

Fall River Community Planning Group Meeting
Lakeview/Windsor Jct./Fall River Hall, 843 Fall River Road, Fall River



July 11, 2011
7:00 pm

Present

Michael Creighton – Chair of Community Planning Group
Bob Guscott
Jacqueline Steudler
Keith Manchester
Jim Simons
Sandra Carr
Bill Munden
Joy Gouge
Anna McCarron
Barry Dalrymple – HRM Councillor
Al MacKenzie

Staff

Maureen Ryan, HRM Senior Planner
Scott LeBlanc, HRM Planning Technician
Lisa Webb, HRM Planning Controller

Call to Order

The meeting was called to order at 7:05 pm.

Michael Creighton began the meeting by saying they were there to discuss the various proposals received.

It was decided to begin with the sites as they appear in the report and not in the order as appeared on the agenda.

Site A – Perry Lake Estates Development

Support to allow for 4,000 sq. ft. commercial use plus a 10,000 sq. ft. storage facility as part of the policy to allow for a 4 unit/acre housing development on the lands of Perry Lake Estates.

Michael Creighton Called for Discussion

Maureen Ryan made a presentation on a few points. Previously you recommended 4 units/acre with a maximum of 2,000 sq. ft. for local commercial use and a maximum of 6,000 sq. ft. for local self-storage facility under the policy. The property owner agreed to have his property rezoned from and I-3 to a Residential Comprehensive Development District Zone, to create a range of housing types multiple units, townhouses single or two unit dwellings and the local commercial business self-storage unit through the provisions of a development agreement. He is requesting that the policy be amended to be allow for an increase in the permitted commercial floor space from 2,000 to 6,000 sq. ft. and to allow for 10,000 self-storage facility instead of a 6,000.

Overview

The rezoning of that property from I-3 Local Light Industry Zone to a Residential Comprehensive Development District Zone is more in keeping with and compatible with the surrounding residential development than the future development of a large industrial operation at that juncture into the Fall River Village area. In this case, the proposed development will have access directly from the Cobequid Rd. and will therefore not have as great of an impact on Fall River Village. The limited commercial development requested would provide convenient access to the local commercial services.

Maureen Ryan provided Recommendations to the Committee

Recommendation #1

Traffic and Transportation Dept. of HRM pursuant to the Fall River Transportation Study notes that all road networks throughout the Fall River area are either at or nearing capacity of receiving road network or at key intersections, downstream of the development. At some point there will be added pressure so developers should, therefore, contribute to the road network improvements through the application of a Capital Contribution Charge whereby we would determine what portion of the cost should be applied to the development based on the amount of impact that the development is determined to have on the regional road network system.

Recommendation #2

Shubenacadie Lakes Watershed Study has told us that the groundwater table is extremely limited, therefore, the consultants have recommended a maximum density of anywhere between 1 unit/1.62 acres up to 1 unit/4 acres. Rather than the requested 4 units per acre, the consultants recommend a density of 1 unit/4 acre, unless a municipal water supply is provided. In this case, municipal water service is provided and there is no anticipated groundwater impact. The conclusion of the study seems to suggest that for all of the proposed developments access to municipal water supply should be required.

Bill Munden recommended approval of the development based on what Maureen Ryan just said.

Michael Creighton and Maureen Ryan said there were a couple other things to consider before a decision should be made.

Maureen Ryan went on to explain surface water impacts. According to the Shubenacadie Lake Study the receiving waters are at risk of turn over to mesotrophic status due to phosphorus from nearby septic

tanks within 1000 ft. of the feeder streams into the lake system. We want to have some control over wastewater management system. Maureen Ryan was speaking with Service Nova Scotia they do have performance measures we are entitled as a municipality to establish a performance measure. We are also entitled to require specified studies for specified developments in specified areas. The findings of that study could be made a conditional on meeting the performance standard of the receiving water in this situation. You would have to set a performance measure and then undertake a study and that would tell us how much density you could have on the particular piece of property. The problem is we were going to set the performance measure in Phase II of the planning process but she is suggesting establishing a water quality measure as an interim measure right now. Require that the studies be undertaken to determine whether the development can be undertaken. Maureen Ryan deferred to the expertise of committee members around table could we set a performance measure objective and be reasonably confident that we could access an appropriate position.

