

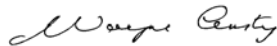
Halifax Regional Council
February 5, 2008

TO: Mayor Kelly and Members of Halifax Regional Council



SUBMITTED BY:

Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: January 21, 2008

SUBJECT: **Case 01101: Wentworth/Bedford South Secondary Planning Strategies - Development Prior to Interchange at Highway 102**

ORIGIN

At the December 11, 2007 North West Community Council (NWCC) meeting, Council requested staff to consider an amendment to Policy MS-7 of the Bedford South Secondary Planning Strategy (SPS) to allow for more than 2000 units to be constructed prior to the construction of an interchange at Highway 102 and Larry Uteck Boulevard (Attachment A).

RECOMMENDATION

It is recommended that Regional Council:

1. Approve initiation of the process to amend the Secondary Planning Strategies for Wentworth/Bedford South to enable Council to consider more than 2000 units prior to the construction of an interchange at Highway 102 and Larry Uteck Boulevard; and
2. Adopt the public participation program as shown in Attachment B.

BACKGROUND

The Bedford Municipal Planning Strategy (MPS) contains the Bedford South Secondary Planning Strategy (SPS) and the Halifax MPS contains the Wentworth SPS. These planning strategies lay out the concept for serviced subdivision development for lands between the Bedford Highway and Highway 102 and between the Royale Hemlocks and Crestview subdivisions. The SPSs provide that all development in the Bedford South/Wentworth area is to be done in a comprehensive manner through a development agreement process. Policy MS-7 (refer to Attachment C) places controls on the number of units which can be developed in the area prior to the construction of an interchange at Highway 102 and connecting street to Larry Uteck Boulevard.

These Plan policies are intended to protect the integrity of the Bedford Highway and ensure that its traffic capacity is not exceeded during the development of lands within the SPSs. At the time the policies were drafted and, based on the traffic analysis provided during the master plan process, a defined limit of 2000 units in the Wentworth/Bedford South and Royale Hemlocks areas was determined to be an appropriate level of development prior to the interchange. This calculation took in to account anticipated growth in other areas which would use the Bedford Highway as well.

There have been numerous rezoning and development agreement requests in the Wentworth/Bedford South area and areas surrounding the SPSs. Proposals within Wentworth/Bedford South are subject to review under Policy MS-7, while those outside this area are subject to more general policy relating to traffic constraints. This general traffic policy requires that every proposal be reviewed for traffic implications and allows proposals to proceed where there appears to be capacity available and where the impacts of such development can be mitigated. One such proposal is Case 00965, a request by Kimberly-Lloyd Developments Ltd. before Chebucto Community Council, to allow the development of the last 48 dwelling units in the Royale Hemlocks subdivision prior to the interchange.

To date, in excess of 2000 dwelling units have been enabled by development agreements in the vicinity of Wentworth/Bedford South. However, many of these approved units have yet to be built. Recent projections, prepared by staff, anticipate only 1946 of the units within both the Royale Hemlocks and Wentworth/Bedford South areas to be constructed by the time the interchange is to be in place in January 2010. A table illustrating the number of units permitted versus the anticipated rate of construction is provided in Attachment D.

Through a previous planning application for Bedford South, Neighbourhood B (Case 00624) staff suggested that Council could exceed the 2000 unit threshold because it was anticipated that all the units permitted at the time would not actually be constructed and occupied before approval or construction of the interchange. Staff believe that this approach should be reflected in plan policy before other applications are considered by Council.

DISCUSSION

In order for staff to recommend considering a change to the MPS, there must be a change in circumstance or a significantly different situation from what the plan policies anticipated. Staff have reviewed policy MS-7 relative to this criteria and offer the following:

1. The 2000 unit limit for development may have been valid when the policy was drafted, however, if assumptions made during the master plan, such as anticipated background growth did not materialize, the limit may not be valid today. Several applicants and potential applicants have suggested, with supporting traffic analysis, that there is the ability to exceed the 2000 unit limit as there is available road capacity.
2. It is anticipated that the proposed interchange at Highway 102 and Larry Uteck Boulevard will be constructed by January 1, 2010, subject to funding approval by the three levels of government. To date, there has been significant progress in acquiring cost sharing funding from the Province and the Federal governments. The Provincial government has agreed to build and operate the interchange and has prioritized it in the federal government funding program, on a cost-sharing basis of one-third federal funds, one-third provincial and one-third municipal. The HRM share will be funded through the Q-133 Bedford South Interchange Reserve and the Capital Cost Contributions made by developers.
3. Accepted practice in other plan areas is to not provide specific limits on the number of dwelling units to protect the road network, but rather to employ a risk management approach. This method analyses the capacity of the road network to handle the traffic volumes from a development, determines the upgrades needed and allows development in a phased manner while incorporating any required improvements. The use of existing road infrastructure is maximized, timed improvements are ensured and maximum build-out is accommodated prior to improvements being made. This approach allows development to happen on a first come, first served basis. Further, once the maximum development threshold is reached, it allows staff and Council the ability to prohibit or limit new development until improvements are made which make additional capacity available.

The proposal by North West Community Council to have staff review policy MS-7 within the Bedford South SPS and Wentworth SPS appears reasonable and furthers the intent of these plans to ensure a balance between the need for growth in the subject areas and the ability of the road network to handle the relating traffic. Initiation of the process to consider the proposed SPS amendments for this request is appropriate at this time.

