



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 10.1.1**  
**North West Community Council**  
**February 8, 2021**

**TO:** Chair and Members of North West Community Council or Board

**SUBMITTED BY:**  - Original Signed -  
\_\_\_\_\_  
Kelly Denty, Director of Planning and Development

**DATE:** October 19, 2020

**SUBJECT:** **Case 22704: Amending Development Agreement for Lands on Fourth St, Bedford**

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**ORIGIN**

Application by Lydon Lynch Architects

**LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development.*

**RECOMMENDATION**

It is recommended that North West Community Council:

1. Give notice of motion to consider the proposed amending development agreement, as set out in Attachment A, to permit a 27-unit building, with attached parking and schedule a public hearing;
2. Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A; and
3. Require the amending development agreement be signed by the property owner within 240 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

## **BACKGROUND**

Lydon Lynch Architects has requested amendments to an existing development agreement which allows for a multi-unit residential building to increase the unit count from 18 to 27 units and to increase the number of surface parking spaces to 14.

<b>Subject Site</b>	PID 41457979
<b>Location</b>	South side of Fourth St, Bedford
<b>Regional Plan Designation</b>	Urban Settlement
<b>Community Plan Designation (Map 1)</b>	MC (Mainstreet Commercial) Designation
<b>Zoning (Map 2)</b>	CMC (Mainstreet Commercial) Zone
<b>Size of Site</b>	3,349.6 sq. m (36,055 sq. ft)
<b>Street Frontage</b>	63 m (206 ft 9 in)
<b>Current Land Use(s)</b>	vacant
<b>Surrounding Use(s)</b>	Place of worship, low density residential, multi unit residential buildings, range of commercial uses on Bedford Highway

### **Proposal Details**

The applicant requests amendments to an existing development agreement allowing a 18 unit multi-unit residential building to increase the unit count to 27 units. The major aspects of the proposal are as follows:

- Increase the maximum unit count from 18 to 27 units;
- Increase the number of surface parking spaces from 5 to 14;
- Increase the lot size of the site subject to the development agreement to comply with the per unit lot size requirement in the RMU Zone;
- Changes to the landscaping plan and site plan to reflect increased parking area and new lot size;
- Extending the dates for commencement and completion of the development;
- Minor changes to the building elevations related to window placement; and
- Building size, shape, layout and location is the same as the approved DA.

### **History**

The existing development agreement (Case 21099) was adopted by North West Community Council on September 10, 2018. The agreement allowed for a four storey building in conformity with the requirements of the RMU Zone as required by the Bedford MPS. The previous application had a public meeting on April 12, 2018 which was attended by 15 members of the public. Staff received comments from the public related to blasting mitigation, landscaping and tree retention.

### **Enabling Policy and LUB Context**

The subject property is designated Mainstreet Commercial (MC) within the Bedford Municipal Planning Strategy. The intent of this designation is to re-establish the area as a commercial corridor and to create a pedestrian oriented streetscape. Enabling policy C-21(a) allows for the development of small-scale multiple unit dwellings by development agreement provided that the lands are zoned Mainstreet Commercial and are not fronting on the Bedford Highway.

The site is zoned Mainstreet Commercial (CMC) under the Bedford Land Use By-law. This zone allows for mixed-use development with no more than 50% of the building used for residential dwellings. Height is limited to two (2) storeys above the Bedford Highway.

## **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, with 259 unique page views and signage posted on the

subject site. A total of 234 (February) and 239 (March) letters were also mailed to property owners within the notification area, and two public information meetings (PIM) were held on February 20, 2020 and March 11, 2020 respectively. The second PIM was held to provide an opportunity for all community voices to be heard following some confusion over the date of the first meeting. Eleven people attended the February meeting and 23 people attended the March meeting. Attachment C contains summaries from both public information meetings. The public comments received include the following topics:

- Questions over the as-of-right development on Bedford Highway;
- Concerns around construction mitigation and blasting;
- Concerns over the traffic impact on High Street;
- Concerns around preservation of existing trees; and
- Concerns around original approval process.

A public hearing must be held by North West Community Council before they can consider approval of the proposed development agreement. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

#### **North West Planning Advisory Committee**

On May 27, 2020, the North West Planning Advisory Committee (PAC) recommended that the application be refused due to traffic impacts, loss of vegetation, impact on adjacent areas and overall compatibility with the existing neighborhood.

In response to the comments from PAC, the applicant revised the proposal to reduce the number of surface parking spots from 25 to 14, increasing the amount of open space and protecting existing vegetation. increasing the amount of open space and protecting existing vegetation by providing a larger lawn. Many of the trees that the public was concerned about losing are located on an adjacent property but, increasing the green space around them will reduce the risk that construction related disturbances will affect the trees. A report from the PAC to Community Council will be provided under separate cover.

#### **DISCUSSION**

Staff has reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the MPS. Attachment B provides an evaluation of the proposed amending development agreement in relation to the relevant MPS policies.

#### **Proposed Amending Agreement**

Attachment A contains the proposed amendments to the existing development agreement for the subject site and the conditions under which the development may occur. The proposed amended development agreement addresses the following matters:

- The maximum number of dwelling units;
- The location of driveways, location of surface parking areas and number of parking spaces;
- The location of landscaping and pedestrian features;
- Schedule changes to the architectural detail of the building to update the window placement to correspond with internal changes to the layout; and
- Amendments to commencement and completion of development dates.

The attached amending development agreement will permit a multi-unit building, subject to the controls identified above. Of the matters addressed by the proposed amending development agreement to satisfy the MPS criteria as shown in Attachment B, the following have been identified for detailed discussion.

### **Residential Multiple Dwelling Unit (RMU) Zone**

The MPS policy requires that any multi-unit building be developed in accordance with the RMU Zone. The RMU Zone has density requirements that require 1,500 sq. ft of lot area per bachelor and 1 bedroom unit and 2,000 sq. ft for units with two or more bedrooms. In order to meet this requirement with the increased number of units, the applicant must increase the size of the lot. To accommodate this, they are proposing a boundary alteration to add land from an adjacent property that is located on Bedford Highway to this lot. This will happen prior to permits being issued for the proposal. Staff have reviewed the proposal and note that it does comply with all of the requirements of the RMU Zone.

### **Existing Vegetation**

The MPS policy recommends that significant vegetation stands be retained, where possible. This concern was also brought up by the public at the PIM. The applicant updated the proposal after the public and PAC meetings to reduce the number of parking spaces, thus reducing the size of the surface parking lot in order to enlarge the landscape area. Staff advise that the proposal meets the intent of the policy.

### **Compatibility with Surrounding Area**

The MPS policy also directs Council to consider the compatibility of the proposal with surrounding land uses. The surrounding buildings are a mix of residential/ commercial and institutional uses with many larger footprint buildings. This proposal is consistent with the larger footprint buildings in the area.

