

ATTACHMENT B

Summary of Open house (March 2019) and minutes of Public Meeting (Oct. 2013)

PUBLIC OPEN HOUSE – Engagement Report

CASE NO. 22143 – CHARLESWOOD SUBDIVISION

Wednesday, March 27, 2019

7:00 – 9:00 p.m.

Ash Lee Jefferson Elementary School

STAFF IN

ATTENDANCE: Thea Langille, Principle Planner, HRM Planning Applications
Maria Jacobs, Planner, HRM
Megan Backos, Planners, HRM
Rowena Dill, Development Controller, HRM Development Services

ALSO IN

ATTENDANCE: Connor Wallace, ZZAP
Greg Zwicker, ZZAP Consultants
Shaw Group staff

REGRETS: Councillor Steven Streach

PUBLIC IN

ATTENDANCE: Approximately 136

The Open House commenced at 6:30 p.m.

PUBLIC ENGAGEMENT MARCH 27, 2019

On March 27, 2019 HRM Staff hosted an open house at the Gordon R. Snow Community Centre. Along with HRM Staff, representatives from Zwicker Zareski Architecture + Planning (ZZap Consulting). and the Shaw Group were present. The purpose of the engagement session was to provide information to the public on the proposed development, what changes have been made since the prior submission (Case #18715), explain the process involved for an application of this type, and receive feedback, hear concerns, and answer questions regarding the proposed development. Approximately 136 members of the neighbourhood attended the event to provide feedback on the proposed Charleswood subdivision. The comments received during the engagement session will inform the process and form part of the public record.

At the open house, community members could see boards provided by the applicant, of the proposed development showing concept plans, townhouse renderings, and a stormwater management plan. HRM staff provided boards outlining the steps of the planning application process, the relevant MPS and Regional Plan policies and a blank board with the title "Tell Us What You Think". Regarding the latter, participants were encouraged to write their comments, suggestions or concerns on sticky notes and attach to the board (See Figures 1 and 2). Participants were also encouraged to write their comments on comment cards and given the Project Leads' contact information to submit comments after the meeting as needed.

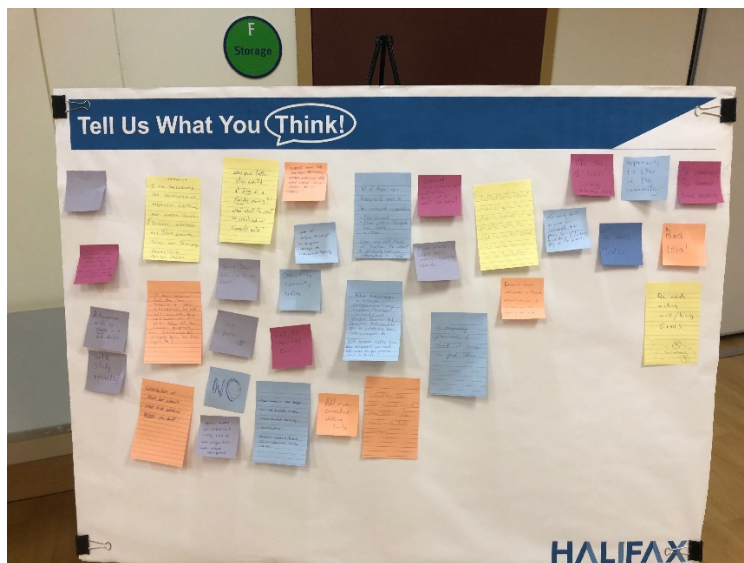


Figure 1. Feedback board with sticky notes from Open House attendees.

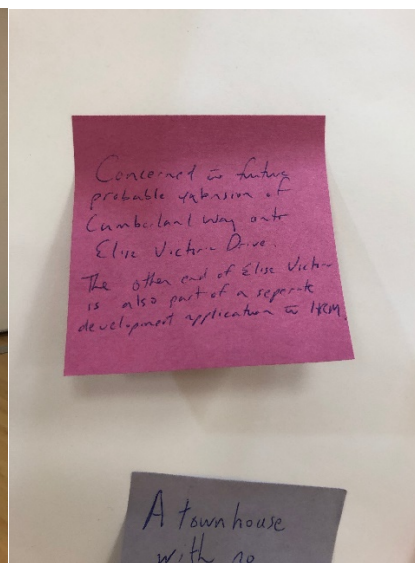


Figure 2. Close-up of one attendee's sticky note from the feedback board.

REVIEW OF PROPOSAL

ZZap Consulting, on behalf of Pine Ridge Mews Limited and Alison MacNearney, requested to enter into a development agreement which would enable a residential development consisting of 176 units on 54 hectares (134 acres) of IanOd, at the end of Cumberland Way and Charleswood Drive in Windsor Junction. The 176 units will be made up of 92 single unit dwellings and 84 townhouse units. Dwelling units will be serviced with municipal water and on-site cluster-styled sewage treatment. Access to the development will be through a public street extension of both Cumberland Way and Charleswood Drive and private common driveways servicing each residential cluster.

WHAT WE HEARD

During the open house, participants were asked to provide their comments, suggestions and concerns regarding the proposed development either on a sticky note or a comment card. In total we received 32 sticky notes and 12 comment cards regarding a variety of topics. Some sticky notes and comment cards contained multiple themes, for a total of 61 comments. The comments were then sorted into categories, which can be found in Appendix A of this document.

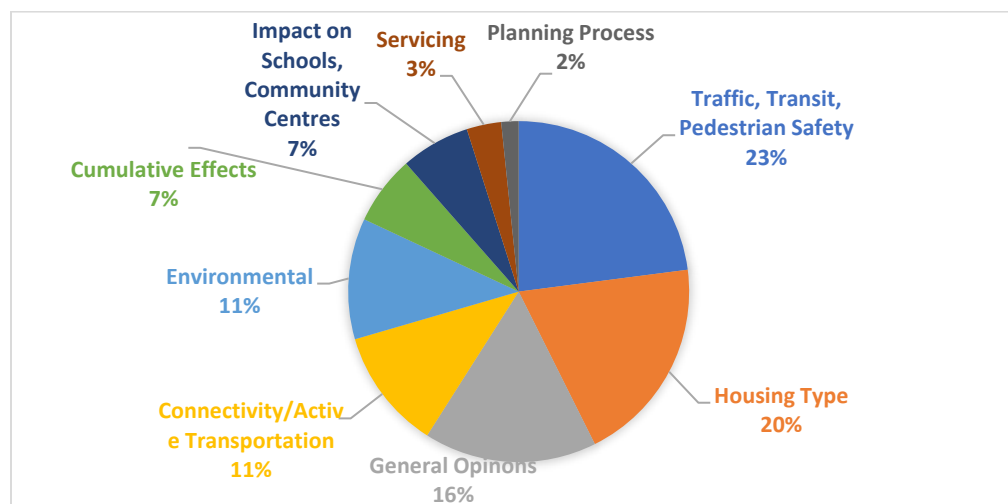


Figure 3. Attendee's comments, as recorded at the Open House on March 27, 2019, organized by theme.

