

Request for Council's Consideration

☐ **Included on Agenda**
(Submitted to Municipal
Clerk's Office by Noon
Thursday)

☒ **Added Item**
(Submitted to Municipal
Clerk's Office by Noon
Monday)

☐ **Request from the Floor**

Date of Council Meeting: July 5, 2011

Subject: Case 01213: Municipal Planning Strategy Amendments for the Industrially Zoned Lands Surrounding Drysdale Bog, Goodwood.

Motion for Council to Consider:

Give first reading to the proposed amendments to the Halifax Municipal Planning Strategy, the Land Use By-Law for Mainland Halifax, the Municipal Planning Strategy for Planning District 4, and the Land Use By-Law for Planning District 4, as provided in Attachments A, B, C and D of the June 8, 2011 staff report, and schedule a public hearing.

Reason:

To enable a public hearing to be scheduled in August. Case 01213 has been an ongoing issue for the past year and a half with public consultations taking place in January 2010. The residents want to have this matter expedited as soon as possible, as well as there is a public expectation that the public hearing would be held in August 2011.

Outcome Sought:

Public Hearing scheduled for August on Case 01213.

Councillor Reg Rankin

District 22

Item No. 13.1
Halifax Regional Council

July 5, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original signed
Councillor Stephen Adams, Chair, Western Region Community Council

DATE: June 28, 2011

SUBJECT: Case 01213: Municipal Planning Strategy Amendments for the
Industrially Zoned Lands Surrounding Drysdale Bog, Goodwood

ORIGIN

The June 27, 2011 meeting of the Western Region Community Council.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy, the Land Use By-Law for Mainland Halifax, the Municipal Planning Strategy for Planning District 4, and the Land Use By-Law for Planning District 4, as provided in Attachments A, B, C and D of the June 8, 2011 staff report, and schedule a public hearing;
2. Approve the proposed amendments to the Halifax Municipal Planning Strategy, the Land Use By-Law for Mainland Halifax, the Municipal Planning Strategy for Planning District 4, and the Land Use By-Law for Planning District 4, as provided in Attachments A, B, C and D of the June 8, 2011 staff report.

BACKGROUND

See the June 8, 2011 staff report attached as Attachment 1.

DISCUSSION

The Western Region Community Council considered the June 8, 2011 staff report at their June 27, 2011 meeting and agreed to forward the matter to Halifax Regional Council..

BUDGET IMPLICATIONS

None associated with this report. See the June 8, 2011 staff report for further detail.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

The Western Region Community Council dealt with this matter at a regular meeting open to the public. The report was linked to the Western Region Community Council's June 27, 2011 agenda and was available to the public.

ALTERNATIVES

- 1 Halifax Regional Council may choose not to give first reading and proceed to the public hearing stage for Case 01213. This is not the recommended action.

ATTACHMENTS

1. Staff report dated June 8, 2011.

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: [Chris Newson, Legislative Assistant, 490-6732]



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Western Region Community Council
June 27, 2011

TO: Chair and Members of Western Region Community Council

SUBMITTED BY: Original Signed
For Paul Dunphy, Director, Community Development Services

DATE: June 8, 2011

SUBJECT: Case 01213: Municipal Planning Strategy Amendments for the
Industrially Zoned Lands Surrounding Drysdale Bog, Goodwood

ORIGIN

- Regional Council Information Report, November 26, 2008

RECOMMENDATION

It is recommended that Western Region Community Council recommend that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy, the Land Use By-law for Mainland Halifax, the Municipal Planning Strategy for Planning District 4, and the Land Use By-law for Planning District 4, as provided in Attachments A, B, C and D of this report, and schedule a public hearing;
2. Approve the proposed amendments to the Halifax Municipal Planning Strategy, the Land Use By-law for Mainland Halifax, the Municipal Planning Strategy for Planning District 4, and the Land Use By-law for Planning District 4, as provided in Attachments A, B, C and D of this report.

EXECUTIVE SUMMARY

This report responds to a request from Regional Council for a staff review of the planning policies and regulations that apply to the industrially designated and zoned lands that are upon, and that immediately surround, the Drysdale Bog in Goodwood. The planning for these lands and their future development has been a contentious matter in the community, stemming from a proposal from Lloyd MacLellan Construction Services to establish an industrial park.

This report considers the character and evolution of land use planning in Goodwood, ecological concerns related to the Drysdale Bog, and community sentiment. Through a review of these factors, the report recommends that the subject lands be redesignated and rezoned to limit future development to residential uses. The implication of this is that industrial uses would no longer be able to be established. Furthermore, with the redesignation and rezoning, any proposed residential subdivision of more than eight lots along a new street would need to be an Open Space Design Development. Such development needs to be approved by community council through a development agreement and it requires background studies and an accounting of environmental and cultural features in the design of a subdivision. This is the same policy and regulatory framework that applies to much of the surrounding residential areas in Goodwood.

BACKGROUND

Context

This report responds to a request from Regional Council for a staff review of the planning policies and regulations that apply to the industrially designated and zoned lands that are upon, and that immediately surround, the Drysdale Bog in Goodwood (Map 1). Although inconsequential to this review, it is helpful to understand the circumstances that led to the request.

In 2006 Lloyd MacLellan Construction Services asked Regional Council to grant it an easement, for the purpose of constructing a public street, across land that is owned by HRM. The street would have extended from Highway 333, around Drysdale Bog, and through to an extension of Evergreen Road (see Map 1); upon lands that the company had assembled in preceding years. The street would have led to the development of an industrial park, including an asphalt plant, and a small amount of residential development. The intended industrial uses were to have been established largely around Drysdale Bog, while the residential uses would have been located close to Highway 333.

The location of the proposed land uses was to have been consistent with the zoning of the lands, which is a combination of the Residential B-1 (RB-1) Zone and the General Industrial (I-3) Zone. The RB-1 Zone allows houses, home occupations, open space uses, craft shops, bed and breakfasts, fishery support uses, aquaculture support uses, agriculture uses, all existing dwellings, and all existing businesses. The I-3 Zone allows for a wide range of industrial uses, which are really only limited insofar as they cannot be a nuisance or a hazard.

In considering the easement request, Regional Council was concerned about the impact of the industrial development, and in particular the asphalt plant, on the existing residents and the environment in Goodwood. There was growing public concern about the potential for new industrial development in the community. It therefore set conditions over its approval of the easement, requiring that:

- certain transportation improvements be made; and
- that the province acknowledge that should an application for an asphalt plant come forward, that an environmental impact assessment would be required and that public consultation be included as part of the provincial permitting process.

