

**HALIFAX REGIONAL MUNICIPALITY**  
**Public Information Meeting**  
**Case 21406**

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

**Wednesday, May 16, 2018**  
**7:00 p.m.**

**Knights of Columbus - 252 Cobequid Rd, Lower Sackville, NS**

**STAFF IN**

**ATTENDANCE:** Darrell Joudrey, Planner, HRM Planning  
Holly Kent, Planning Technician, HRM Planning  
Tara Couvrette, Planning Controller, HRM Planning  
Councillor, Steve Craig, District 15

**ALSO IN**

**ATTENDANCE:** Dave Espeseth – Applicant, Teal Architects & Planners  
Tom Emodi – Applicant, Teal Architects & Planners

**PUBLIC IN**

**ATTENDANCE:** Approximately: 12

---

The meeting commenced at approximately 7:03 p.m.

**Call to order, purpose of meeting – Darrell Joudrey**

Mr. Joudrey introduced himself as the Planner and Facilitator for the application. They also introduced; Councillor Steve Craig, Tara Couvrette – Planning Controller, Holly Kent - Planning Technician, and the Applicant – Dave Espeseth.

Case 21406 - Application by Teal Architects & Planners requesting to enter into a development agreement for a mixed use building located at 216 Cobequid Road, Lower Sackville.

Mr. Joudrey explained; the purpose of the Public Information Meeting (PIM) is: a) to identify that HRM has received a proposal for the site; b) to provide information on the project; c) to explain the Planning Policies and the stages of the Planning Process; d) an opportunity for Staff to receive public feedback regarding the proposal. No decisions are made at this PIM.

**1a) Presentation of Proposal – Mr. Joudrey**

Mr. Joudrey provided a brief introduction to the application and then made a presentation to the public outlining the purpose of the meeting, status of the application and the applicant's request. Mr. Joudrey outlined the context of the subject lands and the relevant planning policies.

**1b) Presentation by Dave Espeseth, Applicant**

Mr. Espeseth explained the reason for the application showing the site plan as well as renderings of the proposed development. Mr. Espeseth explained the landscaping, buffering, and benefits of this request.

## 2. Questions and Comments

**Concerns brought up during the meeting;** traffic, safety turning off Malik Court, sight lines when exiting Malik Court, parking on Malik Court, height of the building, fence height, privacy, loss of light, parking, underground water, property values, rodent infestation, when the people in the current building would have to leave, garbage location/collection.

**Chris MacPhee – Malik Crt**, wanted to know about the site lines for exiting Malik Crt. It is dangerous now; this development will block the site lines more than the current building already does causing more of a safety issue. It is very dangerous now to turn right. **Dave Espeseth** explained that a Traffic Impact Study (TIS) was required by HRM and it was determined that this development would not have a measurable impact and would be low risk. **Mr. MacPhee** feels the impact will be big, this will cause huge safety concerns because of how much further out the new building is. Mr. MacPhee would like to have a counter out to see how many vehicles really go through there. **Mr. Tom Emodi, Teal** - explained how and who provided the TIS. **Mr. Joudrey** explained that HRM's engineers have reviewed the TIS and deemed it as acceptable. Mr. Joudrey offered to take Mr. MacPhee's concerns to the traffic engineers to review and Mr. Emodi offered to do the same.

**Tammy Armstrong – Lives in the building that is currently on the property**, wanted to know what would happen to the people in the building during this process. If this does go through what is the timeframe for people to leave. **Dave Espeseth** explained it would depend on how long it took for this to go through and then to start construction of the new building.

**Donnie Sangster – Malik Crt**, would like to know if the zoning would need to change to accommodate this project. **Mr. Joudrey** explained that the zoning would remain the same and the development agreement would take precedence and supersede the zoning. Once this is all finished this development agreement would be discharged the C-2 zone is applied and the structure will be known as a non-conforming use. **Mr. Sangster** wanted to know if the structure could change from what is being proposed. **Mr. Joudrey** explained that no, the development agreement governs what can be put on the lands. **Mr. Sangster** wanted to know what the distance would be between the fences as it seems that the new building is coming right up to the property lines. The building is bigger and is going to take their privacy away and the pleasure of their backyards and they will have less sunlight. Garbage pickup, where will the bins be located? There are concerns around rodents as well. **Mr. Espeseth** explained the garbage will be inside the building. **Mr. Emodi** explained on a slide how close the building will be to their property lines and where the fence would be located. **Mr. Sangster** wanted to know how many feet higher will the new building be then the one that is there now and what is the total height of the old building. **Mr. Emodi** stated he couldn't tell them that precisely but his guess is somewhere around 25 feet high. however, the new building would be 7/8 feet higher than what is allowed as-of-right, which is 35 feet. Mr. Emodi explained that there would be no issue with sun because there would only be shadows in the morning for a few hours. Mr. Emodi offered to have a shadow study done which would show the sun at every point of the day and provide that to Darrell to put up on the website. **Mr. Sangster's** first concern is with the city and property tax value. They would like to know how they would be compensated. Secondly, they would like to see the argument on garbage collection. Thirdly they would like to see the plans on landscaping. Donnie feels that if they build their place up that means the current residents will get flooded out. There are also safety concerns around getting out of Malik Dr. and the site lines. **Mr. Emodi** answered question around the sun and offered the shadow study that would show how much sun they would get at various times throughout the year. With regards to the traffic, two sets of professional traffic engineers have looked at the situation and neither set have had a problem. Mr. Emodi also explained their landscaping plan. **Mr. Joudrey** explained that under with the development agreement there is a storm water management plan required and no more water is allowed to leave the development