WHAT ARE THE THEMES?

Through the open house we received 61 comments from members of the public regarding the proposed development, the breakdown of the comment themes can be found in Figure 3. This resulted in eleven (10) categories ranging from traffic, with the most comments, to the planning application process, with the least comments. The comments have been summarized below. The full comments can be found in Appendix A of this report.

Traffic, Transit & Pedestrian Safety

Traffic, Transit & Pedestrian Safety were concerns which were raised at the open house, with 14 comments relating to these categories. Generally, the comments around traffic related to the increase that would occur with the scale of this development, and the surrounding development proposals, in an area which is already perceived to be congested. As one participant stated, the existing traffic in the neighbourhood can already make it dangerous to walk, and another requested that appropriate traffic controls, crosswalks and lights are installed to aid in pedestrian safety. A few participants requested the results of the traffic impact study for this development, which can be found on HRM's Planning Application website.

Housing Type

The type of housing being proposed was also brought up by participants in 12 comments. All of these comments were directed toward the townhouse units proposed at the southern portion of the subject lands. Half of the comments received were questions about whether the townhouse units would be rentals, how much it would cost to live there and what the private covenants would be applied by the developer. The rest of the comments are split into half positive and half negative. Positive comments mention liking the one-storey townhouse design and that seniors have an opportunity to stay in their community. Negative comments state that the townhouses should have garages, are not legally able to only rent to seniors, cannot and will bring down surrounding property values over time.

Connectivity and Active Transportation

Connectivity and Active Transportation were brought up a total of 7 times. Most comments specifically refer to a desire for walking/hiking trails which would connect residents to the Windsor Junction Community Centre, the new rails to trails multi-use pathway and nearby public streets. One comment referenced existing walking/hiking trails on the subject site that they wish to be reinstated. Sidewalks were also requested by one participant, "to compensate for increased traffic and add to the community feel".

Environment

Environmental concerns account for 7 of the comments received from the public. Five of those comments refer to how development could negatively affect watercourses and wetlands both on and in proximity to the subject site. Second and Third Lake are specifically mentioned by a few of the participants. Other concerns include retaining old growth trees and creating a large carbon footprint in the community. These comments do not seem to be anti-development but reference the need for appropriate environmental studies and development buffers around watercourses and wetlands.

Cumulative Effects of All Development in Community

There was a total of 4 comments relating to the effects of multiple residential developments being proposed in the Fall River and Windsor Junction area. This was expected, as the subject site is one of four "Opportunity Sites" identified in the Planning Districts 14 & 17 (Shubenacadie Lakes) Municipal Planning Strategy. Attendees are concerned that the impact on traffic, school capacity and other community services are being calculated based on this development, but not other nearby proposals, such as Windgate, Carr Farm and Ingram Drive. Comments ask HRM to not review applications in isolation, but take into account the effects of all development

Impact on Schools and Community Centre

There was a total of 4 comments relating to the impact on schools and community centres. Participants stated that the nearby schools are already at capacity and questioned where children from the 92 single unit dwellings will be able to go to school.

Servicing

There were 2 comments relating to how the development will be serviced for water and sewage treatment in the form of questions. The entire development will be serviced with municipal water and on-site sewage treatment systems, which will be shared by clusters of dwelling units.

Planning Application Process

One comment was received which requested that the notification area be increased as the application moves forward. Anyone at the open house who asked to be added to the notification list will receive mailed notification as the application progresses.

General Opinions/Suggestions

There was a total of 10 comments categorized as general opinions or suggestions. Six of these comments were against the development taking place because they either generally do not want development in that location, it would devalue current homes, or take away Windsor Junction's quiet neighbourhood feel. Two participants felt that this development seems to generally be a good idea. Two comments provided were questions regarding how a safe environment could be maintained during construction and suggesting a dog park.

SUMMARY

Comments from the public could be categorized into nine broad themes, with the most common involving traffic, housing type, connectivity and environmental concerns. There were concerns raised around the amount of traffic the proposed development may bring to an area which is already perceived to be congested. A number of participants raised general concern around traffic in the area with several proposing active transportation be included in the design to compensate for increased traffic conditions.

The housing types were generally well received by participants, especially the townhouses proposed on one half of the site, as they would allow the community to age in place. A few suggestions were made to the design to better serve their target inhabitants.

Several community members expressed their interest in how the proposed development may affect the natural environment, especially nearby watercourses and old growth trees. The comments recorded are not entirely against developing on the subject lands but reinforce the importance of appropriate environmental studies and development buffers around watercourses and wetlands.

This feedback and engagement helped to illustrate what the public and residents value most in their community. The topics which are recurring will help prioritize the needs for the neighbourhood and changes which may be made to the development during the process. The comments received during the engagement session will inform the process and form part of the public record. Feedback on the development is encouraged throughout this process and will help guide decision-making for this and future developments. Thank you to all who attended the open house and participated in the table discussions, your feedback is valued and appreciated.

APPENDIX A – COMMENTS CATEGORIZED BY THEME

Traffic, Transit and Pedestrian Safety (14 comments)

- More homes = more traffic
- With increased traffic from new development, we need safe ways to get around (not in a car!)
- Worried about more traffic as it takes sometimes up to 5 minutes to get across the street.
- Was your traffic study conducted at 2am on a Tuesday morning??
- Traffic concern, would like to see results!!
- Please ensure correct traffic controls... crosswalks, lights etc.
- Traffic study results?
- Too much traffic
- Too much traffic, no room for sidewalks, and no plans for a play area for children so children play on the street
- Would greatly increase traffic during rush hour
- Not enough ins and outs traffic wise for Windsor Junction
- Connecting to Capilano in the future would cause too much traffic in a subdivision. These subdivisions are already deadly to walk in. Most drive 70 km/h while you're walking. So you can't leave your property and not safe for kids.
- Traffic issues – Windsor Junction and Fall River Lane too much traffic now without new homes creating more traffic – along with the apartment buildings being built in Fall River
- Lack of public transport to support concept of retirement living.

Housing Type (12 comments)

- *Allows opportunity to stay in the community*
- *Like the 1 level living housing choice*
- A townhouse with no garage is a bad design.
- Cannot market as "retirement living". Used to make everyone feel better about development.
- Will the Miller property houses be rentals?
- Size of units?
- Rental cost? What is affordable housing in terms of dollars?
- Rental charge includes? Extra charges? Maintenance fee?
- The multi units look nice but there are no garages? Are they senior units?
- What are the covenants?
- *Lots of one-level living*
- Concerned with the concept of rental units. They appear to be mobile homes with no garages. So outside parking only. Not very senior friendly and will reduce the value of properties in the area over time. I like the idea of rental units for seniors and do not object to development.