The transportation conditions could have been achieved, but the same could not be said of the environmental terms. The province would not agree to stipulate that an environmental impact assessment would be required if an asphalt plant was proposed. Consequently, Regional Council's conditions for the easement could not be met. As a result, Lloyd MacLellan Construction sought a declaration that Regional Council's environmental condition was improper and an order that it allow the easement from the Supreme Court of Nova Scotia.

In 2008, the Supreme Court of Nova Scotia ruled that Regional Council's environmental condition was invalid and had no force and effect. However, it did not order that Regional Council grant the easement. Consequently, Regional Council rescinded its motion granting the easement subject to the conditions. It also requested a review of the planning policies and regulations that apply to the industrial lands that are upon and that surround the Drysdale Bog.

There are ongoing legal actions by Lloyd MacLellan Construction against the Municipality. These matters are separate from the land use planning process discussed in this report.

Ownership

The lands which are the subject of this report (the subject lands) are owned by Francis Lloyd MacLellan and Lloyd MacLellan Construction Services Limited (the MacLellan lands), and CHUM Limited. They are largely undeveloped, with the exception of a driveway that extends into the MacLellan lands that has been used to access a construction storage yard. A very limited amount of the subject lands, largely land occupied by part of the Drysdale Bog, are owned by CHUM Limited. Therefore, any change in land use policies and regulations has a limited impact upon CHUM Limited and a more substantial impact upon the MacLellan lands.

The owners of both the MacLellan lands and the CHUM lands have been notified of the planning and zoning review. During the course of the review, neither owner has made a formal submission to planning staff on the current industrial planning policies and regulations applicable to their lands.

DISCUSSION

This report recommends that the industrial allowances over the subject lands be removed and replaced with residential zoning, consistent with that which applies to much of the surrounding area. Specifically, it is recommended that the following apply to the entirety of the subject lands:

- that portions of the lands that are within the Halifax Municipal Planning Strategy plan area be removed from that plan area and included in the Prospect District 4 plan area;
- that the Residential B designation of the District 4 Municipal Planning Strategy be applied to the entirety of subject lands; and
- that the RB-1 Zone be applied to the entirety of subject lands.

The implication of the changes would be that future industrial uses could not be established. Furthermore, with the redesignation and rezoning, any proposed residential subdivision of more than eight lots would need to be an Open Space Design Development. This requires subdivisions to account for environmental and cultural features in their design. This is the same policy and regulatory framework that applies to much of the surrounding area. The rationale for this recommendation is found in the remainder of this report.

Character and Land Use Planning

Limiting future development of the subject lands to residential uses is consistent with the evolution of land use planning in Goodwood.

Goodwood is characterized by its mixture of houses, commercial businesses, and moderate to intensive industrial operations, including a compost facility, a construction and demolition debris operation, a vehicle towing yard, equipment and construction material storage yards, transportation and trucking operations, and a tire recycling facility. This combination of land uses creates obvious compatibility issues with regard to traffic, noise, and odour. With this, there are differences of perception, with those that view the future of Goodwood as a residential community and others that see it as an industrial area.

While there may be differing opinions about the character of the Goodwood, through community planning there has been an emphasis on reducing the opportunities for industrial expansion and recognizing existing residential uses over the past few decades. The mixture of land uses in the community was established before the implementation of any planning policies and regulations. When zoning was initially applied to part of Goodwood, general and industrial zoning was established over large areas, including the subject lands. When actual community planning was initially undertaken, with the adoption of the District 4 Municipal Planning Strategy, the zoning approach was far more detailed. It supported residential development while only applying commercial and industrial zoning to existing uses. Other planning initiatives in the community, such as the development of the Western Commons Plan, have further envisioned non-industrial development. This evolution is summarized in Table 1.

Table 1 - Evolution of Zoning Controls and Community Planning

Before 1984	Until 1984, there were only limited land use regulations within the Goodwood area. The former Halifax County established a General Zone through Zoning By-law 24, which permitted a wide array of uses ranging from single unit dwellings to commercial and industrial uses.
1984	In 1984 the former City of Halifax annexed over 6,000 acres that included land in part of Goodwood. Much of this was owned by the Water Commission, but there was also privately held properties, including the subject lands immediately surrounding the Drysdale Bog. At this time, the City included all of the annexed lands in Goodwood in the Industrial designation and the I-3 (General Industrial) Zone.
1989	The adoption of the District 4 Municipal Planning Strategy and Land Use Bylaw in 1989 began a shift towards recognizing and protecting residential uses. Residential designations and residential zoning were established over most of the lands in Goodwood that were not in the City of Halifax. Although existing non-residential land uses were recognized with industrial and commercial zoning, the planning was purposeful in preventing further industrial development.
1999	The Western Commons Secondary Plan was initially adopted in 1999. It resulted in the rezoning of the vast majority of the undeveloped I-3 lands in the Halifax Plan Area, to the WC Zone. The accompanying planning policies did not contemplate additional industrial development in the Western Commons Secondary Plan area. With this, the only remaining undeveloped I-3 zoned properties were the subject lands. They were likely not addressed as part of the plan because they were not part of the Western Commons.
2006	The Regional Plan, adopted in 2006, did not directly address the zoning of the subject lands, but it did establish a strategy for business parks. It states that new private business parks should be developed through community visioning exercises. Through policy EC-16, it also specifies that consideration should be given to their establishment, "within or adjacent to designated growth centres," which does not apply to the subject lands.
2010	The Western Commons Secondary Plan was revised, without any plans of additional industrial development within the community.
2010 to present	With the establishment of a tire recycling facility within the established industrial area along Mills Drive, there was widespread community concern about the expansion of industrial development. With this, a municipal-provincial committee has been struck with the purpose of considering the cumulative affect of commercial and industrial uses upon residential uses and the environment.

Continuing to perpetuate opportunities for industrial expansion within the community goes against the evolution of planning policies and regulations that have steadily confined such development to existing industrial areas.

