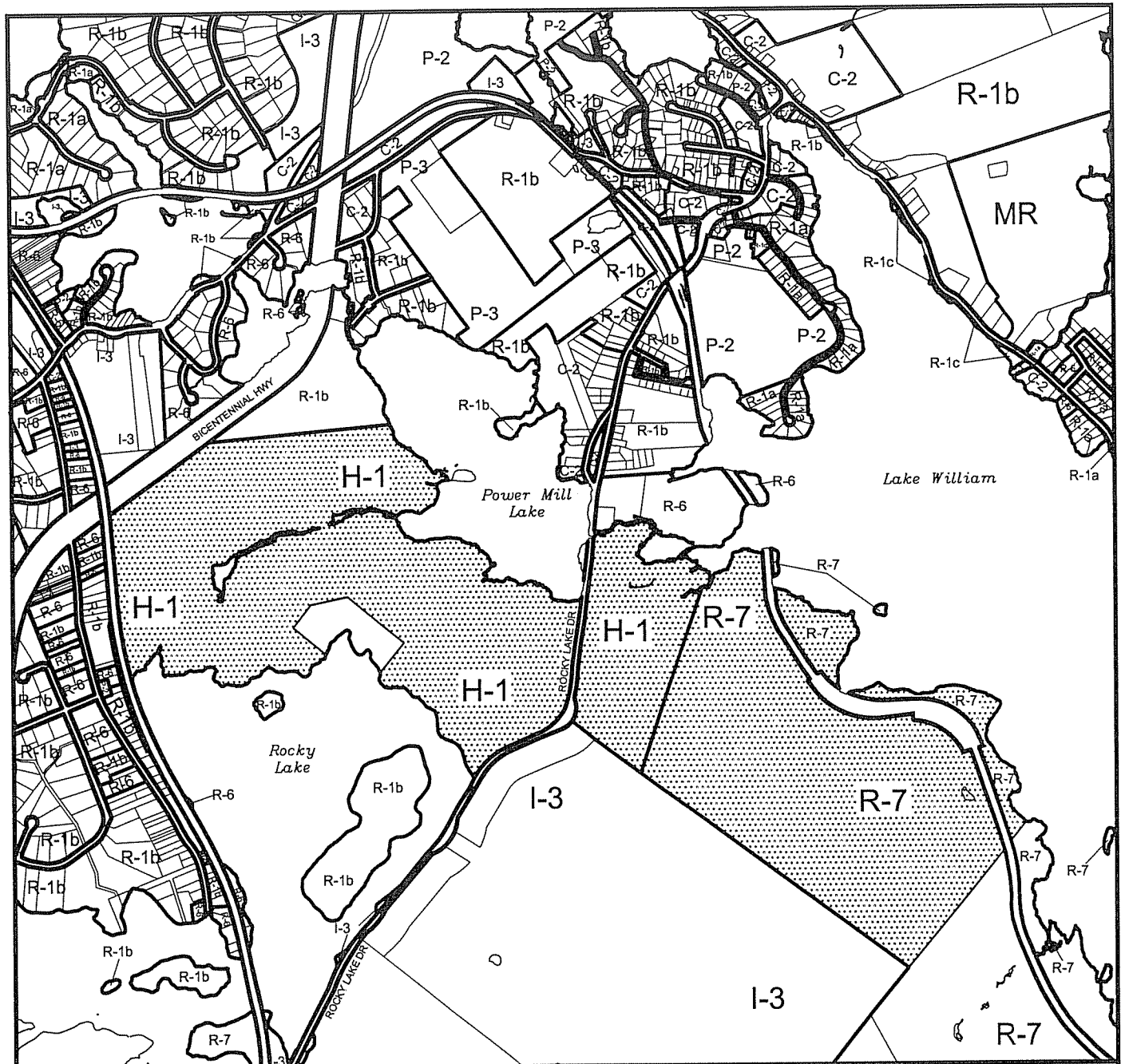
Map 2
Generalize Future Land Use

 Subject Properties
Lands of L. Archibault

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PLANNING SERVICES


- R Residential Designation
- CC Community Centre Designation
- I Light Industrial Designation
- Re Resource Designation
- SA Special Area Designation





Map 3 Zoning

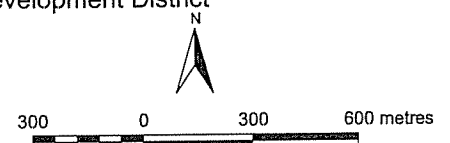
R-1a Single Unit Dwelling Zone
 R-1b Suburban Residential Zone
 R-1c Waterfront Residential
 R-6 Rural Residential Zone
 R-7 Rural Estate Zone

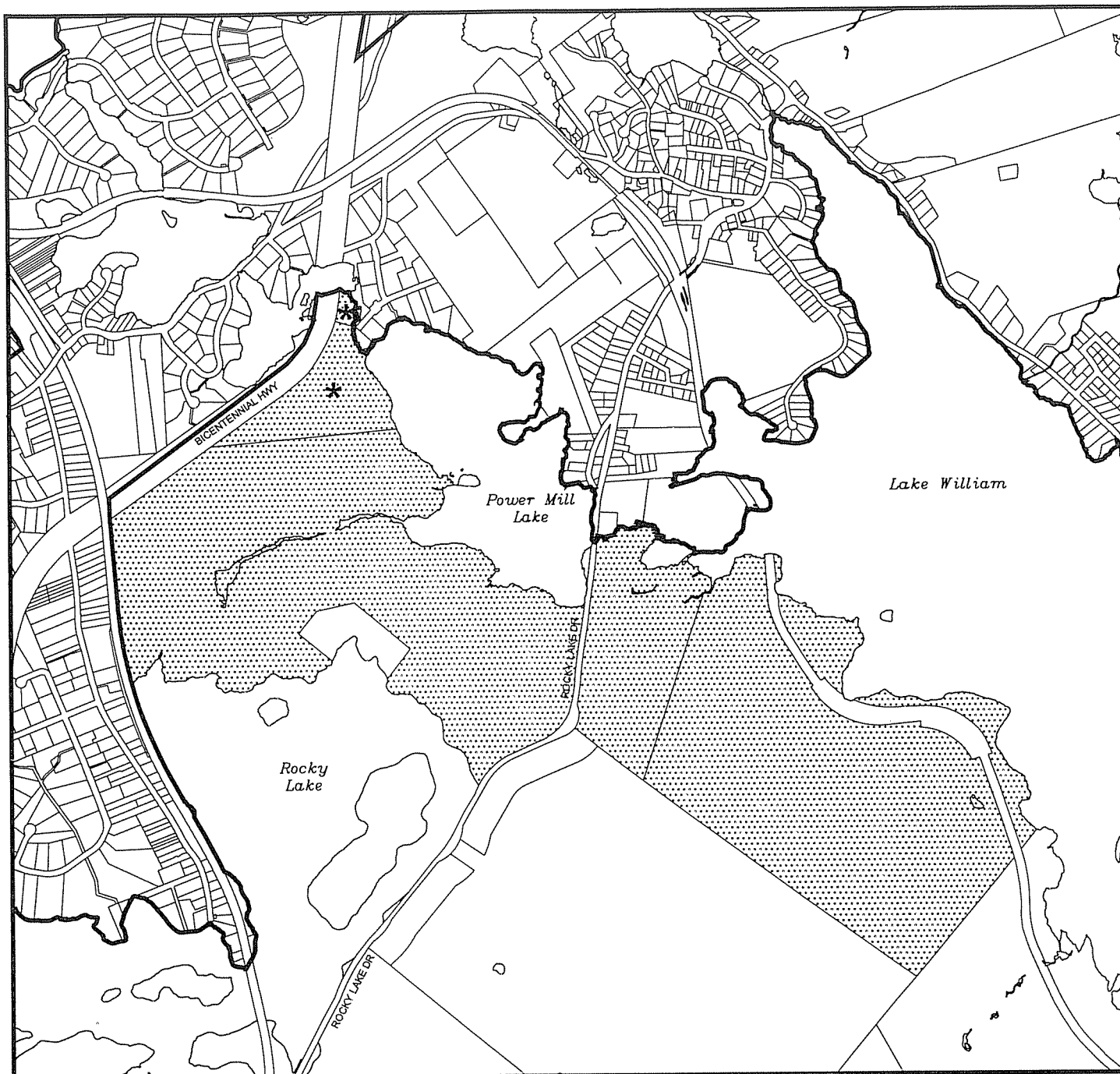
 Area to be rezoned from
 H-1 and R-7 to WCDD

C-2 Community Commercial Zone
 P-2 Community Facility Zone
 P-3 Mixed Industrial Zone
 H-1 Hazard Zone
 I-3 Light Industrial Zone

WCDD Waverley Comprehensive Development District




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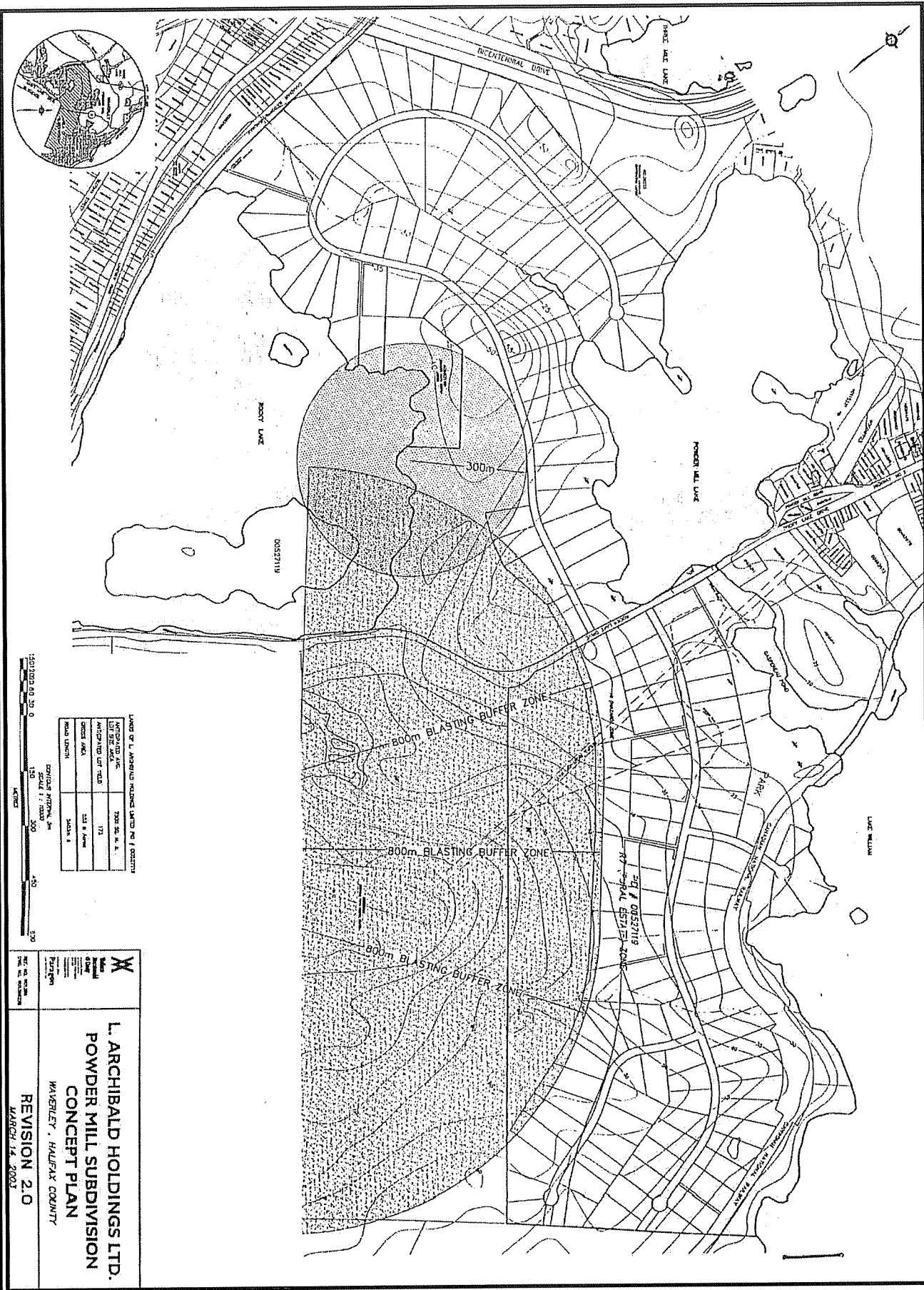