### **Extended Timeframe for Agreement Execution**

The COVID-19 pandemic has resulted in difficulties in having legal agreements signed by multiple parties in short periods of time. To recognize this difficulty these unusual circumstances presents, staff are recommending extending the signing period for agreements following a Council approval and completion of the required appeal period. While normally agreements are required to be signed within 120 days, staff recommend doubling this time period to 240 days. This extension would have no impact on the development rights held within the agreement, and the agreement could be executed in a shorter period of time if the situation permits.

### **Conclusion**

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the MPS. The proposal does not front on Bedford Highway, meets the RMU Zone requirements and the surface parking area is located away from existing trees. Therefore, staff recommend that the North West Community Council approve the proposed development agreement.

### **FINANCIAL IMPLICATIONS**

There are no budget implications. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this proposed development agreement. The administration of the proposed development agreement can be carried out within the approved 2020-2021 budget and with existing resources.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amending development agreement are contained within the Discussion section of this report.

## **ENVIRONMENTAL IMPLICATIONS**

No environmental implications have been identified.

## **ALTERNATIVES**

1. North West Community Council may choose to approve the proposed amending development agreement subject to modifications. Such modifications may require further negotiation with the applicant and may require a supplementary report or another public hearing. A decision of Council to approve this development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. North West Community Council may choose to refuse the proposed amending development agreement, and in doing so, must provide reasons why the proposed agreement does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

## **ATTACHMENTS**

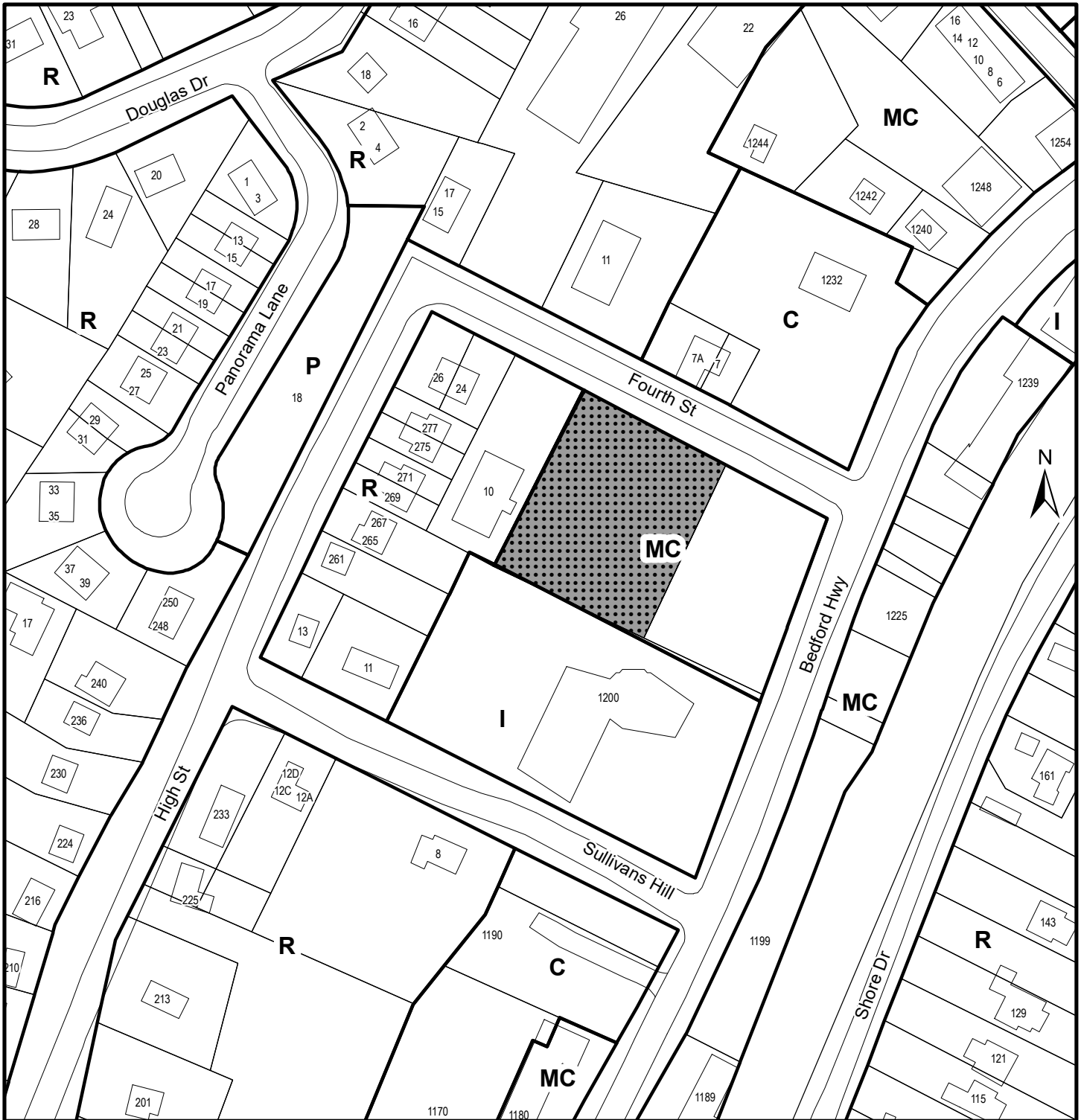
Map 1:	Generalized Future Land Use
Map 2:	Zoning and Notification Area
Attachment A:	Proposed Amending Development Agreement
Attachment B:	Review of Relevant MPS Policies
Attachment C:	Public Information Meeting Summary

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.


Report Prepared by: Jennifer Chapman, Planner III, 902.225.6742

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**Map 1 - Generalized Future Land Use  
Fourth Street, Bedford  
PID 41457979**

