

**NORTH WEST PLANNING ADVISORY COMMITTEE
PUBLIC MEETING**

October 18, 2006

PRESENT: Ms. Barb Grant
Ms. Ann Merritt
Ms. Gloria Lowther
Councillor Martin

REGRETS: Councillor Harvey
Mr. Walter Regan
Mr. David Grace
Mr. Warren Hutt
Mr. Jim Sullivan

STAFF: Mr. Andrew Bone, Planner
Ms. Stephanie Parsons, Legislative Assistant

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1. **Call to Order**

The Vice Chair called the meeting to order at 7:05 p.m. in the Music Room of Basinview Drive Community Elementary School, 273 Basinview Drive, Bedford.

2. **Case 00690 - Application by O.L.L Leasing and Holdings to amend the Bedford Municipal Planning Strategy and Land Use By-law**

- A proposal fact sheet dated October 18, 2006 with an attached staff report, originally submitted at the November 9, 2004 meeting of Halifax Regional Council was circulated.

Mr. Andrew Bone, Planner, provided a presentation via power point presentation outlining why staff was considering amendments to the Bedford Municipal Planning Strategy and Land Use By-law as it relates to the application. During his presentation he advised that the proposed policy would require the following:

- Accessibility by automobiles, and pedestrians,
- Adequate buffers,
- Landscaping complements,
- Open space and green space,
- Parking,
- Appropriate lighting,
- Protection of natural and cultural features,
- That the provisions of policy Z3 are met.

In concluding his remarks, Mr. Bone stated that staff's opinion is that it is reasonable to consider a residential development due to site constraints and close proximity to residential development.

Mr. Bone introduced the Committee Members and Mr. Cesar Saleh, a representative of O.L.L. Leasing.

Mr. Cesar Saleh provided an overview of the development concept via a power point presentation. The following was noted:

- The proposal handed out does not represent what was presented in 2005,
- The site is zoned CCDD which requires a larger commercial component,
- At the previous public information meeting the public had indicated that a commercial development was not suitable,
- The new proposal is for a five-storey building which includes underground parking,
- The lot size is 117,000 square feet,
- The building coverage is 15,000 square feet,
- 57 percent of the site will remain undeveloped,

- There will be 51 units, which is less than the 80 residential units allowed under the current policy,
- The building will be constructed of non combustible materials,
- The exterior will be constructed of stone and hardiplank siding,
- The balconies will be made of concrete,
- The development is complementary with adjacent uses,
- The traffic consultant has confirmed that traffic would not be adversely impacted. It is walking distance to the proposed Ferry.

The following comments were put forward by Committee members and members of the public:

Mr. Danny Hanson, Bedford, asked for clarification on the cultural features and asked if there will be blasting. He also expressed concern for the safety of the children.

Mr. Saleh advised that the building is at grade level and he does not foresee any blasting.

Mr. Bone commented:

- Examples of cultural features would include plants, and the brook.
- HRM has the strictest By- law in Canada.
- A two million-dollar insurance policy must be provided and onsite surveys within 300 metres.
- There is an HRM blasting official who monitors the sites. In addition the developer has to hire someone to monitor seismic activity and within 24 hours notify HRM of any damage. The residents must be notified of the date and time of when blasting activity may occur. At this stage it is unknown if there will be any blasting.

Mr. George Young, Bedford, asked if there were water and sewer services and expressed concern that the wells of the adjacent homes would be damaged.

Mr. Bone advised that there will be sewer and water to the site and that the development agreement would include provisions that require the developer to provide water if the water supply is damaged and/or extend services to the properties at the developer's cost.

Mr. Chris Davis, Southgate, asked if the adjacent properties are owned by O.L.L Leasing and how they propose to access the site during construction.

Mr. Bone advised that the adjacent properties are owned by Cresco Development Ltd. and that the site will be accessed from the Bedford Highway.

Mr. Laurie Dauphine, Wyatt Road, stated that under this proposal the building cuts through his driveway. The previous proposal indicated that his driveway would be re routed. He also stated that Mr. Young's driveway would be deeper if you are entering off his driveway.

Mr. George Young, Bedford, commented that there is a 10ft ride on his deed and it appears that his driveway is going to be cut off.

Responding to Mr. Dauphine and Mr. Young, Mr. Saleh advised that the driveways will remain as they are. The illustration depicts the property lines. Mr. Bone added that there is a requirement to protect access.

Ms. Helen Beaver, Bedford, expressed concern that with a five story building there will be wind draft and sun blocking. She also expressed concern with the snow run off and expressed concern that Wyatt Road would be washed out. In addition she asked if there is a penalty for the loss of water and access to driveways.

Mr. Saleh commented that it is their opinion that storm run off will not be an issue given the size of the open space and green space. In addition a berm will be constructed around the site so that everything slopes away from the brook.

Mr. Bone advised that the development agreement will include provisions that state that the adjacent properties, or brook is not negatively affected. It will also require that drainage be in appropriate location.

Councillor Martin advised that issue of water drainage was also a concern of the Bedford Watershed Advisory Board.

Mr. Bone stated the following:

- HRM engineers' reviews the stormwater management plans and provides those results to staff,
- When the planner determines that the development agreement addresses the concerns they provide a staff report to Community Council outlining those issues and how they are mitigated through the development agreement,
- Once the staff report is received by Community Council, it becomes a public document.
- He also reiterated that access to driveways must be maintained and that there maybe penalties for damage to the water supply and/or there maybe a requirement for the developer to extend municipal services.