Map 4
Windsor Junction - Waverley Water Service
Boundary and Proposed Extension

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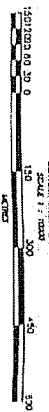
-  Proposed extension to the Windsor Junction - Waverley Water Service Boundary
-  Windsor Junction - Waverley Water Service Boundary
-  Lands not owned by L. Archibald Holdings





LANDS OF L. ARCHIBALD HOLDINGS LIMITED INC. 1.0057719

UNINCORPORATED A/C	7000 sq. ft. ±
LOT 5000 A/C	173
ANTICIPATED LOT TOTAL	173
ROAD LANE	250 ft. ±
ROAD LANE	250 ft. ±
ROAD LANE	250 ft. ±



	L. ARCHIBALD HOLDINGS LTD. POWDER MILL SUBDIVISION CONCEPT PLAN WAVERLEY, HALIFAX COUNTY
	REVISION 2.0 MARCH 14, 2003
	PREPARED BY: [Name] DATE: [Date]

Map 5

Draft Subdivision Proposal



Oct. 29, 2004

HRM does not guarantee the accuracy of any base map information on this map.

F:\Repmaps\Rezoning\00385Sub.dwg (AKT)

Attachment A -Public Participation Meeting Minutes - Nov 4, 2002

HALIFAX REGIONAL MUNICIPALITY

MARINE DRIVE, VALLEY AND CANAL
PLANNING ADVISORY COMMITTEE PUBLIC MEETING
MINUTES
November 4, 2002

PRESENT: Mr. Keith Boutilier, Chair
Mr. Bill Lockhart
Mr. Albert Tanguay
Mr. Gordon Sears
Mr. Greg Boyd

STAFF: Mr. Andrew Bone, Planner
Mr. Andrew Whittemore, Planner
Ms. Julia Horncastle, Assistant Municipal Clerk

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2.	PUBLIC PARTICIPATION - CASE 00431: APPLICATION BY L. ARCHIBALD HOLDINGS LIMITED TO AMEND THE MUNICIPAL PLANNING STRATEGY FOR PLANNING DISTRICTS 14 AND 17 RELATING TO LANDS EAST OF ROCKY LAKE ROAD IN WAVERLEY	03
3.	CLOSING COMMENTS	05
4.	ADJOURNMENT	05

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. PUBLIC PARTICIPATION - CASE 00431: APPLICATION BY L. ARCHIBALD HOLDINGS LIMITED TO AMEND THE MUNICIPAL PLANNING STRATEGY FOR PLANNING DISTRICTS 14 AND 17 RELATING TO LANDS EAST OF ROCKY LAKE ROAD IN WAVERLEY

Mr. Andrew Bone, Planner, presented the staff report advising no decision will be made at this meeting. He advised the land in question is owned by L. Archibald Holdings and is approximately 295 acres located east of Rocky Lake Road and is identified in the MPS as the "C-I-L Lands" and were once the site of two explosive manufacturing facilities.

Mr. Bone advised the property owner wishes to relocate the existing explosives storage area from Site 1 to a location on the west side of Rocky Lake Road which would leave area B available for redevelopment. He advised there was a site decommissioning in the 1930's and in 1980's another decommissioning program was undertaken. He advised the only activity on the property has been the storage of explosives. He advised the developer would like to develop a subdivision on municipal water. He noted a number of environmental studies have been undertaken on this property and it now meets the national soil guidelines for residential and parkland use. He noted lands onto Rocky Lake Road must be industrial if rezoned.

He advised the existing water system was designed to limit additional hookups. There is an area identified as resource land. The Land Use By-law allows and R-7 zone for residential as well as forestry and industrial uses. The minimum lot size would be one acre with 100-150 feet of road frontage noting, there is a policy in place that allows a developer to ask for smaller lots.

Mr. Bone noted Council has to examine this under specific criteria such as the effect on adjacent lands. He advised the information gathered tonight will be taken to planning to develop policy and then come back to the community to discuss what has come of this meeting. From there it will go to council for a public hearing with a recommendation in favour or against the proposal.

Ms. Sally Little, 124 Lakeview Road, stated the Village of Waverley is small and close to the city. It has good schools and expressed concern that the schools may not be able to accommodate the additional number of children a development may bring.

Mr. Frank Steele, Lake Thomas Drive, stated he has lived in Waverley since 1974 and expressed concern that such development might change the character of the community.

Mr. Greg Boyd stated the area is presently small and there are vast open spaces and expressed concern that the schools may not be adequate to accommodate all the children the number of families the development will bring into the area.

Mr. MacLean, Lakeview expressed concern with the fact that the lake may be filled in and the natural areas may be changed. He noted the land in question is used extensively for recreation purposes and would not like to see it changed.

Mr. Bone advised that the water line would have to be cut through the woods as it would be coming from Lakeview Road.

Mr. Bill Lockhart stated that a lot of people are concerned with maintaining the status quo. They don't want it to become a heavily populated area and are also concerned with commercial development. He noted there is a great family atmosphere in the Village of Waverley.

Mr. Gordon Sears stated that most people favour R-1 small community type development and activity.

Mr. Coleen Gumby, Ridgeview, stated there is a lot of blasting taking place at the quarry and expressed concern with the fact that this development may result in more blasting.

Mr. Larry Gumby expressed concern that the area was solid rock and how would septic fields be placed in rock. In response, Mr. Bone advised the province dictates the size and how a septic field will be constructed.

A concern was also expressed regarding runoff into the lake.

In response to Mr. Clark, Rocky Lake Drive, Mr. Bone advised the proposal is for R-6 on one acre parcels resulting in 120 houses.

Mr. Clark further expressed concern whether or not the school would be able to handle the increase in population. He also noted there are buildings of historical significance on the property and these should be protected.

Mr. Alan Hayman expressed concern that the proposal by Mr. Archibald would not be compatible with the quarry use as most properties would be within the blast line. He also noted it could expose industrial areas to the lake which could create problems as the vegetation in the area helps maintain the quality of the water in Lake William.

Mr. Chris McCulley, Archibald Holdings, stated that if residential is developed in this area it means that the quarry will have to keep their blasting back 800 meters from the development.

Mr. Bone noted that with the proposal being residential and the existing quarry uses being adjacent, staff will have to investigate compatibility issues and will be holding discussions with the Department of the Environment.

3. ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

Julia Horncastle
Assistant Municipal Clerk

Attachment B -Public Participation Meeting Minutes - June 21, 2004

**HALIFAX REGIONAL MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
PUBLIC INFORMATION MEETING
CASE NO. 00431 -L. Archibald HOLDINGS LIMITED PROPERTY**

**7:00 p.m.
Monday, June 21, 2004
Waverley Fire Station**

STAFF: **Andrew Bone, Planning Services
Cara McFarlane, Planning Services**

APPLICANTS: **Chris Macaulay, representing the Developer**

IN ATTENDANCE: **Councillor Krista Snow, District 2**

**MEMBERS OF
THE PUBLIC: Approximately 33**

The meeting commenced at approximately 7:09 p.m.

1. ANDREW BONE - PLANNER

Mr. Bone introduced himself as the planner assigned to this application; Krista Snow, Councillor for District 2; Chris Macaulay, representative for the developer; and Cara McFarlane, administrative assistant taking the minutes.

The purpose of the meeting is to hear concerns relative to what is being proposed so staff can do an appropriate review and provide a recommendation to council at a later point.

One meeting was held on November, 2002. At that point, the meeting was very general. The main purpose of that meeting was to determine some general community issues and the use of the Archibald property and possible issues of its development.

Mr. Bone showed the parcel of land on overhead. The land is approximately 535 acres contrary to what was in the paper (338 acres). Basically, the land is on both sides of Rocky Lake Road. First one being on the west side of Rocky Lake Road (encompasses the land between Rocky Lake and Powder Mill Lake); otherwise known as Dam Road. The other parcel of land is located on the east side of Rocky Lake Road (shown on overhead). There are a number of trails and explosive storage facilities in two places on this property.

Portions of the two parcels of land were used as an industrial site in the late 1890's early 1900's. There were two industrial uses. The first one was a black powder manufacturer facility and a nitroglycerin manufacturing plant. They were related to the gold mining activities and may have not been used for manufacturing purposes since just before World War I.

The property since that time has been used for explosive storage (mostly blasting caps). Based on the previous industrial activity on the property, there was a concern that there may be environmental issues on the property. Current planning policy reflects that concern, but based on no scientific knowledge of the site. This policy was developed in the late 1980's.

Since that time, there have been a number of environmental studies, remediation and clean up done on the site. There was a small identified pesticide contamination (shown on overhead) and there was a fairly significant contamination in another area (known as lot 20). The site is primarily contaminated with fairly high concentrations of lead, probably due to the method of manufacturing nitroglycerin.

In the 1930's there was a detonation program or sweep over the site to make sure the site was clear of explosives.

In 1935, they did away with the explosions to make sure there was nothing in the ground. In doing so, they discovered a collection of nitroglycerin.

Since then, in 1993 there was a subsequent detonation program to ensure there were no more explosives on the site. Based on that and soil samples taken from the area in 1989 and subsequent work that is being continued to present, the Department of Environment (DOE) has said they are okay with the proposed sites. The environmental work is not complete, but the applicant has been working with DOE on it for the last couple of years. This is the reason for the delay in the application. Staff wanted to feel confident that the issues related to the environmental work would be overcome and that DOE would move forward and give the okay to establish residential uses on this property. In the meantime, staff wanted to bring the application to the community to get a feel for the resident's concerns and comments.

