

Fall River Community Planning Group Meeting

Gordon R. Snow Centre, Multi-Purpose



September 12, 2011

7:30 pm

Present

Michael Creighton - Chairman

Jim Simons

Sandra Carr

Bill Munden

Jacqueline Steudler

Gary Dease

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 7:35 pm.

Nova Scotia Power

Maureen Ryan began the meeting by explaining the reason for the meeting. At the last meeting NS Power gave a presentation to have a larger building size allowed on their 4 consolidated sites. The Village Gateway Zone there was a maximum of 25,000 sq. ft. on Farmers Clem site but they now have asked for all 4 sites not just Farmers Clem site. At the meeting the CPG agreed to allow 25,000 sq. ft. in 2 buildings which would allow for 12,500 sq. ft. footprint.

HRM showed models of 4 various sized buildings: 30,000 sf. (1 floor), 50,000 sf. (1 floor), 30,000 sf. (2 floors), and 50,000 sf. (2 floors).

Maureen Ryan proceeded to read to the Committee what the Village Gateway provision states.

The building and site areas 4 combined lots equal to 8.92 acres, previous retention of 50%, developable area is 4.46 acres.

Required parking is 5.5 spaces/1000 sf.

Maureen Ryan did a parking and building analysis that she presented to the Committee.

Gary Foster, NS Power, you are limited in the area when you consider the hydro. You don't want to be limited potential creative developers. Leave it open to the development agreement. 25,000 sf. Could be split up amongst 2-3 buildings.

Maureen Ryan, not necessarily looking for 1 building of 50,000 sf.

Jim Simon, isn't that what the proposal was?

Maureen Ryan, what Mr. Foster is saying is that in the as-of-right situation you set a ceiling of maximum of 25,000 sf. in the minimum of 2 buildings, that would be 12,500 sf. per building. He is also saying that by Development Agreement he would like to have the option to go larger than 25,000 sf. on this site provided the mass scale of the building is maintain of a minimum building footprint that is compatible with the surrounding area.

Chair, would we say yes to 50,000 sf. by Development Agreement or do we put on a whole lot of limitations?

Maureen Ryan, a whole lot of limitations.

Gary Foster, NS Power, there are restrictions under a development agreement.

Maureen Ryan, can draft a development agreement policy that would address all the stipulations you have set for the other developments. Can establish requirements for the architectural requirements, and put a limitation on building scale and mass to be maintained that any future buildings on this site would not exceed 12,500 sf. in building footprint area and the orientation of the building shall be set in such a way as to minimize impact the entry way.

Chair, now drafting details of development agreement, is this a step beyond what we are here to do.

Maureen Ryan, no I'm drafting a policy not a development agreement.

Bill Munden, if that is what you will do then we should do it.

Maureen Ryan, posed the question to the community of whether they would like to put an upper limit on the size of the buildings or the number of buildings that are permitted on the site

Sandra Carr, we talked about 2 or 3 buildings last time.

Maureen Ryan, maximum 2-3 buildings would be roughly 37,500 sf. or we could say a maximum of 3 buildings if you set a maximum of 12,500 sf. for footprint. This would be difficult due to the parking requirement.

Gary Foster, the limit will be because of the parking so the development will be limited to what can be built. Don't think you need to go 60,000 sf. because it would be too big.

Jim Simon, upper part, the slopes there it is really not usable, effectively would we allow any kind of development on that upper lot

Maureen Ryan, it would be due to the slopes that you aren't allowing development on it as it would have shown up on the constraints.

Chair, the riparian buffer is there

Maureen Ryan, the biggest constraints would be the riparian buffer.

Bill Munden, we could have 3 – 8,000 sf. buildings

Gary Foster, we could that is an option as part of the as-of-right but under a Development Agreement you could possibly do the 37,500 there but that would be the maximum.

Maureen Ryan, NS Power has an "as of right" provisions under the proposed Village Gateway zone to allow for a maximum of 25,000 sf. in a minimum of 2 buildings. But they could spread that 25,000 over into 3 buildings which would be 8,000 each. Mr. Foster wants the flexibility of a Development Agreement to allow for development up to 37,500 sf. The maximum footprint would be 12,500 sf. the origination of the building would have to be such that it would minimize the visual impact of now of Highway #2 and with parking to the rear.

Jim Simon, thinks it is a lot of building on that property.

