

HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case 18276

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

Thursday, February 2, 2017
7:00 p.m.

Basinview Drive Community School - Cafeteria - 273 Basinview Dr, Bedford, NS

STAFF IN

ATTENDANCE: Thea Langille, Principle Planner, HRM Planning
Tyson Simms, Planner, HRM Planning
Iain Grant, Planning Technician, HRM Planning
Tara Couvrette, Planning Controller, HRM Planning

**PUBLIC PARTICIPATION
COMMITTEE IN**

ATTENDANCE: Ms. Jennifer MacLeod, Chair
Mr. Jamie McLean, Vice Chair
Ms. Tara Quinton
Ms. Diane Covey
Mr. Paul Russell
Mr. Malcolm McCall, Alternate PPC Member
Ms. Ann Merritt

ALSO IN

ATTENDANCE: Councillor, Tim Outhit, District 16
Mr. Kevin Riles, President & CEO of KWR Approvals Inc. (Applicant)
Mr. Will Robinson-Muskat, KWR Approvals Inc.
Ms. Sue Sirrs, Outside! Planning and Design
Mr. Jamie Clarke, Outside! Planning and Design
Mr. Geoff MacLean, SDMM Ltd.
Mr. Andrew Holley, Levis Street Design Group
Mr. Dennis Stormer

PUBLIC IN

ATTENDANCE: Approximately: 27

The meeting commenced at approximately 7:10 p.m.

Call to order, purpose of meeting – Tyson Simms

Mr. Simms introduced himself and Thea Langille as the Planners and Facilitators for the application. He also introduced; Tara Couvrette – Planning Controller, Iain Grant - Planning Technician, Kevin Riles – Applicant, Jennifer MacLeod, the Chair of the Public Participation Committee (PPC). Jennifer MacLeod then introduced the rest of the PPC.

Case 18276 - Application by KWR Approvals Incorporated to consider residential development, by development agreement, at 74 Union Street, Bedford.

Mr. Simms 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 the applicant to present the proposal and answer any questions regarding the application; and e) an opportunity for Staff to receive public feedback regarding the proposal. No decisions are made at this PIM.

1. Presentation of Proposal – Kevin Riles

Mr. Riles explained; the background and history of the proposal, the Union Courtyard factors from PPC, a summary of the meetings help with the PPC, a map showing the location, pictures of Site Plan A/B as well as landscaping for both, video development and production, he showed the video; views from different locations, and renderings.

2. Questions and Comments

Johnston Foster – Union St. Not in favor of this project. His home is right next to the driveway and feels this project/development is going to be too much of a disturbance and very invasive. He wanted to know if anyone knew how close to a property line you could build – what the setbacks are. **Mr. Simms** stated the setbacks could be very small with a driveway. **Mr. Foster** has issues with the blasting, heavy equipment, numerous amounts of workers going in and out of the site while it is being built. He is concerned for the safety of his family as well as his home because of the proximity of the development. This will greatly affect how he enters and exits his home. He also stated there isn't any landscaping around his property that blocks any of the development like there is in other areas but he is glad there is a fence proposed. He is concerned about the foundation of his home with regards to the blasting. His home is over 100 years old and he doesn't know that his home will survive the construction of this development. He would like to know how they could guarantee that it wouldn't affect his home and if it does what recourse does he have. He also wanted to know what the legal distance is for the fence from his home. He is also worried about drainage issues, flooding and how that might affect his foundation and his neighbours foundations. He wanted to know if Councillor Outhit or any of his fellow council members that sit on NWCC had ever walked the property. **Councillor Outhit** stated that he had but didn't think the other council members had. **Jennifer MacVicar** stated that back in 2008 three councillors came out and walked the site. She feels that as this gets closed it is a fair invitation to make that all the councillors from NWCC come and walk the property. **Mr. Foster** stated that his home falls within the zone of disturbance and would like the wellbeing and health of his home and family considered because he would hate to see this affect them in the long term. He also doesn't like the term Signature Neighbourhood.

Lauren MacVicar – Worried about what was going to happen to the animals that are currently in the wooded area. **Ms. Langille** stated that this is one of the challenges with development and hopefully some of the animals will be able to relocate to the area of none disturbance. **Mr. Simms** explained how they can protect areas of none disturbance through the DA process.