The current policy in the plan allows for only one land use on one portion of the property (Area "A" and "B"). They are zoned H-1 (Hazard) Zone. The only permitted use there is explosive storage. The policy associated with that allows Council to consider changing the land use if environmental issues can be overcome. The way the policy is written allows the back area of one of the sites to accommodate residential uses, but the area on Rocky Lake Road (shown on overhead), if changed, have to be zoned Industrial. The developer has asked for the permission to do residential on the whole site. Area "C" is currently zoned R-7 which allows residential development. This portion has never been part of an application to the subdivision because there has always been the environmental issues.

In this case, the developer has to go through a plan amendment process. The developer is requesting that the policy which allows him to build two acre lots (R-7 Zone) be changed to residential for the whole parcel of land (one acre lots with 100 feet of frontage). The developer also requested an amendment to the plan to allow the servicing of water in the area. The Village of Waverley is within a water service district which allows for homes in the area to connect to the Municipal water provided by the Halifax Regional Water Commission (HRWC). The reason being is that one portion of the land (shown on overhead) is outside of the water service district. A link from Lakeview (shown on overhead) to area "B" then area "C" would be provided.

From a general planning perspective, given the tendency for bedrock in the area to be contaminated with arsenic and that there is a rail line and thirdly if there is any development in the area, it may cause fluctuation in the ground water table. These three issues create a triple threat for arsenic. If there will be any development in the area it should probably be on water.

A couple of months ago, there was a moratorium placed on residential development. It attempted to prevent preemptive development given that there will probably be a whole new set of planning rules in a couple of years. This moratorium affected the property owner's rights on these lands because they are within the moratorium area. The placing of a water service district on these lands exempts the developer from the moratorium if the application is recommended by staff and Council approves it. Any area with a water service district is not subject to the moratorium; therefore, the developer could proceed.

The developer needs two things changed: they are requesting water service district be changed and the ability

to build residential on all three lots.

1. QUESTIONS AND COMMENTS

One resident was wondering if there would be a buffer zone left around the sewers, floodplains, brooks, wetlands, etc. Mr. Bone couldn't say at this point because there hasn't been a lot of work done on this application. Staff is aware of flooding and the applicant would be asked to identify any floodplains and/or wetlands.

The resident said the lake along Dam Road is one of the remaining lakes that is not built on and he would like to see it saved. Mr. Bone said it would depend on the zone and what clauses are included in the development agreement. Ultimately it is Council's decision if the land is rezoned or a development agreement is placed on it. The development agreement would provide more flexibility and the ability to deal with more issues and gives the Municipality and community more control over the development. Environmental buffers can be possibly built into the development agreement if it goes that way. There are a number of issues staff is aware of. Environmental issues are one as well as the water quality of Lake William. Lake William is one of the head waters of the Shubenacadie System and there are people downstream that drink the water.

One resident asked if there has been an environmental assessment done on the status of the lake and the biological impact of the lake. Mr. Bone said the Environmental Assessment Act generally doesn't apply to subdivisions. Staff's environment comment comes from the Halifax/Halifax County Waters Advisory Board (HHCWAB) who provides significant comment and have a great wealth of scientific knowledge and historic data. HHCWAB has not reviewed this application yet. The resident is concerned for the water quality. Mr. Bone said HHCWAB will provide comments and recommendations.

One resident asked if an impact study will have to be done. Mr. Bone said it is not normally done, but would depend on the issues. Sometimes additional studies from the applicant are requested.

Greg Boyd, Lakeview, said when the proposal went ahead last year, only one side was being developed. Are we now developing the whole thing? At the last meeting, it was discussed that everyone on the other side of the lake would receive a notification. Did this happen? Mr. Bone apologized that it did not. In this case, a 250 metre setback was used which is three times the standard. Notices were placed on every community mailbox in Waverley that he could find. He also placed notices at the Irving and the Museum. Mr. Boyd said the people on the other side should have been notified. Mr. Bone said he will ensure they are notified for the public hearing. Mr. Boyd said it should have been noted in the minutes from that meeting.

Jim Simon, Lakeview, said Area "C" is listed as a non-development area. Is that where the land contamination is located? Is there any monitoring being done of what is going into the lake? Mr. Macaulay said there is an area that is contaminated with lead. The owner had taken good soil and put it on top as a way of remediation that was suggested by a consultant to reduce the amount of lead. Erosion control has also been put in place. Mr. Simon said from what he can see there is no erosion control in that area. Mr. Macaulay said there is hay and soil there as well. The soil type and conditions will keep it from reaching the lake. Mr. Bone was not aware of that.

Mr. Simon is concerned about lake access if this proposal goes ahead. Do the developers still have the option of giving land or money? Mr. Bone said with a standard subdivision it is the developers prerogative to choose. Usually land is given by the developer, or a combination of land and development which is considered acceptable. Mr. Simon said the problem with the area is lack of lake access around Rocky Lake and Powder Mill Lake and it would be nice to see some lake access for the people who are there as well as other residents. Mr. Bone said Powder Mill Lake is part of this development. Although it is an existing park, it is privately held. Donating the area as well as other land may be part of the developer's due to the size of the property. The developer will have to give at least 5% of the land for parkland. Mr. Bone is not sure what the status for Area "C" will be in the end.

There's been suggestion that it may possibly be fenced off given the lake contamination. That will be determined through further consultation with DOE. This is one of the most difficult areas to deal with. Mr. Simon would like the public to have access to all of the lakes in the area. Mr. Bone said there are three issues with the lakes: like the public to have access to all of the lakes in the area. Mr. Bone said there are three issues with the lakes: lake access (where and how do you get it); the corner (shown on overhead) is a key connection to the Shubenacadie trail system because it has already been extended to Lake Charles; and thirdly, some sort of connection to Second Lake (shown on overhead). These decisions are made by HRM Parks. Mr. Macaulay said they don't plan on giving money. There are some issues with the highway and tracks. CN considers crossing the tracks as trespassing. A public crossing would be very expensive. We've been in touch with CN to see what the costs might be to gain access to the crossing.

Wanye Stobo, Waverley, Chairman of the HHCWAB, wanted the residents to know that the board does not do environmental assessments. These types of issues are for DOE. Who pays for the water district extension? Mr. Bone said it is paid by the developer and the people who use it and would be affected by it.

One resident asked if the water system would be looped. Mr. Bone explained the advantages of looping the water system. A resident asked if there is a concern for getting water to the residents within the new development. Mr. Bone said HRWC has tons of water. Policies within the plan talk about restricting water and using it as a way to control growth, but it has never really worked. At the time, when the policies were brought into affect the County was buying water from HRWC and had a very limited budget and a limited amount of water they could buy. With amalgamation it is about to change. Ultimately it is Regional Council's decision on whether water service is extended. One resident confirmed that two changes need to be made before this application can be approved. Is there any chance for an appeal by a community group or business? Mr. Bone explained if it goes through a rezoning process it has to be enabled in policy. To change the zone on a piece of property, the wording in the plan has to be changed. The Municipal Government Act (MGA) is set up in a way that if you are implementing a change to the plan there is no appeal process. The provision of a water service district is a plan amendment as well which is entirely in control of Regional Council and there is no appeal process either. If the changes go through as requested, there will be no opportunity for the public to go to the Nova Scotia Utility and Review Board (NSURB). A policy change is at the discretion of the Municipality. Staff provides advice to Council as to what they should do. The other option is to have a development agreement. A decision from Council would have to follow specific issues. In this case, there are some site specific issues that need to be dealt with. In general, all the development agreements have a standard set of review criteria and if Council decides on the development agreement option, there would be an appeal process which would be based on addressing an adequate review of the issues in the staff report provided to Council.

One resident said it would be an advantage to the community to have a development agreement. Mr. Bone said a change in policy that would enable a development agreement may have some value to the community and may provide for better development. The resident thought it might deal with septic field runoff, but Mr. Bone said that is a Provincial issue. Sometimes HHCWAB can provide added value and make suggestions that the Municipality can deal with. Mr. Macaulay said septic fields are highly regulated. DOE looks at this very carefully and even more so in the past twelve months and he doesn't feel the field should be a primary concern as the rules and regulations will be followed.

When Mr. Macaulay approached the owner on the land use, the owner was originally going to use it for industrial. He told the owner that a residential development would be a better fit for Waverley. Mr. Bone said at the initial public meeting, the community was asked what they would like to see more, industrial or residential. Policy that is in place now allows for Council to consider industrial zones and actually requires the areas fronting on Rocky Lake Road to be industrial. The issues that were mentioned at the last meeting were things like the site of the Tide Water Quarry industry. A number of people indicated they didn't want to see the quarry coming any further towards Waverley.

One resident asked if there is anyway to stop development on Area "C". He believes no one wants to see that portion developed. Mr. Bone said ultimately, while the moratorium is in effect and if the rules don't change,

Area “C’s” lands are frozen for at least eighteen months. The planning rules in the long run are unsure. Regional Planning is working on those now.

One resident was under the impression that Regional Planning was looking at development more in the cluster development nature or areas that looked into taking people currently living in the area and maybe allowing homes for seniors. She thought it was their intent to make for a healthier development. Mr. Bone believes in the end you may see a policy that allows for cluster septic systems (group septic field where the affluent from individual tanks goes). It allows for smaller varying lot sizes which will reduce road frontage which would increase the ability for HRM to provide services as well as other benefits.

Mr. Boyd asked if the proposed property was zoned R-6. Mr. Bone said R-6 is one of the zones, but it could be R1-b. R1-b is the standard single family dwellings for the Waverley area. R1-a is a bit more controlled. An R-6 Zone has been requested, but another one could be applied for. He showed a concept plan for the area. Two long cul-de-sacs are presently proposed. There will likely be some change to the design. Due to some comments received by Engineering Services, some changes may be made.

Linda Russell-Sooriyakumaran, Lakeview, asked how long a cul-de-sac should be. Mr. Bone said this one is a challenge because of the topography, lakes, and highway. Where no other development pattern is possible, they sometimes allow the longer cul-de-sacs.

One resident asked where the green areas are located. Mr. Bone said some green areas are shown, but comments from HRM Parks has not been received. He expects the green areas will significantly change.

Mr. Bone mentioned that the distance between the development and the adjacent quarry was an initial concern. The Province has a rule that the quarry must be 800 metres from any foundation or building. Any closer would be undesirable. Some planning documents impose the 800 metre rule. Staff has suggested the developer to maintain the 800 metre setback from the permitted blast space of the quarry. The developer has responded by removing houses from that area, but in order for them to make it economically feasible and contrary to original proposal, they would like to develop the other side of the property (shown on overhead).

One resident asked how many lots are on each side of the Rocky Lake Road and how many lots on the water side of the railway. Mr. Bone said right now, given what DOE would say about soils, the developer is proposing 173 lots in total. For the water side there would be six to eight lots. Mr. Macaulay said right now there is one on the other side of the railway.

