



**NORTH WEST COMMUNITY COUNCIL
MINUTES
January 11, 2016**

PRESENT: Councillor Steve Craig, Chair
Councillor Tim Outhit, Vice-Chair
Deputy Mayor Matt Whitman
Councillor Barry Dalrymple
Councillor Brad Johns

STAFF: Ms. Kirby Grant, Solicitor
Mr. Liam MacSween, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/central/160111nwcc-agenda.php>

The meeting was called to order at 7:00 p.m. and adjourned at 9:23.

1. CALL TO ORDER

Councillor Craig, Chair called the meeting to order at the Bedford-Hammonds Plains Community Centre, 101 Innovation Drive, Bedford.

2. APPROVAL OF MINUTES – November 16 & 24 (Special Meeting), 2015

MOVED by Councillor Johns, seconded by Deputy Mayor Whitman

THAT the minutes of November 16 & 24 (Special Meeting), 2015 be approved as circulated.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions:

Councillor Johns – 14.1 – Funding Request Cobequid Cultural Society – Sackville Community Compensation Fund

MOVED by Councillor Deputy Mayor Whitman, seconded by Councillor Johns

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS

10.1 PUBLIC HEARINGS

10.1.1 Case 18993 - Development Agreement - 636 Bedford Highway, Halifax

The following was before Community Council:

- *A staff recommendation report dated October 30, 2015*
- *Correspondence dated January 1, 2016 from Michele McDonald*
- *Correspondence dated January 6, 2015 from Marc and Judy Brochu*
- *Correspondence dated January 7, 2015 from Doaa al Dahdooh*
- *Correspondence dated January 8, 2015 from Kenneth J. Brothers, Helene Fleisher*
- *Correspondence dated January 10, 2016 from Elaine Godin*

- *Correspondence dated January 11, 2015 from Sharon Ross*

Councillor Craig, Chair read the rules of procedure with respect to public hearings and invited Mr. Andrew Bone, Chair to present on Case 18993. Mr. Andrew Bone, Planner provided a presentation on Case 18993.

Councillor Craig thanked Mr. Bone for his presentation and requested questions of clarification from members of North West Community Council. There were no questions of clarification from members of North West Community Council.

Councillor Craig invited Mr. Kuroush Rad, of WSP on behalf of the applicant to provide a presentation with respect to Case 18993.

Mr. Kuroush Rad, Planner of WSP provided a presentation on behalf of the applicant with respect to Case 19883. He invited Mr. Greg O'Brien, Senior Traffic Engineer to provide an overview of the traffic impact analysis which was undertaken for Case 18993. Mr. O'Brien provided an overview of the traffic impact analysis which was completed for Case 18993. Councillor Craig thanked Mr. Rad and O'Brien for their presentation and requested questions of clarification from members of North West Community Council.

Councillor Outhit requested further information with respect to the accesses for motor vehicle traffic to and from the proposed property.

Mr. O'Brien displayed a graphical representation of the traffic accesses to the site from Larry Uteck Boulevard and the Bedford Highway. He highlighted the various manners in which vehicular traffic can access to the subject property noting that the studies indicate that 40 percent of the traffic will come from the south of the Bedford Highway.

In response to a follow up question from Councillor Outhit, Mr. O'Brien advised that there are several options for motorists to turn left on the Bedford Highway and suggested that left turning lane on to the Bedford Highway would not be required.

Councillor Craig reiterated the rules of procedure with respect to public hearings and opened the public hearing for Case 18993. He invited members of the public to come forward and address North West Community Council.

Mr. Ken Brothers, of Bedford advised that he is very concerned about the height of proposed building and questioned the information provided by staff and the applicant with respect to the view plains. He advised that he currently resides at 79 Bedros Lane and commented that his view will be negatively affected by the building. He advised that the height of the proposed structure is equivalent to that of a ten storey building and should not be permitted to extend to 100 feet in height under the current Land Use By-law. He expressed further concern that a penthouse unit is not contained in the proposed development agreement and advised that other potential structures on the rooftop will make the structure even taller than what is currently being proposed.