post development than what did predevelopment. The numbers must balance and there is no increase to the flow of surface water off the development. There is also an erosion and sedimentation control plan required to ensure that during construction and after construction there are no issues with erosions and sedimentation. **Mr. Sangster** wanted to know if the old building was being torn down and if it was what is there plan with regards to the rodents that are there. **Mr. Emodi** explained that yes, it was going to be torn down. Mr. Emodi stated that they were not aware of the rodent issue. They explained that in the new building the garbage would be contained in a room and when there is a garbage pickup the trolley for the garbage would be wheeled out for pickup.

**Jason Snair – Malik Crt**, would like to know if the property values of the lots adjacent to the development were considered. Is there a good possibility that property value will gone down after this development? **Mr. Joudrey** explained that they are not taken into account and explained that the property values could go either way. **Mr. Snair** fails to see how the property values could be increased with a building as their view. **Mr. Snair** would like to know what the material is being used for the fence and how tall would it be. **Mr. Espeseth** said it would be made of wood and the height would be regulated by the bylaw but probably about 6 feet. **Mr. Snair** said that their fence is pretty much being held up by some trees (not his trees) that are behind it and when they are taken down the fence will probably fall over. Is this something he would need to work out with the developer to replace his fence if it falls and can't be fixed. **Mr. Espeseth** stated that they probably wouldn't need their fence because the one they are building should be sufficient and could serve the same purpose. **Mr. Snair** asked if that would-be part of the development agreement that current property owners fences would be replaced with this privacy fence. **Mr. Joudrey** stated they wouldn't write into the development agreement what would happen to abutting property owners fences.

**Gerald Clark – Malik Crt**, has two questions, 1 – the baseball field across the street is in the process of being disposed of by the city which will put another development in the area and generate more traffic. As it is now, trying to make a left hand turn out of Malik Court you have to go right down to Lawton's and turn in their parking lot and come back up the Cobiquid Rd. to get out. 2- the new collector road that is going to bring traffic from Burnside onto Glendale taking traffic off the Magazine Hill. That is going to have an effect on the traffic and has that been studied. Has that been included in the Traffic Study? **Mr. Espeseth** with regards to the first questions – that development would have its own TIS done. The TIS that was done was only done on this development. The TIS looks at traffic on a regional scale both now and future but even with a worst-case scenario they are not anticipating much of an impact, if any, from the cars that would be coming from this development. **Mr. Clark** stated at the moment it takes up to 10 minutes to get out of Malik Court. Having lived there for 25 years they have seen the traffic patterns change to the extent that it is really hard to get out of Malik Court at the moment. If the new highway come through it is going to put even more traffic into the area and the city doesn't seem to take that into account when they build highways they build them for the moment and not for the future so we end up with heavy traffic on highways that are not designed to carry that amount of traffic flow. **Mr. Espeseth** said that would have been something that HRM's traffic engineers would have taken into account when they looked at the TIS. **Mr. Joudrey** stated they couldn't speak to what they looked at beyond the existing regional network. **Mr. Clark** stated that leaves the current residents vulnerable and wondering what is going to happen to us three years from now. **Mr. Emodi** stated their TIS looks at current and future conditions, including the connection that they are speaking about, they are unaware of the development of the ball field. The question that the TIS answer is twofold, 1- does the traffic generated by what they are doing have a negative impact on the traffic pattern – the answer to that is no, 2- Are there any dangerous intersections or issues with cars coming in or out – the answer to that is no. The issue that you will be facing if there are connectors from Burnside is really outside of our scope. **Mr. Clark** stated it all does have a connection because if the site lines change because of this development and there is more traffic on it than you have determined at this moment it makes a difference in how we access

Cobiquid from Malik. **Mr. Emodi** explained that the traffic engineers have all the current data and they have forecast what might happen under certain conditions if the new road is connected and they look at those patterns and have determined there is little to no impact by this development.

**Councillor Craig** spoke to the connector road as well as the sale of the ballfield and the access to the ballfield.

**Chris MacPhee** would like the TIS to be put on the website and would like to know how high the development would be over the height of the building that is there now. Mr. MacPhee doesn't feel a six-foot fence will be sufficient for privacy. The public study of Walker Ave., can that be made available, because this development is going to decrease the value of people's homes. Mr. MacPhee stated they will not be able to sell their homes because this building will have a massive impact on the privacy of their homes. You are reducing the quality of our lives. They would like to know if the traffic engineers visited the site? In most instances they don't visit the site, they look at traffic speed, right-of-way, traffic patterns of the lights because they are times, most times they don't visit the site. They should visit the site. **Mr. Espeseth** stated for height they don't have the exact number however, Mr. Emodi offered to provide those numbers. The TIS is online right now and the engineers did visit the site and took images which are in the report. The privacy issue, they understand the concerns and the balconies have been changed to Juliet's which is more like a door that would open. **Mr. MacPhee** still has concerns regarding the height. **Mr. Emodi** explained they would provide a diagram that would show the existing building and the new building so they could get the difference in the height. Mr. Emodi stated the commercial level would be about 12 feet high, and rounded off the residential levels to be 10 feet high which would put the building at approximately 42 feet high the as-of-right level is 35 feet. These numbers are somewhat flexible because they can be adjusted a little bit. **Mr. Joudrey** offered to take his name, number and email address and provide him with the Walker Ave study.