Bill Munden, still at a loss of what NS Power is asking

Gary Foster, clarified for Mr. Munden what they are looking for. Under the as-of-right we could do 3 buildings at 8,000 sf. but would prefer the option to be open with developers to look at a building to maximize the site. Rather than restrict to 3/8,000 sf. buildings.

Bill Munden, if you have 3/8,000 sf. buildings would look better of 2/12,500 sf. I would be more comfortable with that.

Chair, the Committee doesn't seem to have the same vision as NS Power. The Committee has the sense of rural village and big buildings don't fit in the rural village

Jim Simon, big buildings could Michael but don't feel comfortable with that. We went through the process to come up with scale and all that now we are being asked to go into much larger.

Gary Foster, are you comfortable with 3/16,000 sf. building with 8,000 on two levels?

Jim Simon, without seeing an actual proposal you may be able to come with something that would look wonderful.

Gary Foster, that is what we want to leave it open to. I don't know if that is 25,000 sf. or 30,000 sf.

Maureen Ryan, showed a detailed model and reviewed what various buildings might look like.

Maureen Ryan, ask Mr. Foster would you be agreeable to a minimum of 3 buildings for the 25,000 sf. as-of-right.

Gary Foster, yes

Maureen Ryan, to come up with the 25,000 sf. in 3 buildings they would be 8,000 sf. buildings over the 8-9 acre site. That would be in keeping with the scale of the surrounding area. By Development Agreement you would allow for consideration of an additional storey to bring it up to a 32,000 sf. maximum by Development Agreement.

The Committee agreed.

It was the consensus of the Committee that it would be a minimum of 3 buildings for a maximum of 25,000 sf. as-of-right. Minimum of 3 buildings maximum of 32,000 sf. by Development Agreement.

Consensus – agreed by all Committee members as per above.

Lawrence Tench

Mr. Tench has made a submission requesting to subdivide 19 and 21 MacPherson into 6 lots. At the time the Committee thought Mr. Tench was proposing a private road which would have required an amendment to the Regional Plan but Mr. Tench has clarified that he would build a public right-of-way into the 6 lots to create them. Mr. Tench was also proposing was to enlarge an existing multiply unit dwelling on 21 MacPherson to create 5 additional dwelling units on the second storey and a commercial component on the ground level. He was also proposing to develop a parking lot on portion of 19 MacPherson. In order to do all this you need an amendment to the Shubenacadie Lakes Municipal Planning Strategy to allow for multiple unit dwelling to be serviced by an onsite septic system since the Lockview/MacPherson plant is at capacity. You would also need an amendment to the existing plan to allow the inclusion of Lockview/MacPherson within a water service area since it is not serviced by central water system. Ms. Ryan reviewed what R1A zone single unit dwelling allows. Ms. Ryan went on to also explain what CC zone (Canal Court) allows. Ms. Ryan pointed out that the Canal Court does not permit multiple unit dwellings.

Maureen Ryan, the Committee should amend the CC zone and the Village Main Street zone where it applies to the lands are within the Lockview service area boundary to only allow a reduction in lot size from 40,000 sf. to 6,000 sf. where both municipal water and sewer services are provided in light of the groundwater constraints in Fall River. Ms. Ryan strongly recommends that you add the requirement for water service as well as sewer service to allow for any reduction in property to 6,000 sf. for the Canal Court zone.

With Mr. Tench's proposal we have two options that the Committee could recommend:

Option 1: The Committee could recommend an amendment of the Land Use By-law to allow for the enlargement of a multiple unit dwelling on 21 MacPherson and the ground floor commercial component this should only be considered through the provisions of a Development Agreement to require the necessary studies to determine if the development would be amicable serviced with potable water supply and all matters of planning consideration.

The Committee could recommend that the Shubenacadie Lakes MPS to be amended to allow for the expansion to be serviced by onsite septic system subject to the requirements of the NS Department of the Environment. That is the only way that the building could be expanded is by way of an onsite septic system. Currently under the Municipal Planning Strategy for Shubenacadie Lakes you cannot develop in the service area boundary of Lockview/MacPherson on and onsite septic system you can only develop with a connection to the sewer system however the sewer system is at capacity.

You could recommend that the Municipal Planning Strategy be amended to allow for infilled development on the basis of an onsite septic system subject to consideration of impact on the lakes and subject to the requirements of the NS Department of Environment.