Mr. Brothers expressed further concern with traffic access to the proposed building and advised that it will further congest an already congested roadway on Larry Uteck Boulevard and the Bedford Highway. He commented that he is very concerned about the impact that the proposed structure will have on property values in the area stating that he and many of his neighbours have paid a premium for the unobstructed view of the Bedford Basin. He concluded by noting that he had circulated further comments in writing in relation to Case 18993 to members of North West Community Council through the Municipal Clerk's Office and thanked members of North West Community Council for allowing him to express his concerns.

Ms. Elain Godin, of Bedford advised that she had also submitted a written representation through the Municipal Clerk's Office endorsed by 38 of the resident of 94 Bedros Lane in relation to Case 18993. She expressed concern with respect to the proposed density of the residential and commercial uses in the

proposed building and advised that the influx of people will negatively impact traffic in the area. She advised that the traffic studies conducted in the area are out of date and do not fully represent the amount of growth in the area since 2012. Further, she advised that a new traffic study should be completed at peak hours, during school and rush hour to gain a further understanding of the flow of traffic in the area at the present time. She advised that traffic signalization should be further considered by the traffic authority as there have been many accidents over the past several years. She further advised that pedestrian crossing should be considered in school zones.

Ms. Godin advised that the parking spaces for the proposed development are not sufficient and expressed further concern with respect to the height of the building exceeds 35 feet which is currently the maximum height permitted. She concluded by noting her background in development law and stated that overdevelopment can be quite detrimental. She encouraged members of Community Council to listen to the concerns being raised by the community in relation to the proposed application.

Mr. Doaa al Dahdooh, of Bedford expressed concern with respect to the potential impact of the proposed building on traffic safety in the area. He noted that the traffic impact study had taken place in 2012 and does not fully incorporate the amount of growth in the area over the past four years. He expressed further concern regarding the impact that proposed commercial uses will have on pedestrian safety.

Mr. Allen B. MacDonald, of Halifax, noted his occupation as a realtor and expressed concern with the impact of the proposed development on property values in the area. He advised that the building located at 37 Larry Uteck Boulevard, was left out of the presentation and seemed to be overlooked throughout the entire process. He advised that 37 Larry Uteck Boulevard was marketed at a view plain building and stated that it will be very negatively impacted by the proposed development. He reiterated early points regarding the traffic study which was conducted as being out of date and noted his opinion that mistakes were made in the staff report in relation to the easements applied to the subject property. He further noted that there are no provisions within the report for accessible ramps on the subject property.

Mr. Allan B. MacDonald, expressed concern with respect to traffic congestion in the area of the proposed development. He reiterated an earlier point by a speaker in relation to the traffic study being out of date and provided commentary with respect to the stress and anxiety related to traffic congestion. Mr. MacDonald expressed further concern with respect to traffic and pedestrian safety in the area noting that utilizing traffic data from the current 40 room hotel that is operating on the site does not compare with that impact of a large mixed used residential building.

Ms. Jean Strusero of Bedros Lane commented that she had petitioned HRM's traffic authority for three years to get pedestrian crosswalks installed on Larry Uteck Boulevard. She stated that traffic signalization should be considered at Bedros Lane and Larry Uteck Boulevard in light of the proposed development as the increased activity in the area will be quite dangerous for motorists and pedestrians.

Ms. Bonita Oxner of Bedros lane agreed with the assessment of the previous speaker and noted her concerns in relation to the lack of signalization at the entrance to Bedros Lane and Larry Uteck Boulevard.

Mr. Richard Mabid of 79 Bedros Lane expressed his concern with respect to the size and density of the proposed development. He reiterated points made by previous speakers in relation to traffic safety and congestion and advised that another high density development in the area will only add to the congestion problems.

Councillor Craig called three times for further speakers, there were no speakers present. He thanked all of the speakers for their comments and invited the applicant to come forward and briefly respond to points raised by the public.