One resident asked what will be done about noise pollution. According to CN, with this development, there will be five minute consistent blow from the trains due to the private crossings. Mr. Bone said he would do some further investigation on that issue, contact CN and get some analysis on it and provide that advice to Council.

One resident is concerned about the lots being shown going through the brook area (shown on overhead). Mr. Bone explained the Waverley plan requires 25 foot setbacks from any watercourse. The detail of the lots on the concept plan will more than likely change. If the land isn’t given to HRM Parks they become privately owned. The resident said it would take public access away from the brook. Mr. Bone explained HRM Parks need to provide comments yet. If the application goes through a development agreement process, there may be some more additional protection, as far as setbacks, that could be implemented.

Ms. Russell-Sooriyakumaran suggested to forget about the lot size as Rocky Lake Road soil is contaminated and to develop along the shore would allow that soil to runoff into all the water systems that flows to the Shubenacadie System which is used for drinking purposes. Rocky Lake, Powder Mill Lake and parts of Lake William have fairly high concentrations of heavy metals in the sediment due to industrial uses in previous years.

It is documented in a number of studies. Mr. Bone said the issue was raised with DOE. A reply has not been received yet.

One resident asked if any comments have been received from Halifax Regional School Board (HRSB) about the availability of space in the surrounding schools for a development of this size. Mr. Bone said he will be asking HRSB those kinds of questions. HRSB has provided some comments but they are not conclusive enough to take to Council. The capacity of Lockview is a concern. He needs to ask HRSB more questions.

Shane Kirk asked who is and will be monitoring the water quality. Mr. Bone said the HHCWAB provides water related comments. Mr. Macaulay said they use various consultants to resolve certain contaminations as there are a lot of issues with the property. It will be ongoing. Mr. Bone said DOE is involved in this application for two reasons: watercourses on site and contamination issues. DOE is actively involved with Mr. Macaulay and his consultants. Mr. Kirk would like to know if any of the monitoring data is available. Mr. Bone said it is and DOE will provide comment on environmental, water quality and septic issues. HHCWAB will also provide comments and recommendations relating to water. The Water Resource Study (WRS) deals with water issues and is available on the HRM web site.

One resident said Powder Mill Lake appears to have 17 lots on the water and there appears to be 17 or more on the inside loop. This is going to take away significant amounts of water frontage along the lakes. Mr. Bone said with any planning matter, the comments heard here tonight, the previous meeting and the public hearing that will be held at a later date, are all taken into account before Council makes their decision. Mr. Bone explained the plan amendment process.

One resident believes it is very important to have covenants or enough guidelines to keep as much lake frontage and access as possible. Mr. Bone believes there are ways to do that with either a development agreement or plan amendment.

Allan Rodger, Waverley, representative of Tide Water Company, is opposed to any rezoning of this property. Mr. Bone said from the issues raised tonight, the only way to address them may be through a rezoning. Mr. Rodger said there is no need to change anything. The best protection for the residents in the area is to keep the property as a R-7 Zone. Mr. Bone said at any point anyone can come in and request that their zoning be changed. Council can say no.

Mr. Stobo said from this evening's comments, if anything is done on this property it should be by development agreement for a variety of reasons. The 14/17 MPS requires a 25 foot setback from watercourses where as DOE requires a 25 metre setback. HHCWAB recommends at least a 20 metre setback from all watercourses. We would recommend not to destroy any wetlands and buffers should be put around them. The greatest concern with heavy metals in the waters is not arsenic, it is mercury.

A study done in early 1970's, states that Powder Mill Lake is one of the most contaminated in Canada. If the mercury is stirred up it can convert to methalyne which is the most toxic point. There has to be serious protection to make sure of undo disturbance to Powder Mill Lake water. You can only do that by a strict development agreement. The interesting thing about the area adjacent to the Tide Water Quarry is the fact that there are major boulders resulting in high infiltration. When Tide Water Quarry created their sediment pond, we were very concerned with the rock. The sediment pond never filled with water because the infiltration rate was so high. If you develop in that area and put in the standard septic bed there will be infiltration very quickly in the development because it is so porous. With the drainage to domestic water, the discharge rates per unit will be increased which usually compromises septic systems. There are a lot of areas of great concern and the only way HRM has a chance to control these problems would be by development agreement.

Bill Lockhart, Waverley, has been involved in environmental studies on this property since 1982. There are about

four or five reports available on Powder Mill Lake. Everything runs from Rocky Lake into Powder Mill Lake and that is where the industrial development started which flows it into Lake William. There are 23 or 24 water test sites which are done once a month in all of the lakes, outlets, and the swamps, and mercury, arsenic, and aluminum were found.

One resident asked why are we considering development. Mr. Bone said this is the reason for the public information meeting. He was aware of some sediment problems, but no one has ever raised some of these other issues with him. These issues are very helpful in order to ask the right questions of the right departments.

One resident asked how the lots can be built across the brook if there needs to be setbacks from watercourses. Mr. Bone explained there are a couple of ways to handle setbacks. They can either be in public ownership or you can do setbacks through allowing the property to be a non-disturbance zone where they are not allowed to cut that area.

One resident is concerned about the increased road traffic. The road is very narrow and it seems there needs to be a plan to divert the traffic. Mr. Bone subdivisions with over 100 lots are subject to a standard requirement of HRM to do a traffic impact statement. He explained how a traffic impact study is conducted and what variables are used throughout the study.

One resident mentioned that the traffic study would be analyzed later after the public meeting. Mr. Bone said the purpose of the meeting is to receive comments from the public so they can be addressed. The resident said it is an attractive area to travel which causes traffic from people taking "the scenic route". The study wouldn't capture that type of traffic. Mr. Bone said a request of that type of traffic could be studied at a certain time of the day and we would ask the consultant to provide us with some comment.

One resident asked if there was a time frame for this application. Mr. Bone explained there are two issues. One is DOE and the current analysis they are doing on the remediation of the site from an environmental perspective. He also has to wait for outside comments before going any further on the application.

Ms. Russell-Sooriyakumaran commented that on the Hazard Zone lands soil studies indicate there is still some nitroglycerin in the soil around Rocky Lake. They're not sure how much and didn't think it was a problem. With the underlying geology of the lands, there is a possibility that there is significant amounts. There are many abandoned lands in the area, are there any mine shafts? Mr. Bone is not aware of any. Mr. Macaulay said the nitroglycerin residue was found on Lot 20 (squared off section) which is not part of the proposal. Ms. Russell-Sooriyakumaran said with the types of soils in the area, it cannot be predicted which way things will runoff. Mr. Macaulay said studies have been done that prove it would not go in that direction because of the slope conditions. Mr. Bone said ultimately the contamination issues will be covered by DOE.

Mr. Lockhart asked what other options the owner has. Mr. Macaulay said initially the owner wanted to use it for light industrial. No one in Waverley would want to see excavation machines and clear cutting. He suggested to the owner to go with a residential approach. The owner could still go with light industrial. Mr. Lockhart asked what the permitted uses are in the Light Industrial Zone. Mr. Bone explained the CIL Lands Policy (land being talked about tonight).

One resident asked why was it decided that it would be better to do residential as opposed to light industrial from Lakeview to Rocky Lake Road. Mr. Macaulay figured the residents would not like industrial activity in the Waverley area. The third option is to sell the land to the adjacent neighbour. The resident said even though it is sold, it would have to be rezoned to put a quarry there. Mr. Bone explained that there are certain things that are the jurisdiction of the Province. The Province can override the Municipality and quarries are one of those things.

One resident asked if there is any information on the land to the south of this development. Mr. Bone said basically all the lands to the south to the Bedford line are owned by Tide Water. The resident asked if there was some crown land. Mr. Bone said there may be some small strips.

Corey Smith, Waverley, is concerned about the increase of traffic on the Waverley Road. Is the present condition of the Waverley Road going to be able to handle the traffic increase? The road needs to be evaluated. There are safety issues with the road. Mr. Bone said a lot of analysis has to be provided given the fact that the Waverley Road is not typical.

Mr. Smith asked where in the Lakeview area the waterline would connect to the existing line. Is it possible that line won't be large enough? Mr. Bone said any upgrades would be the responsibility of the developer. Mr. Macaulay believes the pipe is the same size.

Mr. Smith is concerned that if this application is approved for residential, for the sake of anyone buying houses within the development, should they be aware that there is a quarry, daily blasting and how that may affect their homes. Mr. Bone said it all depends on whether this application is a rezoning or a development agreement. If it is a rezoning, there will be a requirement in the MPS to say you have to be 800 metres (recommended distance given by DOE and a standard for HRM) from the blasting area and any foundations. Mr. Macaulay said the concept plan shows a buffer zone to guarantee that the blasting shouldn't affect any properties outside the 800 metre buffer zone.

David George, Dartmouth, Administrative Director of Halifax Regional Search and Rescue (HRSR), said their facilities moved to Lakeview Road. One of the reasons for the move was because they needed access to the woods for training purposes. All the search team members are trained there. If that area was to be developed, there would be no reason to exist in the community. Mr. Lockhart asked if this training is done with the land owner's permission. Mr. George said they have been using the right-of-way on the trail and weren't aware of what was going on with the lands. Mr. Macaulay didn't believe the owner was aware of the training. The intent is to develop down the right side of Rocky Lake initially. If HRSR wished to continue using the property, under the owner's agreement, there may be a period of time where they can do that.

James McCubbin, Waverley, asks that special attention be paid to the area around the "S" turn in the Waverley Road during the traffic study. Mr. Bone said staff could get comment on that particular turn. One resident said one option is to reduce the speed.

Mr. Boyd asked if the original request was to rezone the property to R-6 Zone. Permitted uses in that zone are duplexes or hobby farms up to 50,000 square feet. He suggests a R1-a Zone. He is glad to hear that this is not already approved even though the road is presently through. There are 173 lots proposed in the concept plan, but the R1-a Zone in the corner is not included. There is a cul-de-sac shown going to that area. Once this development happens, the R1-a Zone area can be developed as-of-right. He believes ten more lots can be created from this area. Mr. Bone said yes the land owner (different owner) could develop that land and there is a road reserved. There are some as-of-right permitted uses on the back property which is zoned R-7. The owner applied for a permit to build a dwelling on the property over a year ago (shown on overhead). The driveway to the property was built somewhat to road standards. Engineering has made sure the owner hasn't gone beyond what he is permitted to do. Mr. Macaulay said the other reason they wanted to have road service was because there is a large area of tree fall back there; therefore, it made it possible to remove the trees.

Mr. Boyd said there is a heritage property on that land now. Mr. Bone explained that there are two buildings of age. The Nova Scotia Museum has been contacted, but the area is outside of their jurisdiction. There are two bunkers that were used on the original site (both shown on overhead). Mr. Lockhart mentioned there is an underground bunker on the pond and there are two existing fields (one being on a different property). Mr. Boyd believed the bunker was one of the oldest in Canada. Mr. Bone said the Nova Scotia Museum thought it would

be a building of interest, but they didn't think it was old enough. He will contact the HRM Heritage staff, the museum again, and the Waverley Museum to scope out any issues related to that building. The site is within the no-build zone, but it would be nice to have it in appropriate hands. Mr. Macaulay said the building is in a damaged state and to repair it to the original condition would be very expensive.