**HALIFAX**

 Subject Property

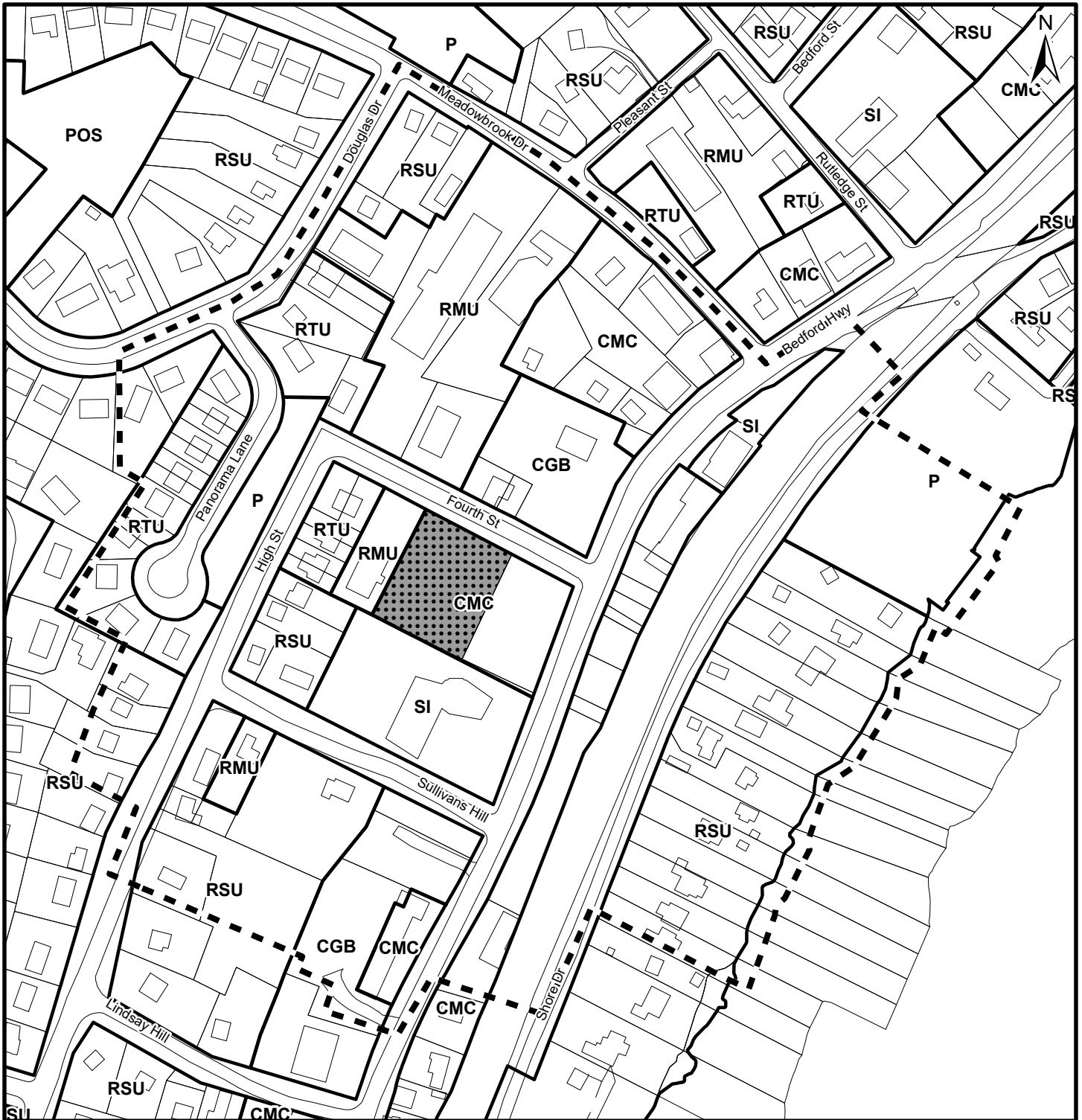
**Designations**

- R Residential
- C Commercial
- MC Mainstreet Commercial
- I Institutional
- P Park and Recreation

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.



The accuracy of any representation on this plan is not guaranteed.

Bedford  
Plan Area

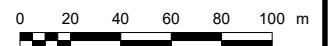


**Map 2 - Zoning & Notification**  
**Fourth Street, Bedford**  
**PID 41457979**

**HALIFAX**

-  Subject Site
-  Area of notification

Zone	
RSU	Single Unit Dwelling
RTU	Two Unit Dwelling
RMU	Multiple Dwelling Unit
CMC	Mainstreet Commercial
CGB	General Business District
SI	Institutional
POS	Park Open Space
P	Park



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Bedford  
Plan Area

**Attachment A  
Proposed Amending Development Agreement**

THIS FIRST AMENDING DEVELOPMENT AGREEMENT made this      day of **[Insert Month]**,  
**20\_\_**,

BETWEEN:

**XXXXX**

a body corporate, in the Province of Nova Scotia  
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

**HALIFAX REGIONAL MUNICIPALITY**

a municipal body corporate, in the Province of Nova Scotia  
(hereinafter called the "Municipality")

OF THE SECOND PART

**WHEREAS** the Developer is the registered owner of certain lands located at PID 41457979 on Fourth St in Bedford, and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** the North West Community Council approved an application to enter into a development agreement to allow for a four-storey residential building on the Lands on September 10, 2018 (Municipal Case 21099), and which said development agreement was registered at the Land Registration Office on February 19, 2019 as Document Number 114043244 (hereinafter called the "Original Agreement");

**AND WHEREAS** the Developer has requested to amend the Original Agreement to allow for an increase to the number of residential units and parking spaces pursuant to the provisions of the *Halifax Regional Municipality Charter*, Policy C-21(a) of the Bedford Municipal Planning Strategy and pursuant to Part 6.2 of the Original Agreement;

**AND WHEREAS** the North West Community Council for the Municipality approved this request at a meeting held on **[Insert - Date]**, referenced as Municipal Case Number 22704;

**THEREFORE**, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

- 
1. Except where specifically varied by the First Amending Development Agreement, all other conditions and provisions of the Original Agreement as amended shall remain in effect.
  2. The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this First Amending Development Agreement, and the Original Agreement.



3. Section 3.1.1 of the Original Agreement shall be amended by deleting the text shown in strikeout and inserting the text shown in bold, as follows:

<del>Schedule A</del>	<del>Legal Description of the Land(s)</del>
<b>Schedule A-1</b>	<b>Legal Description of the Land(s)</b>
<del>Schedule B</del>	<del>Site Plan</del>
<b>Schedule B-1</b>	<b>Site Plan</b>
<del>Schedule C</del>	<del>Landscape Plan</del>
<b>Schedule C-1</b>	<b>Landscape Plan</b>
<del>Schedule D</del>	<del>Elevations</del>
<b>Schedule D-1</b>	<b>Elevations</b>

4. The Original Agreement shall be amended by deleting all text references to Schedule A, Schedule B, Schedule C and Schedule D and replacing them with the respective reference to Schedule A-1, Schedule B-1, Schedule C-1 and Schedule D-1.
5. Subsection 3.2 of the Original Agreement shall be amended by adding the text in bold as follows:

**3.2.4 Prior to the issuance of a Development Permit, the Developer shall submit a final subdivision application, in accordance with the requirements of the Regional Subdivision Bylaw, which complies with Schedule B-1 of this agreement. No development permit shall be issued until the subdivision application is approved by the Development Officer.**

6. Subsection 3.4.1 of the Original Agreement shall be amended by deleting text shown in strikeout and inserting the text in bold, as shown as follows:

- (a) The building shall contain a maximum of ~~eighteen (18)~~ **twenty-seven (27)** dwelling units;
- (b) Accessory uses maybe permitted subject to RMU (Residential Multiple Unit) Zone Requirements; and
- (c) ~~Five (5)~~ **Fourteen (14)** parking spaces shall be provided within a surface parking lot to be located as shown on Schedule B-1 and may be counted toward the total parking requirement as per Section 3.7.1 of this agreement.