Option 2: The Committee could recommend amendment to the Land Use By-law to allow the enlargement of multiple unit dwellings on 21 MacPherson and the ground floor commercial component as-of-right as opposed to a Development Agreement option under the Canal Court zone subject to the future provision of municipal water to the area.

Ms. Ryan is recommending that if you're not requiring that this building be connected to a municipal water supply that at least it facilitated by a Development Agreement so you could require Hydrogeological study to determine how the potable water supply would be provided. Another thing that the Committee would have to do in that case is to amend the Municipal Planning Strategy to allow for the expansion to be serviced by an onsite septic system as well.

Option 3: to decide not to allow for expansion at all.

Ms. Ryan asked the Engineer if she had any concerns with the servicing of this site by an onsite septic system and she did not which respect to this site alone but she wants to look at what infill potential is created throughout the entirety of the service area boundary if you were to make that amendment.

Mr. Tench, when we searched out zoning it says it is RA1 and 1B so we are allowed to build single unit or duplex on each of our lots.

Maureen Ryan, this is going to get real complicated Mr. Tench real fast.

Under the Canal Court zone in which Mr. Tench is situated he would have to have a minimum lot area of 40,000 sf./lot where no sewer services are provided so if you had an onsite septic system your minimum of 40,000 sf. so it is doubtful that you would get 6 lots.

Mr. Tench, his comments were inaudible.

Maureen Ryan, you're not going any more approval from Halifax Water. Under current regulations your property (R1A zone) if you had central water and sewer services you would have 10,000 sf./lot. You don't have central water and you won't have sewer so subdivision on a 10,000 sf. lot would not be viable right now. If we amended the policy to allow for the development of Mr. Tench's property on the basis of onsite septic system your minimum lot area under the existing zoning and under the proposed zoning would be 40,000 sf. So basically you couldn't create 6 lots given the constraints in the plan.

Mr. Tench, as-of-right we are allowed to build a duplex on one lot and a duplex on the other lot that would be actually 4 units going onto the system. According to the Engineer it would be a cost of \$80-90,000.

Maureen Ryan, the Committee needs to amend Canal Court zone to allow for development on 6,000 sf. where sewer and water services are provided. You need to add "AND WATER". Right now Mr. Tench needs to know if you would authorize the expansion of the multiple unit dwelling by 5 units and allow for the commercial component on the ground floor. Also would you consider amending the plan to allow for the infill onsite septic.

Maureen Ryan asked Mr. Tench to explain to the Committee what he is thinking of expansion.

Sandra Carr, where are you going to add 5 more units on that building?

Mr. Tench, come in from the road about 30-40 feet on the road end. The conversation between Mr. Tench and the Committee was inaudible.

Maureen Ryan asked the Committee - What do you say about allowing the expansion of multiple unit dwelling with commercial component by a development agreement?

Maureen Ryan would recommend a development agreement.

Mr. Tench, there is more than enough water to supply that building. Can easily service the building with what we have now.

Committee agreed to:

Allow development of a 5 unit multiple unit building with a ground floor commercial component by development agreement subject to examination of traffic impact, impact on receiving water, availability of potable water and compliance with architectural requirements and maintaining narrow width of building facing MacPherson. No parking in front 21 MacPherson as-of-right. Allow for parking to be situation at 19 MacPherson up to 20 spaces as-of-right in Canal Court zone. Amend Municipal Planning Strategy to allow for development at 19 MacPherson for an onsite septic system. Amend the Village Main Street (VMS) and Canal Court zone to require both water and sewer to allow reduction to a 6,000 sf. lot

Maureen Ryan, what about parking feature on 19 MacPherson. Would have to allow for parking lots as Canal zone doesn't allow for parking lots. We are allowing parking 400 ft. Do you want to allow for parking lot or only allow under development agreement.

Maureen Ryan, we have policy within the plan (under Canal Court). Maureen read the Canal Court portion.

Bill Munden, when you talk about commercial component what are you talking?

Mr. Tench, art gallery

Bill Munden, how many parking spots are you allowing for that?

Mr. Tench, 4

Maureen Ryan, informed Mr. Tench that the decision still lays with Council and other bodies (community council). Final decision lies with Regional Council.

Unidentified lady with Mr. Tench, asked when Public Hearing would be?

Maureen Ryan, Public Hearing wouldn't take place until probably the beginning of the New Year.

Next meeting is September 19.

Maureen Ryan, will ask who can attend the meeting on the 19th.

Meeting adjourned 9:40 pm.