Tom Servaes – Nottingham St. – Echoed concerns regarding the relocation of animals. Wanted to know what would happen if artifacts were found on the land. **Mr. Simms** stated that with regards to animals that will have to be looked into. With regards to the artifacts the Bedford Plan does speak specifically to that and there are policies, procedures and measures in place to protect that site. **Mr. Servaes** wanted to know who is responsible to identify/flag whether animals have borrowed there or if artifacts were unearthed? **Mr. Simms** stated it is on the developer to flag/identify that. **Mr. Servaes** wanted to know about water pressure and wanted to have the low and high limits measured before and after construction. He also wanted to know what would be done if these were affected by the construction. He wanted written proof from Halifax Water. **Mr. Riles** stated none of the surrounding area would have any impact. There is no written proof but studies were done and that was the findings. **Mr. Simms** stated part of the process is that staff would review the proposal with internal and external departments. The departments like Halifax Water and NS Power / Utilities will provide comments regarding this development. **Mr. Servaes** stated the neighbourhood has a high walkability score however, people in this development will not be able to walk to the store because the driveway is the only way in and out and does not have sidewalks. This would make it hard to get in and out with cars going up and down the driveway. He wanted to know about emergency services and access to the site. There are no fire hydrants in any of the renderings/plans or in the video. He also wanted to know what the grade of the driveway would be. **Mr. Geoff MacLean** stated the grade of the driveway would be 12%. **Mr. Servaes wanted to know** how they would stop cars from sliding into Union St. **Mr. Geoff MacLean** stated the grading is gradual – it will change as you go up. When you get closer to Union it will not be that steep. There would be 5-10 meters of flat before it starts to go up when you come off Union. **Mr. Servaes** stated that if snow clearing isn't done in a timely manner and there are no sidewalks on Union St. you could be sliding into people/kids etc. He would like the length of street that is required to come to a stop comfortably in the winter looked into. He would also like to know from beginning to end how long this development should take. He wanted to know where the contractors would be parking over the time it takes to finish this development. He wanted to know the blasting zone/requirements. He has concerns over the sale price – it seems very high and they will most likely be investment properties. They are higher than most properties in the neighbourhood. He wanted to know if there had been any calculation about additional water flow/drainage going into the storm drains and if the current system can handle it. He wanted to know if the two connivances that are currently in place in the neighbourhood, removal of trees of a certain size and no car/body shops/repair shops in your driveway, would also be in place for this development. **Mr. Simms**

stated with regards to water flow HRM Development Engineering would look at the balance of pre/post flow as part of the review process. **Mr. Riles** stated they couldn't guarantee a home wouldn't be damaged by blasting but that is what the insurance, video and mail out notices are for. They will try to minimize that as much as possible. They are going to try to build all 14 townhouses at once and because this is a private street they wouldn't put the road in until they had the presales. For the gentleman who is at 76 Union St. if you wanted to meet with Sue and Jamie to see if there is something that can be done for landscaping, we are willing to do things to help you out. A preliminary phase one review was done on the site for 1st nations and there was nothing found, no artifacts. Fire protection and services were looked at and in their option everything was addressed and it is serviceable. As far as length of construction, if everything lines up perfectly, in and out in 15 months and pad ready in 24 weeks. There would also be a pre-construction meeting with the city in which they would discuss the parking, the crews, the car pooling and try to demise that to keep the impact to a minimum.

Ms. Jennifer MacLeod, Chair asked if a parallel could be drawn between this site and another site that has gone through the same thing. **Ms. Thea Langille** stated she offered to look into that and route it back through the committee if that is the wish. **Mr. Riles** stated that what they haven't done to this point was a geo technical review. The geo technical review is very thorough and will be provided to Geoff and his team with the information to determine how much blasting, the time frame, and where it's at, and how to notify the community. The geo technical review will paint a picture as to what is below the surface. **Councillor Outhit** advised on the by-law as it pertains to blasting. **Mr. Simms** offered that if any residents had questions regarding blasting that Thea and he would provide their contact information and invite the public to contact them at any point and they will put them in contact with staff who have administered the blasting by-law to give more detail regarding that.

Lorna Blair – Mary Fenton Court stated that there wasn't much thought given to their homes and how they are situated because they are not adjoining. Her property sits on top of a house that is on Union St. which is built on a rock wall and there is no retaining wall holding those rocks. She is concerned about the blasting and the stability of the rock wall that her home is partially built on. If the hill goes her house is going to be sitting on top of the house on Union St. She realizes that it is unlikely that it would be immediate however, the blasting and such will loosen it, the development will be built and 5 + years from now it will be a big issue as a result of the construction. There are already huge issues with snow removal, where will the snow go for this site? There is already flooding because of the current situation this will only make it worse. There are deer, raccoons, there is everything down there, there has to be some consideration given to how they are going to relocate the animals. Increased traffic from adding that many homes, has there ever been any consideration given to having the back end of Union St. go between Superstore and Bedford Place Mall as another exit? She can't visualize how high this development would be up because there are no renderings from her location. She would like to get a better sense of that. She wanted to know if the townhouses were not sold right away would they get rented until they were sold. **Mr. Riles** stated that with regards to snow removal there are certain requirements that have to be followed. He stated that if she would let them Geoff and his team could come and get some elevation views from Fenton and they could also look at the retaining wall. He feels that the blast zone should cover them but for her own reassurance he will have their civil engineer come and look at the retaining wall so that if it is damaged in the blasting there will be a baseline beforehand. With regards to the animals – it was a question that they had not considered but they will give that some thought. With regards to traffic there was a Traffic Impact Study done and it meets the standards of HRM. As far as rental, they are really looking for condo owners not renters.