7. Subsection 3.7.3 of the Original Agreement shall be amended by deleting text shown in strikeout and inserting the text shown in bold, as shown as follows:

**3.7.3 The surface parking area may provide up to ~~five (5)~~ Fourteen (14) parking spaces.**

7. Section 7.3.1 of the Original Agreement shall be amended by deleting the text shown in strikeout, and inserting the text shown in bold as follows:

**7.3.1 In the event that development on the Lands has not commenced within ~~four (4)~~ years **six (6)** years from the date of registration of this **the Original** Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the**

Agreement, **as amended**, shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law.

8. Section 7.4.1 of the Original Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the text shown in bold as follows:

Upon completion of the development, or if the Developer fails to complete the development within ~~ten (10)~~ **twelve (12)** years from the date of the registration of this Agreement at the Land Registration Office, Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement;
- (c) discharge this Agreement; or
- (d) for those portions of the development which are completed, discharge this Agreement and apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law for Bedford, as may be amended from time to time.

**IN WITNESS WHEREAS** the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

**SIGNED, SEALED AND DELIVERED** in the presence of:

**(insert company name)**

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

—

**SIGNED, DELIVERED AND ATTESTED** to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

**HALIFAX REGIONAL MUNICIPALITY**

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

—

MAYOR

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

—

MUNICIPAL CLERK

PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX

On this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, before me, the subscriber personally came and appeared \_\_\_\_\_ a subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that \_\_\_\_\_, \_\_\_\_\_ of the parties thereto, signed, sealed and delivered the same in his/her presence.

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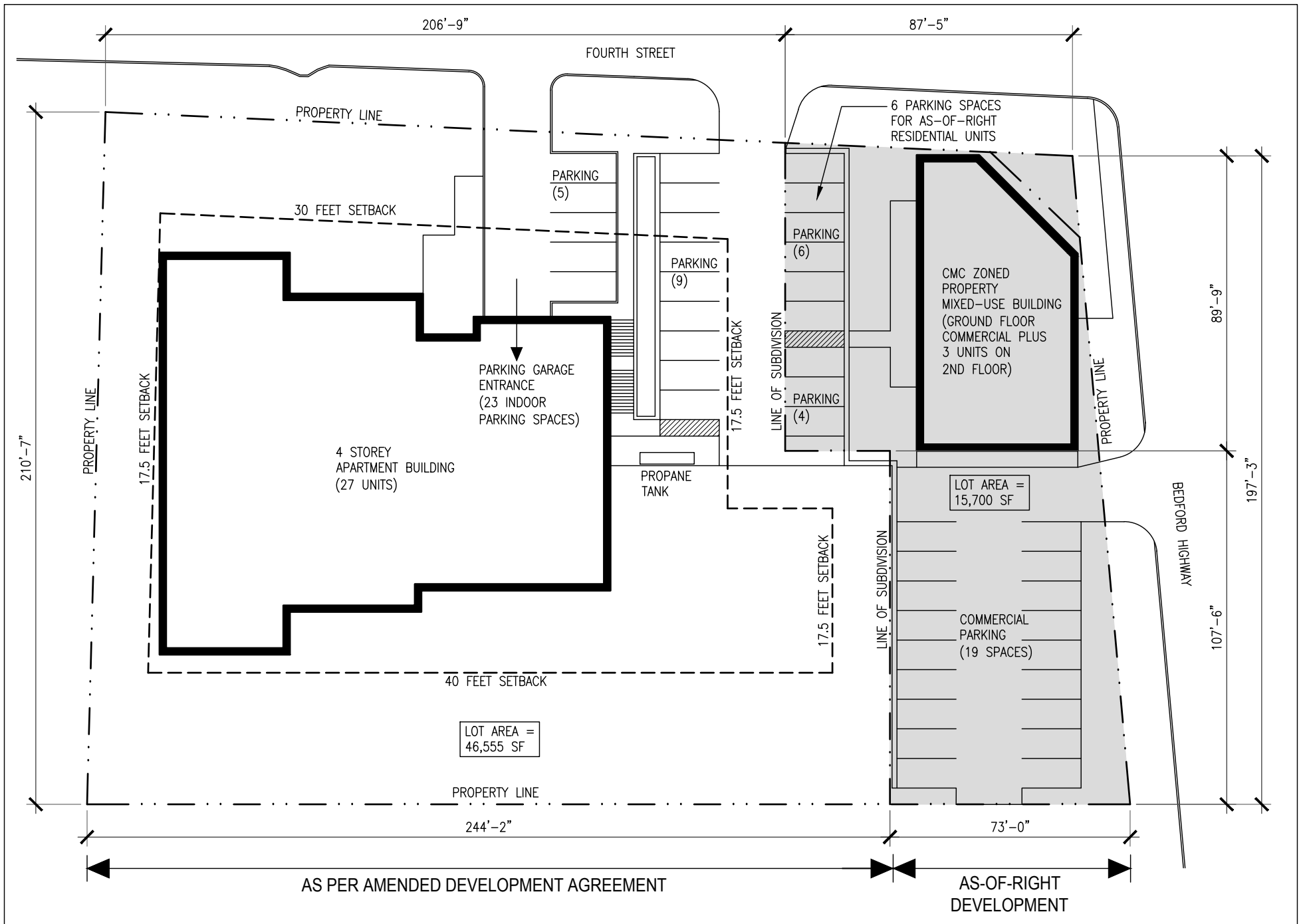
A Commissioner of the Supreme Court  
of Nova Scotia