Mr. Saleh commented that the By law requires 100 ft setback from the brook. The original proposal included four townhouses which were removed. They are comfortable with including a provision in the Development Agreement that states that area B not be developed. Residents at the previous public meeting expressed their desire to maintain the area in its natural state.

Ralph Stoddard, Summer Cove, suggested that additional traffic lights be installed and that the developer should pay for them.

Mr. Bill Taylor, Bedford, commented that a left turn will create a back up in traffic as there are only two lanes.

Mr. Bone advised that the traffic study and a review by HRM Traffic Services will determine if traffic lights are warranted.

Responding to **Mr. Vern Torttor, Bedford** Mr. Bone advised that the Waterfront Development Corporation has not submitted any plans. However, HRM will begin a Community Visioning Project that will be considering Mill Cove and the potential of the Fast Ferry and what uses can be allowed on the Waterfront.

He further advised that this proposal and 910 Bedford Highway have been in the process for a while and the Community Visioning Process is to consider what should be allowed in the future. He further advised that the original staff report that was circulated is not the plan under consideration and has no relationship to what has been presented by Mr. Saleh.

Councillor Martin and the members of the North West Planning Advisory Committee noted that the current plan was not provided and the questions that are being asked pertain to the original concept from 2004 and have since been revised.

Mr. Saleh advised that he can be provided a current plan to staff.

Mr. Bruce Ford, Bedford, commented that he supports the concerns regarding traffic lights at Nelsons Landing to ease the congestion at Moirs Road, there is currently a three red light wait to make a left turn. He asked for clarification on the height of the building and expressed concern regarding the trend toward high rise buildings. The standard for Bedford has been three stories, in addition he requested a copy of the traffic study and advised that he is in opposition to the development his project

Mr. Saleh clarified that the building is five stories and is stepped back due to the higher grading on the southern side. He pointed out that a five-story building is not considered a high rise and further that a taller building is more friendly, not as wide and consumes less land. The building code also requires a higher standard of construction.

Mr. Bone advised that HRM does not own the traffic study and cannot release it without permission.

Mr. Laurie Dauphinee, Bedford, commented that the proposal will add 50 additional cars to the traffic and asked if there will be a 24hr contact number in the event that he loses water and his drive way is cut off to get to the site.

Mr. Bone advised that site distances will be reviewed, a contact number must be provided in the event of blasting and advised that he would advise the planner of his concerns.

Mr. Young advised that his well is shared with the neighbours and is spring fed. The water comes from where the building is being located. He also expressed concern with exiting out of his driveway as the visibility is poor.

Mr. Bill Taylor, Bedford, commented that there are difficulties exiting the Ultramar as there are only two lanes.

Mr. Saleh commented that a 51-unit building would not affect traffic more than the allowed

commercial uses. The current uses allow a building the size of Walmart.

Councillor Martin asked staff to get permission from the client to release the traffic reports. He further advised that the proposal was not recommended by the Bedford Watershed Advisory Board.

Mr. Bone advised the public that it is a technical document and commented that the Waters Advisory Boards recommendation is based on the fact that they do not believe that the property could not be reasonable developed withing the normal set back requirements.

Ms. Lowther asked for clarification on the following:

- The separation distance from the street and the residences;
- Whether or not an application can be made in the future to develop the area, which is to remain in its natural state.

Mr. Saleh advised that is set back 23 ft from the street, he does not know the setback from the residences.

Mr. Bone stated:

- The remainder of the land will remain undisturbed;
- An application would have to be made for an amendment;
- Staff is currently holding all new proposals until the Community Visioning Project is complete;
- Bedford West and Royal Hemlocks have been identified as urban growth areas in the Regional Plan, some development is allowed as or right;
- Southgate is currently at capacity until the 102 interchange is complete.

Ms. Shalene Hanson, Bedford questioned if all the parking was underground.

Mr. Saleh advised that there are 14 visitors spaces above ground.

Responding to an unidentified speaker Mr. Bone advised that HRM does not accept land that is not suitable for parkland. To ensure the land is not developed it is best to protect it through the development agreement.

Mr. Saleh advised that part of the requirements is to have open space and they will ensure that it is maintained.

Mr. Doug Romer, Southgate, expressed concern that the visuals were out of context it would help the public understand the concept better if there were additional contour lines explaining the slope of the site.

Mr. Bruce Ford, Bedford, asked why some projects are being moved forward prior to the Community Visioning Project.

Mr. Bone explained that there are a number of applications in Bedford that has already entered the planning process, it would be unfair to hold up their plans. Bedford is at the top of a list for the Community Visioning Project as laid out by the Regional Plan.

Mr. Laurie Dauphinee, Wyatt Road, asked if the application is approved what is the time line for construction.

Mr. Bone advised that normally construction begins in 1-2 years however the development agreement can allow up to 5-10 years.

Mr. Saleh advised that they anticipate 10-12 months of construction time.

3. ADJOURNMENT

There being no one else wishing to speak, the Chair advised that the meeting of North West Planning Advisory Committee is open to the public and thanked members of the public and staff and the meeting adjourned at 8:55 p.m.

Stephanie Parsons
Legislative Assistant