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Item No. 4

Halifax Regional Council
March 3, 2009

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Paul Dunphy", written over a horizontal line.

Paul Dunphy, Director of Community Development

DATE: February 4, 2009

SUBJECT: Case # 01152 - MPS Amendment, Timberlea/Lakeside/Beechville

INFORMATION REPORT

ORIGIN

August 5, 2008 Motion of Regional Council directing staff to initiate the process to consider amending the Timberlea/Lakeside/Beechville Municipal Planning Strategy to provide for Light Industrial Uses on properties located at 1024 - 1036 St. Margarets Bay Road, Beechville.

BACKGROUND

The lands in question are the first properties encountered along the St. Margarets Bay Road entering the community of Beechville from Halifax. The lands include four properties with a total area of 10.27 acres and more than 700 feet of frontage on the St. Margarets Bay Road and are bounded to the west by Highway 103. (See Map 1) The lands are designated Urban Residential and zoned R-1 (Single Unit Dwelling). Lands immediately to the west include Beechville Estates and are zoned CDD (Comprehensive Development District). Beechville Estates is a residential subdivision containing 445 residential units and the Ridgecliff Middle School.

The landowners of the properties had requested a re-designation of their properties from Urban Residential to the Industrial to permit a rezoning to the I-1 (Light Industrial) zone. The rezoning would then permit the development of self storage facility.

DISCUSSION

On September 10, 2008 a public meeting was held to discuss the proposal. Minutes of the meeting are included in Attachment A. The meeting was very well attended and the majority opinion regarding the proposal reflected clear opposition. During the meeting, residents of Beechville Estates submitted a petition with 282 signatures strongly opposing the application. Since the meeting, staff have continued to receive feedback from residents of Beechville Estates stating their opposition to the application. The landowners and their representative are aware of the residents opposition and have determined that light industrial uses are no longer feasible or desirable on the properties.

The landowners believe there is sufficient development potential for mixed use residential and local commercial uses on the property. These types of developments can be accommodated within comprehensive development districts. The rezoning of the property from the R-1 (Single Unit Dwelling) Zone to the CDD (Comprehensive Development District) Zone is a matter that can be considered pursuant to Policy UR-11 of the Timberlea/Lakeside/Beechville MPS. Accordingly, an amendment to the MPS is not required and staff have closed Case # 01152. Should the landowners make an application to rezone the properties to CDD, the proposal can be considered by Western Region Community Council.

BUDGET IMPLICATIONS

None. The costs to process this application can be accommodated within the approved 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.

ATTACHMENTS

Map 1	Location and Zoning Map
Attachment A	Minutes of September 10, 2008 Public Meeting

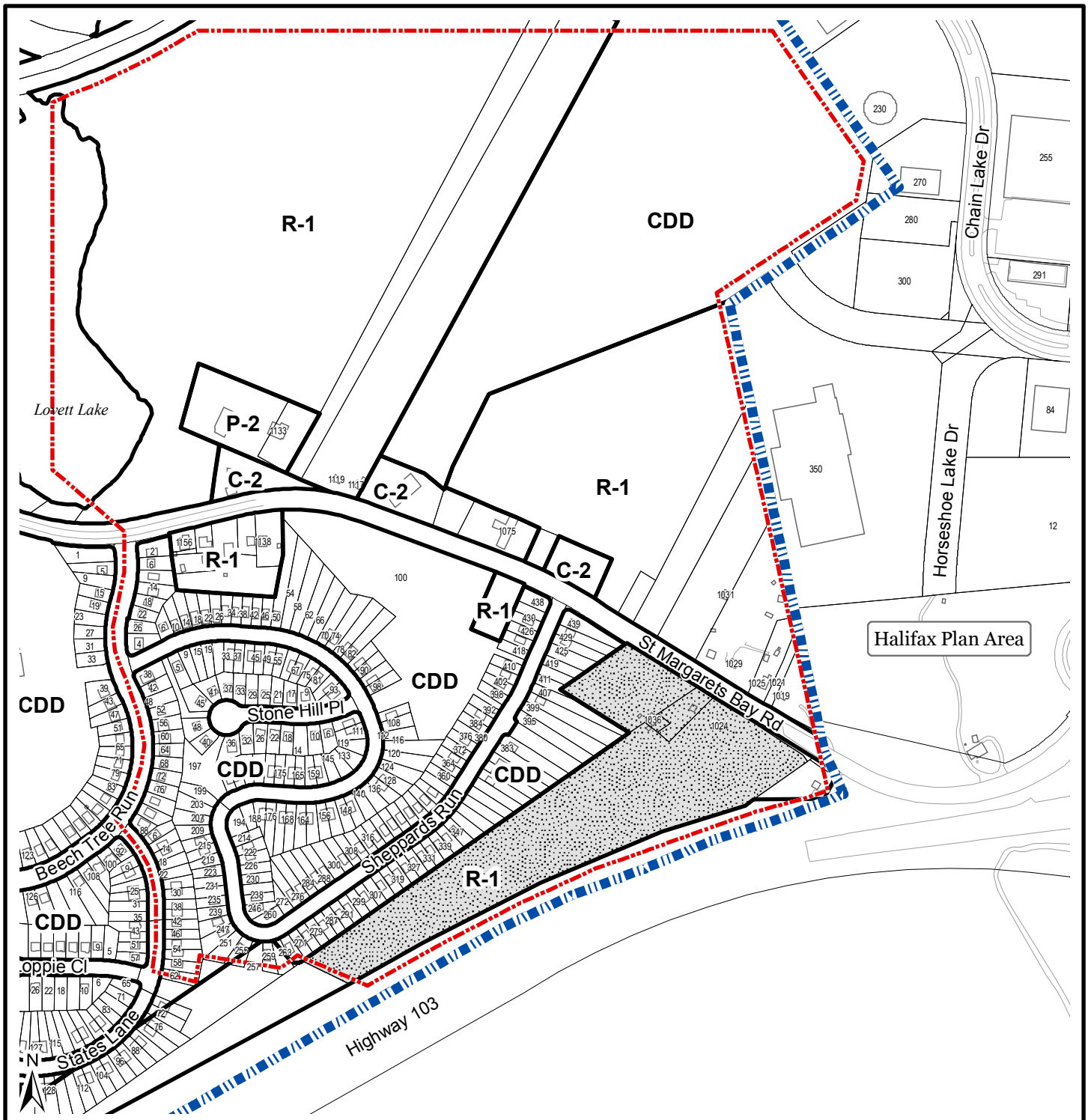
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Brian White, Planner , 490-4793

