

Port Wallace Public Participation Committee
Meeting Notes: September 27, 2018, commencing at 6:30 p.m.
HEMDCC room, Alderney Gate

PRESENT:

Claudia Currie
Adam Flick
Robert MacPherson
Catherine Lunn
Bertrand Losier
Peter Connor

COUNCILLORS:

Councillor Tony Mancini, District 6

STAFF:

Andrew Bone, Planner III
Katherine Greene, Policy & Strategic Initiatives Program Manager
Ben Sivak, Major Project Planner
Genevieve Hachey, Planning Controller

REGRETS:

Bertrand Losier
Valerie Gray

OTHERS:

Kevin Neatt, Clayton Developments Limited
Tom Swanson, P.Eng, Summit Rock Developments Limited
Brent Conrad, Conrad Brothers Ltd.
Kim Conrad, Conrad Brothers

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1. CALL TO ORDER

Robert MacPherson called the meeting to order at 6:30 pm.

2. ADDED ITEMS / APPROVAL OF AGENDA

Robert advised the committee that the notes from the last meeting were not available and asked that the committee approve the agenda, Moved by Peter all voted yes.

3. PUBLIC PARTICIPTION COMMENTS RECEIVED

No comments were received, Andrew advised that he had one conversation with a resident from Lake Charles inquiring about the possibility of services being extended beyond the Conrad lands.

4. LAST MEETING REVIEW

Andrew briefly reviewed items discussed at the last gathering which was at Quarry Fest on the Conrad lands and the last meeting in June.

Peter Connor would like to request information on the vertical elevation changes from the quarry to the residences on Spider Lake. He would like to know what height a building would have to be on the Conrad lands in order to be seen by Spider Lake residents.

Kim Conrod answered that the low part of Spider Lake is 83 meters and our property at that point is 60, at the back it is 67 and Fox Hill is 30 meters higher than that, there is also a 20 meter berm.

Andrew replied that they will map that out and touch base with the Conrads to get exact measurments.

5. PRESENTATION OF PORT WALLACE SECONDARY PLANNING STRATEGY WORKING DRAFT

Andrew went through the Working Draft Port Wallace Secondary Plan (provided on the website)

Adam Flick asked if the population number included the possibility of secondary suites and backyard dwellings.

Andrew replied that no, the census numbers don't take those into consideration as they do not currently exist.

Peter asked if the density numbers in the various zones, the persons per acre, does that reconcile with the Generalized Future Land Use Map?

Andrew replied that they should, however he would clarify that.

Catherine asked that ash not be used because of the beetle that has been spotted in NS.

Andrew replied that they would seek advised from HRM's Urban Forester in regard to what trees to plant.

Peter asked if the Quarry lands will have a storm water management plan as well.

Andrew replied that they are subject to Provincial Regulations.

Tom Swanson added that for now the quarry has it's own strict water regulations and if it is developed down the road that it would require a new storm water management plan at that time.

Kevin Neatt added that because the lands are in one catchment area that there would be one Storm Water Management plan for all the Webby, Unia and Port Wallace Holdings lands.

Claudia asked if they do soil sampling to know how much storm water can be let to recharge the ground water before it gets to the pipe?

Kevin replied that yes, they have done soil analysis already. Kevin advised that he can provide Claudia with that information.

Peter wanted to clarify his understanding that the zones will allow as-of-right development of buildings, the Development Agreement controls all the infrastructure.

Andrew replied that yes, that is correct. Staff is trying to make the process for HRM and for developers to flow better and to cut down on administrative issues.

Claudia Currie would like to know if there will be a more detailed zoning map.

Andrew replied that yes, there will be further maps.

6. PRESENTATION OF PORT WALLACE LAND USE BY-LAW WORKING DRAFT

Ben Sivak spoke briefly about the Land Use By-Law working draft while highlighting certain areas. (provided on the website)

Robert asked if these land uses are new. Are the uses being proposed all uses that the developer as asked for? Are there uses here that the developer does not want to see?

Ben replied that generally yes however HRM staff have taken a broader look as these land uses will be there going forward and should take into consideration things that may want to be developed in the future.

Kevin replied that the developers try not to be boxed in as to what can be built and try to have a document that is as permissive as possible, it is possible that some of the uses in the document would not be wanted by the developer.

Robert suggested that if there are uses here that the developer and the committee do not want that they could easily be removed from the document.

Adam would like to know if some of the land uses on the Conrad Quarry lands are being pushed by the city or by the developer.

Ben replied that it is a combination of everything, that staff take into account what the developer has submitted, what is heard at these committee meetings and at the public information sessions. There is a difference between a concept plan and how you write down the zoning regulations. Concept plans will show individual buildings, zones and land uses will not show that much detail, they are written with setbacks and zones that are flexible. Market conditions can change, sometimes it makes sense to build single use vs semis and 10 years later that could change. The more permissive the zones are the less we get caught up in administration and rezoning processes 5, 10 or 15 years down the road.