General Opinions/Suggestions (10 comments)

- If properly planned I think it may be a good idea
- How to provide safe environment during construction
- Devalue current homes. Is the demand really there?
- Windsor Jct once was a quiet place to live. We don't want that changing
- Don't want growth to our backdoor.
- NO
- No concern for current home owners
- Bad idea!
- Dog park?
- This seems to be a good project

Connectivity / Active Transportation (7 comments)

- Active transportation to connect Windgate/Charleswood/Capilano/Carriage/Chartwell/ and Windsor Junction Rd. Something that would be good for pedestrians, bikes, strollers, wagons, etc.
- Reinstate existing walk/hiking trails
- Link to new rail trail
- Add nice connecting walking trails
- Connect to community centre
- Would love to see sidewalks! Or other active transportation paths added to compensate for increased traffic and add to the community feel.
- Can there be an investment in active transportation routes or trail to help people get to WJCC (48 Community Centre Land), Windgate Dr, Windsor Junction Rd?

Environmental (7 comments)

- I am concerned for developments adjacent wetlands and water courses. Buffers needed.
- Old growth trees left standing
- Concerned about streams in what is now forest. Will it impact 2nd Lake?
- Concerned about wetlands and forests, carbon footprint of developing more & more of our area
- Concerned about the potential for rivers and streams and wetlands to be damaged from development. Hoping the appropriate studies have been done and the correct mitigation will be in place.
- Good environmental planning, considering the wetlands and trees. Please consider wetlands and Second Lake.
- Concerned about potential impact on Second Lake and Third Lake

Cumulative Effects of Multiple Developments (4 comments)

- I am concerned that the local schools + other infrastructure (or lack of) are not being considered at all with all of the current proposals (ie. Charleswood Del., Windgate Del., Carr Farm, Ingram Dr.)
- All of these new developments seem to be reviewed in isolation, Charleswood, Elise Victoria/Windgate, Carr Farm and others. When you add them all together, the impact to community + services, infrastructure is HUGE
- Concerned with future probable expansion of Cumberland Way onto Elise Victoria Drive. The other end of Elise Victoria is also part of a separate development application with HRM.
- I am concerned about the overall impact to our community infrastructure such as traffic, schools, services when considering all of the separate developments in planning: Charleswood, Windgate (lake), Elsie Victoria extension in both directions, Carr Farm, and more. The sum of all the parts is a much bigger impact than each of the individual studies and proposals. Keep a holistic view please.

Impact on Schools, Community Centres (4 comments)

- Infrastructure of roads and schools needs to be addressed BEFORE you build!
- What about the impact on schools and our community centre?
- Where will children from approximately 93 new single family homes go to school?
- Schools are already full

Servicing (2 comments)

- City water continued?
- Sewage treatment?

Planning Application Process (1 comment)

- Can the catchment for notification be larger

**HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE NO. 118715 – CHARLESWOOD SUBDIVISION**

Wednesday, October 16, 2013

7:00 p.m.

Ash Lee Jefferson Elementary School

STAFF IN

ATTENDANCE: Andrew Bone, Senior Planner, HRM Planning Applications
Alden Thurston, Planning Technician, HRM Planning Applications
Rowena Dill, Development Controller, HRM Development Services

ALSO IN

ATTENDANCE: Councillor Barry Dalrymple, District
Chris Macaulay, Miller Developments Ltd.

PUBLIC IN

ATTENDANCE: Approximately 56

The meeting commenced at 7:00 p.m.

1. Introduction/Purpose of Meeting – Andrew Bone

Mr. Bone introduced himself, Councillor Barry Dalrymple, the HRM staff as well as the applicant Chris Macaulay of Miller Developments. Mr. Bone explained that the meeting was to discuss case 118715, which is an application for an Open Space Subdivision. This is located behind the Charleswood Subdivision and next to Capilano Country Estates in the Windsor Junction Area.

The purpose of the meeting is to inform the citizens that HRM has received an application for a Classic Open Space subdivision. Mr. Bone explained that he will explain the background on the proposal and we would like to receive feedback from the public. No decisions are made at the Public Information Meeting. This is the first step in the planning process.

2. Presentation of Proposal – Andrew Bone

Mr. Bone displayed an aerial view of the subject property. Windgate Drive, Windsor Junction Road, Charleswood Drive and Carriage Way were pointed out on the slide. Capilano, as well as other access points and road reserves, were shown. The property is 54.7 hectares or approximately 135 acres. It does not go all the way to the Capilano side but the land is partially or fully controlled by the same applicant and could be subject to future applications. Mr. Bone points out Second Lake, Third Lake and Beaver Pond and explains that the area in red is the subject site. He explains that this is one of two areas on Windgate Drive that are holes in the development pattern and points out a few of the sites that are vacant lots.

The proposal is called a Classic Open Space. Open Space subdivisions are a relatively new form of subdivision that has been in place since the Regional Plan came into effect in 2006. At that time, large scale subdivisions that used to be permitted as of right, is no longer available. Anything over eight lots has to go through a Development Agreement process and public process as well. There are two types of open space subdivisions. This proposal is for the classic type. The proposal is to allow for this subdivision, allow for single unit dwellings and also for townhouse development. The proposal includes 93 single unit dwellings and 84 townhouse dwellings.

Mr. Bone defined a Development Agreement to the public.

Mr. Bone explained that there are two policies that enable this development. One policy is from the Regional Plan and that is a policy that allows for large scale subdivision in what is called the rural commuter area of the municipality. At the present time that is an area that follows the main collector roads outside the municipality for a fair distance so it covers most of Fall River, Windsor Junction, parts of Beaver Bank, Upper Sackville and Waverley, which are typical suburban areas. The policy enables large scale, subdivision through this Development Agreement process.

In this case we are looking at one unit per acre or one unit per 4000 square metres. Where 60% of the site is retained in what is called an open space. Open space in this case is land with single ownership and used for either recreation, agriculture or forestry uses. Typically land around here is not good for agriculture or forestry so we see passive recreation or community uses or common uses in these developments. With this type of development where you have 40% of the site developed and 60% undeveloped this process has common septic only as there is water services in the area. The common septic is managed through a condominium approach. The condominium is typically responsible for the open space as well so they would manage those lands for their benefit.

There are two types of subdivisions and the one we are talking about is a classic. Typically we see development of smaller lots with this approach because of the common septic. By clustering the homes and sharing the septic system you are able to create smaller lots for the homes and allowing large spans around the homes for open space. As far as density, it does not change. It is set in this case at 1 unit per acre so it would be very similar to the density of the adjacent properties such as Capilano Estates.

