

**COMMITTEE OF THE WHOLE
MINUTES**

NOVEMBER 16, 2004

PRESENT:

Mayor Peter Kelly
Deputy Mayor Goucher
Councillors: Krista Snow
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Bill Karsten
Becky Kent
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sue Uteck
Sheila Fougere (2:30 p.m.)
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Robert Harvey
Reg Rankin
Gary Meade

REGRETS:

Councillor Steve Streach
Councillor Brad Johns

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	3
3.	MASTER PLANS & GREENFIELD STUDIES (Continuation)	3
4.	ADJOURNMENT	9

1. **CALL TO ORDER**

Mayor Kelly called the meeting to order at 1:40 p.m.

2. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

There were no additions or deletions to the agenda.

3 **MASTER PLANS & GREENFIELD STUDIES - Continuation**

- C A supplementary staff report dated November 10, 2004 entitled Master Plans and Greenfield Studies was submitted.

The following correspondence was submitted:

- C A letter dated November 16, 2004 from Robert MacPherson, P. Eng., General Manager, Development, Kimberly-Lloyd Developments
C A memo dated November 3, 2004 from Tom Swanson, P.Eng., on behalf of the Whebby Family Interests
C A presentation in regard to Bedford West, dated November 16, 2004 from Mr. David Nantes, representing Annapolis Group

Mayor Kelly advised that Council will first hear presentations from the landowners, followed by remarks from staff.

Mr. Robert MacPherson, P. Eng. , addressed Council and advised that he was the General Manager of Development for Kimberly-Lloyd Developments Limited.

Mr. MacPherson read his submitted letter. In his remarks, he questioned the impact that staff's recommendations will have on the affordable housing market. Mr. MacPherson advised that the scenario monopolizes the market and removes the basic business principal of competitiveness. He added that with reduced choice, citizens of HRM looking for new homesites will be forced to specific areas causing an increased demand, with the result of inflated housing prices. Mr. MacPherson advised that the lack of competition and choice will mean the loss of affordable housing. He requested that if Council approves staff's recommendation then alternatives should be provided, adding that if areas were to be dropped on the basis that they are not feasible to service, that alternative areas of the Municipality be eligible for consideration for expansion of services. Mr. MacPherson added that, as well, the ability to revisit the master plan areas again as conditions change should be reinforced as a recommendation for inclusion as part of the Regional Plan.

Mr. Maurice Lloyd, of Atlanplan Ltd. addressed Council on behalf of Parkdale Developments Limited, noting they are the principal landowner in Governor's Lake Master Plan area. He introduced Mr. John Fiske and Mr. Jock Fiske, the owners of Parkdale Developments.

In his presentation, Mr. Lloyd expressed the following points and concerns:

- C The Village at Governor's Run is their main development in the area.
- C Parkdale has spent 6½ years working with HRM staff and the existing community in developing and refining the development concept.
- C Have held three formal public meetings; supported by HRM as well as many meetings with community organizations and individuals.
- C Spent over three million dollars developing this project.
- C Believe they have been treated unfairly in the development process; being saddled with costs not related to their development; e.g. asked to pay and provide for a portion of a direct roadway to Bayers Lake Business Park - a connection they don't need to meet their development traffic needs. They view the additional cost to help fix a problem in Bayers Lake has been added on to their project economics.
- C With regard to the economics of this development, no major investment over those already committed would be required by HRM for eight to ten years from the start of development.
- C Governor's Lake Area is the only one singled out for rejection yet it is strategically located within HRM; is an extension of an existing community, and can be readily and efficiently provided with transit; has access to an existing trunk highway; is designed as a premier community and proposed by a company with an excellent reputation within HRM.
- C Request HRM Council to direct staff to continue discussion with Parkdale Developments with a view to making this development happen. Parkdale is prepared to pay all reasonable capital cost contribution charges related to their development.

Ms. Maureen Donovan addressed Council and gave a presentation on behalf of the owners of Peerless Subdivision. She advised that she was president of the Dakin Company, which owns a 30 acre parcel of land adjacent to the Atlantic Acres Industrial Park, and within the Bedford West Master Plan. She added that she was also representing another landowner, who owns 10 acres abutting this property.