Adam advised that he is concerned about the existing neighborhoods.

Peter replied that the existing neighborhood would evolve as well and that these zones would permit that to happen within reason.

Robert would like to know if there will be more changes between now and the next meeting.

Ben replied that staff is content with the information as it is written for the time being but they will be looking for input and feedback from the developers, land owners and the committee members.

Robert spoke about issues HRM may have had in the past where Development Agreements had to be created in order to solve problems that arose when new developments abut older neighborhoods. There is concern that with moving away from Development Agreements and simply going with zones that there may not be enough direction to keep these problems from occurring.

Ben used the Bedford West Development Agreement as an example of a very large DA document that essentially was a Land Use By-law within a Development Agreement. By creating the LUB and zones in greater detail ahead of time we can essentially stop the need for individual Development Agreements every time a building needs to go up.

Robert used the example of the Central Mixed Use zone on Clayton's land and the same zone on the Conrads land would have the same uses however there could be issues with some of these uses on the smaller conrad lands. Will there be enough detail in the Land Uses to mitigate these issues?

Ben replied that this is the kind of feedback they are looking for.

Peter added that this smaller piece of land may stop some of the uses from being developed simply by the size and location.

Robert replied that as an example, if you put a Tim Horton's on the Conrad land it would be a nightmare because you'd have cars backed up onto the street, will the Land Uses have enough detail to distinguish those types of problems.

Ben added that there are layers of checks and balances here, there is an overall policy set, zoning that breaks it down into more details (setbacks, uses etc.) and the permitting process. Just because the zone states that you can put a Tim Horton's there it doesn't mean that you can get a permit from traffic authority to put a driveway in, that you can fit it on the site, and that you will meet all the permitting requirements.

Claudia Currie asked if at this stage is where we need to discuss turning lanes and width of roads.

Kevin replied that this ties in nicely to what Ben was just discussing, all of those types of details are discussed at the permitting stage. The municipality has all the standard sizes that go with these types of developments, collector roads have a specific size that go along with them, a size that will allow for sidewalks, turning lanes and other things.

Ben highlighted a few areas where they would like to committee members to focus on as they are looking for specific feedback. They have left the heights blank in the mixed use and medium density zones, they would like to talk to the developer and committee members about that. Taller, leaner buildings may leave for more green space and better storm water management however they may change the feel of the area. They would like feedback on the cluster housing zones, this would be applied to the low density zones however it would not be allowed next to existing neighborhoods, it is intended to allow for similar built form with access through a shared driveway. We are open to that in certain areas. Lastly there are two industrial zones, there are large buffering and screening requirements, the general zone would be allowed further away, towards the middle of the Conrad lands at least 300 meters away from surrounding zones.

Adam pointed out that it states that current legal uses would be grandfathered in and they would like to know what "legal" is.

Ben replied that means currently existing with a permit, for example there is an existing asphalt plant here that may be placed within the Commercial/Industrial zone, we would not want to create any issues with already existing uses but would not allow any new ones.

These are the main highlights, we expect the committee members to look through these documents and to come back to us with questions and comments.

7. GENERAL COMMITTEE DISCUSSION

Katherine added that this process exists in order to receive feedback, this is not an instance of HRM vs the committee. We are here for your feedback.

Adam replied.... A lot of what they have been discussing has not gone into the document.

Robert agreed with Adam and stated that many of the items that the committee has spoken against are still in these documents.

A member of the public asked if the public would be given an opportunity to be presented this plan before council votes on it.

Andrew replied that once the committee if finished with their work on the draft document it would be brought to the public for further comments. The format of that meeting has not yet been decided on. The committee and staff would present this to the public before finalizing the document in order to receive further comments.

Katherine added that once public consultation is complete that staff would present a final draft to the committee; based on that the committee members would put forward their recommendations. At this point the committee is able to indicate that there are items in the final documents that they agree with or do not agree with. The documents would then be presented to Community Council and then on to Regional Council. At Regional Council the public is still able to make comments.

Councillor Mancini thanked all the committee members for their dedication to this process, they empathized with the frustration felt by the members of the committee. The councillor explained the process and how important this committee is to this process.

Adam reiterated his frustration with this process and feels that the main concerns that the committee has had have not been addressed. They have had significant concerns with the traffic and the traffic study and they are happy to know that HRM is now doing new counts however it seems as if the traffic issues in general have not been taken seriously. The draft Land Use and Zoning plans we've seen here today seem more lenient than any of the concept plans we've seen. We are being heard but our concerns don't seem to be addressed in these documents. This committee doesn't seem to have much impact, we say the Waverley Road cannot take all this extra traffic but the consultant's report states you can have more traffic.