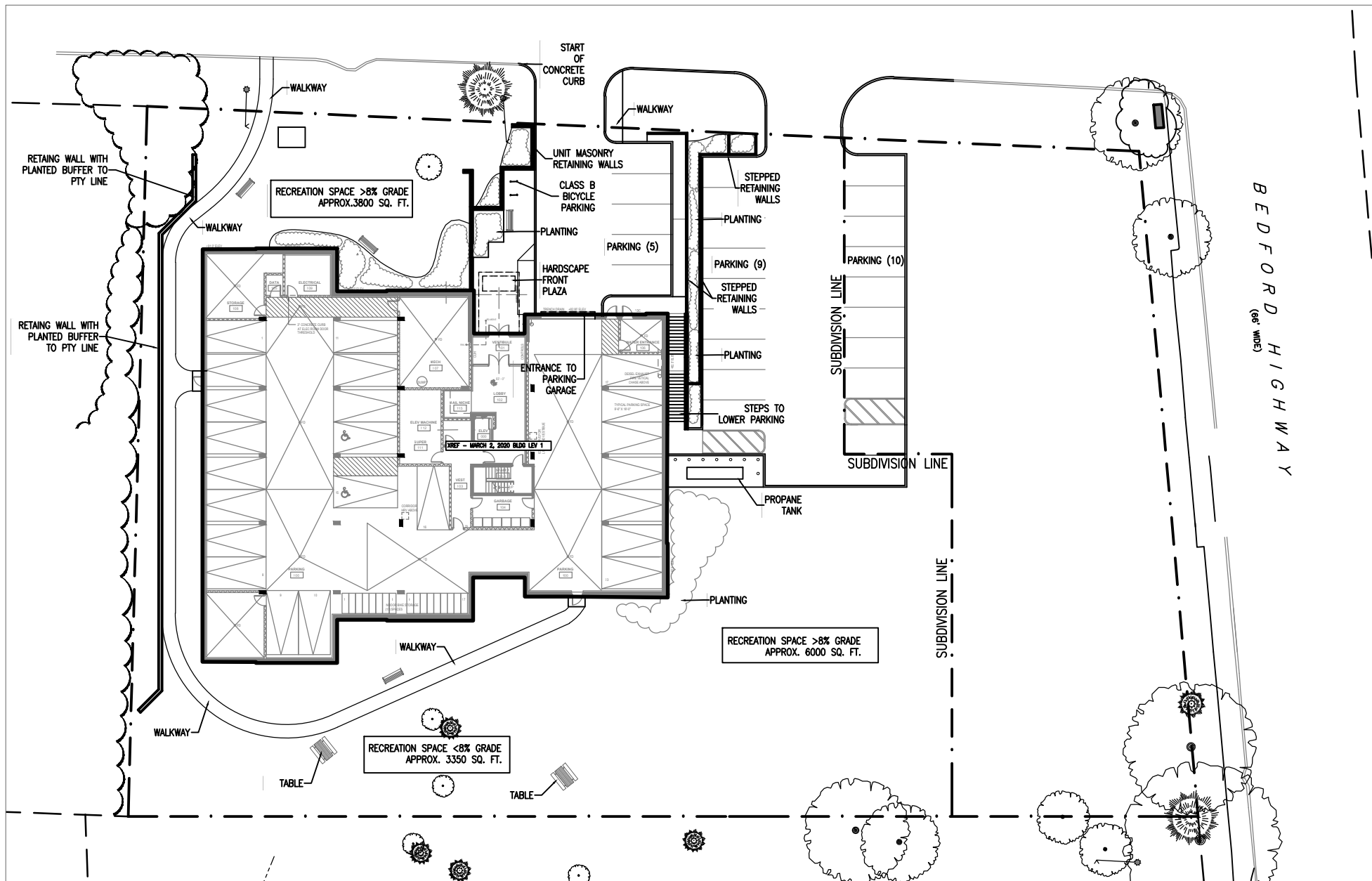
PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX

On this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, before me, the subscriber personally came and appeared \_\_\_\_\_ the subscribing witness to the foregoing indenture who being by me sworn, made oath, and said that Mike Savage, Mayor and,XXXX Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

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A Commissioner of the Supreme Court  
of Nova Scotia





**LYDON LYNCH**

1668 Barrington Street, Suite 401  
 Halifax, Nova Scotia B3J 2A2  
 Tel: (902) 422-1446  
 Fax: (902) 422-1449

Vollick McKee Petersmann  
 & Associates Limited  
 Landscape Architects  
 Suite 203 - 3008 Oxford Street,  
 Halifax, Nova Scotia B3L 2W5  
 Tel: (902) 422-6514

PROJECT NAME:

FOURTH STREET, BEDFORD NS  
 MULTI RESIDENTIAL DEVELOPMENT

DRAWING TITLE:

SCHEDULE C-1:  
 LANDSCAPE PLAN

DATE: 2020.07.07

SCALE: 1" = 40'