Mr. Boyd stated that when he bought his property, staff at Planning & Development Services told him the H-1 Zone could never be changed. Mr. Bone said anything can be requested, but it is ultimately Council's decision if they want to make those changes.

One resident asked where the water connection to Lakeview will be. Mr. Macaulay said it hasn't been decided. Mr. Bone explained that they have to get a line from Lakeview, across the tracks, over someone's property, and that is all subject to negotiations with landowners.

Frank Steele, Waverley, supports the project. He lives on Lake Thomas (part of the Shubenacadie Canal Commission) and believes the Shubenacadie Canal Commission and DOE will do everything they can to make sure that if the development goes ahead everything will be done properly to protect the waterways.

Mr. Bone thanked everyone for coming and expressing their concerns and comments.

1. ADJOURNMENT

The meeting adjourned at 9:40 p.m.

Attachment C -MPS Policy for CIL Lands

C-I-L Lands

A portion of the lands of Canadian Industries Limited (CIL), located to the north-west of Rocky Lake Drive was formerly occupied by the Acadia Powder Works. In the late 1800s, black powder and later nitroglycerine were manufactured on these lands.

In the early part of this century (circa 1915), production ceased and most of the structures were removed. In 1935 newspaper² reports indicated that a portion of the site had exploded, killing two members of a crew involved in site maintenance. The site is presently occupied by a number of explosives magazines.

Although modern explosive storage requirements are stringently regulated by the Federal Government³, the previous history of these lands suggest that prior to the development of any use other than explosive storage, the site will require careful attention to decontamination. In this regard, it is appropriate to establish a limited industrial zone on these lands within which explosives storage and related uses will be permitted.

If the lands, at some future point, the landowner is able to satisfy Energy Mines and Resources Canada and the provincial Department of Environment with regard to the safety of the site, then Council may consider amending the land use by-law to permit alternative uses in conformity with those permitted on adjacent lands.

P-126 Within the Special Area Designation, it shall be the intention of Council to establish a hazard zone which shall only permit uses related to the storage and distribution of explosives. Setback requirements shall be established which are related to the amount of explosive being stored. It shall further be the intention of Council that this zone shall be applied to the lands of Canadian Industries Limited, LRIS No. 527119.

P-127 Notwithstanding Policy P-126, Council may consider amending the land use by-law to permit the development of residential, parkland or industrial uses on lands owned by Canadian Industries Limited and having regard to the following:

- (a) the safety of the site for the proposed development, as determined by a report from the appropriate provincial or federal government authority;
- (b) that all use of the lands for the storage or distribution of explosives has ceased;
- (c) that lands formerly occupied or used for the manufacture or storage of explosives, together with lands fronting on Rocky Lake Drive, are to be included within an industrial zone;
- (d) that the proposed road system is coordinated so as to discourage the access of industrially generated traffic through any residential portion of the lands;
- (e) the provisions of Policy P-155.

² July 26, 1985, Halifax Herald.

³ Canada Explosives Act.

Attachment D - MPS Policies - Water Service Boundaries

Water Supply

Large portions of the Plan Area are underlain with either gold bearing rock formations or pyritic slates. Wells drilled into these bedrock types can be contaminated by unacceptable levels of arsenic or sulfides and reduced Ph, respectively. While most wells in the Plan Area do not encounter these problems, concentrations of contaminated wells have led to the extension of municipal water services in some areas such as Waverley.

It can be expected that much new development will occur without the benefit of central municipal water. It is important in areas where contamination is possible and where the extension of central municipal water services would be costly, that alternative water sources be encouraged. Such alternatives may include rainwater collection and cistern storage facilities.

P-7 It shall be the intention of Council, in cooperation with the Departments of Public Health and the Environment, to identify and inform future residents of potential areas of ground water contamination and to encourage the use of alternative water sources in such areas. Furthermore, it shall be the intention of Council to encourage the Province to establish a program for the identification of areas prone to well water contamination.

The expansion of municipal responsibility for the provision of central water service has largely been a response to specific problems of ground water contamination or inadequate supply. It is important to overall future development and the safety of area residents that any new or expanded central water systems be sized so as to provide for the installation of fire hydrants. In addition, future systems should also be designed so that trunk water lines are looped or joined to existing systems wherever possible. This will ensure that any break in the system will affect as few users as possible.

P-8 In considering new or expanded central municipal water distribution systems, it shall be the intention of Council to provide for sufficient fire flows and the looping of trunk water lines wherever possible.

In early 1993, municipal staff expressed concern to Council about the lack of clear policy direction with respect to development accessing only central municipal water services. Central water service from the Pockwock water system had been extended to a number of areas located outside of designated serviceable areas where both municipal water and sewer services are required. The primary motivation in extending central water to these areas was to resolve identified water quality or quantity problems. However, the extension of trunk services to these areas also resulted in new development being able to access central water. The rapid rate of growth which central water seemed to encourage and the potential scale of development which could occur, coupled with the general lack of policy direction, caused staff to bring the matter before Council. Engineering concerns related to overall water system capacity and the adequacy of internal system design were significant issues as were planning considerations related to development patterns and the adequacy and demand placed on other services.

In the fall of 1993, following public input concerning the issue of central water, Council approved the designation of several Water Service Districts in areas served by the Pockwock water system. These Water Service Districts included areas to which central water only had already been extended or committed as well as areas where it was anticipated that central water would be required to resolve a community based water quality or quantity problem. Within the Planning Districts 14 and 17 plan area, Water Service Districts include Lakeview; Windsor Junction; and Waverley (see Map 5).

It is the intent of Council that central municipal water services will only be permitted within designated Water Service Districts. Council may, however, consider the expansion of existing Water Service Districts

or the establishment of new ones when satisfied that all engineering, financial, and planning concerns have been properly addressed.

P-8(a) It shall be the intention of Council to establish Water Service Districts for those areas to which central municipal water services only have or may be extended in the future, as shown on the Water Service District Map (Map 5). It shall be the policy of Council that the extension of central municipal water services shall not be permitted outside of designated Water Service Districts. It shall further be the policy of Council that within the Water Service Districts, central municipal water services shall be provided to all subdivisions adjacent to existing municipal water services and which propose to provide a new or extended public street or highway.

P-8(b) Notwithstanding Policy P-8(a), Council may consider amending this planning strategy and the Municipal Subdivision By-law to permit the expansion of existing or the establishment of new Water Service Districts. When considering new or expanded Water Service Districts, priority shall be given to:

- (1) areas identified as experiencing problems related to insufficient quality and/or poor quality of existing sources of water supply;
- (2) existing communities within a reasonable distance of the central water supply system where there is a demonstrated need and conditional upon the availability of water supply capacity; and
- (3) areas which would provide looping of existing infrastructure thereby enhancing reliability of the water system in the local area.

In addition to the priority criteria outlined above, it shall also be the policy of Council when considering the establishment of new or expanded Water Service Districts, to have regard to the following:

- (a) the engineering and financial implications of such extensions as identified by the Master Infrastructure Plan, Implementation Plan, and Financial Plan carried out pursuant to Municipal Services General Specifications;
- (b) the potential scale of such development and the effects which this may have on existing and future levels of services, as well as the development pattern which is desired and deemed appropriate within this plan area as well as the larger Municipality; and
- (c) environmental considerations related to the long term integrity of on-site sewage disposal systems as well as natural water drainage systems. (C-March 28, 1994 / M-April 15, 1994)

Waverley Water System

The Waverley water system was installed to overcome arsenic contamination in area wells. The water system consists of a sixteen inch trunk water line, extended from the Sackville system along Cobequid Road, through Windsor Junction to Waverley. Prior to the installation of the Waverley water system, there was considerable public discussion concerning the effects such a system might have on the future development of the Waverley area. Subsequently, a plebiscite was held and it was the broadly supported intention of the community that the new water system should not substantially alter the nature of the community. As a consequence of this public decision, the water system as designed by the Municipality and approved by a Public Utilities Board is limited.

The trunk main was reduced in size to an eight inch trunk line at the edge of the Waverley area, and only a limited standpipe system was installed for fire protection. The Waverley water system has the capacity to

accommodate approximately 625 residential connections⁴ within a defined service area.

- P-9 It shall be the intention of Council to reaffirm municipal policy and support the established community goals with regard to the provision of central municipal water services, by establishing the Waverley Water Service Boundary, as shown on the Environmental Health Services Map (Map #2). Furthermore, it shall be the intention of Council to prohibit the extension of municipal water services beyond the Waverley Water Services Boundary.

While the water system design allows for an initial 625 domestic connections, there may, in fact, be additional capacity. Average water consumption rates in areas with central water servicing but without central sewage collection have not been clearly established and will, therefore, require monitoring. Should actual consumption rates be less than those for which the initial design was intended, then a portion of the reserve capacity may become available for additional domestic connections within the Waverley water Service Boundary. Alternatively, when the initial 625 domestic connections have been placed in service, and should the remaining developable lands require less water capacity than the proven remaining capacity, it may be appropriate to consider expansion of the Waverley Water Service Area.

Although it may be appropriate to consider expanding the Waverley Water Service Boundary, there are important considerations which should be addressed. Most of the Waverley area is served by gravity flow from a 270,000 gallon storage reservoir located on a height of land overlooking the northern end of Lake William. However, a portion of the Silverside Subdivision located above the 155 foot contour is not served by gravity flow, and requires a pressure boosting pump. Expansion in this portion of the water service area could require substantial additional costs and should be discouraged. In addition, it may be the case that upon completion of consumption monitoring and the completion of the initial 625 service connections, additional water capacity may be available. Priority should be given to servicing the remaining undeveloped lands within the Service Boundary prior to consideration of any expansion of the boundary.

- P-10 It shall be the intention of Council to ensure an adequate supply of domestic water within the Waverley Water Service Boundary by monitoring domestic consumption, limiting service connections to the established initial design capacity and discouraging the installation of service connections for other than domestic and light commercial purposes. Upon the completion of the consumption monitoring program and when the initial service connection design capacity of 625 connections have been completed, it shall be the intention of Council to review the status of the Waverley Water System. Notwithstanding Policy P-9, Council may consider permitting additional service connections within the Waverley Water Service Boundary and/or the expansion of the Water Service Boundary.

- P-11 With regard to policy P-10, it shall be the intention of Council to only consider, by plan amendment, expansions of the Waverley Water Service Boundary into areas which are capable of being serviced by gravity flows from the existing reservoir or which do not require the construction of additional pumping stations. Furthermore, when considering any proposal to extend the Waverley Water Service Boundary, it shall be the intention of Council to consider:

- (a) the financial ability of the Municipality to absorb any costs relating to the extension;
- (b) the amount of vacant developable land which remains within the Water Service Boundary;
- (c) the type, and density of existing and proposed land uses to be served;
- (d) existing potable water contamination problems in the area under consideration; and
- (e) the capacity of the soils to absorb domestic sewage effluent in the area under consideration.