Ecological Concerns Related to Drysdale Bog

There have been submissions from the public and other stakeholders that there should essentially be no opportunities for any type of development in proximity to Drysdale Bog, largely due to its ecological sensitivities. The importance of the bog should not be diminished, but even if the bog was found to have rare ecological values, municipalities do not have a legislative ability to enact a prohibition on development around it under these circumstances. In this context, what is important is to ensure that there is an appropriate policy framework to account for environmental features when development is proposed. The subject lands are already within the Rural Commuter designation of the Regional Plan. Including it in a residential zone would thereby require that any future residential development of over eight lots, upon a new road, would need to be an Open Space Design Development. In the Regional Plan, the open space design approach is described as follows:

“Open Space Design Development is a creative form of development designed to conserve a connected system of open space. It begins with the identification of primary conservation areas to be protected - such as riparian buffers, wetlands, vernal pools, natural corridors, slopes exceeding 30%, rock outcropping, archaeological sites, floodplains, and natural resources. It follows with the identification of secondary conservation areas that should be protected or carefully developed. These include mature forests, slopes between 15% and 30%, scenic views, trails, historic sites and buildings. Building sites are then located on the lands where soils are best suited for development and are then connected through a common road system. Lot lines are then drawn to delineate the extent of private or public ownership of the parcel.”

This is the policy context that applies to much of the area surrounding the subject lands and it is therefore recommended as the most appropriate policy framework for ensuring that environmental features are considered if development is proposed.

Community Sentiment

On the basis of the information gathered at the public information meeting and through the submissions that have been made to the Western Region Community Council and the Regional Council, it is clear that industrial expansion is undesirable. There is already a considerable intensity of industrial uses in Goodwood that result in land use conflicts. New industrial development should, and can occur elsewhere; either where there are already concentrations of industrial uses in Goodwood, through limited expansion, or within other industrial parks that are outside the community.

BUDGET IMPLICATIONS

The HRM costs associated with processing this application can be accommodated within the approved operating budget for C310.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting on January 6, 2010 (Attachment C). Notices of this meeting were posted on the HRM website, in the newspaper and mailed to property owners within the notification area (Map 3).

A public hearing has to be held by Regional Council before it can consider approval of any amendments. Should Council proceed with a Public Hearing on this application, in addition to published newspaper advertisements, property owners within the notification area will be notified of the public hearing by mail.

The proposal will potentially impact property owners and residents in the surrounding area.

ALTERNATIVES


1. Council may choose to approve the amendments to the Halifax Municipal Planning Strategy, the Land Use By-law for Mainland Halifax, the Municipal Planning Strategy for Planning District 4, and the Land Use By-law for Planning District 4 as contained in Attachments A through D of this report. This is the recommended course of action.
2. Council may choose to direct staff to devise recommendations and amendments that would not result in the subject lands being designated and zoned for residential uses. This is not recommended as the proposed amendments are most suitable for future development within Goodwood.
3. Council may choose to retain the existing planning policies and regulations that apply to the subject lands, thereby maintaining the status quo. This is not recommended for the reasons identified in this report, including that the existing industrial zoning may result in incompatible development.

ATTACHMENTS

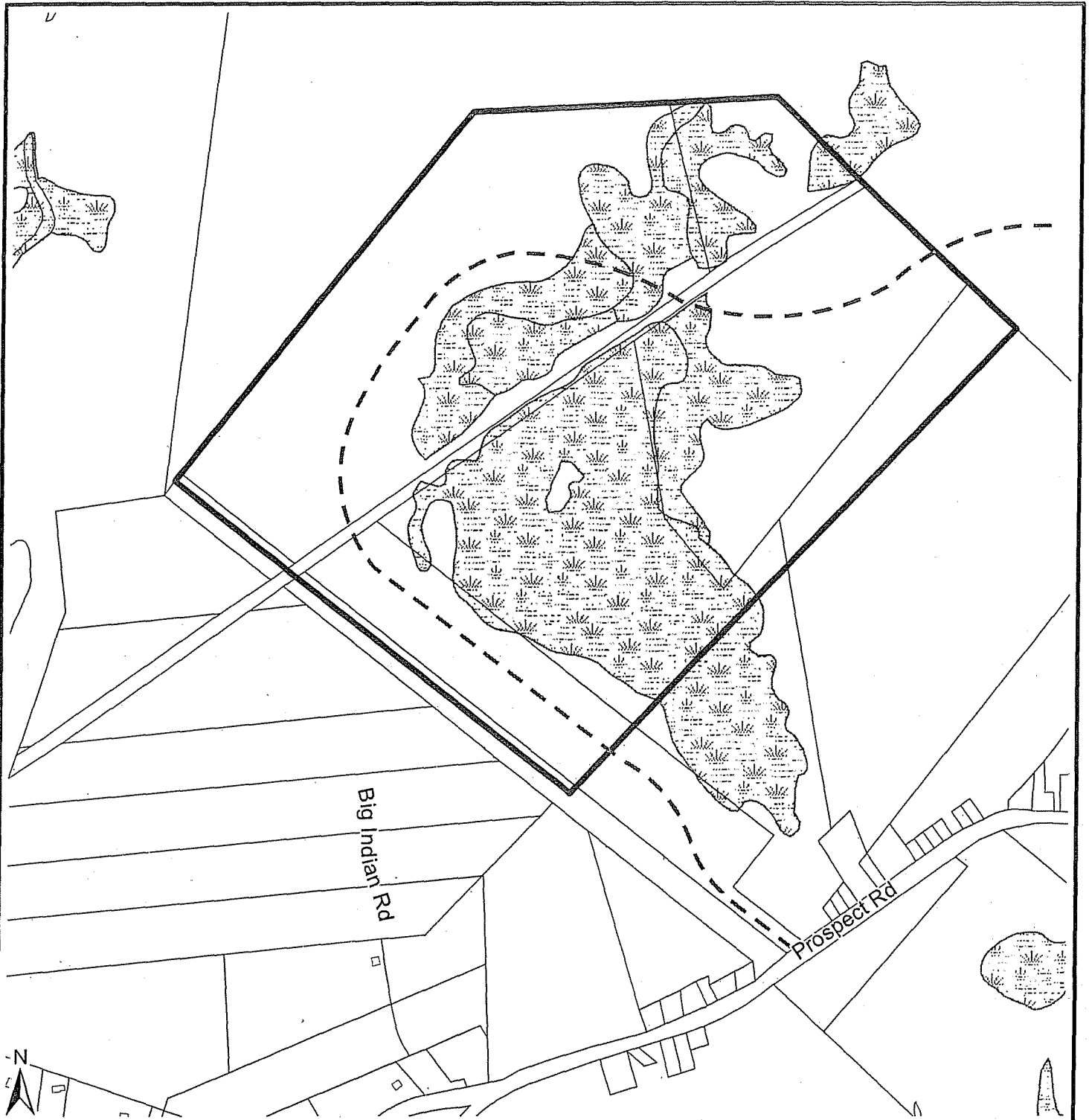
Map 1	Subject Lands and Proposed Road
Map 2	Location and Zoning
Attachment A	Proposed Amendments to the Halifax Municipal Planning Strategy
Attachment B	Proposed Amendments to the Land Use By-law for Halifax Mainland
Attachment C	Proposed Amendments to the Municipal Planning Strategy for Planning District 4
Attachment D	Proposed Amendments to the Land Use By-law for Planning District 4
Attachment E	Public Information Meeting Minutes