The River-lakes Secondary Planning Strategy identified that there was a need for alternate housing forms in the greater community. It identified approximately four sites and each of those sites was granted certain rights or abilities to ask for development. In this case, policy RL-15 enabled consideration of townhouses on 43 acres of this site at a density of two units per acre. The rationale to allow this was because normally developers don't want to do these other housing types because they are not as lucrative or popular. We have a combination of two policies, so the end result was 93 single unit dwellings and 84 townhouse dwellings.

To give more background, there has not been very many applications for classic subdivisions and the ones we have had have been very small. As far as the townhouses or alternate housing forum policy, this is the first test of that policy.

Mr. Bone asks if there are any questions from the public?

Mr. Bone answered a question regarding the number of townhouses. He stated that in this case because it is a classic everything is condominiumized. In order to have shared septic, NS Environment requires a single entity to manage it for everyone. The condo is the responsible party for the maintenance of the septic fields. In this case the proposal is for three Condominium Corporations and each would have their portion of land that would be their responsibility. The owners that buy the property would become members of that Condominium Corporation and be responsible for maintenance of the septic field, property, grounds and of any driveways that would be part of their portion of land.

Mr. Bone answered a question that was asking what the responsibility of the developer is once it is sold and would the developer no longer be responsible for the subdivision once it is sold? Mr. Bone explains that the Development Agreement that is negotiated would be attached to the deed of all the properties. The obligations under the development agreement are the responsibility of the landowner at the time. If there are requirements that are placed on the developer initially and they are not completed for whatever reason they would then be assumed by the property owners and Condominium Corporation. The obligations do not go away and we write these agreements with the knowledge that ownership can change over time. The obligations are maintained through our legal contract and that legal contract is carried forward to the future owners.

Mr. Bone answered a question asking where policy RL-15 could be found? The policy is in the River-lakes Secondary Plan. This is part of the planning districts 14 & 17 Municipal Planning Strategy which is the overriding document for the Waverley, Fall River, Oakfield, Enfield area. The policy is available online, on our planning website. Mr. Bone advised that he could be contacted and he would provide them with a copy. Mr. Bone stated that when he writes the report he will outline all the policies and discuss all the policies in the report.

Mr. Bone answered a question asking, “what was the reasoning for the alternative meeting?” Mr. Bone explained that when the plan was originally designed in 1989 the only thing they were allowed were single family homes, so when the plan came into effect there were not a lot of existing other housing alternatives whether it were townhouses or semi-detached or any other type of housing forms. What we are seeing right now is the age of the communities are advancing, and the people that settled here 20 years ago are starting to consider that they don’t want the maintenance of larger properties and so there are a lot more requests for other housing forms in the community so people can stay in the communities as they age. It was part of the main focus or the issues that were identified as part of the Fall River vision. There was a need in the area for other housing forms. As a follow-up to the vision the River-lakes Secondary Planning Strategy was created and they looked at four opportunity sites. They were located on Charleswood Drive, Cobequid Road, Fall River Road and behind Sobeys in Fall River. These have opportunity for Townhouses or a small multi-unit. They looked at each of the sites and made some determination on density. Each one was offered a different density because of the characteristics of each individual site and they were offered different housing options.

Mr. Bone was asked if the Windgate property had been approved? Mr. Bone explained that there was a small classic open space of approximately 14 units at the Windgate Farm site that was brought forward through a similar process. It was approved by council and appealed to the NS Utility and Review Board. The NS Utility and Review Board dismissed the appeal and granted councils decision to approve it.

Councillor Dalrymple stated that the appeal period ended two weeks ago.

Mr. Bone was asked if the zoning changed from R1 to R1-A. Mr. Bone confirmed the zoning is R-1A and explains what that zone permits.

Mr. Bone was asked that if it is R1-A, which is a single unit dwelling zone, how can they put townhouses up”? Mr. Bone advised that through the Regional Plan policy they allow for consideration of a variety of housing such as single-unit dwellings, two-unit dwellings and townhouses. In the Planning District 14 & 17 plan, it ruled out all of those options. When Fall River reviewed their plan they saw the issue of not having other housing options. When Fall River was doing their vision they identified the issues and one of them was the lack of housing ability to do alternate housing and in May or April of this year the River-lakes Plan was approved and that’s when this policy came into effect, so this is a brand new policy.

Mr. Bone was asked if the staff report that he had made a reference too would be available for public viewing? Mr. Bone stated that it is available on the HRM website, or he could be called directly for a copy. He advised that it will take time, but in two or three months would be a good time to check with his office and he could advise then when he might suspect it may be to council.

Councillor Dalrymple clarified that when Mr. Bone refers to council, that it goes to Community Council not the full Regional Council. Mr. Bone explained how the North West Community Council works.

Mr. Bone explains what the open space process is and that what has changed is the policy RL-15 which is the policy that enables townhouses. So that has added additional units to this proposal since the last time it was brought forward.

3. Presentation of Proposal – Chris Macaulay

Mr. Macaulay introduced himself as a representative of Miller Developments Ltd. He thanked Mr. Bone and the audience for attending. He explained he is from the area and has children that go to school here and that the owner of Miller Developments has lived here for 80 years as well and they want to do the most responsible development for the area.

Mr. Macaulay gave some background on the development proposed. He stated that the development proposed is essentially what has been looked at by Development and Department of Environment. Miller Developments delayed proceedings because the Municipal Planning Strategy was to be expected to be amended on the Fall River Housing Survey and Vision

Committee. Miller Developments decided to delay because they hoped to provide a development that would be pro-senior. The owner of Miller Developments is a senior himself and so he also has an interest as well as his friends with senior housing. It is a new process, so we knew the development would have to delay to wait for it to allow for seniors housing.

Mr. Macaulay was asked about the survey that went out? Mr. Bone explained that as part of the Fall River Vision there were surveys that went out to the Fall River community and they did some polling. He stated that from his understanding it was a mailed out survey. The Fall River Vision process was a very extensive public process and was directed by the community

Mr. Macaulay proceeded to explain that the site description now allows for townhouses and most of the area where the houses take place is gently sloping and have been previously logged.

Mr. Macaulay displayed a map of the area and explained that the area is located between Lower Sackville and Fall River. The Charleswood development that is under condominium design is four clusters of 84 townhouses and 94 condominium units. It could be argued about the hybrid design that you see in Capilano, but the hybrid is not an economical or viable situation. Charleswood was developed by Mr. MacNearney. He always had intent to move forward through Charleswood and the only option that is economically viable is through this design.

Mr. Macaulay displayed a concept plan. He explained the townhouses will be in one area. He shows the area off Cumberland way and explained that is where the townhouses will be. The Fall River vision committee saw that it was very clear people wanted to see townhomes and that they are looking for simplified living on one level. Therefore senior housing has been proposed in this area in a townhouse design.

As part of this process a wetland delineation report must be done. This report will outline the areas that will need to be protected. Mr. Macaulay points out that the blue areas displayed on slide are the areas that need to be avoided.