Report Approved by:





Austin French, Manager, Planning Services, 490-6717




Map 1 - Location and Zoning

1024-1036 St Margarets Bay Road
Halifax

 Area of notification

 Subject area


 Plan area boundary

Timberlea/Lakeside/Beechville
Plan Area

Zone

R-1	Single Unit Dwelling
C-2	General Business
I-1	Light Industry
P-2	Community Facility
CDD	Comprehensive Dev. District

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

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This map is an unofficial reproduction of a portion of the Zoning Map for the Timberlea/Lakeside/Beechville Plan Area.

HRM does not guarantee the accuracy of any representation on this plan.

**Attachment A - Minutes of September 10, 2008 Public Meeting
Case 01152**

In attendance: Councillor Rankin
Brian White, Planner, Planning Applications
Gail Harnish, Planning Services
Alonzo Wright, representing the landowners

Call to order

Mr. Brian White called the public meeting to order at approximately 7:00 p.m. at the Lakeside Fire Hall. Tonight's meeting is regarding Case 01152, an amendment to the Timberlea, Lakeside, Beechville Municipal Planning Strategy (MPS) to provide for light industrial uses at 1024-1036 St. Margarets Bay Road in Beechville.

Overview of planning process

Mr. White noted he has had many emails and phone calls about this case suggesting this is already a done deal. Quite to the contrary, coming out to the public to find out the concerns is the first step. He reviewed the MPS amendment process:

- following tonight's public meeting, there is a detailed review of the application
- a staff report, with a recommendation, is tabled with Western Region Community Council
- Community Council will forward its recommendation to Halifax Regional Council
- Regional Council will either reject the application or it will schedule a public hearing
- following the public hearing, if one is held, Regional Council will make its decision
- if the amendments are approved by Regional Council, they are forwarded to the Province for review
- the amendments become effective at the time we place the notice of approval ad

Mr. White advised the proposal includes four properties. There are two residential dwellings on a little over ten acres of land with 700' of frontage on the St. Margarets Bay Road. The lands abut the 103 Highway, Beechville Estates, and is across the street from the Bayers Lake Business Park. The land has been zoned R-1 since about 1982 or earlier.

Mr. White showed a map of the area, a photo of the site from the St. Margarets Bay Road, a photo of the property looking southeasterly looking at the back of the homes on Sheppards Run with the 103 off in the distance, a photo of the property looking towards the Irving station, and a close up view of the 103 and Sheppards Run off behind the trees.

Mr. White indicated he heard from numerous people. People are voicing concerns such as decreased property value, loss of buffer behind their properties, perceived nuisance factors with the proposed self-storage facility, noise, and traffic congestion on the St. Margarets Bay Road.

Mr. White advised from a planning perspective, some of the various land use controls staff are reviewing include site plan approval where the Development Officer can get into detailed site planning techniques, as well as amendments to the current land use by-law, rezoning of the property, and development agreements.

Mr. White noted there are development controls, for example, in the I-1 Zone that indicate no building or structure shall be located within 50' from the residential zone, and no outdoor storage shall be located less than 25' from the residential zone.

Councillor Rankin indicated he wanted to speak to what he understood the process is. A resident of Beechville Estates wrote to him this evening and five or six residents emailed him in the last couple of days.

Councillor Rankin read into the record an email from Shawn Beaulieu.

"I was wondering what can be done to prevent them from changing the zone classification of the specified property to prevent them in building the self-storage facility. I am presently deployed in the Persian Gulf with the Navy. I found out about this bad news from three of my colleagues on board ship that also live on Sheppards Run.