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

Report Prepared by: Richard Harvey, Senior Planner, 490-5637


Original Signed


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





Map 1 - Subject Lands and Proposed Road

Drysdale Bog
Goodwood

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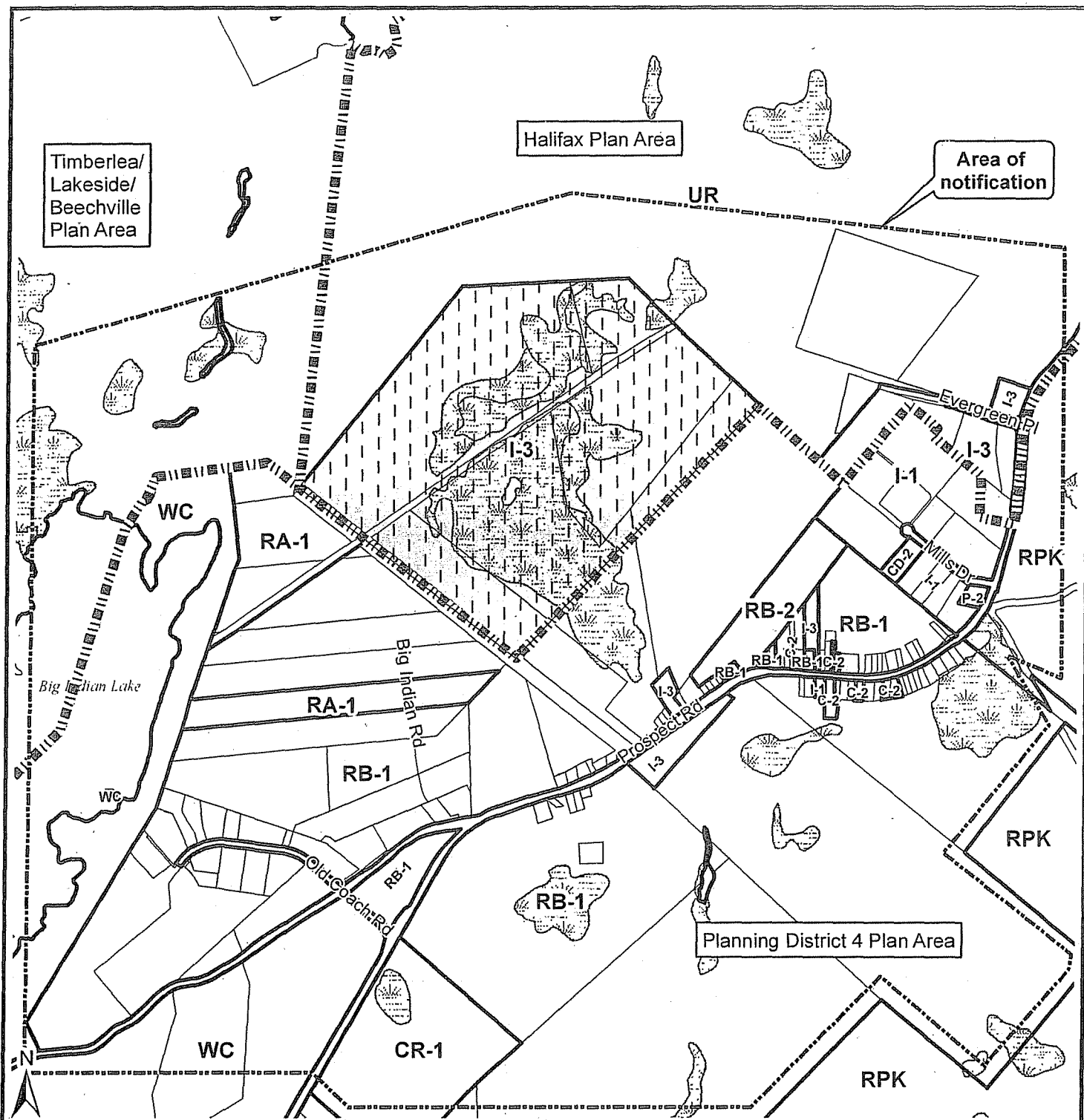
 Subject area

 Wetland

 Approximate location of proposed road

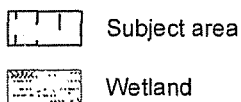
0 200 m


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



Map 2 - Location and Zoning

Drysdale Bog
Goodwood



Halifax Plan Area
Planning District 4 (Prospect) Plan Area

Zone - Halifax Mainland Land Use By-Law

I-3 General Industrial
UR Urban Reserve

Zone - Planning District 4

RB-1 Residential B-1
RB-2 Residential B-2
CD-2 General Business
I-1 General Industrial
I-3 Local Service
P-2 Community Facility
RPK Regional Park

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0 200 400 m

This map is an unofficial reproduction of a portion of the Zoning Map for the plan areas indicated.

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

Attachment A – Proposed Amendments to the Halifax Municipal Planning Strategy

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Halifax Municipal Planning Strategy as enacted by City Council of the City of Halifax on the 30th day of March, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August 1978 as amended, is hereby amended as follows:

1. That Map 1, Planning Areas, be amended to remove the subject lands from the Halifax Plan Area, as shown on Map A1.
2. That Map 3, Areas for Detailed Planning, be amended to remove the subject lands from the Halifax Plan Area, as shown on Map A1.
3. That Map 8, Principal Streets, be amended to remove the subject lands from the Halifax Plan Area, as shown on Map A1.
4. That Map 9, Generalized Future Land Use, be amended to remove the subject lands from the Halifax Plan Area, as shown on Map A1.

I HEREBY CERTIFY that the amendments to the Halifax Municipal Planning Strategy, as set out above, were passed by a majority vote of the Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2011.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2011.