A member of the public asks if it could be explained what is meant by the term “as of right”. Mr. Bone explained that “as of right” means the Land Use Bylaw enables this type of development that you are applying for by just applying. It only applies to the post Regional Plan to eight lots or less and anything more has to go through this process.

The townhouses appear to be next to a marsh. Where are the septic's in respect to that?

Mr. Bone explained that as part of the review process it would be sent to Department of Environment. Once it gets approved by council and then is at the permitting stage, they would have to meet Department of Environment's latest requirements.

Mr. Macaulay stated the engineers have placed the septic's as best they could at this time and Department of Environment would be very much a part of that process.

Is the green space is going to be left or developed into community parks?

Mr. Macaulay answered that right now it will grow at its natural state, but if the condominium corporation wants walking paths, they would have to approach HRM regarding that.

Mr. Bone explained that with this type of development we are not necessarily requiring the developer to give open space so we give it to our parkland people to review it like it was a subdivision and as a result we would make recommendations to the developer on the needs of the community. In this case the needs of the community because it's a condominium development, would be the people within the community, it wouldn't be the greater community. That would happen if we were eligible for public parkland dedication.

Has it been considered what the construction, and the construction traffic density in the region will do to the wildlife habitat?

Mr. Bone stated that in areas where there are known species at risk they would look at it. There is no known protected species in this area that he is aware of that construction would disrupt.

Mr. Macaulay stated that there are large green areas that deer can travel through unobstructed. This particular design is to allow animals to travel along green corridors. Mr. Bone stated that they have to maintain a setback from all watercourses and in most cases from the edge of wetland as well which is controlled through the Development Agreement.

There is a natural waterway not identified on the map.

Mr. Bone explained that there is storm drainage and there is watercourse wetland. The watercourse and wetland definition that is used is controlled by Department of Environment and when they do a wetland and watercourse determination they look at plant species and water availability and all sorts of things to make those determinations. The area that was pointed out was classified as drainage but will be looked into further.

Mr. Macaulay stated that the wetlands were identified. It is the job of the engineers that were hired to cross the entire property and it would be expected that the engineers would and should have done their job to show it. He stated that he will definitely look into that. What we are trying to do is a continuation of this development. The open space is really the only economically viable option. It is in a water district, the soil in the surrounding 60% lands can accommodate the engineered sewage plant. The traffic impact study has been done and the engineer stated that the current infrastructure is capable of handling additional traffic.

Mr. Macaulay stated that the reason for townhomes goes back to the Fall River housing preference survey. It supported multiunit townhome design. They have never put together an application for multiunit but they have put forward this townhome design. There is no supply for homes for seniors because it has never been allowed in this area before and with an aging population there is a high demand for them. Mr. Macaulay stated that he presented at one of the Fall River Vision Committee meetings and he noted that a number of people that were there if not the majority were seniors. This allows the seniors to remain within the community and the soils appear to allow for a greater density and greater density does allow for better use of land

with less environmental footprint. The style for the townhomes was shown as one level living. It would be up to Condominium Corporation to set up green space and if HRM would allow that.

Mr. Macaulay brought his presentation to a close and explained he has put up his contact information should anyone have any further questions.

4. Questions/Comments

Ms. Kerri Stanley, Charleswood Drive stated that a bunch of residents got together to talk about their concerns of this development and they have put a letter together which they will be submitting to HRM. Ms. Stanley stated that she would like to discuss the cluster sewage treatment. Ms. Stanley referred to Appendix 4, of the Miller Developments submission, Able Engineering letter, dated June 24th of this year. It read that it states “the ability to integrate the drip irrigation beds into the new community is relatively easy, as no wells are impacted”. Ms. Stanley asked to please be advised that there are residents that live on Charleswood Drive that still use their wells even though there is city water on the street.

Ms. Stanley stated they are concerned about the long term maintenance and servicing of this cluster sewage treatment system. Ms. Stanley referred to an HRM report titled “Options for On-Site and Small Scale Waste Management in HRM and it was prepared by Land Design Engineering. The quote she read stated, “The question for us is how responsible can we expect a private company, homeowner’s associations, mobile home park managers or even condominiums to be? In Nova Scotia, these are not hypothetical concerns; they have a basis in experience, which has taught us that privately run developments relying on shared sewage treatment systems have experienced many operational problems. Some of these problems have been financial when funding has not been adequate to enable repair or replacement when problems arise. This will result in partially treated effluent into the environment.” She explained this was a study prepared for HRM. Ms. Stanley asked who will be policing these affordable housing condominium corporations to ensure that proper maintenance and servicing is carried out long term? She stated that they are not confident that this system is appropriately suited to this development and they think that it is not proven at this scale in Nova Scotia. Numerous Charleswood Drive homeowners have experienced septic failures over the years and that this speaks to two points. The soil in this area is clay and not suited for on-site disposal, the natural soil cannot efficiently handle effluent and long term maintenance issues again considering the scale of this project, servicing and maintenance problems which is very high. It is completely surrounding Charleswood Drive. What is that going to do when the effluent goes out to the land.

Mr. Bone explained that the options for small scale development report was the basis for decisions to create the open space options. There were extensive discussions with the Department of Environment because of some of the issues and concerns and they are the regulatory body. HRM has no business in regards to septic fields. Department of Environment controls septic fields and their requirements for the servicing and maintenance. Dept. of Environments requires there be licensed operators so the condominium corporation would have to hire a qualified person to operate the systems and ensure that they are operating appropriately. The condominium corporation is responsible for the long term maintenance and costs associated with that. The condominium registry and the Condominium legislation has evolved over time

and the requirements of a condominium corporation have changed and become more stringent. They are required to have reserve funds to deal with issues. It is the understanding that the situation has improved. One of the review agencies that is brought in on these proposals is the Condominium Registry. So there will be the NS Dept. of Environment at the table and the Condominium Registry at the table as well and that is before they get their approval. They make sure we have all the info we need.

Ms. Pat Moriarty, Charleswood Drive stated that in the Miller Development submission, Land Design Engineering Services letter it stated, “there are not many significant challenges with respect to achieving good management of the runoff from a development like that proposed here, with the exception being that there is a ring of older development around the proposed lands where there may be locations sensitive to significant changes in peak flows from the lands above them. At the same time, when examining pre and post development flows, it is extremely important not to discount the fact that much of the lands targeted for development in this proposal have already been cleared. The changes in storm water runoff time of concentration, and percentage of water running off the land, resulting from this change to the land should have been significant. We are not aware, nor is there any visible sign of, flooding or stress at the places where storm water leaves the land, this despite the land clearing.” Ms. Moriarty notes that what they find frustrating is there are many houses on Charleswood Drive, number 80, 94, 100, 104 and 108 that have been resulted in flooded basements because of the clearing of the land. When we talk about floods it doesn’t just mean wet carpets. Ms. Moriarty states that in her case she had up to 24” of water in her basement with damages up to \$60,000 that was not covered by insurance because it was an act of nature. She was not contacted to see if she had any problems, so it causes them to think there are a lot of assumptions and not facts. We are very concerned.