Claudia added that every time they discuss the environment it gets put in the parking lot and that they agree with what Adam is saying.

Peter added that the concept plans they've been shown are simply that, concepts. They do not make a Land Use By-law or Zones, they are just illustrations of what can happen. That much detail cannot show up in a Land Use By-law and that is not what we are doing here. They believe that this process is moving smoothly and correctly, they feel that what has been expressed at this table is shown in one form or another in the document and that perhaps we as a committee do not fully understand what form these documents take.

Claudia said that at the meeting at the school that the public has said it is unacceptable to have this come out onto the Waverley road.

Catherine added that that has been a strong thread all the way through this committee's process. This is a crucial issue.

Peter added that this is one of the recommendations the committee can bring forward to council, that this committee does not accept this connection at the Waverley Road.

Robert said that all they can do as a committee is make recommendations. We can say that the committee does not recommend a connection at that point, staff will present their findings – perhaps stating that the study shows the Waverley road can handle the traffic – and council will make a decision based on all the facts.

Andrew said that the report presented to council will discuss all of the issues fully so council understands what the issues are, what the community wants. This report will include several recommendations, from staff, from the committee, from engineers and professionals, this will all be brought together.

Claudia asked if there would be environmental recommendations.

Andrew replied that they would have access to all the reports including environmental.

Councillor Mancini said that they need this committee, they are just one voice on the council and they rely on all the work being done here to have a deep understanding of what the community wants.

A Member of the Public requested that the issues be highlighted when brought to the public, that the public cannot read through and understand a 45 page document and that they would prefer if areas of special interest be highlighted for the public. Perhaps a one page, bullet point document. HRM may be able to slip things through in a 45 page document.

Councillor Mancini assured the resident that they do not try to slip things through.

Adam believes that the infrastructure report was slipped through and went out to council quickly in order to hide information. A 145 page document went to Regional Council in 6 days. The community did not have time to read this report and give their feedback.

Robert and Claudia replied that the community as a whole will have this sort of reaction, they are a reflection of how the community feels.

Claudia added that if the highway was twinned, if the people along the edges are buffered and then all you'd have to worry about is the environmental around the lake. Without twinning the highway the community will be upset.

Councillor Mancini replied that staff have not and do not skew things in order to get a result.

Katherine added that the infrastructure report was not a decision point for staff. They made a decision to not release the report in full due to budget information being contained in it, that information must go to council first. Staff reported the main points to the committee ahead of showing it to council. Due to the concerns of the committee HRM is out doing new traffic counts right now. Our Engineers give us advise, we listen to that advise.

Andrew added that yes we listen to that advise but we also challenge that advise, which is why new traffic counts are currently underway. If we make recommendations to council they must be solid, evidence based and Kate, Ben and I have all pushed to get additional information as per the committee's concerns. The issue with the twinning of the 107 is not covered in the policy, it is a provincial matter and we cannot address it in this policy.

Robert said that the committee has done very good work up to date. The policy set is really good, we've done a lot of good work on it. The Land Use By-law seems to have a disconnect to what we've been discussing. We should review this over the next two weeks and fully understand if the Land Use By-laws are implementing the policies we want to achieve.

Councillor Mancini asked if this would be on the website and can the public submit their comments.

Andrew replied that this would be put up on the website as of tomorrow and that a mailout will be sent. This is an evolving document that is subject to change, once it is more solid we will be looking at input from the community.

Katherine added that we may need to work on this draft before we put it up online and send it out.

The committee members agreed that they should wait until after the next meeting at least.

Adam advised they would like to see more public engagement.

Claudia asked if anyone could comment on the algae problem.

Andrew replied that it is a concern and that HRM staff along with the province are looking into it, they are not sure exactly sure what is happening but can put Claudia in touch with Cameron.

Councillor Mancini advised that there are reports that will be coming out that deal with some of these issues.

Catherine asked if the next meeting on the 11th of October will be the meeting where we will be able to comment and ask questions. They would like to make sure that PW12 is discussed further. They will not be able to attend the next meeting but would like the committee to discuss this. Is the connector road location a fait accompli? They would like for it to come out on Montague or somewhere other than the Waverley road, if this cannot happen they would like to know why. The community is very concerned about this.

Andrew replied that more information will be provided to the committee about this. If it is decided by staff that this is where this connection should go it could be part of your recommendations to Council that you disagree with that and would like to see it connected elsewhere.

8. PUBLIC COMMENTS

None.

9. NEXT MEETINGS

There will be a meeting on October 11, 2018

10. ADJOURNEMENT

Meeting adjourned at 9:08pm.