Municipal Clerk

Attachment B – Proposed Amendments to the Land Use By-law for Halifax Mainland

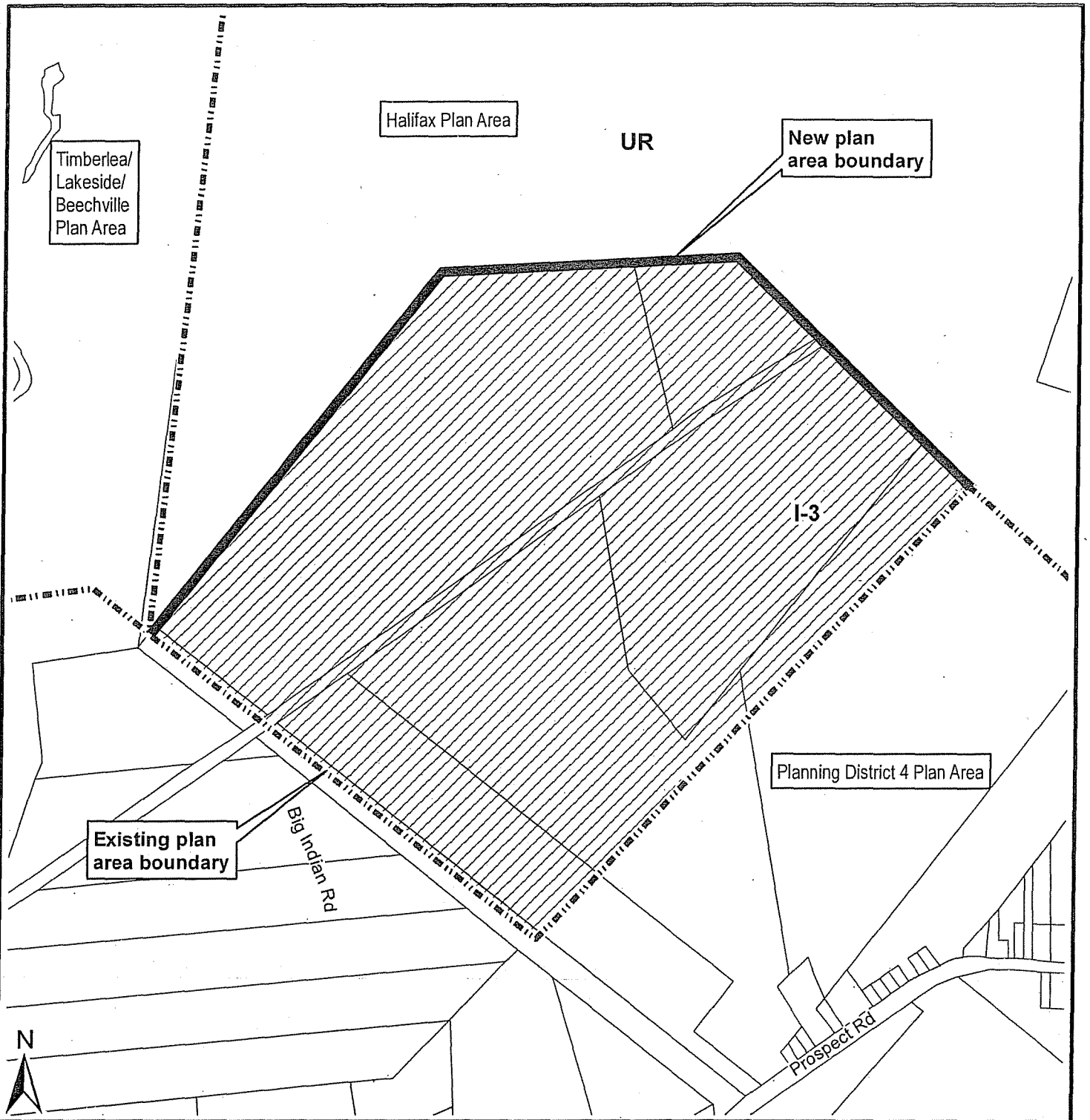
BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Mainland as enacted by City Council of the City of Halifax on the 30th day of March, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August 1978 as amended, is hereby amended as follows:

1. That Map ZM-1, Zoning Map, be amended to remove the subject lands from the Halifax Plan Area, as shown on Map A1.
2. That Map ZM-22, Areas of Elevated Archaeological Potential, be amended to remove the subject lands from the Halifax Plan Area, as shown on Map A1.
3. That Map ZM-23, Wetlands, be amended to remove the subject lands from the Halifax Plan Area, as shown on Map A1.

I HEREBY CERTIFY that the amendments to the Land Use By-law for Halifax Mainland, as set out above, were passed by a majority vote of the Council of the Halifax Regional Municipality at a meeting held on the _____ day of _____, 2011.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2011.

Municipal Clerk



Map A1

**Halifax Municipal Planning Strategy and
Halifax Mainland Land Use By-Law
Proposed Amendments**

Drysdale Bog, Goodwood



Area to be allocated to
Planning District 4 Plan Area

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0 200 m

Zone

I-3 General Industrial
UR Urban Reserve

This map is an unofficial reproduction of a
portion of the Zoning Map for the plan
area indicated.

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

Halifax Plan Area
Halifax Mainland Land Use By-Law Area

Attachment C – Proposed Amendments to the Municipal Planning Strategy for Planning District 4

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning District 4 as enacted by the Council of Halifax County Municipality on the 12th day of December, 1994 and approved by the Minister of Municipal Affairs on the 3rd day of March, 1995 as amended, is hereby amended as follows:

1. That Map 1, the Generalized Future Land Use Map, be amended to include the subject lands in the Planning District 4 Plan Area and to apply the Residential B designation to said lands, as shown on Map A2.
2. That the Regional Context Map be amended to include the subject lands in the Planning District 4 Plan Area as shown on Map A2.

I HEREBY CERTIFY that the amendments to the Municipal Planning Strategy for Planning District 4, as set out above, were passed by a majority vote of the Council of the Halifax Regional Municipality at a meeting held on the _____ day of _____, 2011.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2011.