Mr. Bone explained that he was not aware of flooding issues in the area and it will be passed along to the Development Engineer. At this stage the level of engineering is a very high level. When they go off and get approvals and detailed design that is when much of the detailed work would happen and the detailed storm water management plans would be submitted. Given that we know now that there are issues in that area, it will be passed on to the engineering group.

What recourse is available for current residents if the flooding should happen after this development?

Mr. Bone answered that flooding in general by a property owner making changes to the great that negatively impacts your property that is a civil private process.

Mr. Bone explained that what happens a lot of times is the development of sites actually sometimes improve the situation because they intercept the flow that is all coming across. If you put a road in between the flow it actually intercepts some of the water runoff.

Mr. Lloyd Currie, Carriage Rd. stated that in regards to the houses across from his side of the street, they are all on well. One side was able to be serviced from the back. You may need to take a harder look because some of the septic is proposed to be fairly close. As far as the green area if it is run by three separate Condo Corps, who has the right to say what happens to that

green space? Can they clear cut it, get rid of trees, plant trees? What is there ability as a condo corporation to deal with those green spaces?

Mr. Bone answered that it is yet to be determined. Through the Development Agreement we can control what happens there to a reasonable extent. He states that he hasn't done a lot of those so he has no example. In certain instances, leaving it as open space and a natural regeneration of the forest, makes sense. There may be other areas where development of private open space or walking trails, make sense. It will be looked at as part of the process and negotiations. We will probably want to set some terms in the agreement but we don't know what those terms will be at this point.

Mr. Macaulay explained that to add to that the Development Agreement is very iron clad as far as what can be done and what can't be done in a green space. It is not their intention to do much of anything there but would like to leave the option to have a trail. They would want something esthetically pleasing for those people who want to move there. It would be a part of the agreement.

Mr. Bone explained policy 16 of the Regional Plan speaks to what could happen in the open space and it's fairly broad. It states that it has to be owned by a single entity, that it could include options for agriculture, forestry or passive recreation. He stated he would never leave it that wide open and would want some terms put on that. We would want to put further controls on that and limit that.

Nick Phillips, Windsor Junction Rd. asked if they could back up to the slide of the thought of the community, the concept. The question is in regards to the properties that Miller Developments owns. Mr. Phillips explained that he is concerned about the blue swamp that extends to the lands. He asked if they could quickly identify other parcels that Mr. MacNearney owns.

Mr. Macaulay answered that the only other property he owns is the one he lives on. This property that is asked about is owned by Peropolous and they do have development rights for that property. Mr. Macaulay showed which properties he personally owns and another one he has development rights too. It is not part of this application and he has no current intention of open space for those properties.

Mr. Phillips stated that in his mind this is just a start to what could come in the future to the community. There has been a lot of reference to the Fall River housing survey in which he remembers answering the survey himself. In answering it, he would not have pictured a solution to the senior housing dilemma in Fall River to be this in the community of Windsor Junction. The community of Windsor Junction is the Windsor Junction Community Centre with hundreds of kids every day through the summer, the schools in the community, talking to taxi drivers on the way back from the airport that say "wow, Windsor Junction is just one of those communities that hasn't changed in over 30 years" and this in his view will impact the spirit of Windsor junction. That Fall River housing survey seems to be answering that need and that is not what he answered in the survey. There is a serious disconnect between community impact by answering

that survey and what the answer is. Why do you keep going back to that survey and how does that fit with the community?

Mr. Bone explained that the survey is the origin or background for the policy that allowed for townhouses on this site. The Fall River Vision was of the greater community so it effected more than Fall River.

Gary Curtis, 91 Charleswood Drive stated that he is looking for senior housing. The only option in the Fall River/Windsor Junction/Waverley area for probably the next 15 or 20 years is where water currently exists and it exists on Charleswood Drive. It doesn't exist in Fall River and it might exist out toward Cobequid Road. He stressed that he wants to stay in the community and he has seen so many of his friends and neighbors from the area move into Larry Uteck Drive or Enfield, but he would like to stay in the area and have options available. He doesn't think they should go ahead until the communities concerns are addressed. He states that he lives on the lower side of Charleswood Drive and there is a lot of run off and septic issues that are visible and they don't need any more of that. Mr. Curtis gives a suggestion that Halifax Water already looks after a facility in Fall River that services the schools, church and so on. All of these people in this development will be receiving water bills, why don't we ask Halifax Water to take on the issue of septic treatment and bill it to the individual on their monthly water bill. I think that would be a far preferable solution than the condominium complex.

Mr. Curtis asked if the recreation land will be owned by the Condominium or will it be available to the public? There is already an issue with the Windsor Junction Community center where we have a fee that is on our tax bill so that we can use it. Is there some option that we can have access to any of the recreation opportunities that would exist in this area?

Mr. Bone explained that although it appears like a subdivision, it is not. We do not have the rights to obtain parkland. If the developer agrees we may be able to write something in the agreement to enable that. There is a challenge with the Condominium Corporation that if there are liabilities placed on it that are outside the realm contemplated by the condominium act and the regulations, they may not be able to do that. We would consult with the condo registry and would work with the developers to see if there are options. Originally there was a proposal for Parkland on the site, but in the end because the way regulations are set up we can't require access. We may be able to negotiate it but we can't require it.

Mr. Macaulay advised that Mr. MacNearney would not have any problem with the public using walking trails if trails were put in there so long as there was no liability issue involved.

Ms. Stacey Langley, Charleswood Drive noted that she felt they are not fairly represented. She asked why is this development is not happening in a place that has more land. She feels this is being forced upon them and that they didn't get much say in how it is going to affect them. Ms. Langley stated that the Miller Development traffic study submission was correct in stating that "Windgate Drive is capable of handling the extra volume." She stated that she did read the proposal and she did see that he hired a company to count cars on Windgate Drive. This traffic report does not address the traffic problems currently facing our River-Lakes Planning Area which we have been referring to as the whole community boundary. The traffic problems are

well defined in the Fall River/Waverley/Wellington areas transportation study prepared by CBCL for the River-Lakes Secondary Planning process when addressing future growth and development in this boundary.

Ms. Langley read that the CBCL study indicates that “conditions will worsen at traffic congestion areas as more development takes place over the next 20-25 years and some intersections will also exceed capacity. Without road improvements or controls on growth, the intersections of Highway 2 / Highway 118 southbound ramp, Highway 2 / Highway 102 southbound ramp, Highway 2 / Fall River Road / McPherson Road, and Fall River Road / Lockview Road are predicted to experience significantly diminished operations.” The traffic problems need to be looked at in a broad community setting before approval can be considered because myself and the residents feel that basically saying that whether or not Windgate can handle capacity, that is not relevant in terms of the big picture when they have had to extend the off ramp onto the 118 and it is still backed up at traffic time. She thinks it is a reasonable request to find out what the city would be planning to do with all this extra traffic.

