

NORTH WEST PLANNING ADVISORY COMMITTEE

PUBLIC MEETING MINUTES

January 7, 2013

PRESENT: Ms. Ann Merritt, Chair
Mr. Walter Regan
Mr. Robert Wooden
Councillor Tim Outhit
Councillor Steve Craig

REGRETS: Ms. Carrie Purcell
Ms. Pamela Lovelace
Ms. Jessica Alexander
Mr. Michael Cogan

STAFF: Ms. Thea Langille, Supervisor, Planning Services
Mr. Tyson Simms, Planner, Planning Services
Ms. Sarah Pellerine, Legislative Support

TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	Case 17489: Application by Genivar, for the lands of William Fenton and Mary Elizabeth Fenton, to amend the Bedford Municipal Planning Strategy to enable a development agreement for two 24 unit multiple unit dwellings at 88 Dartmouth Road, Bedford	3
3.	CLOSING COMMENTS	8
4.	ADJOURNMENT	8

1. CALL TO ORDER

The meeting was called to order at 7:06 p.m. at the Basinview Drive Community School, 273 Basinview Drive, Bedford.

Ms. Anne Merrick, Chair of the North West Planning Advisory Committee, introduced members of the Committee and staff present, and welcomed members of the public to this public information meeting.

2. Case 17489: Application by Genivar, for the lands of William Fenton and Mary Elizabeth Fenton, to amend the Bedford Municipal Planning Strategy to enable a development agreement for two 24 unit multiple unit dwellings at 88 Dartmouth Road, Bedford

Mr. Tyson Simms, Planner, HRM Planning Services, provided background and a presentation on Case 17489: Application by Genivar, for the lands of William Fenton and Mary Elizabeth Fenton, to consider amendments to the Bedford Municipal Planning Strategy (MPS) which would enable a development agreement for two 24 unit multiple unit dwellings by development agreement, and enter in to a development agreement for the proposed buildings at 88 Dartmouth Road, Bedford.

Mr. Simms advised members of the public that this meeting is an information exchange and that no decision on the case would be made at this time.

Genivar noted that the project is currently on hold until they gain additional feedback from the public. They also stated that there will only be one building constructed on the site as opposed to the two previously proposed.

Ms. Thea Langille informed the public that based on a conversation that happened on Friday, January 4, 2013, there would be a change to information provided at tonight's meeting. Genivar would like to look at the new policy and hear feedback from area residents that will be recorded at the meeting.

Ms. Merritt advised the public of the ground rules of the meeting and requested that anyone who wanted to speak to the proposed amendments come forward. The floor was opened for comments from the public.

Mr. Simon Dubois, Ambercrest Drive, Bedford, posed a question to HRM staff asking if this meeting tonight means they support the new policy being presented and what reasoning and criteria were met to justify the policy change.

Mr. Simms responded that through an internal review and consultation with various planning staff it was felt that multi-unit dwellings could be used on the site as an alternative form of housing providing when they were built they meet criteria in the Development Agreement. It is only through a new site-specific policy that HRM will have control over what is being built on the properties.

Ms. Langille responded that HRM is neither for nor against a multi unit dwelling. She clarified that if one is to be built you must follow the criteria set out in policy R-32, and that it is only a draft policy and they are looking for public input on the proposed policy.

Mr. Dubois stated that it is impossible to provide any feedback on policy R-32 as this policy is not yet made.

Mr. Vaughn Steeves, Brentwood Drive, Bedford, wonders about the terminology being used as well why the developer has decided to put their plans on hold and why is it necessary for HRM planning to pick that property to develop by developing a new policy.

Councillor Outhit responded by saying that at the meeting tonight we are simply talking about the lands zoned for single unit dwellings being considered to be re-zoned to allow for multi-unit dwellings.

Ms. Langille responded that the developer is only putting part of the project on hold; they still would like the land to be considered for policy R-32 to allow for multi-unit dwellings on the site. She also noted that the HRM planners at the meeting tonight simply respond to an application, they do not go out and search for places to develop.

Mr. Steeves inquired about the drainage course on the property and asked why it is not noted as a water course. This is very important to the community and would like to be able to provide pictures to the decision maker as to what actually happens to the drainage course.

Mr. Simms responded that it was Nova Scotia Environment, who would make that decision, but the public can contact either Ms. Langille or him and they will pass along any information to NS Environment.