Municipal Clerk

Attachment D – Proposed Amendments to the Land Use By-law for Planning District 4

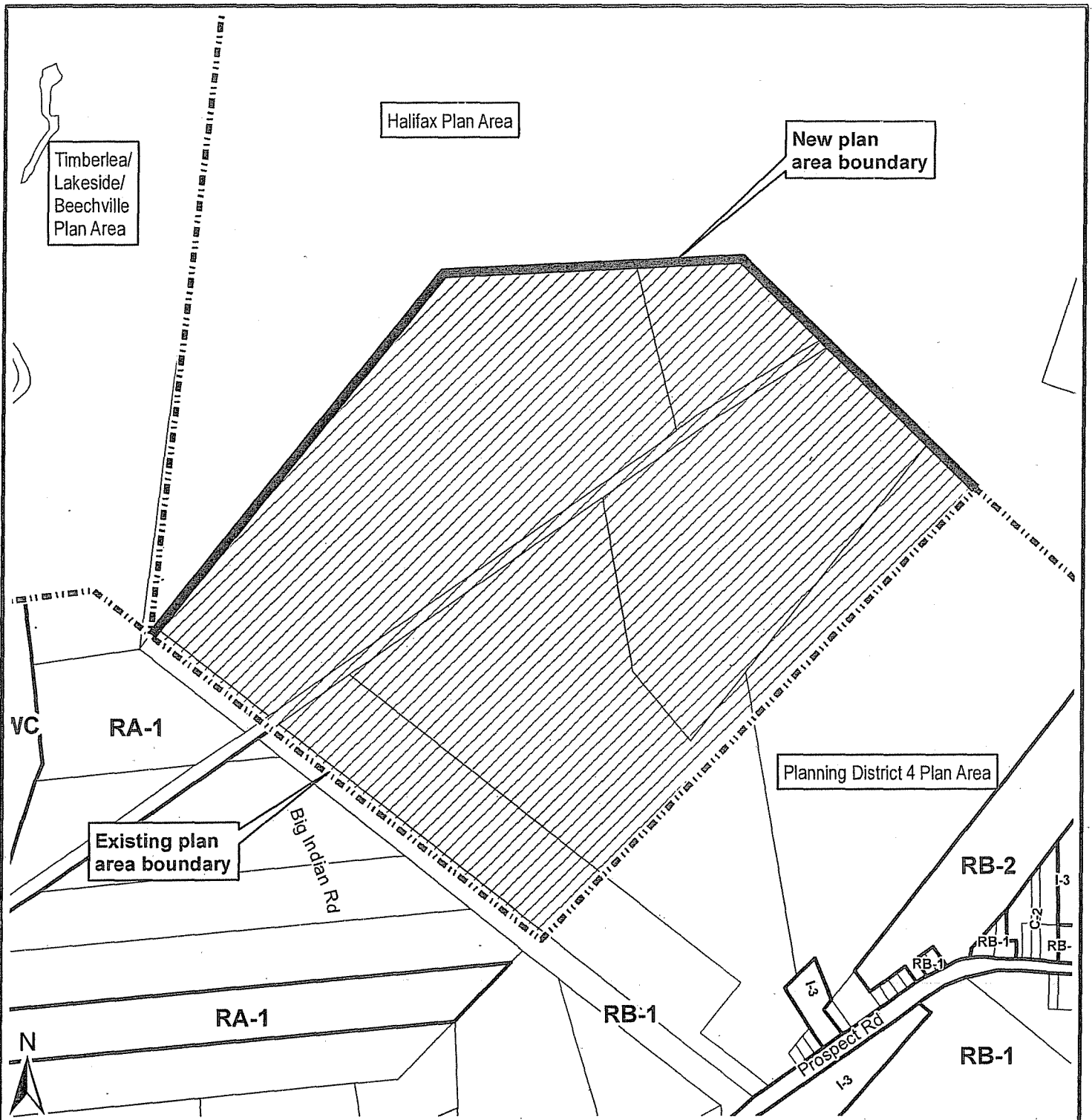
BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 as enacted by the Council of Halifax County Municipality on the 12th day of December, 1994 and approved by the Minister of Municipal Affairs on the 3rd day of March, 1995 as amended, is hereby amended as follows:

1. That the Zoning Maps be amended to include the subject lands in the Planning District 4 plan area and to apply the RB-1 (Residential B-1) Zone to said lands, as shown on Map A2.
2. That Schedule F, Areas of Elevated Archaeological Potential, be amended to include the subject lands in the Planning District 4 Plan Area, as shown on Map A2.
3. That Schedule G, Wetlands Map, be amended to include the subject lands in the Planning District 4 Plan Area, as shown on Map A2.

I HEREBY CERTIFY that the amendments to the Land Use By-law for Planning District 4, as set out above, were passed by a majority vote of the Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2011.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2011.

Municipal Clerk



Map A2
Planning District 4 (Prospect)
Municipal Planning Strategy
and Land Use By-Law
Proposed Amendments

Drysdale Bog, Goodwood

Planning District 4
 (Prospect) Plan Area



Area to be allocated to
 Planning District 4 Plan Area;
 designated Residential "B";
 and zoned RB-1 (Residential B-1)

Zone

RA-1	Residential A-1
RB-1	Residential B-1
RB-2	Residential B-2
C-2	General Business
I-3	General Industrial
VC	Western Common

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This map is an unofficial reproduction of
 a portion of the Zoning Map for the plan
 area indicated.

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

Attachment E – Public Information Meeting Minutes

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE NO. 01231

7:00 p.m.
Wednesday, January 6, 2010
Brookside Junior High Cafeteria, 2239 Prospect Road

STAFF IN
ATTENDANCE

Richard Harvey, Senior Planner, HRM Planning Services
Shanan Pictou, Planning Technician, HRM Planning Services
Susan Caldwell, Planning Controller, HRM Planning Services

COUNCILLORS IN
ATTENDANCE

Councillor Reg Rankin
Councillor Peter Lund

The meeting commenced at approximately 7:00 p.m.

Opening Remarks/Introductions/Purpose of Meeting

Mr. Harvey welcomed everyone to the meeting and introduced himself and staff.

Mr. Harvey advised that the purpose of the meeting was to discuss the industrial zoning surrounding the Drysdale Bog area. He advised that HRM is seeking input from the public about whether the zoning should be maintained or changed to be more consistent with the zoning of the surrounding area. Mr. Harvey stated that the Western Regional Council and Regional Council asked for a review of the zoning of this area. He advised that the minutes will be reviewed along with any written comments from the community.