Bill Munden reiterated his approval for this development based on the comments made by Maureen Ryan and that the studies be performed.

Maureen Ryan also recommended that the committee should consider giving structure to amenity space. People who live here are going to need common open space that they can congregate in for various reasons so we should set some requirements for amenity spaces. She also recommends that the committee establishes some requirements for buffering from surrounding residential uses.

Sandra Carr asked if Maureen Ryan meant building when referring to amenity spaces. Maureen Ryan said "No".

Is this for all the developments? Maureen Ryan said "Yes".

Allen MacKenzie then agreed with Bill Munden and wished to approve the proposal with the stipulations that Maureen Ryan suggested. He went on to say different pieces of land will provide different levels of acceptance for an increase in the number of housing units that you put there. Some might have access to water, whether it be local from a lake, but you still have to deal with sewage that what will adversely impact of our lakes. Once situation with the lakes has happened, there is no turning back short of putting in a treatment system which again would end up in the lakes.

Allen MacKenzie asked if the water quality standard would deal with stormwater management? Maureen Ryan said it would be one of the tools that you could use but setting a water quality objective does not imply that stormwater management techniques are the only tool for meeting those objectives. This could be subject to sewage treatment disposal assessment, traffic impact assessment, stormwater management assessment, etc.

Keith Manchester pointed out that no matter how good a sewage system is, there is still a problem with stormwater management which is almost a bigger problem as the actual sewage system. You could have a perfect sewage system but still get a fair amount of pollution due to the development if it didn't have a stormwater management system.

Maureen Ryan said that you will need a wide variety of tools to achieve the objectives or the plan with stormwater management being one of the tools.

Councillor Barry Dalrymple asked how specific do you want to get for amenity area. Maureen Ryan said you don't have to be specific since there is a basic requirement that 40% of the site has been retained as open space. That policy already requires the delineation of trails and things that are of benefit to the surrounding community, and sites at hand, but we should have to have criteria established under the policy to state that amenity space is required. Councillor Barry Dalrymple said the property we are talking about is the perfect place to have a connecting walking trail from the park in Waverly into Fall River Village. How do we ensure that is going to happen? Maureen Ryan said that you establish the requirement for trails as part of the policy for a development agreement and determine the specific trail alignment as part of the negotiations for a development agreement.

Maureen Ryan advised the Committee that a policy should not be prescriptive since you need flexibility during the development agreement approval process to assess where the various elements of the site design should be situated when you have access to more information about the site in terms of the physical constraints and opportunities for development.

Anna McCarron asked that we put something in there with regards to the recommendation of the Watershed Study. Can we put in something to the affect "as per recommendation in the Watershed study". Maureen Ryan explained that the recommendations have not been accepted by Regional Council and we would be getting ahead of ourselves because they are going to do that in Phase II. Maureen Ryan suggested setting water quality objectives as a means by which to measure the impact of the proposed developments on a case by case basis.

Anna McCarron requested that Wet Area Mapping be done for all developments. Wet Area Mapping describes the high and low points on a piece of land in terms of whether there is potential for flooding, where water collects. It shows the contours of the land and shows where water will congregate and drainage. Wet Area Mapping is not the same as wetland delineation. Tells you where the water table is going to come.

It was agreed to establish a water quality objective for the development.

A discussion needs to be had to set a water quality objective at a later date.

Maureen Ryan said another thing to consider is to the need to ensure there is a mix of housing types. You don't want to have a single concentration of single form of development. The idea is to try and achieve a mix so you want to require a mix of housing types? Keith Manchester stated that Perry Lake already has it but Maureen Ryan asked if you would like to make it a requirement. Everyone agreed that it should be established as a requirement.

CPG Recommendation

Allow the Sewage Treatment Disposal Standards, Traffic Impact Assessment, Stormwater Management Assessment, Wet Areas Mapping, to set the density limits not to exceed 4 units per acre.

Set an interim water quality objective subject to closer examination under phase 2 planning process.