PROJ.#: 16042

**L-001**

# Schedule D-1 Elevations



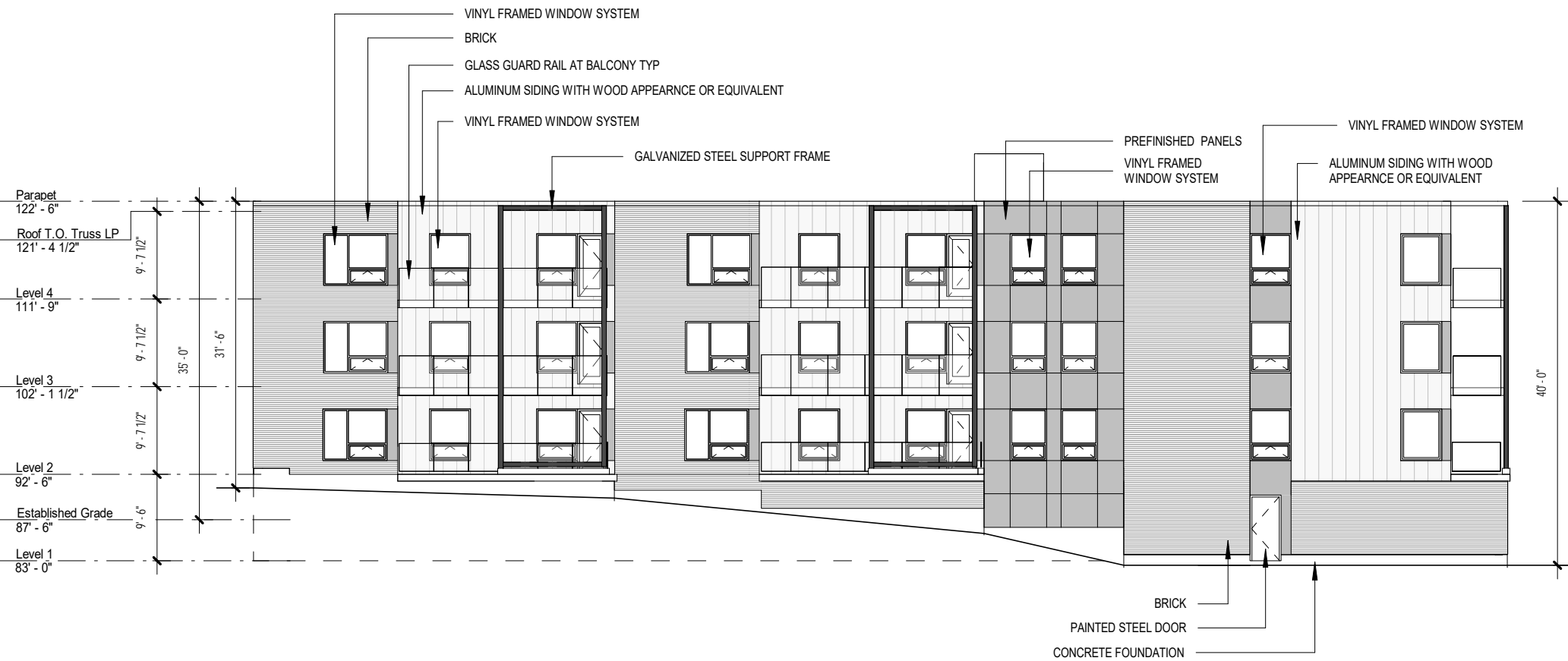
**LYDON LYNCH**

401-1668 BARRINGTON STREET  
 HALIFAX, NOVA SCOTIA B3J 2A2  
 902-422-1446 LYDONLYNCH.CA

PROJECT NAME:  
 FOURTH STREET, BEDFORD NS  
 MULTI RESIDENTIAL DEVELOPMENT

DRAWING TITLE:  
 SCHEDULE D-1:  
 NORTH ELEVATION

DATE: 2019.12.12  
 SCALE: 1/16" = 1'-0"  
 PROJ#: 16042



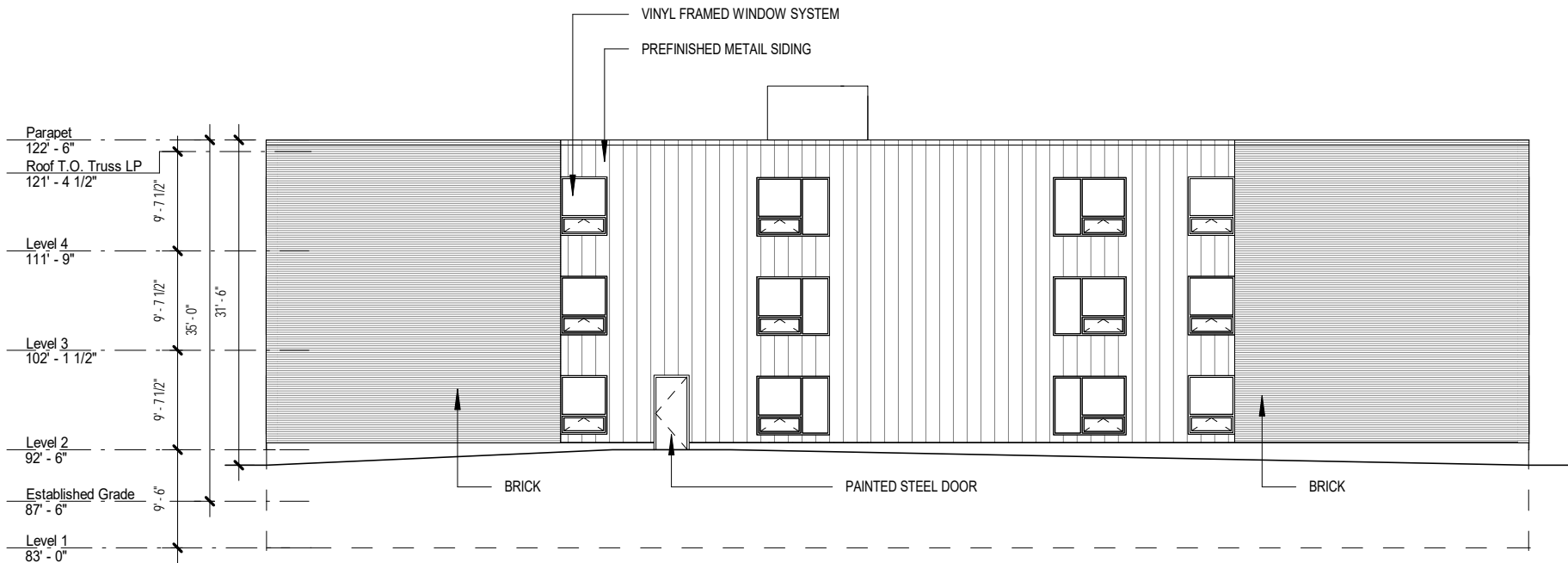
**LYDON LYNCH**

401-1668 BARRINGTON STREET  
 HALIFAX, NOVA SCOTIA B3J 2A2  
 902-422-1446 LYDONLYNCH.CA

PROJECT NAME:  
 FOURTH STREET, BEDFORD NS  
 MULTI RESIDENTIAL DEVELOPMENT

DRAWING TITLE:  
 SCHEDULE D-1:  
 SOUTH ELEVATION

DATE: 2019.12.12  
 SCALE: 1/16" = 1'-0"  
 PROJ#: 16042







## Attachment B Review of Relevant MPS Policies

<b>Bedford MPS Planning Policy Review</b>		
<b>Policy Number</b>	<b>Standard</b>	<b>Provided</b>
Policy C-21(a):	Within the Commercial Designation, new multiple unit dwellings and renovations and expansions to existing multiple unit dwellings shall only be considered by a development agreement in accordance to the provisions of the Municipal Government Act. In considering any such agreement, Council shall have regard to the following:	
	a) that the property is zoned Mainstreet Commercial (CMC);	Property has CMC zoning
	b) that the property does not have frontage along the Bedford Highway;	Property does not have frontage along the Bedford Highway.
	c) that all provisions of the Residential Multiple Dwelling Unit (RMU) Zone, and relevant General Provisions of the Land Use By-law are met as minimum requirements. These provisions shall include but not limited to setbacks, lot coverage, height, parking spaces, landscaping within parking lots, general landscaping, architectural design, signs, amenity space and density;	<ul style="list-style-type: none"> <li>- Minimum Lot Area 10,000 sq. ft.= 46 555 sq. ft.</li> <li>- Minimum Lot Frontage 100 ft.= 206 ft. 9 inches</li> <li>- Minimum Front Yard 30 ft.= exceeds 30 ft.</li> <li>- Minimum Rear Yard 40 ft.= exceeds 40 ft.</li> <li>- Minimum Side Yard 15 ft. min or 1/2 the height of the building, whichever is greater = exceeds 17.5 ft.</li> <li>- Maximum Height of Main Building 35 ft.</li> <li>- Maximum Number of Dwelling Units/Lot 36 units = 27 units</li> <li>- Lot Coverage- 35% = 34.9%</li> <li>- Parking spaces 1.5/ unit = 41 required, 41 proposed</li> <li>- landscaping within parking lots</li> <li>- General landscaping</li> <li>- Architectural design</li> <li>- Signs = in accordance with LUB</li> <li>- Amenity Space/Recreational Space 200 sq. ft./ 1 bedroom and 575 sq. ft./ 2 bedroom = 15 x1 bedroom = 3000 sq. ft. and 12 x 2 bedroom = 6900 sq. ft. Total of 9900 sq. ft.</li> </ul>

		required, and 17,250 sq. ft. is proposed.
	d) that the appearance of the building is compatible with adjacent lands uses and buildings;	Surrounding buildings are a mix of residential/ commercial and institutional uses with many larger footprint buildings. This proposal is consistent with the larger footprint buildings in the area.
	e) that site design features, including landscaping, amenity areas, parking areas and driveways are designed to address potential impacts on adjacent development and to provide for the needs of residents within the development;	Site design includes landscaping and outdoor amenity areas that are located.
	f) that outdoor pedestrian facilities such as but not limited to seating, lighting, gardens, art and water features, be provided;	Outdoor recreation spaces provided, which include walkway, benches, tables and landscaping.
	g) that the impact of traffic circulation on residential streets, in particular sighting distances and entrances and exits to the site be considered and adequately addressed;	Traffic Impact Statement addendum provided with submission. Reviewed by Development Engineering and the findings were accepted.
	h) that existing significant vegetation stands are retained, where possible; and	Surface parking sited to be located away from existing trees.
	i) that the provisions of policy Z-3 be met. (RC-Jul 8, 2003;E-Augt 16/03)	See below.
Policy Z-3	It shall be the policy of Town Council when considering zoning amendments and development agreements (excluding the WFCDD area) with the advice of the Planning Department, to have regard for all other relevant criteria as set out in various policies of this plan as well as the following matters:	
	1. That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town By-laws and regulations, and where applicable, Policy R-16 is specifically met;	Policy met.