Presentation of Proposal

Mr. Harvey presented a slide show to the community showing the evolution of development and zoning in Goodwood with a particular focus on the subject lands. He described that the community is divided across two former jurisdictions; the City of Halifax and Halifax County. Each had a different zoning approach, with lands in the City being zoned Industrial and land in the County having more of a residential focus, while also recognizing existing businesses with commercial and industrial zones on a limited basis.

Mr. Harvey advised that since municipal amalgamation, planning in the community has continued to limit opportunities for new industrial uses. For example, the planning for the Western Common greatly reduced the amount of the industrial zoned land. He stated, however, that the lands around the Drysdale Bog had not been included in past planning studies and as a result, it continues to be zoned for industrial development.

Following his overview of the zoning in Goodwood, Mr. Harvey provided information about a recent proposal to develop the lands around the Drysdale Bog for industrial uses and a small amount of residential development. He described that the proposal involved constructing a road from Highway 333, around the main part of the Bog, and through to Evergreen Road. He informed the audience that that the road required Regional Council approval to cross over two narrow parcels of land that are owned by HRM, which was refused. He suggested that while the refusal had prevented the proposal from being developed, Council has asked that the continuation of the industrial zoning of the land be reviewed. He continued by stating that one of the reasons for this is that the existing I-3 industrial zoning allows for a very broad range of uses. He provided an overview of the I-3 Zone.

Mr. Harvey stated that planning staff would like to hear ideas from the community about the types of zoning regulations might be most suitable for the area surrounding the Drysdale Bog. However, he advised that as a starting point and a suggestion for discussion, there might be two options to consider.

The first option that Mr. Harvey suggested would be to change the planning policies and zoning completely; to designate the lands for residential development, which would be consistent with the zoning of the area surrounding the subject lands. He stated that if this occurred, the as-of-right development allowances would be limited to 8 residential lots. Beyond this, development would be limited to residential development, but that the development would need to be an Open Space Design Development subdivision that would be approved by Community Council, with public input. Mr. Harvey proceeded to outline the policy context for Open Space Development, highlighting that environmental studies are required to be undertaken.

Mr. Harvey stated that the second option was to continue to zone the lands for industrial uses, but to place greater controls over the types of uses and the standards for industrial development. He stated that without a specific industrial development proposal at this time, this approach could either involve simply changing the industrial zone requirements or requiring that proposal be considered by development agreement, which would involve public input and Community Council approval.

Mr. Harvey indicated that these are two proposals for community consideration and that there may be others that might be suggested and welcomed. He indicated that the planning department would like to hear comments and suggestions and he then opened the floor for questions and comments.

Questions/Comments

Dan McAvoy advised Mr. Harvey that this was one of the better presentations and thanked him. He spoke about the tire processing plant proposed for the area and its impact on the environment and wanted to know what can and is being done about this.

Mr Harvey stated that the recent tire processing plant that has been announced for Goodwood was not the subject of the meeting. He acknowledged however that he understood that many

people in the community are concerned about this project so he wanted to provide information about it. Mr. Harvey indicated that the tire processing plant is proposed along Mills Drive, on lands that are industrially zoned. He stated that this use is likely permitted and if it allowed, a permit for its use can be issued under the existing regulations. He indicated that although he recognized that many people may want to discuss the tire plant, he thought that it is important to focus the meeting on the industrial lands around the Drysdale Bog.

Wayne Rogers stated that the hand out provided, which included a map, with a brown area-notification area had not been addressed along with a number of legends and wanted to know what they were. His second concern was that Mr. Harvey had indicated in his presentation two alternatives, residential and commercial. He wanted to know whether the HRM is really concerned about the Environment. He reminded everyone that this is a bog, and wanted to know why it has to be zoned or developed. He advised that the wetlands in this area provides water to three watersheds within the area, which provides drinking water to the various communities, and therefore, would be environmentally sanative area, negatively impacting the three watershed areas, lowering property values, etc.

Mr. Harvey explained the notations on the maps with a description of the notification area. With regard to the question about why development needs to be allowed at all, he stated that the municipality can control development, but only very limited circumstances may it completely restrict development. Based upon this, he stated that for the lands surrounding the Bog the question is really focused upon what are the matters that need to be considered in allowing and controlling development.

Mary Lou Saturley stated that such a meeting as this had been predicated ten years ago and that the area needs a hero with the changes that the area needs and the leadership by the Municipality concerning the impact to the area.

Doreen Chenard, a lawyer, stated that there is much misconception concerning lower intensity. HRM needs to take a look at what development does to wetlands. Homeowners will be homeowners and if this land is developed, there will be leaking into the bogs. Greater restrictions need to be implemented if this land is to be zoned industrial, even residential zoning would damage the wetlands and would have negative impact on the bogs and wetlands. She suggested that it be zoned conservation and be protected.

Chris Beazley advised that the bog and wetlands are very important to the watersheds in the area and if this area is touched it will have a negative impact on the watersheds.

Coral Vineott asked who made the final decision and what the alternatives are.

Mr. Harvey advised that Council would make the final decision but only after consulting with the public through formal public processes.

Coral Vineott noted that she was not getting a full picture.

Bert Caines commented that it was residential verses industrial. Industrial low impact would have a major impact on the Prospect Road. He advised that he already experiences a heavy load of traffic on the Prospect Road during peak times and the road cannot handle more.

Following a question and a comment that HRM staff seem to be telling the audience about what is appropriate for Goodwood, Mr. Harvey stated that the purpose of the meeting was to gain information from the community. He understood that the public in attendance were more knowledgeable about the area than he was.

Danny Caines stated that big industrial road in the Drysdale Bog area, impacts all the land within the community, whether living or selling, as there is a lot of history. It has been a sensitive area for a long time, and therefore, HRM should buy the land for conservation. Planning or Zoning the lands would affect a lot of people. He mentioned that uses such as the composing plant's odour, the debris along Route 333 and the impact from the towing company affects the community. He noted that the area is beautiful but the beauty was lost when planned.

D. Kursh stated that the area should be proposed industrial use because all cities needs industrial business, money flow, etc. He asked who enforces regulations. He stated that the community needs to get out there and pick up the garbage and debris. HRM cannot make the whole province a conservation area.

Wayne Hamilton asked if the proposal is to move the plan over to District 4 and would this require residential uses or industrial uses to be considered by development agreement?

Mr. Harvey stated that Mr. Hamilton was correct, that if this option was selected, the lands would be moved from the Halifax Plan Area to the District 4 Plan Area. He elaborated that an industrial development would require an amendment to the District 4 Municipal Planning Strategy.