Ms. Melinda Melanson, Ambercrest Drive, Bedford, would like noted that she is very disappointed in the lack of transparency shown tonight from HRM in the meeting tonight and in response to Mr. Steeves' questions. She also noted that because there is no set criteria made there are so many holes in the process. She feels like HRM is giving the developer the option to go through with things that are overlooked and feels very vulnerable as a resident in the neighborhood.

Mr. Wayne Sumarah, Ambercrest Drive, Bedford, commented on the criteria of the policy, noting that it does not address any of the concerns that were brought up in the first meeting. He feels that the water issues, traffic issues, and environmental issues are not addressed. He agreed with Ms. Melanson, that there are many holes in this policy and feels that the developers just want a stamp on the policy so they can build whatever they would like on the property. It is like giving the developers a blank cheque and not taking anything the residents have said into consideration.

Councillor Outhit stressed only the land is being considered this evening, not the building. He asked the public what would have to be done for them to be comfortable with a multi-unit dwelling on the site, and assured that any concerns brought up would be noted and brought to Council if/when the policy goes for approval.

Mr. Sumarah said the current zone was put there for a reason based on traffic and he cannot see a catalyst to change the current policy.

Councillor Outhit responded that 16 single unit dwellings could have just as much traffic as a multi-unit dwelling. Also, that if the single unit dwelling were to be built the developer could develop anything on the land as long as it meets lot sizes and the current policy. These dwelling could be rental units, high end homes, or trailers, HRM will have no control, and Ms. Langille agreed with this statement.

Mr. Sumarah thinks that the policy was correctly made the first time around and sees no need to change it. He wanted to note that if a multi-unit dwelling was developed that it should not be greater than two stories.

Mr. Fenton responded that he would be better off putting 13-16 mini homes on the site and renting them out, he ensured the public that something will be done with the land either way. He also wanted to note that there is a drawing done showing that a four story building would remain lower than the roof lines on Ambercrest Drive.

Mr. Bob Reston, Ridgevale Drive, Bedford, commented that with regard to policy R-32, he cannot see a four story building being lower than the roof lines, also that once constructed, tenants will be able to look into the properties of the current residents and that the current residents do not want to look out their windows at a concrete wall. He also wanted to know what would be the cut off zone in the area for residents who would like to voice concerns about the construction of a four story multi-unit dwelling. He wants to make sure that all comments said tonight will be taken into consideration and that anything over a two story building will affect residents.

Mr. Wayne Sumarah, Ambercrest Drive, Bedford, wants to be clear on this; the buffer zone to be created will be both noise and visual. He would like it so that the building will not be visible to or from any of the surrounding residents, as in not cutting down tree lines so that balconies can be seen nor when on a balcony could you look into a resident's home.

Mr. Eric Melanson, Ambercrest Drive, Bedford, wanted to know if residents can have any other input to this policy other than at tonight's meeting. He also wondered who will make the ultimate decision on what will/will not go into the policy.

Ms. Langille responded that this will be the meeting they will be having on the policy but they can contact Mr. Simms on the policy anytime. She also addressed the transparency issues brought up tonight, noting that up until Friday HRM thought there would be a building shown at the meeting tonight. The developer did not know which

policy/development they wanted to go ahead with so they pulled back but the meeting was already set so they decided to go ahead with a meeting. It is HRM staffs' role to take away thing from the public meetings and suggest to Council what would be the best way to go about a policy.

Mr. Simms and Ms. Langille will create the policy, and it will go to Council along with the minutes from tonight's meeting and any calls or emails sent into HRM regarding this case. All planning staff will have some input into the policy and will see comments made. The public will have about 30 days after tonight to send comments or concerns to staff.

Ms. Mim McDow, Ridgevale Drive, Bedford, wonders if anything said tonight will affect the policy and why the word "policy" is being used just because it sounds so strict.

Ms. Langille noted that a policy runs off a municipal plan and certain things can be amended without public review but other things come up and needs to go to the public for their input, mainly a change to the municipal plan therefore a new policy must be created. The new policy is made because if a development agreement is made then HRM staff has something the developer must adhere to and gives them grounds to push back when needed in having them comply with certain criteria.

Ms. McDow would like to have an item added to the policy stating the value of her home will not be effected in anyway by the construction on the building.

Ms. Langille responded that there is not a legislative piece that can be put in the policy to state home value in the area not be affected.

Ms. McDow noted that the bungalow next door to her home can look right into her family room and kitchen, that she would have no privacy with a four story building. She agreed with other comments made that anything over a two story building will affect residents negatively.

