

# **HALIFAX REGIONAL MUNICIPALITY**

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## **NORTH WEST PLANNING ADVISORY COMMITTEE PUBLIC INFORMATION MEETING**

**March 30, 2005**

**PRESENT:**

Ms. Ann Merritt, Chair  
Ms. Gloria Lowther, Vice-Chair  
Deputy Mayor Len Goucher  
Mr. Walter Regan

**ABSENT:**

Councillor Brad Johns  
Mr. Robert Batherson  
Ms. Barb Grant  
Mr. Warren Hutt (regrets)  
Mr. Joel Matheson  
Mr. George Murphy

**STAFF:**

Ms. Thea Langille-Hanna, Planner II  
Ms. Chris Newson, Legislative Assistant

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## 1. CALL TO ORDER

Ms. Ann Merritt, Chair, called the meeting to order at 7:07 p.m. in the Cafeteria of Basinview Community School, 273 Basinview Drive, Bedford, NS with approximately thirty (30) members of the public in attendance.

The Chair welcomed all those in attendance and explained the procedure for the meeting.

## 2. CASE 00723 - AMENDMENTS TO THE BEDFORD MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO ENABLE A MIXED USE DEVELOPMENT (COMMERCIAL/RESIDENTIAL) AT 910 BEDFORD HIGHWAY.

- A staff report dated February 21, 2005 for the March 8, 2005 Halifax Regional Council session was before the Committee.

Ms. Thea Langille-Hanna, Planner II, presented the report. She circulated a sign-up sheet to the public and encouraged those wishing to be added to the public mailing list to provide their contact information on the sheet.

### Questions/comments of the Committee:

Mr. Walter Regan asked for clarification on the following:

1. Are there presently any view planes in the Bedford MPS (Municipal Planning Strategy). Ms. Langille-Hanna explained there is reference to the views of Moirs Mills pond in the Bedford MPS but there are no identified view planes.
2. Are there three (3) storey buildings around the site now? Ms. Langille-Hanna advised there are buildings that are five (5) storeys (Summers Cove/Nelsons Landing) but they are not on the Bedford Highway.
3. Will storm water drainage be discussed? Ms. Langille-Hanna explained those details will come forward in a development agreement when the Developer makes a full application.

Ms. Gloria Lowther inquired if the "R" section on the map, that comes down on the left hand side of this site, is being considered in the development. Ms. Langille-Hanna advised the RSU lot is for a future condominium project and not part of this proposal.

### Public Speakers

#### 1. Ms. Francine Cosman, Bedford

- Requested United Gulf be able to make their presentation before the public comments are heard.
- There has been comparison of the five (5) storey buildings in Summers Cove but

was the zoning the same as this proposal?

Ms. Langille-Hanna explained she would like to hear the public comments regarding their issues/concerns with the proposed amendment to the MPS and LUB regarding the residential/commercial aspect before the developer speaks to his proposal. She added Summers Cove and Moirs Mill were in a residential based zone and those developments were done by a development agreement at different times. There was no commercial zoning which is how those developments got their height.

**2. Mr. Ian Robinson, President of Corporation 178, Bedford**

- There are 18 townhouse units proposed for the RSU just mentioned.
- The piece of triangular land that goes to the Bedford Highway has no dwellings; it is a green space at the moment.
- Comparison of Summers Cove and Nelsons Landing's height are totally irrelevant to what we are discussing tonight.
- He introduced Ms. Pat MacCulloch and Ms. Donna Curtis, also Directors of Corporation 178 and Ms. Jan Bird who is an owner / resident at Corporation 178. He added they have a number of questions but will reserve questions to after the Developer's presentation.

**3. Ms. Jan Bird, Bedford**

- May we defer this proposal in order to review the presentation and consult with experts (lawyers etc.) so we can know what we are dealing with.

Ms. Langille-Hanna advised the purpose of this evenings meeting is to provide the public with information that can be reviewed as they wish. This is an opportunity for the public to hear and see what is proposed. She added HRM is neutral at the moment and is looking to obtain information from the public tonight. Tonight's meeting is simply an information exchange and there is no need to defer. After tonight's presentation, the Developer and Ms. Langille-Hanna will be available to discuss any concerns the public may have. There will be another public forum - the public hearing. Ms. Langille-Hanna encouraged the public to stay in touch with her and offered to schedule a meeting for them with HRM planning staff and the developer if required. **She explained that staff are looking for a change in policy (MPS/LUB) that would allow a residential/commercial mixed building. The first question is the actual land use for the area: *Should we change the current land use or do we leave it as is?***

Deputy Mayor Len Goucher further clarified that only the MPS/LUB amendment is being dealt with this evening. He explained a proposal for what *might* go there will be shown but tonight's meeting is regarding the MPS/LUB policy amendment only. The amendment is to allow some form of development to exceed three (3) storeys at this sight. It is only a public information meeting, nothing more. An MPS/LUB amendment will take quite a while as there is a long process yet. As-of-right uses were shown previously (CGB Commerical General Business) and **this proposal will only proceed as a contract development agreement if the MPS is allowed to be changed.**

Ms. Langille-Hanna advised there are a couple of options:

1. Create a new zone in Bedford that would allow for mixed residential/commercial and identify those properties.
2. Development agreement proposals.