Mr. Hamilton, referring to the tire recycling proposal, indicated that it was his understanding that any new industrial use in District 4 was required to be approved by development agreement, regardless of whether it was zoned for industrial.

Mr. Harvey stated that this was not his understanding, but that he would look into this for him.

Mr. Hamilton stated the community wants to protect the wetlands and the bog, and to go as-of-right instead of agreement would not provide that protection.

John Cascadden stated that he supports conservation of the said Bog area, 100 percent. He commented that he does not understand why the HRM has not put forth the money to preserve this land and suggested that when meetings are held concerning these matters, materials should be provided to the community prior and be available at local stores.

Donna Pettipas stated that she was on the Committee which worked on the zoning of the said area and on protecting the Goodwood area. She claimed that the actual area is small. She noted that there was already significant impact from development. She claimed she has put time into

attending meetings concerning the asphalt plants and have been advised that they are not fun to live by.

Ms. Pettipas advised that Goodwood should remain a buffer zone and that she would not stand for anything else. She will do whatever it takes to prevent an asphalt plant or industrial park from coming to this area because of the smells and noises produced. She stated that the families who live in Goodwood have been affected, their drinking water, etc. She stated that there is dumping that occurs in around the Bog, including old car batteries. She stated that when you know the by-law officers are tired of hearing from you, it takes a great deal of time and energy to fight things such as this. It takes more people than one to fight a good fight.

Cathy Carter stated that she lived in this area most of her life and while living in Vancouver, she told people of where she lived back here and they would awe over the area. She claimed when she returned it looked like an industrial dump. The road is terrible and she does not want people to see this.

Mike Lamplogh stated that he is not sure what to do here. He feels that it is sad what the province is doing to this area. If a basic lot of houses have 8 houses and there are four lots that is thirty-two houses in this area. This would impact the traffic in this area tremendously.

Mike Lamplogh asked how much is four lots worth? He asked why HRM doesn't buy the land, as conversation land, to protect it. He advised that Headland has not had water for years because of impact due to development.

Mr. Harvey stated that he does not want to be the person here giving two options but he advised that this needs to go back along with other options from the public to Council and restrictions put on this area.

Mike asked how businesses, like Lafarge, are going to shut down safely once they have been permitted to construct.

Beth McGee asked how many acres are in the Drysdale Bog area.

Unknown resident stated approximately 80 acres.

Beth stated that 80 acres will negatively impact the wetlands and all water in the surrounding area of the Drysdale Bog.

Shirley Sampson noted that as a young child her father, along with fourteen children, had to move and that they had to build protect the environment. She wanted to know what the impact would be on the environment.

Roger LeBlanc commented on the fact that there is a wind turbine located next to a dump up the road and felt it was an oxymoron. He stated that he hates the water because the contaminates are leaking into the water ways. He asked how HRM are going to monitor this as then there would be more.

Jeff Ripley wants to know how they expect to access this land.

Mr. Harvey went to the map and pointed out access roads leading into this land.

Mr. Ripley asked if left zoned as it is presently, can it be developed by permit.

Mr. Harvey said yes, but that some access issues needed to be addressed.

Mr. Ripley stated that a person can not go through residential to access this property

Mr. Harvey stated that he was correct, except with a road

John Cascadden asked if buffer zones were required for set backs and stated that there are no set backs shown.

Mr. Harvey reviewed the setback requirements and then elaborated that the studies associated with a Open Space Development might indicated that other setbacks be provided.

Mr. Cascadden stated that the time for thinking is now as the lands need to be conservation lands. It needs to be done prior to coming to this land. Planning could take a crayon and say this could be zoned this way or that way. He stated that it needs to be urban reserve now.

Mr. Cascadden stated that most of the people at the meeting wants it preserved as conservation land.

Beth McGee stated that if a person walks along the pipe line, there is lots of water all around it. She asked much would it cost HRM to obtain these lands as conservation.

Mr. Harvey advised that a parcel of land is owned by the HRM.

Frank Johnston said that he opposes any further development in this area and stated that the area needs to be cleaned up. The purity of water needs to be preserved. He stated that you need to control industrial land, because he has been around and noticed you can not control people all of the time. Polluting this area needs to stop and let natural filtration of the water take place. It is time we stop abusing this area.

Denise Caines asked if HRM, along with water conservation (Provincial and Federal), would consider purchasing this land to preserve it in its natural state.

Kathy Oakley asked if the area is protected to some degree and whether there could be a land swap to protect it.

Mr. Harvey advised that it has been and will continue to be considered.

Wayne Rogers asked what the residents of this area want done with this land. What about the land that is residential or the area outside the Drysdale Bog area. It is not just a Municipal problem but a provincial problem. The province of Nova Scotia has some responsibility to help the HRM in protecting this area.

Dan McAvoy stated that he was glad to see that people in this area were supportive of the idea of the HRM buying up these lands as a conservation area, to protect the wetlands. It is plain to see this evening that there is much emotion attached to the area, with tourism being big and Halifax the biggest beneficiary of tourism. Bog is not the correct name for this area because the area is not dirty or ugly but very beautiful land that could be developed into a tourist attraction. It is within a bike ride from Halifax on the newly proposed bike lanes. If the HRM acquires the Drysdale Bog area, it would be ideal as a tourist attraction, with bird watching and so forth.

Bruce Johnson said that there is a great deal of hostility toward planning, simply due to the ground rule being that this area hosts one thing.

Unknown resident asked why HRM is not acquiring these lands what the options are.

Mr. Harvey asked the community to consider what they want done with this property, if it is not acquired by the HRM. He advised everyone that if the lands are not acquired they have what the most appropriate zoning regulations might be.

Unknown resident noted a concern with Halifax C & D Recycling Ltd. Mr. Harvey advised that there is the possibility of extending Halifax C & D Recycling into this area through a planning application

Unknown resident stated that he hopes the summary indicates that the residents of this area do not want the area to remain I-3, but be a conservation area.

Mr. Harvey advised that there is a great of sentiment about the area be bought by government and it becoming a conservation area and that be shown in the minutes.

Closing Comments

Mr. Harvey informed the community that a staff report, along with the minutes will go to council and when the time comes for a public hearing, there would be additional notification. He asked everyone to sign the sign in sheet prior to leaving to ensure notification of future meetings and thanked everyone for attending.

Adjournment

The meeting adjourned at approximately 9:00 p.m.