	<p>2. That the proposal is compatible with adjacent uses and the existing development form in the neighbourhood in terms of the use, bulk, and scale of the proposal;</p>	<p>The property is adjacent to low rise multi-unit development, which then transitions to semi-detached dwellings. Low rise multi unit dwellings also exist across the street from the proposal. This building is compatible with the surrounding context.</p>
	<p>3. That provisions are made for buffers and/or separations to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated;</p>	<p>The site is compatible with surrounding area.</p>
	<p>4. That provisions are made for safe access to the project with minimal impact on the adjacent street network;</p>	<p>A Traffic Impact Study (TIS) was provided and reviewed by Development Engineering. The findings of the findings were accepted.</p>
	<p>5. That a written analysis of the proposal is provided by staff which addresses whether the proposal is premature or inappropriate by reason of:</p> <ul style="list-style-type: none"> <li>i) the financial capability of the Town to absorb any capital or operating costs relating to the development;</li> <li>ii) the adequacy of sewer services within the proposed development and the surrounding area, or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;</li> <li>iii) the adequacy of water services for domestic services and fire flows at Insurers Advisory Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;</li> <li>iv) precipitating or contributing to a pollution problem in the area relating to emissions to the air or discharge to the ground or water bodies of chemical pollutants;</li> <li>v) the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;</li> </ul>	<ul style="list-style-type: none"> <li>i) NA</li> <li>ii) Reviewed by Halifax Water - no concerns raised</li> <li>iii) Reviewed by Halifax Water - no concerns raised</li> <li>iv) Residential use is proposed with no pollution problems anticipated</li> <li>v) Reviewed by Halifax Water - no concerns raised</li> <li>vi) Minor increase to population, not anticipated to be impactful on existing school.</li> <li>vii) Amenity space proposed on site as well the land is approximately 160 m from Bedford Lions Park, which includes a playground and outdoor public pool.</li> <li>viii) Reviewed by Development Services - no concerns raised.</li> <li>ix) N/A</li> <li>x) No significant natural or historic features.</li> <li>xi) Within the existing Urban Service Boundary and is an infill in an existing developed context.</li> <li>xii) The proposal is not located within a known existing environmentally significant area.</li> <li>xiii) Site is suitable for development.</li> </ul>

	<ul style="list-style-type: none"> <li>vi) the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;</li> <li>vii) the adequacy of recreational land and/ or facilities;</li> <li>viii) the adequacy of street networks in, adjacent to, or leading toward the development regarding congestion and traffic hazards and the adequacy of existing and proposed access routes;</li> <li>ix) impact on public access to rivers, lakes, and Bedford Bay shorelines;</li> <li>x) the presence of significant natural features or historical buildings and sites;</li> <li>xi) creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;</li> <li>xii) impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,</li> <li>xiii) suitability of the proposed development's siting plan with regard to the physical characteristics of the site.</li> </ul>	
<p>6. Where this plan provides for development agreements to ensure compatibility or reduce potential conflicts with adjacent land uses, such agreements may relate to, but are not limited to, the following:</p>	<ul style="list-style-type: none"> <li>i) type of use, density, and phasing;</li> <li>ii) traffic generation, access to and egress from the site, and parking;</li> <li>iii) open storage and landscaping;</li> <li>iv) provisions for pedestrian movement and safety;</li> <li>v) provision and development of open space, parks, and walkways;</li> <li>vi) drainage, both natural and subsurface;</li> <li>vii) the compatibility of the structure(s) in terms of external</li> </ul>	<ul style="list-style-type: none"> <li>i) The DA will regulate use and density. Phasing is not proposed.</li> <li>ii) The DA will control access to site and parking.</li> <li>iii) Open storage is not proposed. Landscaping will be included around development.</li> <li>iv) Walkways will be provided around site.</li> <li>v) The DA will control open space and walkways.</li> <li>vi) Storm water management plan will be provided at permit stage to respond to drainage issues.</li> <li>vii) The building is consistent with surrounding context. Multi-unit buildings must meet the RMU zone, ensuring consistency in terms of height and scale.</li> </ul>

	<p>design and external appearance with adjacent uses; and</p> <p>viii) the implementation of measures during construction to minimize and mitigate adverse impacts on watercourses.</p>	<p>viii) Construction mitigation required.</p>
	<p>7. Any other matter enabled by Sections 73 and 74 of the Planning Act.</p>	<p>N/A</p>
	<p>8. In addition to the foregoing, all zoning amendments and development agreements shall be prepared in sufficient details to:</p> <p>i) provide Council with a clear indication of the nature of the proposed development; and</p> <p>ii) permit staff to assess and determine the impact such development would have on the proposed site and the surrounding community.</p>	<p>This requirement has been met.</p>
	<p>9. To assist in the evaluation of applications to enter into development agreements, Council shall encourage proponents to provide the following information:</p> <p>a) a plan to a scale of 1":100' or 1":40' showing such items as:</p> <p>i) an overall concept plan showing the location of all proposed land uses;</p> <p>ii) each residential area indicating the number of dwelling units of each type and an indication of the number of bedrooms;</p> <p>iii) description, area, and location of all proposed commercial, cultural, mixed use projects proposed;</p> <p>iv) location, area, shape, landscaping and surface treatment of all public and private open spaces and/or park areas;</p> <p>v) plan(s) showing all proposed streets, walkways, sidewalks, bus bays and bike routes;</p> <p>vi) a description of any protected</p>	<p>Appropriate information provided to assess request.</p>

	<p>viewplanes; and,</p> <p>vii) an indication of how the phasing and scheduling is to proceed:</p> <p>b) For individual phases of a development more detailed concept plans are to be provided indicating such items as maximum building heights, location and configuration of parking lots, landscaping plans, and any additional information required to be able to assess the proposal in terms of the provisions of the Municipal Planning Strategy.</p> <p>c) Plans to the scale of 1":100' showing schematics of the proposed sanitary and storm sewer systems and, water distribution system.</p>	
	<p>10. Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the Infrastructure Charges Policies of this MPS.</p>	<p>NA</p>

## Attachment C: Public Information Meeting Summary

### HALIFAX REGIONAL MUNICIPALITY Public Information Meeting Case 22704

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

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Wednesday, February 19, 2020

7 p.m.

BMO - Multipurpose Room, 61 Gary Martin Drive, Bedford

#### STAFF IN

**ATTENDANCE:** Jennifer Chapman, Planner, Planner III, HRM Planning  
Tara Couvrette, Planning Controller, HRM Planning

#### ALSO IN

**ATTENDANCE:** Councillor, Tim Outhit, District 16  
Eugene Pieczonka – Applicant, Lydon Lynch

#### PUBLIC IN

**ATTENDANCE:** Approximately: 11

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### 1. Call to order - purpose of meeting – Jennifer Chapman

Ms. Chapman introduced herself as the Planner and Facilitator for the application. They also introduced; Councillor Tim Outhit, Tara Couvrette – Planning Controller, and Eugene Pieczonka – Applicant, Lydon Lynch.