Mr. Bone explained that one of the things done in this process is that he would bring the province and one of the questions he asks is “does this submitted traffic study meet the requirements in the plan for the consideration of the paths in the greater Fall River area?” Mr. Bone stated that he does not know what the results are going to be as the technical review has not been done yet. They will look and see if an addition to the report may need to be done or if they have to make them rework the development. The comments help us direct the review. Traffic studies are based on development trends that are happening in the area. The consultants would look at historical growth and where it is at and trend that out for the future.

Mr. Macaulay advised it is an engineering study and they hired someone to do this work.

Councillor Dalrymple requested that Mr. Bone ask for traffic counts when the traffic report is done. He thought it might be a good idea to do a traffic count again at Windgate and Windsor Junction road as it might be close to getting a set of lights. Speed limits should possibly be looked at again with the projections received from the report.

Roberta Power, Charleswood Drive stated that the traffic is a nightmare. What is it going to be when you put 177 more homes in this area? It is not just a nightmare on Windgate Drive, but also by Sobeys getting to work in the morning and on the 118 getting home. Someone is going to get killed on that highway. It was extended and is still not long enough. Ms. Power asks what will be going behind her house on Charleswood Drive and if it is houses, how many?

Mr. Macaulay advised that it will be single unit family dwellings and green space.

Mr. Bone stated that he would like to explain a little further on the clusters. The proposal has the extension of two public streets, Carriage Way and Charleswood. These two stretches will be public roads and the remainder would be private driveways for the condominium corporations so this would not necessarily look like a street. You would have to get to all those houses through that driveway. These private driveways have to be 6 metres wide and they cannot be gated. They

have to be able to be serviced by emergency vehicles such as the Fire Department if needed. Maintenance, clearing etc. will be privately done by the condo corporation.

What is the estimate of cost of homes going up on average?

Mr. Macaulay explains that it should be very much in line with what is being built right now. We don't know if we will be building these houses so he cannot guess how much they would cost.

Ms. Heidi Hogan, Charleswood Drive asked for Mr. Bone to reconsider the proposal of 177 homes in conjunction with this proposed development. The Windsor Junction, Fall River improvement is the 177 and is obviously based on the probability for privately controlled corporation and the improvement to the area for seniors housing. She stated that she would like to see that number aligned. What needs to be considered is the number of housing that makes sense to the community or is it in the best interest of the individuals that are developing it? Obviously there is a problem involved. What would be the average price of these homes?

Mr. Macaulay explains that they won't be building those homes so they don't know what the cost will be. They don't have an approval at this stage. They do know there is a huge demand for seniors housing. There is not a week that goes by that he doesn't get a call from seniors wondering when this is going to happen. They will make it affordable for seniors. It could be another few years from now, so to give a number now, it is only going to change.

Ms. Hogan stated that the Riverlake Secondary Planning Strategy should have an idea of what affordable housing means and of what the price range would be. The reason it is important to us is if I have one of the higher assessed homes on the street so if you have a higher assessed home, it brings the value of my home down if those homes are at a lower price. By talking about it being seniors housing makes it easier to accept. Even if eighty of those 177 homes had children and each family had two children, that is 160 to be schooled. Our children on our street were rezoned from Ash Lee Jefferson School to Waverley. The day we were rezoned 200 children, Waverley was past capacity the day that it opened so I don't think you can only zone an area seniors housing can you, it has to be open for people to move in with children?

Mr. Bone explains that the Fall River plan speaks about housing options that are available. I don't recall speaking specifically to affordability. We don't have through our legislation the ability to regulate prices so we have no ability to regulate the amount they are going to ask for these homes. I don't think they are going to be inexpensive; they are going to be market prices.

Mr. Bone speaks on schooling. As part of the review process we bring in Halifax Regional School Board and they provide comments on the capacity of the local schools. They are mandated by the Province to provide schooling to children in the area and they will even if it means they will bus them to another school. We provide those comments to council but those comments are difficult because they always say they will provide schooling. Through the charter of rights we don't have the ability to regulate tenancy. So we can't say whether its rental or condominium. In this case it is condominium by design because it is the only way you can have a single entity and manage all of the things that need to be managed. We can not regulate who is

in the building by age, it is possible that a land owner could ask the Nova Scotia Human Rights Commission for an exemption to discriminate it is not likely. Most likely those homes will become senior housing by design and that is by their layout, configuration. In homes like that you will get a significant uptake by seniors but may also get uptake by someone who is in a wheelchair.

Could this be approved and then the design be changed?

Mr. Bone stated that we have more control of the townhouses than the single unit dwellings. We can set certain parameters in the agreement. Mr. Bone stated that he would have to check.

Ms. Lynn Lantz, Windgate Drive, noted that in regards to the traffic study, there were counters across the road at both ends by Windsor Junction and Beaver Bank. They were there in July right after school was closed and everyone was on vacation. She stated that she lives on Windgate Drive and knows what the traffic is like and in the summer there is not a quarter of the traffic that there is in the school year. If they are doing a traffic study it should be done now.

Mr. Bone explained that traffic counts are done at different times throughout the year. HRM has factors to scale it up. HRM does a lot of their traffic studies in the summer because they have summer students to do that but the traffic services people have developed formulas to scale that information so it is valid over the year.

Ms. Lantz, Windgate Drive stated that in regards to the Fall River Vision group, when she went early on, she felt very out of place because she was from Windsor Junction and they were all about Fall River.

Mr. Bone stated that there are three sites in Fall River that are subject to seniors sites.

Ms. Allison Golz, Carriage Road asked if there will be any accommodation for the people on Carriage Road to be able to hook in a Municipal line from the back of their lot to the future senior townhouses. Right now there is people in the community that have no access to Municipal water that is surrounding them.

Mr. Bone advised that he will review that with Halifax Water and see if there are any opportunities.

Mr. Matt Smith, Peter Thomas Drive, noted that they are pointing those townhouses right through Capilano. Those streets are not designed for thoroughfares. If any of these subdivision people want to go to Sobeys you are driving them right through Capilano. They are twisty windy roads and are not designed for 250 new families to drive through the estates. He stated that what concerns him even more is the talk about future developments. We are looking at this in isolation, you put this and another subdivision right on that little corridor you're driving all this traffic through streets that weren't designed for that much traffic.