Highlights of her remarks are as follows:

- C Support staff's recommendation for moving the Bedford West area to the forefront.
- C Cost benefit analysis clearly points to Bedford West as being the most suitable for development.
- C Transportation opportunities arising out of the development of Bedford West

- can't be underestimated, given the energy crises we will face in the next one to two decades.
- C Dakin has owned their lands for 35 years.
- C In the 1980's, the development boundary was imposed and was placed in the middle of the subdivision in the undeveloped portion of the property, rezoned to RR—a designation designed to limit development on lands which require onsite services. At this time there were no sewer services in Peerless. In order to facilitate the addition of sewer services, Peerless (i.e. Dakin) provided a sewer easement to the Town of Bedford at their request in 1989, with the understanding that the infrastructure would accommodate all future lots in the undeveloped portion of Peerless. Hoping this situation will be corrected as part of the process. They have been approached by some of the subdivision residents who are anxious to see the zoning change so they or their children can rebuild in the subdivision.
- C In 1991 land was granted by the Dakin Company to the Town of Bedford for a park. A large portion of the lands they gave were in anticipation of subsequent rezoning.
- C A long wait to get these lands developed. Want to complete the subdivision in a style consistent with the existing neighbourhood; will provide a second access from the Kearney Lake Road.

Mr. Tom Swanson, P. Eng., addressed Council and advised that he was representing the Whebby Family Interests.

Mr. Swanson referred to his submitted memo and summarized his concerns, which are noted as follows:

- C The Whebby Family Interests own lands in the Port Wallace area.
- C The 1978 Dartmouth MPS and related planning documents designated Port Wallace along with Russell/Morris Lake area as the two growth areas for the City based on studies that showed they could be serviced most economically.
- C Whebby's own about 130 hectares of developable land in the Dartmouth East/Port Wallace Greenfield site area.
- C Approval of staff's recommendation will not only curtail the employment and taxes represented by the Whebby companies, but also the substantial commercial development proposal for the former Country View lands and the ongoing growth of Burnside.
- C Suggested the staff recommendation to defer this development is based upon a very preliminary assessment of cost for the North Dartmouth trunk sewer, which was based upon studies which have been superceded.
- C Request staff be directed to carry on negotiations with major landowners to facilitate the development of these sites.

Mr. David Nantes, representing the Annapolis Group addressed Council and read his submitted presentation, which supported staff's recommendation pertaining to the Bedford West Master Plan.

Highlights of his presentation are as follows:

- C Bedford West has the lowest offsite infrastructure costs of the 10 potential large scale developments in HRM, as noted in the Greenfield Area Study prepared for HRM as part of the Regional Planning process.
- C The lower costs and the ability to utilize existing infrastructure result in a significant reduction of risk for HRM.
- C Noted the transportation benefits of Bedford West, and the benefit of their storm water management system of which Annapolis has reached Agreement in Principle with the Nova Scotia Department of Environment and Labour.
- C Annapolis has worked with the community and HRM staff to bring Bedford West to this stage. A number of public meetings have demonstrated the community support for their project.
- C The economic and planning guidelines along with risk factors used to compare various development options for HRM overwhelmingly favour Bedford West.
- C Annapolis is committed to deliver a high quality development that offers a wide variety of housing options, significant green space and trail systems together with commercial employment and educational facilities.

Mayor Kelly thanked the representatives for their presentations and invited staff to provide comments.

Mr. Paul Dunphy, Director of Planning and Development Services addressed Council and gave a presentation focussing on how staff arrived at the recommendations they have put forward, and who will be affected by the recommendations, and the impact they will have on them. He gave a brief overview of the Five Master Plan studies, and noted that today's discussion is focussed on Governor's Lake North, Port Wallace, and Bedford West. Mr. Dunphy advised that, essentially, staff is asking Council to decide on where new large scale urban and suburban development will be directed.

Mr. Dunphy noted that in the early stages of analysis, there wasn't one site that stood out among the others, adding that all were fairly neutral. However, at the next level of analysis, which looked at the infrastructure capacity, staff considered two items: 1. how much development is already approved, and to make sure HRM has capacity in its road transit and sewer systems for those commitments; 2. look at new capacity--which is really planning the allocation of their infrastructure services and minimizing the impact upon services to the community before approving new development.

Mr. Dunphy added that , with regard to costs, consideration has to be given to the question of who pays for what. He noted that when Council approves these developments it will be

committing funds for the projects as they go ahead and the question then becomes, which projects are the most effective and efficient for Council to invest. Mr. Dunphy further explained that the fundamental principle is that the 'cost causer' pays; however the Municipality will be required to pay for some of the regional infrastructure. He emphasized the importance of ensuring that they not over-allocate the capital budget, noting that part of the exercise is to protect the capacity for all of the things that Council wants to do while accommodating the growth with minimum impact on the Municipality.