⁴ Design parameters and System Hydraulics, C.B.C.L., 1983.

**Attachment E - Proposed Amendments to the MPS for
Shubenacadie Lakes**

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 14 and 17 as enacted by the former Council of Halifax Municipality on the 2nd day of May, 1989 and approved by the Minister of Municipal Affairs on the 19th day of July, 1989 as amended, is hereby further amended as follows:

1. Section III, Special Area Designation of the Municipal Planning Strategy shall be amended by deleting the second paragraph of the section which begins with the words "The Special Area Designation" and ends with "PID#00527119" and replacing it with the following text:

"The Special Area Designation is intended to recognize the distinct characteristics and importance of these lands which include both existing and proposed park areas as well as the holdings of L Archibald Holdings Limited, PID#00527119."

2. Section III, Special Area Designation of the Municipal Planning Strategy shall be amended by deleting the section which begins with the words "C-I-L Lands" and ends with "on adjacent lands." and replacing it with the following text:

"L. Archibald Holdings Lands

A portion of the lands of L Archibald Holdings Limited (PID#00527119), located to the east and west of Rocky Lake Drive was formerly occupied by the Acadia Powder Works. In the late 1800s, black powder and later nitroglycerine were manufactured on these lands.

In the early part of this century (circa 1915), production ceased and most of the structures were removed. In 1935 newspaper reports indicated that a portion of the site had exploded, killing two members of a crew involved in site maintenance. The site is presently occupied by a number of explosives magazines.

Although modern explosive storage requirements are stringently regulated by the Federal Government, the previous history of these lands suggest that prior to the development of any use other than explosive storage, the site will require careful attention to remediation. In this regard, it is appropriate to establish a limited industrial zone on these lands within which explosives storage and related uses will be permitted.

If, at some future point, the landowner is able to satisfy the provincial Department of Environment with regard to the safety of the site, then Council may consider allowing residential land uses by development agreement."

3. Section III, Special Area Designation of the Municipal Planning Strategy shall be amended by deleting policies P-126 and P-127 which begins with the words "P-126" and ends with "the provisions of Policy P-155." and replacing it with the following text:

"P-126 Within the Special Area Designation, it shall be the intention of Council to establish the Waverley Comprehensive Development District (WCDD) Zone which shall permit uses related to the storage and distribution of explosives. Setback requirements shall be established which are related to the amount of explosive being stored. It shall further be the intention of Council that this zone shall be applied to the lands of L. Archibald Holdings Limited, PID# 527119.

P-127 It shall be the intention of Council that within a Waverley Comprehensive Development District

(WCDD) Zone in the Land Use By-law that low density residential uses, local commercial uses, home-based offices and small-scale bed & breakfasts the following uses be considered by development agreement according to the provisions of the Municipal Government Act . In considering such uses Council shall have regard to the following:

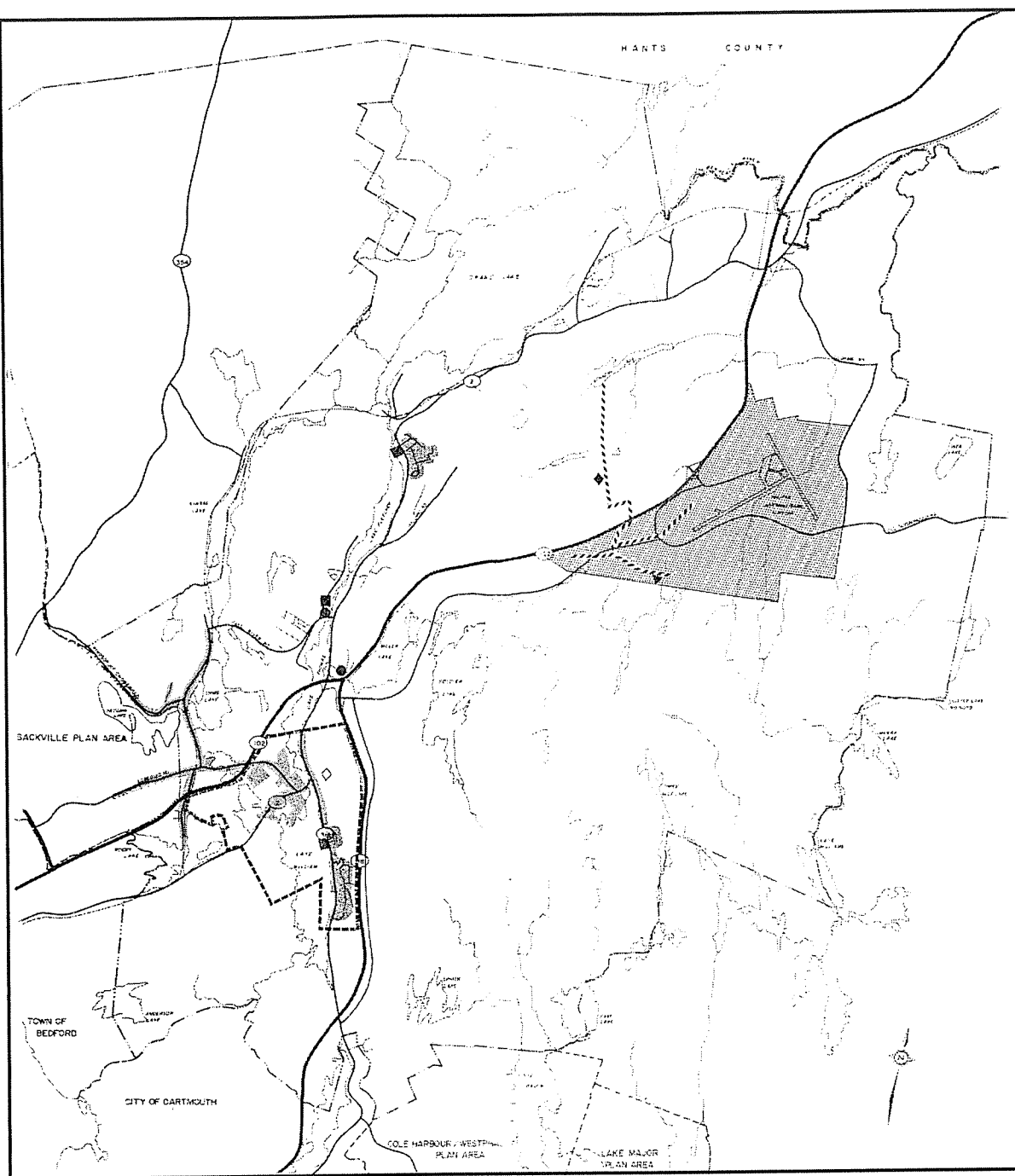
- (a) the types of land uses to be included within the development;
- (b) that a traffic impact study, where determined by the Municipality and/or the Nova Scotia Department of Transportation & Public Works, is submitted by the applicant to demonstrate that the proposed development will not reduce the "level of service" of the external transportation network below an acceptable "level of service" as defined by the Municipality and/or the Nova Scotia Department of Transportation & Public Works;
- (c) the phasing of the development to ensure that there are sufficient road capacity, school, recreation and community facilities and services to support the development in accordance with the financial capability of the Municipality to absorb any related costs;
- (d) that the proposed development suits the natural terrain and minimizes the negative impacts on the natural environment;
- (e) that the subdivision plan makes provision to retain and conserve existing significant natural features such as wetlands, floodplains, watercourses and other sensitive areas through site design that guides development away from these areas;
- (f) that the agreement has sufficient controls relating to the creation of non-disturbance areas and setbacks from watercourses;
- (g) that useable open space lands are adequately distributed throughout the neighbourhood(s) to meet the needs of the residents and to facilitate convenient access;
- (h) that the layout, design and hierarchy of roads and pedestrian facilities is adequate to service the proposed development and minimizes through traffic along on local streets within the proposed and adjacent subdivisions;
- (i) provisions for the proper handling of stormwater and general drainage within and from the development during the construction of houses and roads as well as the treatment of stormwater prior to discharge into a watercourse.;
- (j) the provision of landscaping and the retention of natural vegetation;
- (k) controls on the use of a temporary rock crusher in the construction of the residential subdivision in terms of hours of operation, minimum setbacks and buffering to provide a dust, wind and noise barrier;
- (l) that any environmental contamination on the site has been remediated to the satisfaction of the Municipality and the Nova Scotia Department of the Environment;
- (m) that if any environmental contamination remains on the site or adjacent to the site, that appropriate controls are placed on the development to ensure the protection of residents;
- (n) that all phases of the development are serviced by a new water service connection originating from the trunk water line on Lakeview Road which provides looping for the Waverley Water System and that such a system is designed and installed to the requirements of the Halifax Regional Water Commission and HRM;
- (o) that the developer has negotiated appropriate easements between the existing water line on Lakeview Road and the development;
- (p) that the agreement requires an appropriate capital cost contribution consistent with approved Capital Cost Contribution Policy for connections and extensions to Windsor Junction water system;

- (q) that any buildings or sites of historical significance are protected;
 - (r) that the road network for the development minimizes the impact of "train whistling" on the surrounding community;
 - (s) that the agreement prohibits the land uses within 800 m of an active rock quarry;
 - (t) that the existing explosive storage on the on the eastern side of Rocky Lake Road be discontinued when residential development is established on the portion of land to the east of Rocky Lake Road;
 - (u) that the existing explosive storage on the on the western side of Rocky Lake Road be discontinued when residential development is established on the portion of land to the west of Rocky Lake Road;
 - (v) any other matter relating to the impact of the development upon surrounding uses or upon the general community, as contained in Policy P-155"
4. Section IV, Implementation, Policy P-153 of the Municipal Planning Strategy shall be amended by deleting the words "within the Special Area Designation" and ending with the words "according to Policy P-127." and replacing it with the words "deleted."
5. Section IV, Implementation of the Municipal Planning Strategy shall be amended by adding a new section to Policy P-154 after the words "commercial recreation uses according to Policy P-145." as follows:
- “(g) Within the Special Area Designation:
- (i) low density residential land uses within Waverley Comprehensive Development District Zone according to Policy P-127.”
6. Map 2, the Environmental Health Services Map shall be deleted and replace with a revised Map 4 as attached as Attachment E-1.
7. Map 5, the Water District Map shall be deleted and replace with a revised Map 5 as attached as Attachment E-2.
8. Map 7, the Interim Growth Management Area shall be deleted and replace with a revised Map 7 as attached as Attachment E-3.