When we purchased our properties, we were told that the land in the back of the houses wouldn't be cut and be left as a green belt. Cutting these trees and building this self-storage unit will cause traffic issues in the neighbourhood. It will also ruin the beauty of Beechville and increase the traffic noise! Why remove the little bit of nature we have in the area!

Is there the possibility of having you fight for us against this proposal! We would love to go to the meeting but it's kind of hard when we are over seas fighting the war on terrorism."

Councillor Rankin then read into the record his response.

"Let me right off respond to your concerns (and through you, to your colleagues). The meeting tonight is a public review. As such (really by definition) a part of the essential municipal legislative process to importantly provide a public opportunity for the public to express their opinions/questions and concerns. And to expect responses from the applicants and/or our staff.

What this meeting is not about (public review) is for municipal council to make a decision tonight. They will not be there nor expected.

But importantly, what is important is that the municipal staff member will be there to represent the public interest - and in that important regard, consider all the public presentations, all relevant policies and subsequently prepare a professional staff report to regional municipal council for their consideration.

The decision then is with all of regional council including considerations to reject, approve or amend the application. And should council consider a possible approval, that would require a public hearing with a full opportunity for our public to speak.

And in terms of timeline, I do not see that report coming to regional council until early December and if going forward, a public hearing sometime late January or early February next year.

The municipal legislative process governing all our land use by-laws allows for an applicant to apply for such an application. As indicated above, the processing of the application in no way whatsoever indicates approval (or bias) by this Councillor, Council, staff and the Municipality.

Hope this helps - and if a bit of comfort, a number of your neighbours are writing to me with similar concerns (and I may share this response with them)."

Presentation of proposal

Mr. Alonzo Wright said he grew up in the City of Halifax. In particular, he grew up in Uniacke Square and was raised with six brothers and one sister. His mother who is there today is from Beechville and grew up and lived in Beechville most of her life. She grew up in the little house on the hill. It used to be white but is now dingy grey and housed about sixteen children including his mother. She and the rest of his aunts and uncles grew up here and his older sister lives there today. There is a connection between him and the landowners. He was speaking on behalf of Deacon and Les Dorrington. He lived in Beechville all his life and is about 80 years young. He raised his family there and his wife recently passed away. The other individual is Herman Cox. He is one of the owners of the property at 1024 St. Margarets Bay Road which is the Richard Hamilton Estate property. Mr. Cox is also in his 80's and has been a long time resident of Beechville and married his mother. The other person is Eric Murphy, who is here and is one of the owners of 1024 St. Margarets Bay Road and a long time resident of Beechville.

Mr. Wright stated they are ecstatic that everybody came here tonight to take part in this process for the little community of Beechville and happy they have such a great interest in this property. The history in the black community has not always been accepted when it comes to the property. The Africville community was a black community that was in the City of Halifax and eventually got expropriated to make way for a bridge. If you have been there lately, you'll see the bridge does not affect that property.

Why did they ask me to speak - because they wanted him to tell them what it is they are doing, and the efforts they have made to make sure the property they own is going to be developed in a manner they approve of and they will look back on with some pride and respect. They live in Beechville now, they love Beechville, and they will continue to consider themselves residents of Beechville even if they were to develop this property. They approached him almost 1.5 years ago with the idea that it was time for them now to move on and to start realizing their property value and start to live a half decent life. They asked how to go about the process. They decided to take it to the residents

in Sheppards Run and say the property is for sale. He visited the developers among others and said here is the property, and they asked him to come here on their behalf to see their reaction. They sent letters and said they were not interested because of its proximity to the highway, and if they were to develop it, the cost benefit would not be there in terms of the amount of residential they would want to get in there. That option is not viable.

Mr. Wright said he then went back to the property owners and said they could develop it and start a commercial business on it and worry about the City and rezone it later on as people have done in Beechville. The reaction was no, they wanted to do this right and not have the City shut them down and take this away. He asked if they would be interested in proceeding with a rezoning which will be a lengthy and involved process. Their unanimous reaction was yes if it meant it would be done properly.

Mr. Wright noted that brings us to the rezoning application. They said what type of business would work well in here and which they would look back on with some pride and understand they made a right, good and just decision to develop this property. A number of bidders came forward and one of them was for a self-storage facility. They met with the developer and explained the concerns of the property owner. They decided they wanted to leave something that was respectable and looked half decent and would look worthwhile in their community. He went back to the landowners and they agreed they could live with it.

Mr. Wright indicated he then met with Brian White to see what they needed to do to start this application. He went through the chart and was told he needed a few things. One of them was a site plan. One of the pictures in the slide show was their site plan. That involved meetings with engineers who developed the site plan for a self-storage unit. You will note there is a proposal for future development at the back portion.

Mr. Wright noted the current plan calls for the area shown in yellow. They want to start as soon as possible. The engineers talked about what setbacks they wanted and needed. One of the important things they said to the engineer was that the self-storage unit had to be as close as possible to the 103 because this would allow as much area as possible behind the residential and the self-storage units. The buffer zone was 10 metres of residential property. This 10 metres of their property gets chopped off and becomes the buffer zone. After coming back with this site plan, the engineers said this is what they have come up with, which looked fine. It has a buffer zone in the front which shelters it from the 103 highway.