All subject to the availability of municipal water, provision of connector trail to McDonald Sport Park, amenity spaces, buffering from low density residential areas, and incorporation of a mix of housing types.

Set a CCC based on Traffic Impact Studies.

Recommendation Approved Unanimously

Site B – Laurie Baker Site – Fall River Road

Maureen Ryan pointed out to the Committee – it is a 192 unit development on a maximum of 39.3% of property. The layout shows the possible development of 2-3 story multiple unit dwellings on the south western area of the site for a total of 138 units, 34 townhouses, and 20 single unit dwellings. Maureen Ryan also clarified that the drawings submitted are intended as an illustration of how a 4 unit per acre development might be laid out on the site but that it was not plan. The plan would be forthcoming through a future development agreement process if the proposed policy is approved by Regional Council. She clarified that it is not the mandate of the Committee to specifically approve any development. The Committee's mandate is to make a recommendation to Regional Council on policy which would guide consideration of future development. The site is currently zoned R1B which would allow low density residential development on a minimum of 40,000 sq. ft. lots. The overall yield would be 1 unit/acre if we were to develop by the Classic Open Space Design. This density may be increased through the Secondary Planning Process which we are now considering. The Transportation Study suggests that the road network at capacity, so you would need a traffic impact study or statement. It is also recommended that you require the developer to pay a portion of the cost of the road improvement necessary to service their development through a Capital Cost Contribution (CCC) requirement. The Transportation Study recommends a four lane bridge and a roundabout at the 118 and a new future interchange to fix the current traffic problems. Maureen Ryan clarified that a CCC policy would not require the developer to pay for the regional transportation system. It may require that the developer pay for things like a turning lane that would be of direct benefit and a requirement to facilitate traffic movement into the development.

Also another consideration – Michael Creighton and Maureen Ryan met with the Cummings Dr. residents and developer on June 23rd to discuss community concerns. One concern was the impact future road connection from the Baker property would have on Cummings Dr., noting that there were 4 homes on Cummings Dr. The residents anticipated that it would produce an overwhelming amount of traffic, shortcutting thru the area to gain access to Fall River Rd. Another concern was the impact of the visibility of the multiple-unit dwellings, particularly on the western side of the site, on the neighbouring properties. Maureen Ryan said she did receive a call from a resident who called to clarify that they were not opposed to the development but they were not in support of the 4 units/acre density as requested. Also, discussed at the meeting was the need to assess the traffic impact on the Cummings Dr. area or the Fall River Village area and not just assume that the connection would be made to Cummings Dr. but that it could be made at alternative points to the Fall River Rd., with Bluehill Rd being one of them or Ingram Rd. or a number of them. Maureen Ryan illustrated on the drawing where buffering might be of

benefit to offset the visual impacts of the multiple unit dwellings on the adjacent single unit dwelling neighbourhood.

Barry Dalrymple said that he too has received calls from residents of Cummings Dr. to clarify that are not opposed development and require a buffer but they are adamant they don't want the road coming through Cummings Dr.

There was discussion about that density should be left at 2 units/acre. Also further discussion ensued with regards to the Traffic Study.

Barry Dalrymple pointed out that development drives infrastructure

There were further discussions with regards to public transportation. Barry Dalrymple informed the committee that the Metro X and park and ride have been fully approved and costed in this year's budget. The park and ride by the 118 will be built later this year. It is slated to open May 2012.

There were discussions with regards to trails and the question was raised about whether there is there any that need to be specified or just require trails in general under the policy.

Allow the Sewage Treatment Disposal Standards, Traffic Impact Assessment on Fall River Road and Fall River Village, Stormwater Management Assessment, Wet Areas Mapping, to set the density limits not to exceed 2 units per acre.

Set an interim water quality objective subject to closer examination under phase 2 planning process.

All subject to the availability of municipal water, provision of trails, amenity spaces, buffering from low density residential areas, and incorporation of a mix of housing types.

Consideration maybe given to increase density to a max of 4 units per acre subject to a traffic impact assessment of the impact of the development on the surrounding area including the Fall River Road, Fall River Village and areas downstream of the proposed development.

Set a CCC based on Traffic Impact Studies.