I HEREBY CERTIFY that the amendment to the Municipal Planning Strategy for Planning Districts 14 and 17 as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ____ day of ____, 2004

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of ____, 2004

Jan Gibson
Municipal Clerk














Municipal Planning Strategy

2

Environmental Health Services

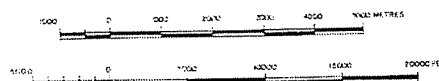
PLANNING DISTRICTS 14 & 17

Legend

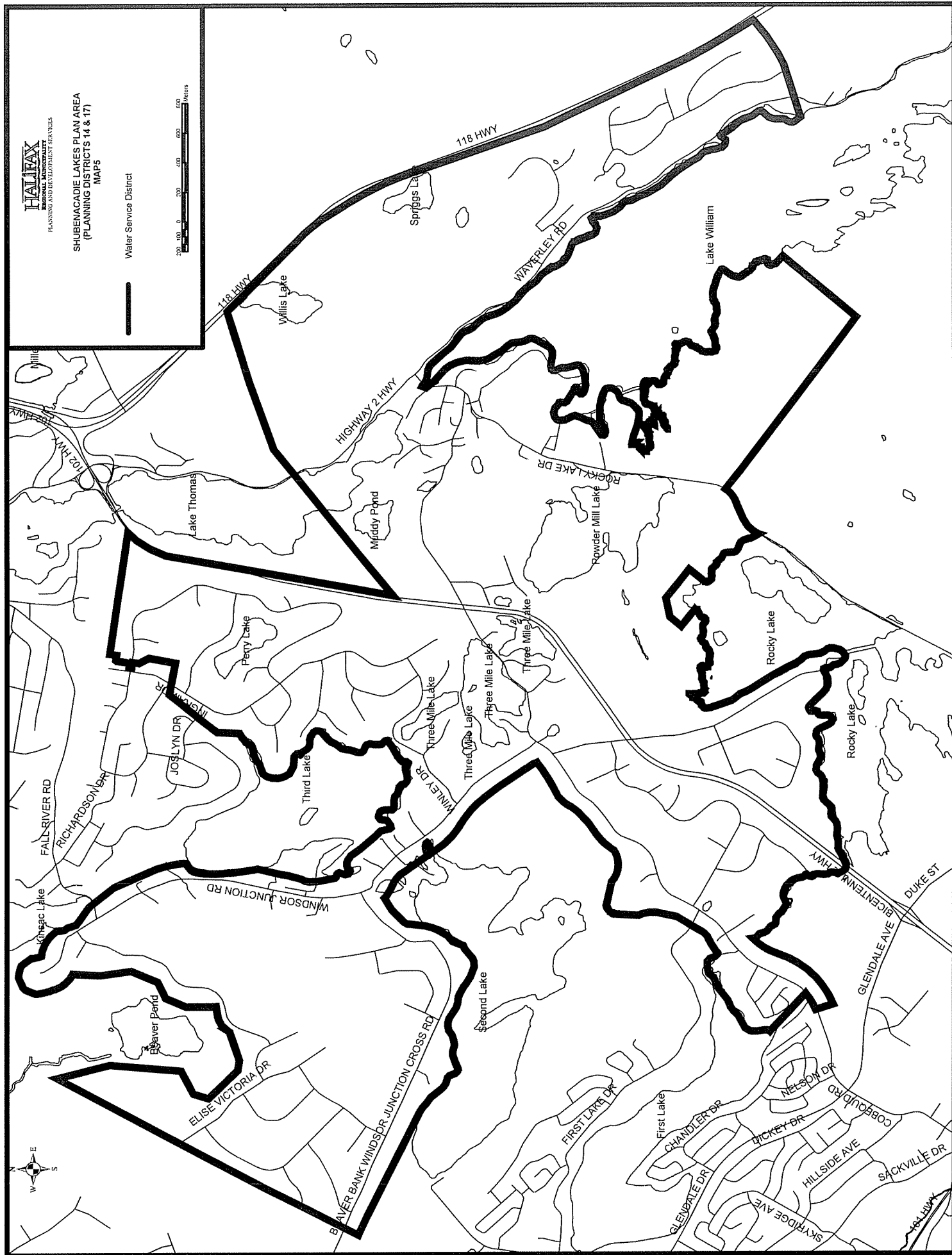
-  Central Municipal Water Service
 Central Municipal Sewerage Service
 Central Private Water Service
 Central Private Sewerage Service
 Waverley Water Service Boundary
 Waverley Water Service Reservoir
 Aerotech Business Park Reservoir and Booster Station
 Aerotech Business Park Water System
 Aerotech Business Park Sewerage Treatment Plant
 Airport Service Area
 Planning Districts 14 & 17 MFS Boundary

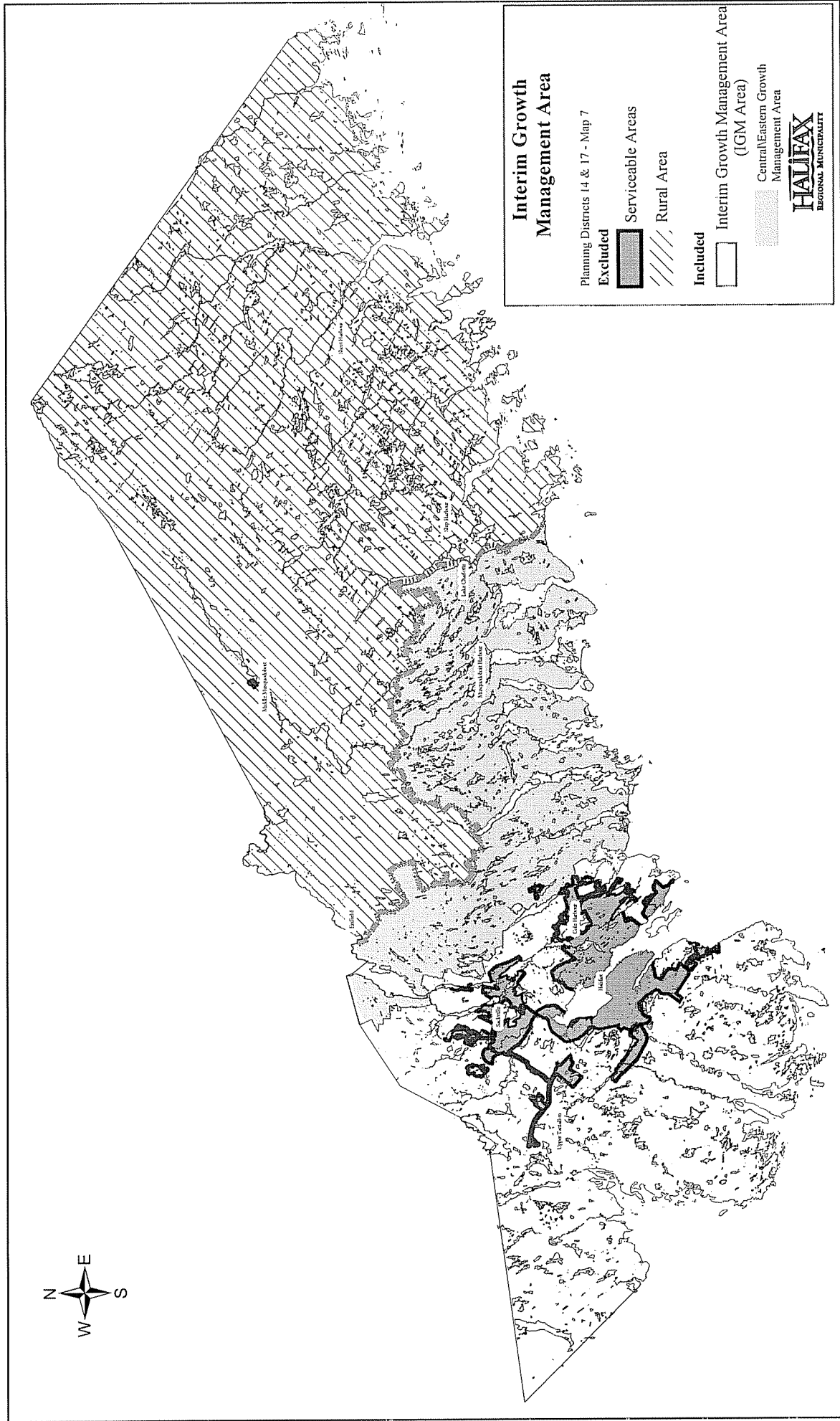
To _____, Director of the Municipality of
the County of Halifax, do hereby certify that we
received environmental health services, as was exp-
ected under the Municipal Planning Statute for
Planning District 1 and as passed by a majority
vote of the whole Municipal Council at the
meeting of the said date of Halifax on the ____ day
of _____, 1970.

SCALE 1 : 50000



MUNICIPALITY OF THE COUNTY OF HALIFAX
DEPARTMENT OF PLANNING AND DEVELOPMENT
POLICY DIVISION





Attachment F - Proposed Land Use By-Law Amendments
(Shubenacadie Lakes)

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 14 and 17 as enacted by the former Council of Halifax Municipality on the 2nd day of May, 1989 and approved by the Minister of Municipal Affairs on the 19th day of July, 1989 as amended, is hereby further amended as follows:

The Land Use By-law for Shubenacadie Lakes (Planning Districts 14 & 17) is hereby amended as follows:

1. The Table of Contents shall be amended by replacing the words "H-1 (Hazard) Zone" with "WCDD (Waverley Comprehensive Development District) Zone".
2. Part 3, Section 3.1 shall be amended by replacing the words "H-1 Hazard Zone" with the words "WFCDD Waverley Comprehensive Development District".
3. Part 3, Section 3.1 shall be amended by deleting the text "H-1" and replacing it with "WCDD".
4. Part 3, Section 3.1 shall be amended by deleting the text "Hazard Zone" and replacing it with "Waverley Comprehensive Development District".
5. Part 3, Section 3.6 shall be amended by adding the following clause prior to Section 3.7 as follows:

 “(u) low density residential land uses within Waverley Comprehensive Development District Zone according to Policy P-127.
6. Part 21 of the Municipal Planning Strategy shall be deleted and replaced with the text as attached in Attachment F-1:
7. Schedule E1 of the Planning Districts 14 and 17 Zoning Maps shall be amended as indicated on the attached Attachment F-2.

I HEREBY CERTIFY that the amendment to the Land Use By-law for Planning Districts 14 and 17 as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ____ day of ____, 2004

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of ____, 2004

Jan Gibson
Municipal Clerk

Attachment F-1

PART 21: WCDD (WAVERLEY COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

21.1 WCDD USES PERMITTED

No development permit shall be issued in any WCDD (Waverley Comprehensive Development District) Zone except for the following:

Residential Uses

Single unit dwellings

Two unit dwellings

Local commercial uses not exceeding two thousand (2000) square feet

Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings

Home Business

Bed and Breakfasts in conjunction with permitted dwellings and with a maximum of three (3) units for rental

Institutional Uses

Industrial Uses

Existing Explosive storage facilities and related office, security and transportation facilities

21.2 WCDD REQUIREMENTS

In any WCDD (Waverley Comprehensive Development District) Zone no development permit shall be issued for Residential Uses except in conformity with the development agreement provisions of the Municipal Government Act and Policy P-127 of the Municipal Planning Strategy.