Mr. Kuroush Rad, of WSP provided further details with respect to view plain mapping which took place as part of the application process. He advised that he is quite confident that the existing view plains in the area will be minimally impacted by the proposed structure. He outlined plans within the proposed

development to enhance the sidewalks on Larry Uteck Boulevard and the Bedford Highway to assist with pedestrian access to the site. He further noted that a shadow analysis had been undertaken as part of the process and commented that many of the existing uses will be minimally impacted. With respect to accessibility concerns, Mr. Rad advised that there are national building codes which require accessible ramps that will be adhered to and stated that accessibility is a primary concern of the building owners.

Mr. Greg Obrien provided further background information with respect to the traffic study. He advised that he does not expect many people will make left turns on to the Bedford Highway as there is access to the existing lights at Larry Uteck Boulevard. He noted that the driveways to the proposed building have not gone through detailed design at this point but commented that the next phase will include measuring the necessary median widths to ensure safe access to and from the site.

Mr. Obrien clarified that the original traffic study was completed in June 2012 based on traffic volumes at that time. He advised that latest study was completed in May of 2015 based on traffic volumes completed in May of 2014. He commented that collision data from the provincial government was not available at the time of the study and is currently still not available. He advised that pedestrians will have access to signal light crosswalks along the frontage the proposed building where the commercial uses will be found.

Councillor Craig inquired if the commercial activity use was factored in to the traffic study.

Mr. O'Brien commented that the traffic study uses a general calculation based on 6600 square feet of commercial activity.

Councillor Craig inquired about a question raised by Mr. Brothers in relation to additional height with the addition of a pent house.

Mr. Rad advised that the elevation of the propose building is 93.8 feet which includes the penthouse at the highest level.

MOVED by Councillor Johns, seconded by Councillor Outhit

THAT the public hearing close.

MOTION PUT AND PASSED.

Councillor Craig requested that Mr. Bone provide commentary with respect to the points raised during the public hearing.

Mr. Andrew Bone, Planner clarified a typo in the presentation with respect to the name of the applicant noting that the correct name is Blue Nose Inn and Suites Limited. Mr. Bone proceeded to show graphical representation contained in the staff presentation of the view plain mapping on the subject property. He advised of staff's position that all views shown from the presentation are accurate and advised that 37 Larry Uteck Boulevard will experience a blocking effect from the proposed development. Mr. Bone noted that there are very few areas within the municipality where views are protected through planning legislation, most notably in the downtown near Citadel Hill. He advised that the subject property is not located within an area where view plains are protected. Mr. Bone advised that under the current policy, a development proposal cannot be rejected on the basis of view plains if they are not protected.

Mr. Bone provided further commentary with respect to HRM's Traffic Authority noting that it is a provincially appointed department of the municipality which deals with roads, streets and infrastructure. He advised that the Traffic Authority has control of what happens in the street right of way and noted that it is well aware of the concerns raised by citizens within the area. He commented that the Traffic Authority have been collecting traffic volumes in the area on a regular basis and advised that the current volumes do not warrant traffic signals at the current time. He noted that the Traffic Authority will continue to monitor the situation.

With respect to the Traffic impact statement, Mr. Bone advised that staff looks at the immediate local context to determine safety and functionality and advised that the proposed development has been determined to have safe access.

In response to a question about easements, Mr. Bone advised that there are two easements on the property which originate from a time when Larry Uteck Boulevard did not exist. He commented that those easements will have to be extinguished before development is permitted.

With respect to accessible ramps, Mr. Bone advised they are building codes requirements and are typically designated at the permitting stage. He advised that oftentimes exterior ramps are not shown on plans for this reason.

With respect to the density of the proposed building, Mr. Bone advised that it is greater than otherwise previously permitted on other sites in the area. Mr. Bone noted that given the grade and the location the building, staff is of the opinion that the proposal has shown that it allows for a level of development that is appropriate for the site.