Mr. Wright advised they hired another engineer to make a traffic impact statement. This engineer is specialized in traffic and how it impacts upon an area. They had a traffic impact study done and it indicated there will be little, if any, impact with a self-storage facility being in this area.

Mr. Wright stated they have provided the traffic impact statement and the site plan, and now they are here. In terms of the concern about the greenbelt, he thought they addressed that with a buffer zone that would remain. The concern about the traffic impact has been addressed.

Questions and comments

Mr. Charles Murphy questioned how he would like to look up in the morning and see this building blocking his view. Also, in ten to twenty years when the building is beat up and there are trucks and noise, when the trucks are doing their salting at 2 o'clock in the morning.

Mr. Wright responded he could appreciate his concern about waking up to a salt truck driving by his front door in the winter time. He woke up to it everyday as do most of them living near the roadway. Sometimes he slept through it. In terms of whether or not the building becomes dilapidated, he could not look into the future and see what happens to the building. The people on board with this project are not a fly by night company. They are not a company who owns and runs dilapidated self-storage units. They are very professional and it is the plan to put in a very professional and well run facility. He could not say what the building would look like in ten to twenty years.

Mr. Murphy said they are talking about trucks that take time to warm up and make noise and pollution. There could be ten to fifteen trucks. He could guarantee if the property is not rezoned that it would look as beautiful as it is today.

Mr. Wright questioned when he was last up on that property. People have gone up there and simply dumped their loads of garbage there. Right now if you let your children play there, you run a very serious risk of them being hurt. There is garbage up there. It is not pristine. It is a typical example of a community where people simply do not care and they dumped their garbage up there on these people's properties which they have owned for over 100 years.

Ms. Marie-Claude Lanouette stated she represented a lot of people who could not come. They have a petition against the proposal, which she submitted, which contains 300 signatures and it is ongoing. If this goes through, Regional Council is providing the monetary gain of one individual who owns that property and ignoring the negative impact it will have on their community.

Ms. Lanouette said she was looking at resale value. If she went to a community and saw a self-storage facility in the backyard, she would not buy that house. The value of their properties will decrease. Maybe the City will increase their assessment and taxes but the bottom line is the resale value of their properties will be decreased. No one can argue this fact.

Ms. Lanouette expressed concern that people would have access to the storage facility 24-7. There could be strangers at 2 o'clock in the morning in someone's back yard because 10 metres is not big. That is the buffer zone so the road starts after that. You will have people dumping things at 3 o'clock in the morning and spot lights when they are trying to sleep. Self-storage attracts rodents because people store all kinds of things and as a facility manager you have no control over what they store. You do not know if criminals will store drugs and criminal activity is ongoing.

Mr. Eric Jury asked for clarification on the area being proposed to be rezoned.

Mr. White clarified it is the area shown in shading on the map. He pointed out the property line where the proposal ends.

Mr. Jury questioned whether the 10 metres would be from the road out or from the building out.

Mr. White responded it refers to the back of the property lines.

Mr. Jury questioned whether the property would be fenced.

Mr. White responded yes.

Mr. Bernie Corbott referenced the flow chart and asked if this was for the rezoning only and not for the self-storage facility.

Mr. White clarified this process involves a plan amendment. In order to rezone the property, you have to amend the plan to allow industrial zoning.

Mr. Corbott questioned at what point they would know. The proposal is now for self-storage but questioned whether at some point in the future they could put in any light industrial use.

Mr. White responded in theory that is correct.

Mr. Corbott questioned whether he was correct in saying there would be no more public input if the property is rezoned.

Mr. White responded yes. They would only have to meet the land use controls listed in the land use by-law.

Mr. Corbott questioned if this process is for the rezoning and not for what goes on the property.

Mr. White responded the process he outlined involves an approval by Regional Council to amend the MPS and rezone the property to allow for light industrial use.

Mr. Corbott questioned if at any point they have any say on what goes there if the property is rezoned.

Mr. White responded no.

Ms. Elena Maliougina indicated they started the meeting by saying it is not a done deal. She did not think HRM should consider the rezoning. It would be a punishment for the people who live in this area. They worked hard to buy there and paid taxes and are impacted by the traffic from the 103. Now they want to cut down the trees. That is the only thing that cuts down the noise and pollution from the highway. Strangers can access the site 24/7. They do not know what will happen in their

backyards at 2 o'clock in the morning. The trees that are there protect them from the noise from the 103.

Ms. Jolene Hill questioned if there was the possibility for a development agreement to be entered into if this is approved.

Mr. White noted the application is for a rezoning. One of the options we can present is for a development agreement. That would lay out very specifically what the use is. We can control by contract the location of buildings, vegetation, etc.

Ms. Hill indicated the LUB refers to a 50' setback.

Mr. White responded he believed the site plan refers to a vegetation buffer of 10 m from the property and the building would be located upwards of 54' from the property line.

Ms. Hill said she did not have any trees. They have a clear view of that property. She did see that there is a problem with people dumping garbage. She questioned whether an impact assessment would be done on this property.