**Warren Power – Malik Court**, would like to know if the underground parking was going to be below the ground or at ground level and built above that. **Mr. Espeseth** stated it would be built below ground. **Mr. Power** wanted to clarify the height of the development and the fact that they are going to take up the entire lot which is a huge block to everyone's property on that street. Nobody is going to have privacy or a backyard. Is the driveway for the underground parking going to go along the fence between the current property and the back of all the houses? **Mr. Espeseth** response was yes. **Mr. Power** doesn't feel the height of 6 feet would be sufficient for the fence it should be 8 feet or more. **Mr. Power** is concerned about the underground stream that runs under the property's. How will it affect them after construction? Is there a study being done to see what is going to happen with that underground stream and how that is going to affect the flow of that water? **Mr. Espeseth** stated there would be a storm surge capacity study that would have to be done but they haven't heard concern about the stream yet. That is a question they can take back to the engineers. **Mr. Power** wanted to know what would be on their side of the building because on Glendale it will be Juliet balconies. Also had concerns about the height of the fence all the way across. **Mr. Espeseth** stated it will be whatever the maximum height they would be allowed to build to all the way across. Whatever people would like to see that would accommodate that. **Mr. Power** doesn't believe this is something that works in that area. Property values will decrease.

**Jason Snair – Malik Crt**, wanted to know how far down had to be dug to put in the underground parking. **Mr. Emodi** showed the difference in level of the lot and explained they would have to dig down somewhere in the range of 9 feet and there would be a retaining wall in the back because of the way the property slopes. **Mr. Snair** stated and the wooden fence would be built on top of that. **Mr. Emodi** said that was correct. **Mr. Snair** said on the original site plan there was a page that showed an additional duplex. **Mr. Emodi** that is not part of the plan now.

**Warren Power – Malik Court**, wanted to know what the retaining wall was going to be made of. **Mr. Emodi** said concrete. **Mr. Power** stated the wall is concrete and then a wooden fence on top

of that? **Mr. Emodi** – stated yes, it would be a metal structure that would be then framed, bolted to the top of the concrete wall and then wood fencing. **Mr. Power** wanted to know if that wall would abut the current fence that is already there. If you take the fence out that is already there across 5, 7, 9 and 11 however far it goes up, whatever that difference that ground is going to certainly shift across the back side. **Mr. Emodi** stated he can't speak for his client but they are going to have to collaborate with the current home owners. There are a lot of technical questions about how that's built. **Mr. Emodi** stated he isn't sure if there is a maximum height to which the fence could be built. **Mr. Joudrey** explained there is a maximum and after that it would have to be taken to council to get permission to go higher and it would be written into the development agreement. It is treated as a variance even though it is a DA. **Mr. Emodi** explained the DA would allow for whatever is agreed upon. **Mr. Power** wanted to know if there is any compensation for what is going to happen with the infestation of rodents that is going to happen because of this development. It is their understanding under HRM bylaw that if a developer stirs up all these rats is there a penalty or compensation made to the people living in the houses in that area for the increased number of rodents? **Mr. Espeseth** explained that as part of the permitting there is a construction management plan that has to be submitted and mitigation measures would be a part of that. **Mr. Power** asked how long will this take to be approved if everything runs smoothly? **Mr. Joudrey** explained that he would like to see it before council by November, December and council is very good at making a decision that same night. It could be all finalized by February and then the agreement allows 3-5 years for commencement of construction. **Mr. Power** stated it is possible this could be going next summer.

**Gerald Clark – Malik Crt**, wanted to know if those 8 parking spots would be all the parking above ground that there will be. What about visitor parking? **Mr. Espeseth** stated yes, there are only the 8 spaces above ground and 32 belowground. **Mr. Clark** stated there is going to be 36 units in the building, so there is no allowance for visitor parking. **Mr. Espeseth** stated it would depend on how many of those 32 they wanted allotted for visitor parking and how many people want a parking space. **Mr. Clark** stated that will bring concerns around parking on Malik Court. As it is now there isn't much curb space and people are parking there from the hospital, the barber shop, etc.

**Warren Power – Malik Court** stated this is going to cause more of a flow of traffic onto Malik Court.

**Councillor Craig** made closing comments.

### **3. Closing Comments**

**Mr. Joudrey** thanked everyone for coming and expressing their comments.

### **4. Adjournment**

The meeting adjourned at approximately 8:30 p.m.