



**NORTH WEST PLANNING ADVISORY COMMITTEE
PUBLIC MEETING MINUTES
May 21, 2014**

PRESENT: Councillor Tim Outhit
Councillor Steve Craig
Ann Merritt, Chair
Ross Evans
Brian Murray
Evan MacDonald
Kevin Copley

REGRETS: Paul Russell, Vice Chair

STAFF: Tyson Simms, Planner
Alden Thurston, Planning Technician
Melissa Eavis, Legislative Support

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

The agenda, supporting documents, and information items circulated to the North West Planning Advisory Committee are available online:

<http://www.halifax.ca/boardscom/NWPAC/140521nwpac-agenda.php>

The meeting was called to order at 7:07 p.m., and adjourned at 9:00 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:07 pm.

2. PUBLIC PARTICIPATION

- 2.1** Case 19056 – Application by W.M. Fares Group Limited, on behalf of Cascades Property Group, to amend the Sackville Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to consider development of townhouse and multiple unit dwelling uses at 26 and 34 Walker Service Road, Lower Sackville.

Ms. Ann Merritt introduced the members of the North West Planning Advisory Committee and staff. She explained the purpose of the meeting and provided a short introduction to Case 19056.

Mr. Tyson Simms, Planner, outlined the agenda for the evening and reiterated the purpose of the public meeting. He provided an overview of the case including the properties in question, the existing uses and zoning, the applicable policies, and the proposed amendments. He also outlined the planning process.

Mr. Cesar Saleh, a representative of W.M. Fares Group Limited made a presentation on behalf of the applicant, Cascades Property Group. He discussed previous projects of W.M. Fares Group Limited and provided an overview of the proposed development.

Ms. Merritt outlined the ground rules for the meeting and opened the floor to comments and questions from the public.

Mr. Walter Regan spoke on behalf of Sackville Rivers Association and stated that he is generally in favor of the project but he raised the following concerns: would the building be set back twenty meters from existing watercourses; would there be oil and grit separators installed; would there be a sidewalk for the facility and would there be a sidewalk built from Old Sackville Road; would the proposed buildings be built to LEED standards; would there be sewage retention tanks to stop the line from becoming surcharged; would there be a green roof on the apartment building. He also expressed concern for silt retention practices due to the close proximity to the watercourses. He also asked whether the proposed park would be maintained by HRM or if it would be privately owned and if ten percent of the land area of the proposal would be used as park dedication. He also explained that this property was previously used as a construction site and there is considerable concern with site contamination. He also asked what investigation had been done and whether any remaining contaminated soil would be cleaned; whether there were any old wells on site; if there had been any investigation in terms of shale; and whether there would be any landscaping on the ditching. He inquired as to the landscaping intentions and stated that storm water retention should be a priority.

Mr. Simms responded that Nova Scotia Environment has stated that the water feature on the site is a drainage course not a watercourse but there is a twenty-meter setback in any case. He

indicated that he would make the comments from Nova Scotia Environment available to the public. In terms of an oil and grit separators, staff can inquire as to whether this would be installed but the Development Agreement cannot require it. Installing sidewalks would also need to be discussed further as considering items outside of the project property boundaries can be difficult. Mr. Simms explained that LEED standard buildings could not be required through the Development Agreement process. A storm water management plan would be required for the site and the applicant must balance pre and post flows. Mr. Simms explained that there is a parkland dedication requirement which would be the HRM community park identified. Park Planning staff will be providing comment as to the size and requirements of the park and whether they would be taking any portion of the park dedication as cash-in-lieu. He also responded that staff has considered hazardous materials on the site and the developer can speak to that item further. In terms of landscaping, Mr. Simms noted that staff could consider the potential retention of vegetation, especially mature trees.

Mr. Saleh responded that all of Mr. Regan's comments regarding engineering will be given to the project civil engineer and will be considered item by item. He also noted that the site is quite disturbed and during construction there would be an erosion and sediment control plan. He also noted that there would be a landscaping plan because there are vast open areas on the site which will form a part of the Development Agreement. He explained that the site is contaminated and it is currently being remediated.

Mr. Simms added that when sites are contaminated, the Development Agreement would require that a Qualified Person certify that the site has been adequately remediated and is fit for development.

Mr. Chris Rendell, a resident of Kelly Court, questioned the benefits of the proposed development to the community. He explained that the current regulations were put in place to protect the community from over development. He stated that this development is not appropriate for the area and that there would be an increase in crime and traffic as a result. He also inquired as to whether a new stop sign would be put in place. He also questioned the impact on property taxes and stated that this development would not increase his quality of life. He expressed concern that this development may be setting a precedent for future development. He also noted that the development would be detrimental to children in the community.

Mr. Alfred Ryan, a resident of Old Sackville Road, stated that this development would saturate Old Sackville Road and that he agreed with the previous speaker that the area did not need additional townhouses, traffic, or people. He also stated that the vacancy rate is approximately 4% and additional apartment buildings were unnecessary and that single unit dwellings would be more appropriate. He explained that his main concern is with traffic and that the additional vehicles this project would bring would decrease residents' quality of life as well as create additional litter and trash. He felt that more input should be sought from the public before this site is developed.

Mr. Ted Mar, an adjacent property owner and resident of Old Sackville Road, made comments regarding a different proposal. He then expressed concern that surrounding property owners would be required to use municipal water and sewer services.

Ms. Upshaw stated that many surrounding residents are on fixed incomes and was concerned that this project would raise property taxes.