**4. Mr. David Braha, Bedford**

- Do you have an idea of what the time frame is?

Deputy Mayor Len Goucher explained an MPS amendment could take 10-12 months. Ms. Langille-Hanna advised the process would be approximately 9-12 months with a public hearing most likely held in the fall of 2005. Staff review of the proposal will involve both internal and external agents such as traffic services etc.

**5. Unidentified speaker**

- Is the proposal a done deal at any of those stages?

Ms. Langille-Hanna advised that the proposal would not be a "done deal" even at the public hearing stage. Notification for the public hearing will be sent to the area residents. The public hearing on the MPS and LUB amendment will be held in City Hall as it would have to be considered by Regional Council. After that public hearing, and Regional Council's decision, there is no appeal process to change policy. The development agreement however, could be appealed.

Deputy Mayor Len Goucher commented the North West Planning Advisory Committee serving the North West Community Council is also an important part of the process. Although, the NWPAC are not required to attend the PIM's (Public Information Meetings) they must attend the public hearings.

**6. Ms. Dawn Fehr, Paper Mill Lake**

- Concern with traffic flow and bottleneck caused from the development. Will that be the only entry in and out of the building? Would the traffic impact be a strong consideration on whether the project goes forward or not? Are there specific statistics on what could be qualifications on whether the project should or should not proceed?

Ms. Langille-Hanna explained there is access off the Bedford Highway and possible access off Moirs Mills Road. There are traffic concerns and a traffic impact study will have to be submitted as part of the development agreement process. She added the traffic issue could impact the outcome. Ms. Langille-Hanna advised she does not have the statistics but there has to be a certain level of traffic expected due to the fact that it is currently zoned commercial.

**7. Mr. Clark Perry, Moirs Mill Road**

- With the existing regulations for commercial, how high a building can you put there?

Ms. Langille-Hanna advised three (3) storeys for each of the three lots is currently permitted. The three lots could be consolidated and a three (3) storey could be built.

**8. Ms. Pegi Muise, Bedford**

- Bedford Highway, there are condos on one side of me and a 36 unit dwelling in my front yard. How will it affect us getting into our yard.

Ms. Langille-Hanna explained she has raised these concerns with the developer and would like to speak further with Ms. Muise and the developer as she has a couple of ideas and options.

**9. Ms. Hattie Marie Perry, Bedford**

- Does HRM have a law in regards to density? Our area keeps getting high density, if you put a three storey building there it will be like five or six storeys.

Ms. Langille-Hanna advised the MPS and LUB does identify areas where density is to be within a certain range. There are spots where density can be higher, for example, the Bedford waterfront. The site in question at 910 Bedford Highway does not have a density cap on it as it is set aside for commercial use. Knowing the direction we are heading (in fill projects etc. and issues with services - water/sewer and transit) the question has been raised "*is it reasonable to consider a higher density?*" Across the street a higher density is permitted, up to 35 units per acre. HRM, as per the forthcoming Regional Plan, will concentrate development where we currently have services instead of spreading them out.

Deputy Mayor Goucher commented HRM allows higher density nearer the Bedford Highway and as you move up the hill further there will be more single residential and townhouses. Six units per acre is permitted for this area where some areas of Halifax allow fifteen (15) units per acre.

**10. Unidentified Speaker**

- An easement is being considered off Moirs Mill Road but traffic is tremendous now, I hate to think of what it will be like then.

**11. Unidentified Speaker**

- Development will be beside me. What will they do about the hill. Will they knock it down? Will the Developer remove the rock on the Bedford highway? If they do, I will end up in the Bedford Basin!

Ms. Langille-Hanna summarized she is of the understanding that the public here tonight are not comfortable saying "yes" or "no" to the proposed MPS/LUB amendment until they hear what is proposed. The major concern raised so far tonight is in regards to traffic. She asked "**Is residential use on that site okay or do you want to see a proposal first?**" She added she is trying not be too focussed on the proposal as the issue tonight is the proposed MPS and LUB amendment.

**12. Mr. Ian Robinson**

- Your assumption is not well founded, both of your questions are excellent but we have to see the proposal first. The question is how much density will be created, traffic and height of the building. We do not have that information yet.

Ms. Langille-Hanna further summarized her understanding of the public concerns expressed this evening as being: traffic, density and building height issues.