If initiated, a Public Participation process will be initiated to gather comments from the public on this issue. Further a detailed report analysing the proposal will be prepared and presented to Council at a later date.

To obtain feedback on this issue, staff would engage the public through the public participation program as shown in Attachment D. Given that the proposal is to amend two Secondary Planning Strategies in immediate proximity to each other, staff is proposing to vary from the standard public participation program, and hold a single public participation meeting at a centrally accessible location rather than one meeting in each plan area.

BUDGET IMPLICATIONS

None. The costs to process this planning application will be covered under the C310 operating budget.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

ALTERNATIVES

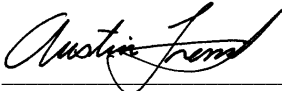
1. Council may choose to initiate the MPS amendment process. This is the recommended course of action.
2. Council may choose not to initiate the MPS amendment process. Council is under no obligation to initiate a process to amend an MPS or to adopt requested amendments.


ATTACHMENTS

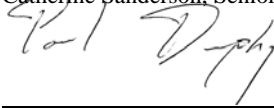
Attachment "A"	Motion of North West Community Council - December 11, 2007
Attachment "B"	Public Participation Program
Attachment "C"	Policy MS-7 of Bedford South SPS and Wentworth SPS
Attachment "D"	Approved Dwelling Units - Wentworth/Bedford South Area

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

Report Prepared by: Andrew Bone, Senior Planner, 869-4226

Report Approved by: 
Austin French, Manager, Planning Services, 490-6717

Financial Approval by: 
Catherine Sanderson, Senior Manager, Financial Services, 490-1562

Report Approved by: 
Paul Dunphy, Director, Community Development

Attachment "A"
Motion of North West Community Council
December 11, 2007

“Motion passed directing staff to initiate a plan amendment process that re-evaluates the amount of development that can occur near or within Bedford South and Royale Hemlocks Subdivision while protecting traffic capacity on the Bedford Highway. Further, as part of the process, staff will give high priority to permitting the 44 residential units within the Southgate development on the Bedford Highway.”

Attachment "B"
Public Participation Program

Purpose:

To obtain input from the general public on amendments to the Bedford South and Wentworth Secondary Planning Strategies (SPSs) in order to consider changes to Policy MS-7 of the plans.

Process:

Staff is recommending a single public participation program for these two plan areas be initiated. The single process would allow the proposed amendments to be presented, discussed, and considered as a comprehensive package.

Jurisdiction:

An amendment to an individual MPS is currently a Regional Council issue, and the public participation process is generally handled on a community basis through discussions with individual communities and Community Councils as detailed in the Public Participation Program approved by Council in February 1997. Where the proposal is to amend two adjacent SPSs, staff is recommending minor changes to the public participation program, specifically the holding of a single public participation meeting in a centrally located facility. Nothing in this public participation program precludes Regional Council's ability to take other measures to obtain public opinion.

Proposed Steps:

Step 1: Consultation: Public Participation Meeting

The proposal would be presented to the public through a single public meeting being held in a location central to both plan areas. The meeting would be led by staff.

Step 2: Planning Advisory Committee & Community Councils

The North West Planning Advisory Committee would be invited to provide comments to staff following the public meeting. Once drafted, detailed policy would be presented again to the Planning Advisory Committee and subsequently to the Community Councils.

Step 3: Regional Council

The results of the public participation program would be sent to Regional Council for their review and direction. Regional Council could require that:

- i) further information be provided; and/or
- ii) additional input be obtained prior to making any recommendation.

When Regional Council is satisfied with the proposed amendments to the various Secondary Planning Strategies, Council would set the date for a public hearing and move 1st Reading on the proposed SPS amendments.

Attachment "C"
Policy MS-7 of Bedford South SPS and Wentworth SPS

Policy MS-7:

No development agreement shall be approved which would permit building permits to be granted for more than 2,000 housing units within the master plan area and the abutting Royale Hemlocks Subdivision unless:

- d) the interchange has been constructed and connected to Larry Uteck Boulevard or the financing for the interchange and roads has been secured, a time frame for implementation agreed upon; and
- e) consideration is given to the transportation improvements¹ recommended by the Prince's Lodge/ Bedford South Transportation Study or any other transportation study available to the Municipality. A development agreement application shall not be approved where a traffic study concludes that the level of service for any road within the secondary planning strategy or connecting to the abutting road network does not conform with the performance criteria established under the Municipality's Guidelines for Preparation of Traffic Impact Studies and the applicant shall be required to provide the analysis, prepared by a qualified consultant, needed to make such a determination. Without limiting the generality of the foregoing statement, particular consideration will be given to traffic impacts on the Bedford Highway, Nine Mile Drive and Oceanview Drive.

¹These improvements, which include a left turn lane at Kearney Lake Road and Bedford Highway and traffic signals at Bedford Highway and Larry Uteck Blvd., have been completed.

Attachment "D"
Approved Dwelling Units - Wentworth/Bedford South Area

Subdivision	Max No. Units Permitted	No. of Units with Issued Permits December 2007	Anticipated No. of Units with Issued Permits by January 1, 2010
Royale Hemlocks	1150	1032	1150
Bedford South - Neighbourhoods A and C	556	493	556
Bedford South - Neighbourhood B	669	0	240
Total	2375	1525	1946