Recommendation Approved - 7 in favour, 3 objectors

Site C – Charleswood Development

To allow for two units/acre for the townhouse phase of the Charleswood Development.

Requesting 2 units/acre to Phase 4.

Maureen Ryan clarified area with Chris McAulay on the area for which they are seeking approval for the townhouse component. Chris McAulay clarified that he is requesting an increase in density from 1 unit/acre to 2 units/acre to allow for 92 town homes.

It is recommended that a CCC be applied to the property to offset the cost that the development will consider future road network improvements also recommended a traffic impact analysis.

No groundwater impact is anticipated the area is serviced by central municipal water.

Recommended study on impact of development on phosphorus loading and set a performance measure against this to assess the impact. Requirement for buffering.

Jim asked about septic.

Mr. McAulay responded by saying all have separate tanks but the shared field will be monitored by the Department of Environment.

No multi-unit dwellings are recommended in this development, only townhouses.

This development has alternatives for traffic. It can exit onto Beaver Bank Rd., or Cobequid.

Jim Simon voiced his concern that he would like to set a criteria instead of generic approval for density and the Committee discussed.

Maureen Ryan urged the Committee not to set a generic standard for density since the circumstances surrounding the development differ from site to site. She noted that in this case, the site area exceeds 200 acres in area and that a density allocation of 2 units per acre would have a greater impact on the surrounding area than a site that is only 30 acres in size.

CPG Recommendation

Allow the Sewage Treatment Disposal Standards, Traffic Impact Assessment, Stormwater Management Assessment, Wet Areas Mapping, to set the density limits not to exceed 2 units per acre for the townhouse component in Phase 4 and 1 unit per acre for remaining area of development.

Set an interim water quality objective subject to closer examination under phase 2 planning process.

All subject to the availability of municipal water, provision of trails, amenity spaces, buffering from low density residential areas, and incorporation of a mix of housing types.

Set a CCC based on Traffic Impact Studies.

Recommendation Approved - 9 in favour; 1 abstention

Site D – Ziyad Chediac

To increase the permitted density on lands adjacent to Sobeys, from 1 – 6-10 units/acre to allow 72-100 unit development for seniors.

Keith Manchester asked if he was planning to put in his own central sewage system. His concern is the water. He noted that this is already an area with water problems.

Michael Creighton – clarified that nothing happens without central water. That would part of the criteria it would have to have central water.

Jacqueline Steudler had concerns that the water will funnel down to the lakes.

Joy Gouge voiced concern of the slab construction proposed and that there would still be some grading required and the pyritic slate is a concern.

Keith Manchester and Allen MacKenzie voiced his objection to the project. Their objection was based their concern of the runoff from the property and the traffic. Based on the request they couldn't approve it.

Maureen Ryan– pointed out that in the Committee's modelling exercise at the 2009 Design Charette, the selected model showed a desire for a higher density development near the Sobeys site. She indicated that it was one of the better locations for a multi unit dwelling development since shops, transit and wellness facilities are within walking distance and a multiple unit dwelling at this location would create the mixed use commercial development in the Village Core as called for in the Vision. \

Anna McCarron said that in fairness and upon closer examination of this proposal, this fits everything we are looking for.

Barry Dalrymple asked if a large steel building is in keeping with the original goals of the committee for rural community feel.

Bill Munden– suggested that this proposal not be accepted as is. Not to say the individual can't come back with something different and meet the criteria we set out.

Maureen Ryan– pointed out that the Committee is not approving an actual development since it is just an illustration. The policy that the Committee eventually recommends does not have to specify that the development has to be located on the back of Sobeys. The policy could specify x number of units per acre with consideration for the traffic impact, architectural requirements of the village center and receiving waters as a means of evaluating a future development proposal. She advised that the policy could require that a geotechnical assessment be undertaken to determine the presence of any pyritic slates.

Ziyad Chediac informed the Committee that he would be going to public hearing requesting the decision with no policy in place but if there was a policy in place he would be coming back with a detailed proposal after he went through all the appropriate assessments taking all uncertainty out of the equation that you are encountering now.

There was further discussion amongst the Committee about the height requirements that they originally set of maximum 3 levels.