Ms. Sandy Sumarah, Ambercrest Drive, Bedford, would like to know if resident's compromise on things is the developer willing to compromise on things.

Mr. Fenton responded that he is very sorry that the sight lines are not being shown tonight and would like to extend an invitation to everyone here to meet with him so that he can show them what a four story building would look like. He also commented that if residents would like to they can go on site and take their own pictures and measurements. He also said that if the public would like to provide him with their email addresses he will send those copies of the sight lines.

The developer responded that they are simply looking for the approval on the new policy R-32, and that an additional public meeting will happen when moving into the development stages.

Ms. Langille clarified that HRM staff asked for visual renderings of the property based on comments made at the last meeting and thought they would be at the meeting tonight.

Mr. Wayne Sumarah, Ambercrest Drive, Bedford, would like to note that he would not be comfortable with anything higher than two stories.

Mr. Pat Cooke, Ambercrest Drive, Bedford, wants to know if there is a generic draft policy that could be put in place for a situation like this. He noted that he feels the process is somewhat flawed because the current zone is residential and should have went to the community even before considering this policy change. He applauds the fact that Mr. Fenton is willing to sit down with the residents to discuss what they would like to happen with the area.

Ms. Langille responded that each policy that comes in HRM staff does on a case by case evaluation for the policy, and that the Bedford Municipal Planning Strategy has the most components in it.

Mr. Fenton responded that he wanted to have two buildings built on the site but based on regulation he is only able to place one building on the site, which is forcing him into making them rental units as opposed to the condos that he wanted to do. He noted that he would present the sight lines to the public that were not shown here tonight in a meeting if the public would like to have an additional meeting. He assured the public that if in the end the building development does not pass something different will be put on the land.

Mr. Simon Dubois, Ambercrest Drive, Bedford, noted the original plan was for two four story buildings on the site, he made a suggestion that they develop two two story 12 unit buildings so the building height would not be a factor. Also noted this could be like high-end condos.

Ms. Carol Reston, Ridgevale Drive, Bedford, noted she has no issue with a two story multi-unit building but would have an issue with tar paper shacks put on the site.

Councillor Outhit responded that HRM cannot legislate what will be put on the property as of now as long as it adheres to current policy. Single unit rentals could be put on the site.

Ms. Reston would like to know if she would be compensated for any blasting that will happen in development starts.

Mr. Simms responded that yes there will be inventory taken of all homes in the blasting zone and if they are affected from the blasting they will be compensated. You can contact him directly with regards to any questions regarding blasting.

Mr. Kent McClintock, Ridgevale Drive, Bedford, noted that he is not one to stand in front of progress but does not see how this is a good thing for himself or the community. It feels as if they are being forced into a decision with this policy and would like to keep all options open as a home owner and at this point in time he does not have enough information to make a sound decision.

Ms. Langille responded that for the next 30 days the public will be able to voice any concerns to herself or Mr. Simms, by telephone, email or in person. She would like to go back to the developer with the comments made tonight. She also noted that when this policy goes to Council the public is more than welcome to attend the meeting and will be notified of what is going on concerning the policy.

Mr. Simms will make a copy of policy Z-3 and post it on the HRM website so that the public can have full knowledge of what is going on, he will also post the sight line views at the site.

Mr. Pat Cooke, Ambercrest Drive, Bedford, would like to know if it is possible to draft a statement saying the developer should meet with or is willing to work with the local homeowners association.

Mr. Simms will look into this and consult with other staff and legal to add more strength to the process involving the homeowners.

Mr. Eric Melanson, Ambercrest Drive, Bedford, does not think there will be a consensus made between a two story multi-unit dwellings vs. town homes vs. single unit dwellings. He noted that the developer has already said no to the two story multi and no to town homes. He also wondered if they used lidar with counting the number of trees on the property.

Councillor Outhit asked if the public would like to meet again to discuss these different options. He said he would be willing to come to a meeting to further discuss the policy line by line to get the comments from the residents on each line. Ms. Langille said she would look into a different venue for this meeting, which would take place at least 30 days from now.

Ms. Langille also noted that the development agreement is where the actual specifics of the building will be made and areas surrounding the building.

3. CLOSING COMMENTS

Mr. Simms thanked the public for their input into the process and outlined the process and timelines for the application as it proceeds to Regional Council.

Ms. Merritt thanked everyone for attending.

4. ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

Sarah Pellerine
Legislative Support