Ms. Jennifer MacLeod, Chair stated the following question came up the other night – If you are looking at the mid-400 range and you are targeting retirees, there are very few retirees looking for 3 storey homes they are more than likely going to be looking at a bungalow setup. **Mr. Riles** stated they did a market study on this and they are willing to share the market study with staff who can then forward this along to Jennifer.

Scott LeBlanc – Nottingham St. stated that he is not in favor of the development. He stated a lot of his concerns were the same as the previous speaker. A Lot of them have to do with legacy issues. Sink holes are a concern and his property has a fair amount of them and the challenge is that he isn't sure how long it takes for the impacts from blasting to show itself. Within 5-6-7 years' time and they are finding bigger and bigger sink holes and issues that are coming from the development, what is the process to deal with it. They don't want to be in a position of having to get a lawyer involved to fight to go back after that situation. He feels his driveway is the driveway with the biggest risk of lights shining up in it, if construction

changes, if the lights do become a bigger issues what recourse does he have? The end of construction may look great but 2-3 maybe 4 years later when issues start to arise, what then? **Mr. Riles** stated that with regards to sink holes, he will refer that to Geoff and he will get him to put a summary report together and provide that to Thea and Jennifer to pass along. With regards to blasting, insurance companies don't like to pay out so they are going to do a very comprehensive review when going through people's homes so if something happens due to blasting the insurance company pays that out on behalf of the developer so they want to make sure it is a legit claim so they are very thorough. He is also going to ask Geoff to specifically show the people at 21/23 Nottingham the lighting schematic for their property and if there are any issues or concerns they will address them. **Mr. Simms** stated that with respect to lighting and assurances that can all be addresses in the DA with a lighting plan.

Greg Banton – Mary Fenton Court stated that with the meeting notes that were listed for tonight's meeting there were 37 pages of properties listed but none from Mary Fenton St. and he just wanted to understand what those were and where they came from. There are concerns about rock walls from blasting that go along the back of Mary Fenton St. There is also water that runs through them now and he is worried about more of that happening in the future. The intersection at Union St. and the Bedford Hwy is one of the worst in the city and if there are 2 or more cars trying to turn left you can't get by to turn and if there is a school bus there forget about it. Is there anything that can be done to address this?

Claire McVarish – Union St. stated she has concerns with noise and air pollution that will be made worse with this development.

Larry MacVicar – Nottingham St. – wanted to know if you build 14 homes in there, and there is only one way in and out, people are going to want to cut through. Is there any fencing or anything planned for the site to keep people who live there from going through peoples properties on Union, Nottingham etc.? He would like to know what the criteria is for RCDD and what is the pass/fail. He feels the price point, 2 parking spaces per unit and targeting seniors doesn't make any sense for this development.

Sue McLean – Bridge St. wanted to know how far the fencing was going to go up. She is concerned that people from this development will start cutting through her property if the fence does not go all the way around it. She is not in favor of this development but is happy that the developers are people who are willing to work with the neighbouring properties and help get the best they can for the neighbourhood.

Gerard Pettipas – Nottingham was wondering why there can't be some sort of walkway from the development up to the park. He feels linking the park to the development might encourage the developer to put some money into the park which is very much needed. **Ms. Jennifer MacLeod, Chair** stated it was the committee who didn't want the stairs. The reason was because it would encourage people to start parking on Nottingham St. and walking down into the development and because there are no sidewalks this would become a safety issue. They were looking to minimize the impact of the in-fill development on the existing community and the way that they enjoy the neighbourhood. **Councillor Outhit** asked him to send him a note about the playground because they update so many each year and he can look into the budget to see about updates to the park.

Donna Oickle – Nottingham St. is worried about her property value with Site Plan A because there is not much of a buffer between the development and her property, no vegetation. She also has concern about vermin coming out from this development because it happened in the past from other developments. She would like to know if this can be addressed.

Ms. Jennifer MacLeod, Chair had a few question from a meeting they held – When the site gets cleared would the developer be able to use the fill that they pulled out to use as infill to the properties around the retaining wall to mitigate sink holes and shifting of the ground. People are also looking for an aerial shot of the site showing a winter view. They would also like to see how fencing would be introduced onto the property. In the undisturbed area, where there is dead treed and garbage, will the applicant be cleaning the undisturbed area or only the area disturbed by the site clearance. People would like to see a visual with cars in the driveway and guest parking spaces. Snow clearing is a really big issue and where the snow is going to go. What happens if the condos don't sell or only 50% of them sell and if the project fails or runs out of money what happens? **Mr. Riles** stated he will meet with the people from Fenton Court to discuss their issues. The fencing and buffering issues, if you feel there is an issue if you could let staff and Jennifer know we can take a look at your property. With regard to vermin, they will take a look into it. Jennifer offered to email all her questions to Mr. Riles for him to respond. He also stated that, the dead

trees etc. in the area of non-disturbance, he would clean that out. With regards to the bankruptcy issue there is always risks and the bank will always protect their interests.

3. Closing Comments

Mr. Simms thanked everyone for coming and expressing their comments.

4. Adjournment

The meeting adjourned at approximately 9:00 p.m.