Maureen Ryan pointed out ways to ensure the buildings are not seen via trees and buffering. You could specify that the development be located away from the ridge, etc.

A model was shown to illustrate the height of the building in relation to the average height of the tree stands in the area.

CPG Recommendation

Allow the Sewage Treatment Disposal Standards, Traffic Impact Assessment on Fall River Road and Fall River Village, Stormwater Management Assessment, Wet Areas Mapping, to set the density limits not to exceed 4 units per acre, assessment of impacts of slate.

Set an interim water quality objective subject to closer examination under phase 2 planning process.

All subject to the availability of municipal water, provision of trails, amenity spaces, buffering from low density residential areas, and incorporation of a mix of housing types.

Set a CCC based on Traffic Impact Studies.

Recommendation Accepted As Amended - 7 in favour; 3 opposed

Site E – Inn on the Lake

To maintain existing policy to allow consideration of a future condo complex for adult housing.

Keith recommended that the committee accept the proposal. He has the sewage treatment in hand. Consideration on traffic would be the major thing with this proposal. He already has the system in covered for the capacity he is requesting. He is only asking to keep what was approved in the past.

Ron Nelson, representative for the Inn on the Lake, clarified that the Inn on the Lake is looking at less than 100 units to be added with the 39 existing units, 144,000 sq. ft. Mr. Nelson said that the proposed development would be in the range of 75 – 100 units.

Jim's concern is with the lakeshore and the alternations on the lakeshore.

Michael Creighton asked if the original drawing was based on the original shoreline.

Maureen Ryan clarified that you would probably use the high water mark. We would set it at high water mark.

Anna McCarron was concerned that the development may exceed the maximum 50% impervious surface requirement and with the setback and buffers. She was also concerned with stormwater runoff from the site and with the overflow wastewater in event of power outage. She suggested that there needs to be some backup in event of power outage to ensure sewage treatment facility doesn't overflow into the lake. She also expressed concern about the size of the density and the water use.

Keith Manchester said that these are all these concerns that could be addressed through the development agreement.

Maureen Ryan said that some things could be included. She also recommended that you require adherence to the architectural requirements of the by-law.

There was discussion about the amount of stories proposed and a model was shown to the Committee.

There was concern about sand going into the lake and the effects it would have on the lake.

Maureen Ryan will examine possibilities for enhancement/rehabilitation of riparian buffer and protection of lake ecosystem.

There was talk about the requirement for municipal water. Ron Nelson informed the Committee that he already has a system in place for water and that municipal water wouldn't need to be a requirement.

Jacqueline Steudler– wants the land to be 3 units/acre.

The Committee had the discussion on whether to reject this proposal or approve and send the developer back with a different proposal.

Barry Dalrymple noted to the Committee that in all the other proposal they were increasing density and this proposal has prior authorization for increased density and this is the first one we are talking about reducing.

Sandra Carr does not want to see a big building at the beginning of Fall River. She said that a six story building would be very visible from Highway 102 and that it exceeds the three story limit called for under the Vision.

Michael Creighton questioned will we need support recommendation that P-68 be retained for this site including our additional considerations. The question will be are we supporting the recommendation to retain policy P-68 on this site.

It was questioned what P-68 was and Maureen Ryan proceeded to read the policy.

CPG Recommendation

Retain Policy P-68 subject to the following additional amendments:

Allow the Sewage Treatment Disposal Standards, Traffic Impact Assessment on Hwy 2 and Interchanges, Stormwater Management Assessment, Wet Areas Mapping, to set the density limits.

Set an interim water quality objective subject to closer examination under phase 2 planning process.

All subject to the availability of municipal water if capacity exceeds existing system and water withdrawal rights, provision of trails, amenity spaces.

Set a CCC based on Traffic Impact Studies.

Recommendation Not Approved – 2 in favour, 5 opposed, 3 abstained

Follow-up Actions:

Staff examine possibilities for enhancement/rehabilitation of riparian buffer and protection of lake ecosystem.

Tabled for further discussion.

A member of the community, Greg, who lives on Cummings Dr. made a statement about the impact that the Baker Development would have on Cummings Drive and stated that he would like to be part of the Committee.

Meeting concluded at 10:05 p.m.