Mr. Bone explained that there were holes in the development pattern. Over the years traffic services has looked at the development pattern in the area and have thoughts about where

connections should be and where traffic should go. Certainly when this was reviewed previously as part of the stage one, one of the things we looked at is where possible street connections should go from a variety of perspectives. One goal is to not increase their traffic through the neighborhood. We have this challenge in a lot of neighborhoods where the development pattern have been piecemealed. You get chunks of the transportation system developed long before the adjacent chunk and you play hopscotch so when you make these connections they create a lot of concern. When we review these we try to minimize the impact by looking at where the connections are made and where they are going and we look at the long term greater road pattern beyond this site to try and make sure the best of our ability that we are not creating situations that are going to cause us to come back in the future and put in other things to change the road to deal with shortcutting. Your concerns are noted and will be reviewed with traffic. As development happens you will get connections. The isolated communities are bad for a number of reasons such as school bus layout, network, so there is some positive impact for connections and it is understood the concern about traffic and it will be reviewed further with the traffic people.

Ms. Leah Pritchard, Carriage Rd., asked that should this go through, how long once construction once construction has begun to build all of these roads and all of these new houses, how long will that construction be going on?

Mr. Macaulay explained that it all will depend on the demand and when people start buying them.

Ms. Pritchard, so potentially these could be half developed and if the demand doesn't make it possible it could take a long time?

Mr. Macaulay answered that yes, depending how the market it is, yes it is possible that you could end up with a road that ends in a "T".

Mr. Bone explained that HRM doesn't normally get involved highly in phasing because we know around here it is not like out west where you can build a development and it is built within a year, it is just not possible, the demand is not here. We grow slow and steady, as there is a demand, but overtime these developments happen but we can try through Development Agreement and through negotiations so to maybe have certain portions built first which are meeting the adjacent so it is done. The challenge certainly is with the single family homes and not so much with the town houses. People will want to come in and want a particular lot and may not be in the right sequence and it can be a tricky process.

Ms. Pritchard noted that it seemed relevant to point out that this could have a negative effect on the real estate value of those houses that border on that stretch, such as those that live on Charleswood Drive.

Mr. Bone suggested that from a real estate value perspective, assessment value, it probably wouldn't have an impact but it certainly may impact livability on a short term basis. We will do our best to try and see if there are ways to handle this but with the market it is tricky, things are not absorbed quickly. In some cases we have tried to put deadlines in but they never work out.

Ms. Ruth Carleton, Charleswood Drive asked if Mr. MacNearney owned property that he could access those other pieces from the main road other than coming through Charleswood?

Mr. Macaulay said that he does not. This access was what was recommended by surveyors and engineers because this was a better access point for sighting clearance.

Ms. Carleton asked if there was green space at one time that Mr. MacNearney owned?

Mr. Macaulay stated that yes, parcel P84, was the dedication for the parkland when he developed Charleswood. He over-dedicated the parkland so he could continue with the development. Mr. MacNearney no longer owns that land now, it is now owned by HRM.

Ms. Stacey Langley, Charleswood Drive stated that they concur with the traffic going through Charleswood to Capilano but want to also have on record that the residents of Charleswood Drive have the exact same concern but that it is going to be the other way around. It's going to be Capilano, coming through Charleswood.

Ms. Langley points to a diagram to show the properties in question of flooding. She stated that the properties across the street have had water pooling in their yards which may not seem like a big deal however last winter there was a snow plow driver that stopped her husband in front of her property, wondering why there was so much ice on the road because there was so much water coming across. Ms. Langley stated that she then called Halifax Water and had them come out because she was afraid there was a leak. Turned out there was no leak, but that section is constantly ice and they don't know where the water is coming from, but they have never had that before. She references in the engineering report that was previously read stating that there should have been a significant change due to the water levels from the clear cutting previous to this application. The engineer provided a peak flow and arrow and it shows clearly it is going through peoples properties. Ms. Langley states she would like that on record.

Mr. Bone explained the arrows are probably showing the natural flows.

Ms. Stanley stated that it says that it is estimation on the diagram and she feels that it would not mean current. In the report that was referenced it mentions significant.

Mr. Nick Phillips, Windsor Junction Road stated that Councillor Dalrymple is the chair of Windsor Junction, LWF rate payers corp. and is also their councillor. He wondered if the councilor will be able to represent their concerns appropriately to council on this issue. There is no conflict of interest with you being the chair of the LWF Corp. and this issue? Will concerns of the community be brought forward?

Mr. Bone explained his role is independent of council. His role is to take it through the process and provide a review and independent professional opinion on the file.

Mr. Richard Zwicker, Charleswood Drive stated that his concern is with Miller Development. When he bought his lot 37 years ago from Mr. MacNearney of Miller Development there was a proposed subdivision called Charleswood, which fizzled out. Then it recreated into a different

entity altogether and that has been ongoing for 36 years. There has been no talk with those that bought the lots and the developer. The end of the street when Mr. Snow was here we had him check it out to put a cul de sac in because the traffic kept turning around in everyone's driveway including his and that was going to happen. The engineering group came out, surveyors came out and put in the stakes in and tore his out and turned around and nothing happened. The clean up that was supposed to take place from fallen trees, it finds a roadway. Mr. Zwicker stated that his hang up is that he went to see Mr. MacNearney himself to find out if there was going to be a development here and when they are going to start cleaning things up. Mr. MacNearney said absolutely no, it was not going to happen. That was just a very short number of years ago. If you couldn't trust him then, we were suppose to have a playground, that was suppose to be here 36 years ago, no playground, can't trust him today. We are not getting straight answers.

Mr. Bone advised that as far as the planning and development agreement process goes in the end council will get a report and it will outline exactly what the obligations are of both parties. Of what the municipality is responsible for and 99% of responsibility falls on the owner, whether that is Mr. MacNearney, Miller Development or some future owner, they are all obligated by the same requirements.

Mr. Macaulay added that P84 was dedicated by Mr. MacNearney initially for the Charleswood Development. He actually provided not just 40% of the land mass or 5% of the land mass for whatever was being developed and P84 was to be the parkland, but he was only really obligated to provide 40%. He in fact provided an additional 60%. So with that was the intent that he was to carry on his development but HRM has changed the rules and this is not Mr. MacNearney's fault. He would like to do the development and he wanted to carry on with the development through an as of right but that as of right does not exist.

Mr. Macaulay stated that Mr. MacNearney over-dedicated parkland by 60% and he is not going to get paid any money for that and he will never see that again. He really would have rathered carry on through an as of right development but he really doesn't have that option anymore so they are working with what HRM is allowing them to do. As for the seniors housing, this is what he has wanted to do all along but the MPS would not allow for that which is why he is delayed. He has waited all this time for the seniors housing to be available so he can move forward.

5. Closing Comments

Councillor Barry Dalrymple thanked everyone for coming and for the comments. He advised that the drainage issues, wetland, all this will be taken into consideration.

Mr. Bone stated that his business cards were available with his contact information if anyone would like to discuss anything further.

6. Adjournment

The meeting adjourned at approximately 9:20 p.m.