21.2 WCDD ZONE REQUIREMENTS(INDUSTRIAL USES)

In any WCDD Zone, no development permit shall be issued except in conformity with the following:

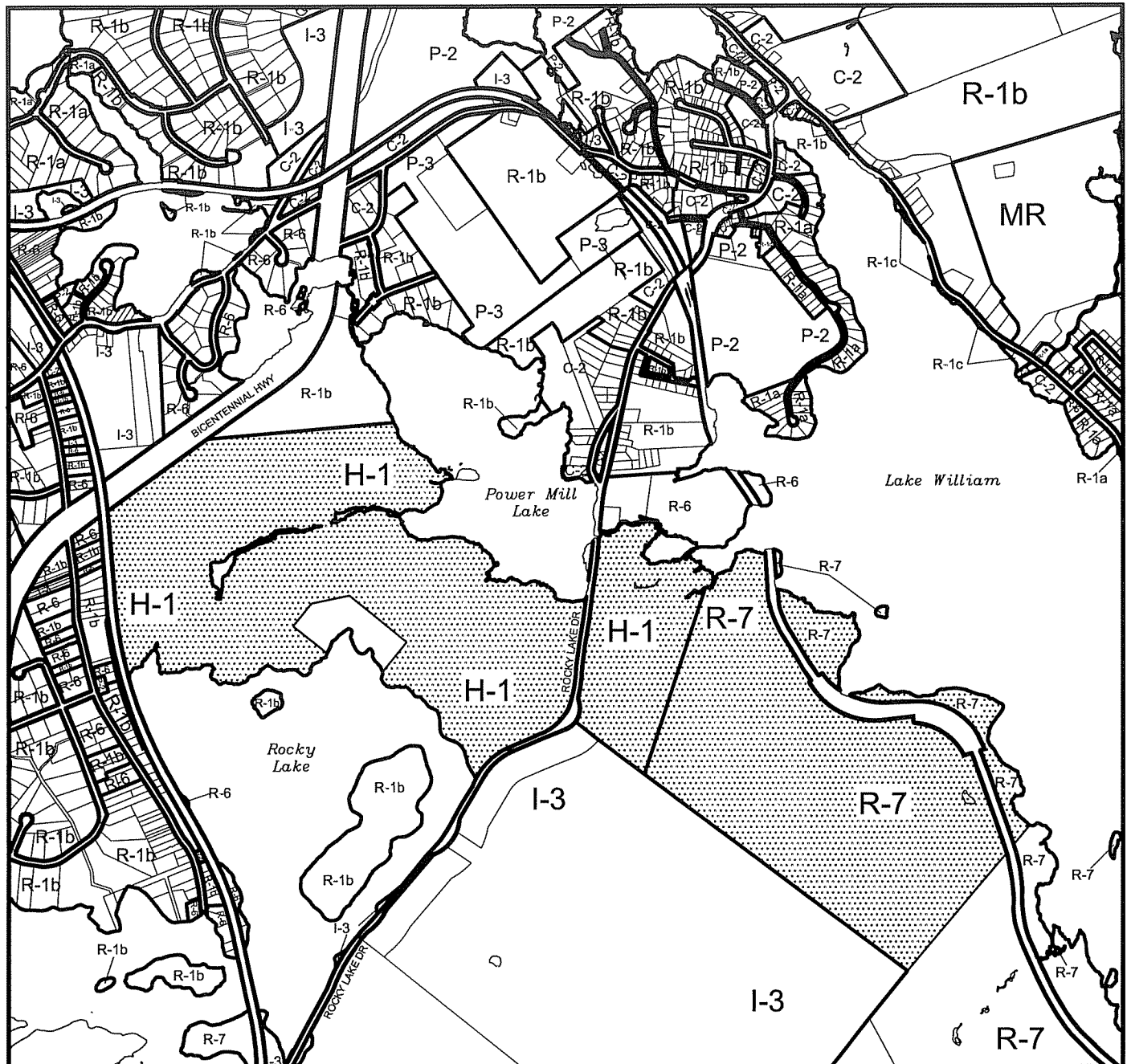
Minimum Lot Area	80,000 square feet (7,432 m ²)
Minimum Frontage	120 feet (36.6 m)
Minimum Front or Flankage Yard	50 feet (15.2 m)
Minimum Rear Yard	50 feet (15.2 m)
Minimum Side Yard	50 feet (15.2 m)
Maximum Height of Main Building	35 feet (16.7 m)

21.3 OTHER REQUIREMENTS: EXPLOSIVES STORAGE


Where any structure is to be used for the storage of explosives in any WCDD Zone, the following shall apply:

Weight of Blasting Explosives And Related Explosive Accessories		Required Front, Rear and Side Yards	
Pounds	(Kilograms)	Feet	(Metres)
110.23	(50)	75.46	(23)
220.46	(100)	75.46	(23)
440.92	(200)	85.30	(26)
551.15	(250)	98.43	(30)
661.38	(300)	111.55	(34)
881.83	(400)	134.51	(41)
1102.29	(500)	154.20	(47)
1322.75	(600)	173.88	(53)

1763.67	(800)	213.25	(65)
2204.59	(1000)	246.06	(75)
4409.17	(2000)	393.70	(120)
8818.34	(4000)	574.15	(175)
11022.93	(5000)	623.36	(190)
13227.51	(6000)	656.17	(200)
15432.10	(7000)	688.98	(210)
22045.86	(10000)	787.40	(240)
44091.71	(20000)	984.25	(300)
55114.64	(25000)	1049.87	(320)
66137.57	(30000)	1115.49	(340)
88183.42	(40000)	1246.72	(380)
110229.27	(50000)	1345.14	(410)
220458.55	(100000)	1722.44	(525)
330687.83	(150000)	1929.13	(588)



Attachment F-2 Zoning

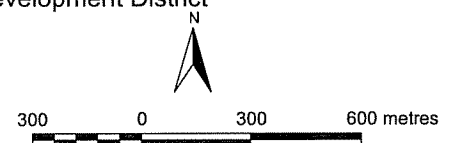
 Area to be rezoned from
H-1 and R-7 to WCDD

R-1a Single Unit Dwelling Zone
R-1b Suburban Residential Zone
R-1c Waterfront Residential
R-6 Rural Residential Zone
R-7 Rural Estate Zone

C-2 Community Commercial Zone
P-2 Community Facility Zone
P-3 Mixed Industrial Zone
H-1 Hazard Zone
I-3 Light Industrial Zone

WCDD Waverley Comprehensive Development District

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES



Attachment G - Proposed Subdivision By-Law Amendments

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Halifax Regional Municipality Subdivision By-law as enacted by the former Council of Halifax Municipality in December of 1984 and approved by the Minister of Municipal Affairs on the 31st day of December, 1984 as amended, is hereby further amended as follows:

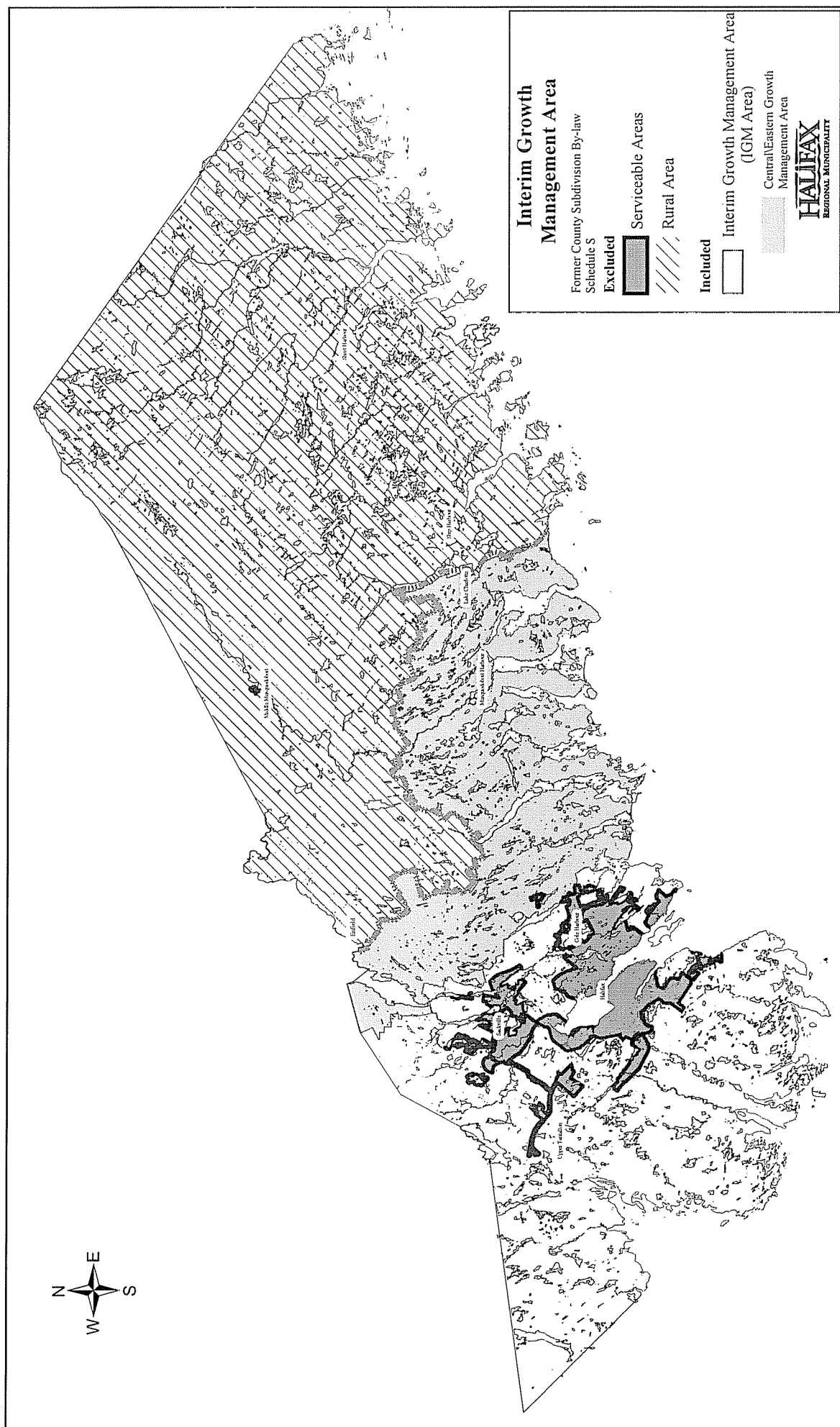
1. Schedule "K", Beaver Bank-Windsor Junction to Waverley Water Service District shall be deleted and replace with a revised Schedule "K" as attached as Attachment G-1.
2. Schedule "S", Interim Growth Management shall be deleted and replace with a revised Schedule "S" as attached as Attachment G-2.

I HEREBY CERTIFY that the amendment to the Halifax Regional Municipality Subdivision By-law as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the ____ day of ____, 2004

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this__ day of _____, 2004

Jan Gibson
Municipal Clerk





Attachment G-2
Schedule S Interim Growth Management Map