Mr. Wright responded one of the issues is going to be finding what has been dumped on the property without permission before anything can be done there.

An individual expressed concern about the noise. The proposed use would be open 24-7. Noise seems to travel. They can hear the outdoor speaker from RONA on their property.

Mr. Wright indicated they are planning to put a vegetated buffer zone behind the residential portion.

Mr. Ian Loughead questioned who would control the traffic on the #3 Highway. Right now they have four lanes of traffic. When the light turns green, cars zip through. He questioned whether there would be a turning lane.

Mr. White advised we would request a traffic impact study or an assessment from the developer. Our traffic engineers will review that and any improvements that need to be done for a commercial access would be at their cost.

Mr. Loughead noted that one car can back everything up. He expressed concern that the big trucks would be zipping over to the shoulder of the road.

Mr. Loughead referenced the back edge of the potential future development. The plans references the slope being at 1.9%. Now we are draining into people's property. He did not live on Sheppards Run but he knew lots of people who do and their back yards are generally quite wet because they do not drain well. He questioned who is responsible for putting in drains.

Mr. White responded the developer. They would be required to submit detailed engineering design drawings.

Mr. Derek Weir indicated he lived adjacent to the potential future development and assisted with the petition in the neighbourhood. 300 of about 310 signed. The vast majority of people who answered the door signed in opposition to the development.

Mr. Weir said he could imagine the impacts being traffic, noise, light pollution, safety with the traffic and with unknown persons being in the area, storage of unknown items, the possibility of their property taxes increasing at the same time as their market value was decreasing, a decrease in green space, and problems with rodents. The perception was their reality. It has a real and direct impact on them as home owners along that strip.

Mr. Weir referenced documents submitted by staff to Regional Council. He asked for confirmation that the report recommended what needs to happen in order for the proposed amendments to move forward. Mr. White confirmed this to be the case.

Mr. Weir noted the report indicates there is a mix of 445 single and semi-detached homes in Beechville Estates. They visited about 300 of them. The report also notes they are adjacent to about 580 acres of industrial zoned property in Bayers Lake, of which he understood 240 acres remains available for light industrial development. It also indicates the plan amendment represents a major change in the policy of Regional Council and there needs to be justification for this to be considered. They moved into a residential neighbourhood so to change it to industrial after the fact is a concern. It says staff prepared a report to discuss the proposed changes and explained why the amendments are desirable.

Mr. Weir then referenced the second report which provides more background. In terms of it being necessary, it is the opinion of most of the people he spoke to that given the high volume of light industrial area in Bayers Lake that a light industrial development in a residential neighbourhood is not necessary.

Mr. Weir noted in terms of it being desirable, they have shown with their petition that the vast majority of the community does not find it desirable and that it is really only desirable to the landowner themselves. The report indicates it lends itself for the development because there is more industrial development in the area but it is really more residential, so it is a bit misleading.

Mr. White advised the report being referenced was to start the process. It is not a report recommending the rezoning. It is saying "is there enough merit to begin a process to come out to the community to ask the question". It is not saying it is a done deal and here is my report and the rationale to justify it.

Mr. Weir commented he thought they would find issue with some of the rationale being considered.

Mr. Weir asked whether there would be a fence around the property. Mr. White responded yes.

Mr. Weir questioned how one would access the facility and whether there is a gate at the entrance.

Mr. White indicated it was his understanding when you sign a lease that you are given a bar controlled swipe card in order to get into the facility.

Mr. Weir said he understood the gate gets opened automatically and there is a significant amount of noise with that in terms of the gate opening and the alarm.

Mr. Larry Wortman stated he hoped they would listen to their care for Beechville where they live. That is why they care about their community of 300+ properties. Some of his points were already covered. In the August report it talks about the property abutting Highway 103. "The highway noise and related impacts make most of the property unsuitable or undesirable for residential purposes. Staff understand that the landowners have explored opportunities to develop the lands for residential purposes but have been unable to overcome the perceived liability of the adjacent highway." The rezoning would create a real liability for them and the current residents and significantly increase the highway noise they are hearing now.

Mr. Wortman indicated with respect to the buffer, it talks about it being long and narrow and being a buffer for Beechville Estates. There is reference to planting trees in a 10m buffer zone. It will take many years to create the solution they have from the highway now. He hoped the planning department would listen carefully to the comments of the residents tonight.

Mr. White noted noise has been raised several times. One of the things he was able to do was request from the applicant a noise study or some sort of expert opinion of the noise impacts before and after.

Mr. Wortman stated they do not have any say on the use if the property is rezoned.

Mr. White responded not unless we choose a different development control such as a development agreement.

Mr. Wortman spoke in favour of more public information being put in place before this decision is made. While he hoped the Councillor will represent the majority of residents, he is only one of those who will make the decision.

Mr. White pointed out the minutes from this meeting were being recorded and would be made available to Regional Council.