**13. Unidentified Speaker**

- I am absolutely against this proposal, I do not want to see a wall of bricks, I do not want to hear people coming in at 4:00 am in the morning. From our point of view, we do not want to see this thorough fare off Moirs Mills Road. That is our driveway. We currently have to back out to let our neighbours by.

**United Gulf Limited Presentation**

Mr. Terry Drisdelle, Senior Planner, United Gulf Limited (UGL), assisted by Mr. Ted Mitchell, presented UGL's proposal for 910 Bedford Highway. Mr. Drisdelle advised UGL has spent a lot of time on this proposal/design. His presentation will include the following:

1. Site characteristics: Surrounding uses,
  2. Architectural planning objectives,
  3. Conceptual design and placement,
  4. Vehicular and Pedestrian access and
  5. Summary and next steps in process.
- Significant grade elevation, Summer Cove Condo is visible, difference in grade of 45'. There are challenges with developing this site due to the grade and the rock along the Bedford Highway . It is a strategic location with many existing services nearby such as Sobey's etc. The grade change provides an opportunity in regards to views.
  - Surrounding land uses: There are two single family lots, condo developments and our site starts just behind the trees where the grade begins to drop. The Bedford Presbyterian Church is 15' from southern end of this site.
  - A lot of time has been spent on design. It is site specific. Must be aesthetically pleasing. Lots of private and communal spaces. Want to incorporate units that would have at least two outside walls for privacy. We want communal and open spaces around the building with landscaped yards - a garden area in front and roof top terraces .
  - Parking and access will be dealt with separately form the residential component. Heritage of the area is its past use was as a Wood Mill. We will incorporate that heritage into the building as well.
  - There is a significant setback. Moirs Mill Road - building will be tucked in behind triangular wooded area. One entrance off Bedford highway that would be the entrance to underground parking for commercial, then two floors of commercial retail space. We would use existing right of way as access to the second level of

- underground parking for the residents of building. Very limited outside parking.
- Worked with architect to design a building that would *walk up the hill* and envelope a central courtyard. If you go along the sidewalk to come into the building you would pass trees and then enter the courtyard. Entrance to building will be off Bedford Highway so residents will have feeling of privacy.
- Bottom level - 4200 square space of Commercial (possible Shoppers Drug Mart) second level, commercial / office space. A lot of windows/glass and roof tops for aesthetically pleasing building. Interesting building that will generate a lot of interest. Interior courtyard as well. Pedestrian access will be off Moirs mill road and through the external courtyard. Proposed roof, elevation 94' above sea-level from Bedford highway at highest. Peak of church roof is 100'. Summer cove is 88' and nelsons landing 1<sup>st</sup> floor is 90'. At Bedford highway, elevation is 15' above sea-level. Units will most likely be owner occupied condominiums. Condo form of ownership lends more of a guarantee.

**Public Speakers:**

**1. Mr. David Braha,**

- Will commercial office space be condo or leased?

The Developer responded that has not as yet been determined.

**2. Unidentified Speaker**

- There are twenty-one homes along Moirs Mills Road, what about the elevation there? Condominiums are along the right of way. What about the viewplans looking east?

The developer responded in regards to the grade around the building that there is only one space where it is five (5) storeys which would be near the courtyard and would be cut into the rock bank. All other outside walls are three or four storeys.

**3. Ms. Jan Bird**

- How many underground parking spaces? How much commercial parking will there be ?

The Developer responded at least one parking spot per residential unit (1.5).

- Fifty-four (54) cars will be coming out of there day and night plus the commercial with drop-off/deliveries etc. You are using the right-of-way as the major access to the majority of the building. What is the floor space?

The Developer responded he will have to get back to Ms. Bird on that point.

**4. Unidentified Speaker**

- Will we be sharing that right-of-way with the 54 cars coming in and out of there?



Concern was expressed with her children possibly being hit by a car coming or going from there.

The Developer responded the residents will share the right of way with the proposed residential portion but the driveway will likely be widened so residents will not have to back up if someone is coming in. He added he will meet with the public and speak to those concerns. Demographics show that there will probably not be fifty-four (54) cars.

**5. Ms. Lexine Jewer**

- I am a townhouse owner. Worst case scenario is that there will be an additional 54 cars coming and going at peak hours in the morning. Where will you widen the access? Will you take down the trees that are there now?

The Developer explained the access is actually 30' wide and they will have to stay within that 30'. The access is currently only 15' wide so there is room to widen up to another 15'.

**6. Ms. Francine Cosman**

- Is there fire lane access for the entire perimeter of building?

The Developer explained there currently is access around most of the building. Further, there will have to be an extensive review from Fire and Emergency Service. HRP (police) etc. The design will also include how to plant vegetation and how position the lighting etc.

- Fire lane access is an extremely important concern. Summer Cove does not have access around the entire building.