Mr. Dunphy pointed out that there has been some misunderstanding about the implications of Council's decisions he wanted to clarify. He explained that the decisions Council will make will not negatively affect the current and existing property rights people have. He emphasized that Council is not being asked to take away development rights, it is simply a question of which properties are in the best interest of the public to enhance the zoning and development rights and invest in the infrastructure and expand the service boundaries.

Mr. Paul Morgan, Planner, addressed Council and reviewed the staff recommendations regarding Bedford West, Governor's Lake North, and Port Wallace, and the next steps in the process. Mr. Morgan pointed out that decisions made today do not commit Council to certain projects, adding that detailed information will come back to Council.

Mr. Austin French, Manager, Regional Planning addressed Council and responded to comments made in the presentations which oppose staff's recommendations. Mr. French made the following points:

- C Housing affordability - staff believes that focussing growth in those areas with the lowest servicing costs supports the notion of housing affordability.
- C With regard to the Governor's Lake North area, the staff report outlines the very substantive traffic issues within the vicinity and these issues, therefore, impact on the ability to proceed with the Governor's Lake project.
- C With regard to the Port Wallace Master plan area and the comment that there were unnecessary costs included within the studies in regard to sewage treatment , he advised that staff met with Mr. Swanson many times, and reviewed the issues in detail and are confident their figures are accurate. He noted that staff is recommending the situation be reassessed on the Port Wallace area after they see how the landscape changes further, regarding the major proposed development in that vicinity, known as Country View.
- C With regard to the comment that the 1978 Dartmouth Municipal Strategy identified the Port Wallace as a growth area, he advised that the Strategy only suggested it was a potential area for growth, and specifically indicated that additional studies would be required before decisions could be made as to whether it would be an area for growth.

Deputy Mayor Goucher expressed his appreciation to staff for the way they carried out the community consultation process. He advised that he received very favourable comments from residents and landowners on the way the process was handled.

MOVED by Deputy Mayor Goucher, seconded by Councillor Rankin that staff continue to negotiate policy and regulatory amendments needed to allow for the development of the Bedford West master plans.

At 2:30 p.m. Councillor Fougere entered the meeting and took her place in Council.

Councillor Rankin spoke in support of the motion and suggested that Council deal with each of the recommendations separately, to which it was agreed. He indicated that when Council dealt with the Governor Lake North recommendation he would be putting forth a motion.

Following a lengthy discussion with staff responding to questions, the **MOTION WAS PASSED.**

MOVED by Councillor Rankin, seconded by Councillor Uteck that further work on the Governor Lake North study be discontinued; and that further consideration of this particular Master Plan Area should be predicated only on new infrastructure information or circumstances related to transportation and waste water capacity issues.

A discussion ensued with some concern being expressed that the proposed motion would not be giving clear direction to staff.

Mr. Dunphy addressed the matter and advised that staff are open-minded and if there is a change in circumstance then they will take another look at this matter. He pointed out that if there is going to be any additional work on Governor's Lake it can be considered as part of the review of the Regional Plan which has to take place periodically.

Councillor Mosher referred to the transportation aspects in the report, in particular, a recommendation for the widening of St. Margaret's Bay Road and advised that she would like to see in the Regional Planning process that St. Margaret's Bay Road stay a two lane roadway. She noted that she's received calls from residents of the Timberlea area who want to keep the roadway as two lanes.

Mr. David McCusker, Manager of Transportation, Regional Planning addressed Council and assured that the Regional Transportation Plan will be definitive on what roadway projects will be needed over and beyond the next 25 years. He advised that the St. Margaret's Bay Road will be addressed in the Regional Transportation Plan.

Following a lengthy discussion with staff responding to questions, the **MOTION WAS**

DEFEATED.

MOVED by Councillor Harvey, seconded by Councillor Sloane that Regional Council discontinue further work on the Governor Lake North study. **MOTION PUT AND PASSED.**

MOVED by Councillor McInroy, seconded by Councillor Sloane that Regional Council defer further work on the Port Wallace master plan pending extension of sewer and water services, by the private sector, to the nearby Dartmouth East lands.

A brief questioning of staff ensued, and the **MOTION WAS PASSED.**

4. ADJOURNMENT

The meeting adjourned at 3:50 p.m.

Jan Gibson
Municipal Clerk