Ms. Lesley Walker, a resident of Walker Service Road, asked the following questions: would the proposed townhouses be rental or market housing; what the intentions were for the large open portions of the site; why 34 Walker Service Road was included in the proposal; what were the intentions for the laneway at the back of the property; if the development agreement was binding and could it be changed; how the site would be serviced; if there would be a fence and who would be responsible for maintaining it; the impacts of construction on existing wells in the area; and how the large bank on the site will be kept stable. She also expressed concern for the additional density and its effects on the community and whether the project would require blasting.

Mr. Saleh stated that the townhouses would be owner occupied and that the multi-unit building is intended as an apartment building. He clarified that the open space at the back corner of the site does not have any proposed development, as it is unserviced. The single dwelling mentioned is intended to remain unchanged. He stated that the water and sewer services will be extended from Old Sackville Road and to the Walker Service Road area and then to the subject property. He explained that fencing details have not been considered at this time but would be a part of the Development Agreement. Mr. Saleh stated that the proposed density for this site is 10 units per acre. He also noted that four acres of the site has existing development rights that are commercial which he felt would not be appropriate for this area. In terms of the surrounding properties on well water, a survey would be completed identifying those properties that have wells and their condition would be noted. Measures would then be put in place to ensure they are not damaged during development. If there was damage, it would have to be fixed at a cost to the developer. He also clarified that at this time it is unclear as to whether blasting would be necessary.

Mr. Charley Craig, a resident of Old Sackville Road, stated that the lack of sidewalks is a concern. He also noted that traffic would be problematic at the nearby intersection and that additional children waiting for the school bus would be dangerous.

Mr. Saleh responded that a traffic study would be submitted that would assess safety and volume, and this would be made available to the public. He also explained that there are sidewalks within the proposed new road and the possibility of sidewalks outside of the project area will be discussed with the project developers.

Mr. Denis Lougard, a resident of Skyriver Drive, asked if Brian Drive would be extended and stated that there may be safety issues with children and teenagers loitering around the Sackville River. It was clarified that Brian Drive would not be extended.

Ms. Betty Harvey, a resident of Walker Service Road, inquired as to the depth of the oil contamination on the site and if these oils have spread to other properties.

Mr. Saleh stated that the tank was located above ground and there was an area of land that was contaminated. An environmental company has written a report and the property owner is

following the guidelines in cleaning up the site. He explained that the land had to be cleaned prior to any development.

Mr. Charles Craig, a resident of Old Sackville Road, asked why so much of the property was being left undeveloped. He also expressed concern for the stream going down to the Sackville River.

Mr. Saleh responded that the Development Agreement would stipulate what land would be developed and any other development would not be permitted. He stated that the property is challenging due to the unserviced areas and the contamination.

Mr. Simms explained how the subdivision of the townhouse units would limit further development. Also, that the Development Agreement can require that no other lands on the site be developed. He stated that staff will consider further the exiting single unit dwelling and whether it would be included in the development agreement.

Mr. Chris Dagley, a resident, stated that the conditions of the road are not optimal and plowing is currently very slow in the area causing dangerous conditions. He stated that the additional traffic would make this situation worse. He inquired as to whether a portion of the lot could be used for commercial purposes. He also expressed concern regarding blasting and the effects on existing wells in the area and whether existing residents would be required to service their property if water and sewage were brought into the area.

Mr. Simms stated that the Development Agreement would speak only to what is being proposed and if no commercial uses were proposed then they would not be permitted. He noted that staff would review concerns raised regarding snow removal. Mr. Simms explained that there is a blasting by-law and damage costs would be born by the applicant. In terms of servicing, staff will confer with Halifax Water to determine the effect on surrounding unserviced properties.

Ms. Darcie Hessie, a resident of Old Sackville Road, stated that she purchased her house because it was a low-density area and would have reconsidered if the current proposal were in place. She also inquired as to who had the final say regarding the rezoning and Development Agreement process.

Mr. Simms responded that Council has the ultimate decision making power for both the rezoning and the Development Agreement and that the Development Agreement would be a more comprehensive approach and allow for more flexibility.

Ms. Barb Lowe, a resident of Walker Service Road, stated that she does not have an issue with those lands being developed but this proposal is not in keeping with the low-density character of the neighborhood. She felt that large single unit dwellings would be equally profitable and more appropriate for the area. She noted that surrounding owners take pride in their properties and do not need this type of development.

Ms. Kathy Fougere, a resident of Scott Edward Drive, agreed with the previous speaker and felt that multi-unit buildings would create chaos. She expressed concern for the increase of children

in the area, increases in crime and theft, and the lack of access to and from the site. She explained that the townhouses were potentially acceptable but the apartment building was entirely inappropriate. She also noted that home values could be lowered as a result of this project.

Mr. Chris Rendell, a resident of Kelly Court, inquired as to whether this agreement would preserve the areas in question and whether there would be tax impacts for surrounding property owners. He also expressed concern for blasting effects on existing septic beds.

Mr. Simms reiterated that there is a blasting by-law, which would regulate the process if blasting were required. He stated that he was unable to speak to the effects this proposal would have on property taxes. He also stated that the school board is typically a review agency and will provide comments on the project.

In response to questions from those in attendance, Councilor Craig held a brief discussion on process and transparency.

Mr. Walter Regan stated that special consideration should be given to the population of Eastern wood turtles in the area to ensure they are not negatively affected by the proposal. He also asked if HRM would require the developer to do further investigation for contamination, and whether the onus could be placed on the property owners to maintain fencing. He also noted previous issues with shale, ditching and green roof construction.

Ms. Merritt called for further speakers. As there were none the meeting was adjourned.

3. ADJOURNMENT

The public meeting was adjourned at 9:00 p.m.

Melissa Eavis
Legislative Support