**7. Ms. Jan Bird**

- Shadow affect of this building over mine, concern that I may be in darkness.
- Bottom corner looks large but it is not. Where the door is going into garage, you will have all the traffic there behind my hedge. There will be a noise issue with that door going up and down. Snow removal etc. trucks **will** be around.
- How will you heat the building? If it's oil or propane, you will have delivery, and they will all be using that small driveway. There will be deliveries at front doors, that right of way was meant for two small family dwellings. The triangle will disappear if you take off the 18' for the widening.

The Developer explained only 7' will be taken away. There is only 13' now. The driveway will only be widened by 5'. Deliveries could be made through the Bedford Highway access and the second level parking can be restricted to residents only. Commercial vehicles could be redirected.

- Trees - you will change the aquifer - you will change the way they get water - there will be blasting etc. and the trees will probably fall down. We will have a problem as it is a natural habitat and it is the noise buffer from the Bedford Highway. Your development could affect the growth of those trees.

- Want to ask about blasting. I want a picture of the elevations of your building from my living room, overlooking the trees and where my neighbour is and I want to see exactly what the structure will be. Show us some elevations. We are left out of this whole thing and we are the ones most affected.
- You have told us about the other development up the hill but we are underneath you. When I bought, a little over a year ago, I bought it because of the single family residential zoning and because of the greenbelt and the commercial was on the front. Now it is changed. It will affect my property value. It will change the wind pattern and shadowing affect. And you are not showing this in your rendering.
- I want more detail on the blasting and drilling as well. Where will the hauling of construction debris etc. be done from?

The Developer offered to meet with Ms. Bird after the meeting to discuss her concerns in more detail. Ms. Langille-Hanna advised she will require that the application include information on elevations. She further advised that HRM does have a Blasting By-law. She added there may be a second meeting to discuss the specifics of the concerns raised.

**8. Mr. Stephen Korman, President of Piers Landing**

- He indicated he will take this information back to his Board, compile their questions and then will bring those questions forward at a future meeting.

**9. Ms. Donna Curtis, Bedford**

- Building design is interesting and keeping development within existing service boundaries is good. This development is in my backyard so I am not keen on that. You mention communal but that is for the residents only, you are not talking about the others. There are many teenagers in the area and there will be a lot of youth especially at that corner.

**10. Mr. Dave Munro, Bedford**

- How many storeys from parking lot to top of that building.

The Developer explained the height of the building is taken from the existing grade. From the Bedford highway - the commercial component is three storeys. Progressing up the rock face, the middle section is four storeys. Higher on the hill, it is four storeys again. As the grade changes, the height corresponds to the grade.

**11. Mr. Ian Robinson**

- Those cars are not at grade zero, they are at grade 15. No reference has been made to visitors to the area. If the garage door was not there, we would resolve a few issues.
- Some disappointment that things have gotten to this point with no comment from the neighbouring Condo. 178. Your presentation has ignored us - you concentrated on Summers Cove and Nelsons Landing. I ask you to address that issue.

The Developer advised there is more work to be done on views and existing uses.

**12. Ms. Francine Cosman**

- Design is beautiful but is in the wrong place. Not on a one acre site. We fought hard many years ago for height restrictions. I support a commercial three storey site. If this goes ahead, then the people who own the single family homes should be given the option of a very good price on their homes.

**13. Ms. Ellen Kane, Brookside Condominiums**

- Lives across the street from the proposed development and would like a perspective from that view as well. Would like to see a three storey or four storey maximum.
- Will the Bus Stop remain where it is?

The Developer responded the Bus Stop would remain.

**14. Ms. Pegi Muise**

- How long once you break ground until the end of project? She expressed concern with noise and confusion that would be ongoing during construction.

The Developer explained the planning process will take a year, then another six to eight months for design time and one year for building construction.

- What form of advertising was done for this meeting? This building will have a large impact and there are very few people here today.

Ms. Langille-Hanna advised HRM is required to place a notice in the paper and a notice was placed in the paper two weeks ago. In addition, the notification area was a 500' radius from the site. Additional properties, above the required radius, were added to the notification list. Ms. Langille-Hanna requested if a resident feels they were not adequately notified, to please notify her and you will be added to the mail out list.

**3. CLOSING COMMENTS**

In her closing remarks, the Chair commented what was heard this evening was a development concept and unless the policy changes are made to the MPS/LUB this particular development will not happen. If the policy is not changed, and the status quo is maintained, any business that is permitted by right can be built.

She thanked everyone for attending the meeting this evening and advised that the North West Planning Advisory Committee meetings are held in Sackville on the first Wednesday of the month beginning at 7:00 pm. Agendas are available on the web.

**4. ADJOURNMENT - The meeting adjourned at 9:10 p.m.**

Chris Newson  
Legislative Assistant