Ms. Melina McNeil indicated she was a teacher at Sir John A and probably taught most of the kids from this area. She enjoyed being in the neighbourhood and seeing her students coming around. She felt kind of awkward. She felt for the owners who owned this land but she was concerned. She knew there is a little road on Sheppards Run that leads to nowhere. When she moved into her house, she

assumed it would lead to another area of development because the land was zoned R-1. She questioned whether these owners had the opportunity to sell their land to Armco who developed Beechville Estates. She also questioned whether the Municipality was preventing further development because of the moratorium.

Mr. White responded the moratorium is with respect to sewage capacity in the Timberlea Lakeside Beechville plan area and is in effect until the servicing issue at Nine Mile River is resolved. That does not prevent somebody from getting their planning approvals in place for future residential or other types of development.

Ms. McNeil questioned whether HRM has any data on criminal activity that would exist for self-storage units.

Mr. White responded he would have to check.

Mr. Wright advised he went to Armco and indicated the property was available for sale. They got back to him and said no because it was too close to the highway. It was his understanding they did go to one of the property owners about an offer but the offer was a slap in the face.

Mr. Wright indicated he read some of the emails and comments where they were told this would always be a greenbelt. These individuals own that property so they had no right to tell them that would be a greenbelt.

Ms. Colleen Cash said she supported some of the comments. We have heard from people closest to where the development will happen. However, it is a larger community issue. They all moved to Beechville to live in a residential neighbourhood close to schools and not close to more industrial development. She was concerned about the impact of this type of development on their community as a whole and that this could lead to other types of requests for rezoning in residential areas.

Mr. White, referencing a map, noted all the land on the northwestern side of St. Margarets Bay Road is currently zoned R-1. There is an application before Regional Council to change that to CDD which is the same zone that Beechville Estates has which would allow a future residential development. Also, there is a proposal in circulation by Cresco on Lovetts Lake.

Ms. Cash noted they keep hearing this is not something the residents want so she was hoping their representative of Council would take that forward.

Ms. Laura Banks indicated she was concerned about noise. Right now the Lakeside Industrial Park is very noisy in the evening. At all hours of the night they hear trucks going and the rumbling of engines. The noise wakes people on a regular basis. This is even closer to Lakeside so they would be getting it on both sides which would really disrupt the community.

Ms. Veronica Marsman Murphy said she grew up in Beechville, and her home is still standing directly across from one of the owner's properties at the beginning of Beechville. It is good to see the number of Beechville residents in attendance supporting their community. There has been a number of properties in Beechville that have gone up for commercial rezoning and unfortunately they did not see the numbers for those and those businesses are still standing in Beechville. A number of Beechville folks have lost residential properties over the years for commercial. Commercial businesses are driving out people. Beechville folks have lost out in a number of ways. Their property was either sold or expropriated. The church is going through some issues with their property. With the number of people here tonight concerned about Beechville, she hoped they would come out in numbers for them at future meetings.

Mr. Jack MacLeod questioned whether there was any access contemplated to this facility from his front yard.

Mr. White responded no, and indicated he understood they will fence around the entire facility.

Mr. MacLeod asked for confirmation that if this property is rezoned to industrial that it could theoretically be something other than self-storage.

Mr. White confirmed this.

Mr. MacLeod questioned what type of uses are allowed in the I-3 zone.

Mr. White responded everything from commercial uses such as banks, restaurants, warehousing, and offices.

Mr. MacLeod referenced the incident in Toronto with the propane explosion, which is a concern when you have industrial development close to residential development. 10 metres is not that far, which Council should take into consideration.

Mr. Liyu Wang said he has been living there for almost four years. He bought that house before someone told him it was a greenbelt. He felt sorry for those who owned that property. Someone dumped the garbage there. He did not think anybody in this room would do that. If they develop that property for industrial use, it will lead to trouble later on. There could be problems associated with traffic and criminals. They will pay for that penalty. He did not think the rezoning was a good idea. In terms of the process, he questioned whether it was transparent and who would be making the decision.

Mr. White advised Regional Council would ultimately make a decision following the public hearing, which everyone will be invited to. The public hearing is an opportunity for everybody to address Regional Council on this matter. The staff report will be available to the public. Also, the additional studies that come out of this meeting will be available through our web site.

Mr. Wang questioned what criteria they would use to make the decision.

Mr. White advised following this meeting there would be a more detailed review of the application and additional studies will be requested. Planning staff will write a report which will ultimately be forwarded to Regional Council. The report will be available to members of the public. Regional Council can refuse the application outright or they can agree to schedule a public hearing, following which they will make a decision. It is by a majority vote.

Mr. Wang questioned whether there was any financial gain to this proposal.

Mr. White responded there would be an increased tax revenue.

Mr. Wang expressed concern that property taxes are increased each year and this proposal would ruin the community.

Mr. Jeffrey Gray questioned how many applications are before HRM right now for rezoning to light industrial.

Mr. White responded he did not know.

Mr. Gray questioned whether he knew the success rate of that type of conversion.

Mr. White indicated he was working on several projects in Beechville. He worked on one last year for a property owned by Fred Pope where a property was rezoned from R-1 to Light Industrial, which was approved by Council.

Mr. Gray questioned what HRM's philosophy was on a rezoning? Is it about the greater good?