In response to a question from Councillor Johns, Mr. Bone advised that the building at 37 Bedros Lane was constructed approximately ten years ago and a four story plus parking garage structure was also permitted.

Councillor Outhit requested further information with respect to the proposed density and impact on the existing view plains.

Mr. Bone displayed further images from the staff presentation in relation to the view plains.

MOVED by Councillor Outhit, seconded by Councillor Johns

THAT the North West Community Council defer consideration of Case 18993 pending receipt of a supplementary staff report providing further information on the density of the proposed development and the potential impact on existing view plains.

Councillor Johns requested that the staff report address specific concerns raised by the public in relation to the density and impact on existing view plains.

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARINGS – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted correspondence received in relation to Item No. 10.1.1 which was previously distributed to members of North West Community Council.

11.2 Petitions

The Legislative Assistant noted a petition in relation to Case 18993 containing 64 signatures in opposition to the construction of a nine-story commercial/residential building on the Blue Nose Motel Site. He advised that the petition was previously circulated to members of North West Community Council.

11.3 Presentation – NONE

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 20150: Amendment to the River-lakes Secondary Plan under the Planning Districts 14 and 17 MPS to allow the use of a wider range of techniques to reduce phosphorus emissions

The following was before Community Council:

- *A staff recommendation report dated December 11, 2015*

Ms. Maureen Ryan, Planner provided a presentation with respect to Case 20150. Councillor Craig thanked Ms. Ryan for her presentation and requested questions of clarification from members of North West Community Council. There were none.

MOVED by Councillor Dalrymple, seconded by Councillor Outhit

THAT North West Community Council recommend that Halifax Regional Council:

- 1. Give First Reading to consider proposed amendments to the River-lakes Secondary Plan under the Planning Districts 14 and 17 Municipal Planning Strategy as set out in Attachment A of the staff report dated December 11, 2015; and schedule a public hearing; and**
- 2. Approve the proposed amendments to the River-lakes Secondary Plan under Planning Districts 14 and 17 Municipal Planning Strategy as set out in Attachment A of the staff report dated December 11, 2015.**

MOTION PUT AND PASSED.

13.1.2 Case 18781: Development agreement for Bedford West Sub Areas 7 and 8, Hammonds Plains

The following was before Community Council:

- *A staff recommendation/information report dated December 29, 2015*

MOVED by Councillor Outhit, seconded by Deputy Mayor Whitman

THAT North West Community Council:

- 1. Give Notice of Motion to consider approval of the proposed development agreement, as contained in Attachment A of the staff report dated December 29, 2015, to develop a residential/commercial development at Bedford West Sub Areas 7 and 8, Hammonds Plains and schedule a public hearing.**

MOTION PUT AND PASSED.

13.2 MEMBERS OF COMMUNITY COUNCIL – NONE

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS

16.1 Councillor Johns – Funding Request Cobequid Cultural Society – Sackville Community Compensation Fund

Councillor Johns provided background information with respect to the March 23, 2015 motion passed by North West Community Council and advised that Cobequid Cultural Society is seeking access to the \$10,000.00 from the approved \$100,000.00 allotment for soil testing and an engineer report in support of its proposal to construct an Arts and Cultural Centre.

MOVED by Councillor Johns, seconded by Councillor Dalrymple

THAT North West Community Council approve the access and transfer of up to \$10,000.00 from the \$100,000.00 Sackville Community Compensation Fund commitment approved by North West Community Council on March 23, 2015 to the Cobequid Cultural Society for the purpose of soil testing and engineer reporting for the construction of an Arts and Cultural Centre in Middle Sackville.

MOTION PUT AND PASSED.

17. NOTICES OF MOTION

18. PUBLIC PARTICIPATION

Mr. Brendon Marr, of Middle Sackville, provided commentary with respect to the proposed operational and staffing levels for Halifax Fire and Emergency Services.

19. DATE OF NEXT MEETING - February 8, 2016

20. ADJOURNMENT

The meeting was adjourned at 9:23 p.m.

Liam MacSween
Legislative Assistant