Mr. White responded he believed they should have an opportunity to hear from the public and have all the facts in front of them before a decision is made. Land use conflict is a very finite thing, and referenced those living near the Port of Halifax as an example.

Mr. Gray stated he was okay with a rezoning if it is of greater good for the community, but in this instance he did not believe it would benefit many people. He questioned whether the developer felt the outcome of this development is of greater good to the community, neutral or indifferent.

Mr. Wright suggested they put themselves in these gentleman's shoes. You have a piece of property you want to sell, and you say "do you want to sell it for everybody or do you want to get an appropriate value for my property." The question is almost unfair. What he is asking these gentlemen to do is sell their property to Cresco for pennies for the greater good of the community. What they are saying is they realize their property is not suitable for residential use so what is the next step, keeping in mind they are residents of Beechville. How do they realize the value in their property and at the same time keeping face with the people in the community. A self-storage unit by their limited

research is a suitable alternative. This is what these gentleman have selected to get some value out of their property. They would like to get a good value for their property as everybody in this room wants to. You would not want to take less than what your property is worth to make your neighbour happy.

Ms. Julia Steeves said she wanted to lend her support to the residents. Although she did not live on that street, she lived in the community and felt badly for the people living on Sheppards Run. She felt they would be sandwiched. She was also concerned about the wear and tear on St. Margarets Bay Road. Also, they already have quite a few trucks coming into the Industrial Park and they have increased truck traffic.

Mr. White noted the wear and tear on the road would be a municipal concern.

Ms. Steeves referenced the area shown in grey which is shown as potential future development. Once the property is rezoned, it could change from a self-storage facility to something else. She felt they have enough industrial development in the area.

Mr. James Hanifen commented he could appreciate the landowners want to get some value. 4.5 years ago they moved into Beechville with a six month old baby, with another one on the way. On the side of the strip being developed, there is at least fifteen kids. On the other side of the road, in the same area there is another ten to fifteen kids. It is a neighbourhood of kids. They moved into this neighbourhood because it is kid friendly. What he saw happening is that it will not be a kid friendly area any more. This proposal will impact the families.

Mr. Hanifen said he saw this as being almost identical to other things happening in the neighbourhoods such as the Chebucto Road widening where they did not think about the residents. If this goes through, they will not have the same neighbourhood any more. He was sure half the people in attendance had kids. He questioned whether the impact on families has been taken into consideration. He questioned who the partner was for this self-storage unit.

Mr. Wright questioned how many of the people have fences behind their house. If they did not have a fence, their children now run the risk of running into this property and being exposed to what is being dumped on the property. The proposal they are putting forward fences that whole area off.

Mr. Wright advised the company they are dealing with is Premier self-storage. Their facilities are very well maintained.

Mr. Shawn Lahey said he wanted to talk about a vision. He has lived in this community for ten years. In Lakeside they have a school building used as a recreation centre. Across the road from this development is another developer who wants to build another 200 residences but he is land locked. If he puts a road through, he will destroy a baptismal path. The church has a hall next to it which is not in very good condition. He looked at this as an opportunity. A man wants to get rid of land. A community needs a recreation centre and a community wants to preserve that baptismal path. What

if we could have a win-win? If you starting thinking about things in terms of this bigger picture, there is the potential for something that benefits the community. There are more things that could be explored. It is about making a choice. There are options.

Ms. Barbara Resch stated nobody promised them the R-1 zoned land would remain treed. They took into consideration the R-1 zoning. Their real estate agent said they were buying into a neighbourhood. They would not have bought into this neighbourhood if they had known about this proposal.

Mr. John Stoddard commented it is very good to see the level of participation. He said he understood people's concerns about the proposed development, but also understood people's rights to sell property and make money. He questioned whether the City was approached during this process to perhaps develop that into a historical cultural centre or a tourist bureau and some parkland. Would there be any problem with the City being able to buy it as parkland and using it as a cultural or recreational centre? Would they be able to put that motion to Council?

Mr. White responded during this process he forwarded the information regarding this potential land to our Real Estate Acquisition Manager and they did not express any interest in that property. The motion could be made at Council.

Mr. Bob Hackett questioned why the developer has to go through all these studies if they can do anything they want once the property is rezoned. All these studies do not mean anything if they put in something different after the property is rezoned.

Mr. White responded it does not necessarily mean there would not be more hurdles in terms of the driveway. As planners, they will make them supply as much information as possible for Regional Council to make a decision.

Mr. Hackett commented the developer could give them a traffic study and then they could change the use. He was concerned about the noise from the highway. He thought it would be significantly higher. Once the zoning is changed, there is no protection.

Mr. White noted the traffic impact will be done on the St. Margarets Bay Road. Any recourse is through the Municipality in terms of the impact on municipally owned roads.

Mr. Hackett questioned whether this is their final proposal or whether the developer was open to other developments.

Mr. Wright responded this is their proposal at this time. If they all want to pool their money together and make an offer, they will listen to them. If the City wants to make an offer, they will listen. These gentlemen are getting on in age and want to move forward. They are open to options.

Mr. Scott Burke said he was concerned Regional Council would have all the information they needed to make a proper decision. He referenced the image which was circulated, which he said is incorrect. It does not show where these homes sit on this property and how close they are. He sympathized for the residents who abut this property and for the people who own it. They already have two self-storage facilities within five minutes of this property. There are more than ten Metro Storage facilities in HRM, and questioned whether they needed another one on their door step. What is the need for this type of facility in their area? The report does not talk about the hours of operation, lighting, security, or vandalism. The Metro Storage facility is open until 10 p.m. and there is only one security person onsite.

Mr. Burke stated he disagreed with the perceived idea that the property could not be developed with residential. In the description in the report, it does not say anything more than perceived. There is an entrance there between the two homes that has already been laid out for an extension in that area. He suggested they could have a cul de sac extension. There are many residential subdivisions abutting highways.

Mr. Tom Robertson said he bought a piece of property in Timberlea in 1977 before zoning. Before he purchased it, he received a permit for an industrial building from the County and got a permit from the Province of Nova Scotia. He then purchased the property. Five years later a plan was put in place. They went to the first meeting and were told they did not receive the proper zone for the business already there. At the time of plan review, they saw that their properties were zoned R-1. There was a committee with residents from the three communities. They fought for seven years. He has spent thousands of dollars to get approvals. They own Bay Road self-storage. The plan of the planning committee was to put all the businesses in the central core by the Tim Hortons. He referred to the business next to the Irving station which was there in the early 1960s. It was ignored through the planning process because the people in Beechville were against commercial zoning, especially in Beechville. One of the members of that committee was Helen Dorrington. He wondered what she would think about her property being rezoned to industrial.

Mr. Wright stated he did not think that was an appropriate comment to make.

Mr. Don Berrigan indicated one of the questions he asked their real estate agent was who owned the property behind them. They were told it was a provincial easement from the centre of the highway. He questioned who he had recourse to.

Mr. White responded he would suggest he talk to a lawyer.

Mr. Berrigan asked what would happen to the road reserve and whether there was a drainage ditch in there. It was responded yes.

Mr. White advised it is a road reserved for potential future development. It is a standard subdivision requirement to provide that. He confirmed there is no development happening on that road under this proposal.

Mr. Berrigan questioned what type of fence it would be.

Mr. Wright responded at this point he assumed it would be a chain link fence but that is subject to change as they move along through the process.

Mr. Berrigan questioned whether they had a say in the type of fence.

Mr. Wright responded probably not unless they wanted to share in the cost.

An individual stated it is great to see all these people out speaking for or against this project, and participating in this process. This is the beginning of the process. The thing they should be focused on right now is if they are going to allow the rezoning. There is a certain amount of noise or traffic from industrial development. He encouraged that they consider the people of Beechville who lived here with all the noise from the industrial development. A lot of them went through this process many times when property was being rezoned but not getting support from the community including Beechville Estates. Things always seem to change. If a developer comes along and is told the property is residential, within a year the property is rezoned to commercial. Every time that happens, the person who sold the property did not get a commercial price for their property. In this case, the residents who were always residential tried to go through the proper process of selling their property. What has to be considered is that the people who have this land for sale should have the opportunity to get the best bang for their buck. If you change the zoning for two or three properties, then you have to look at changing it for all, which has been done many times. Many times they sat on the same platform and said it was a residential area, but somehow the zoning gets changed. These gentlemen have a legitimate piece of property. If you let a piece of property become abandoned for a number of days, it becomes full of garbage and then the owner gets seven days to get rid of it. If these people have properties available for sale and no one wanted it and they developed it themselves, then more power to them.

Councillor Rankin noted it was wise of him not to prejudice the outcome. He was hearing concerns from the immediately adjacent community which he deemed to be Sheppards Run. There was a motion to ensure that all of Beechville Estates was contacted. He was only here since the 1980s. He knew a little bit about the sensitivity of Beechville. They would say they did not have a lot of say about Lakeside Industrial Park even though it was in Beechville. Here is another book end to the community opposite Bayers Lake Park. There is a lack of industrial land. There is the proximity to the 100 series highways. A lot of people ask him if there is any more industrial land because they cannot afford to go into the industrial parks for those kind of uses.

Councillor Rankin suggested they consider a development agreement. That would alleviate concerns about the buffer because there is an adjacent residential community against an industrial park. With a development agreement we would have an extra measure of involvement from the community relative to enhancement of the buffer area. In terms of the type of fence, he felt the community should have some input because they would visually see it. In terms of traffic, let's be fair. He did not think there would be any appreciable amount of traffic with a self-storage facility. He never saw

cars going in or out of the facility at Bayers Lake. With a development agreement, we could require a storage lane for turning left. If the owners are very sensitive to the community, he was sure they would be interested in accommodating those concerns.

Councillor Rankin noted it is not cut and dry. It is a balance of views. You have residential and there is Beechville Estates. Beechville Estates was built by a developer who came forward with the approval of the Beechville community. It does not have traditional lots but rather lots that are 42' and 30' wide. They accommodated them before they arrived. There is a balance of views. There is a history that is possibly relevant.

The meeting adjourned at approximately 9:15 p.m.