**Case 22704: Application by Lydon Lynch Architects requesting substantive amendments to an existing development agreement to allow a multi-use building on lands at Fourth Street (PID 41457979), Bedford.**

Ms. Chapman 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 – Jennifer Chapman

Ms. Chapman 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 applicants request. Ms. Chapman outlined the context of the subject lands and the relevant planning policies.

#### 1b) Presentation by Eugene Pieczonka – Applicant

Mr. Pieczonka explained the reason for this application and showed different slides regarding the site.

### 2. Questions and Comments

**Elvira Akhmetchina** – asked for an example of an impact on adjacent property. **Ms. Chapman** provided some.

**John Tolson** – wanted to know where the property line was. **Jennifer Chapman** showed where it was on the map. **Mr. Tolson** has concerns with the subdivision of the parcel of land in front of this one (the one fronting on the Bedford Highway) to allow for more parking spaces. They believe they only did this to be able to build this building against the rules. Wanted to know why you have rules if you can just change them to allow for whatever. **Jennifer Chapman** explained why the property changed. **Mr. Tolson** believes HRM was trying to make sure the public didn't show by putting the wrong info on our website about the meeting. **Jennifer Chapman** offered to investigate and apologized as it is not HRM's intention to not have the public at these meetings.



**Elvira Akhmetchina** stated the link to the application also was not working on the website, so they could not download it to view it. Feels that the mistakes that were made in the advertising of the meeting and the links not working makes it look like the public is not welcome to be involved in this process. **Ms. Chapman** because of these concerns offered to come back and do another public meeting.

**Public** – wanted to know if the subdivided parcel was going to be for more parking spaces. **Ms. Chapman** – yes. **Public** – so the footprint of the property is changing?

**John Tolson** – wanted to know what was in the original agreement.

**Dmitry Trukhachev** – where the parking is being added was originally a recreational space but now it is gone.

**Ms. Chapman** – explained when she said the shape of the building wasn't changing they meant the shape of the original building will remain the same. There are changes to the parking, landscaping, and window placement.

**Pat Kempster** – wanted to know if the city was planning on putting traffic lights in on Fourth and the Bedford highway. **Councillor Outhit** explained the property on the highway is as-of-right so there is no option to discuss that. Explained what was already approved in 2018, at a public hearing that was only attended by two people, can be built at anytime. **Elvira Akhmetchina** stated there was only two people because it was held in Tantallon which is over 20 minutes away. **Councillor Outhit** stated nobody contacted him with there concerns over where the meeting was being held. Brought the meeting back to what everyone was here to discuss, the property, and what the applicant is asking for, additional units and, additional parking spaces. Stated council can't enforce traffic lights and speed bumps.

**Richard Tolson** – wanted to know if in the original agreement the proper amount of parking was asked for. **Councillor Outhit** explained that was one of the concerns back in 2018 and why they went to the architect and requested that additional parking be asked for in this application. **Eugene Pieczonka – Applicant**, explained in the original request there were a total of 28 spaces for 18 units. Wanted to go over his presentation and then come back for more questions/comments after that.

**Pat Kempster** – if maps are part of the presentation they would like to have copies brought to the meeting, so everyone could view them.

**Richard Tolson** – wanted to know as-of-right what could be put on the property in front of this on the Bedford highway? **Eugene Pieczonka – Applicant**, stated they could advise on what they intend to do in their presentation.

**Public** – asked that Eugene show, on the slide, where the old parking was proposed vs the new proposed parking. **Eugene Pieczonka – Applicant**, pointed it out on the slide. Explain on the original design it had one level of indoor parking with 23 spaces, which will remain the same in the new proposal. Originally there was 5 outdoor spaces for a total of 28 spots equaling 1 ½ parking spaces per unit (total = 18 units). Now we are adding an additional 20 spaces of outdoor parking totaling 48 parking spaces which equals 1 ¾ spaces per unit (total = 27 units). This was done because of the original concerns around parking. **Public** – have you considered the other possibility of having the same number of units (18) with more parking? **Eugene Pieczonka – Applicant**, that is not a viable option to support both this application and the as-of-right option on the property in front of it. **Public** – what is to stop the people who are visiting the location on the the Bedford highway from parking in the parking lot for this property. **Eugene Pieczonka – Applicant**, nothing. We have to make sure each property has enough to support itself. **Public** – parking access for the other building is off the Bedford highway? **Eugene Pieczonka – Applicant**, correct.

**John Tolson** – stated there is not enough parking. You have gone from 6 to 9 units per floor and you have 3 floors. Put two storeys of parking downstairs with underground parking. Leave the as-of-right, put your property line where it used to be, and leave the as-of-right on the Bedford highway. Leave the original building alone and don't change the boundaries. **Eugene Pieczonka – Applicant** explained that if they put another level of parking that would decrease the amount of parking spaces underground by 10 spaces to make allowances for the ramp to get to each level. Also, digging down deep enough for another level would be very expansive because it is all rock and then we are back to this is not a viable project.

**John Tolson** – to bad, you knew it was all rock when you bought it.

**Richard Tolson** – you have come to conclusion that this isn't a viable option and are now requesting 9 more units, something is not sitting right. So, will the same thing happen on the property on the Bedford highway? How many units are you giving up on the Bedford highway? **Eugene Pieczonka – Applicant**, 7 residential units. **Richard Tolson** – how many commercial? **Eugene Pieczonka – Applicant**, thinks originally, they proposed about 8000 square feet of commercial and this would be about 4000 square feet of commercial so about 1/2. **Richard Tolson** - so, you are doing all this for 2 more residential spaces and you are losing 1/2 your commercial space. **Eugene Pieczonka – Applicant**, stated it is easy to make the numbers work on the property on the Bedford highway and much harder to make the numbers work on the other property in behind on Fourth St. Stated this scenario has been costed out and it is the best option.

**Public** – why would you take away commercial space on the Bedford highway to make parking for this building, it doesn't make sense. It sounds fishy, who in their right mind would do that?

**John Tolson** – as a developer they love what the applicant is trying to do because it means that the rules mean absolutely nothing.

**Councillor Outhit** – do you think it is likely that your developer will come back and try to make changes to the as-of-right development? **Eugene Pieczonka – Applicant**, no. **Councillor Outhit** wanted to know if there was any way legally to hold them to that. Stated it is something they will have to investigate.

**Richard Tolson** – could they apply for a development agreement on the Bedford highway? **Jennifer Chapman** – not for this type of building because it wouldn't meet policy.

**Public** – what are you going to do with the people trying to get off Fourth St. onto the Bedford highway? That's an issue. **Eugene Pieczonka – Applicant**, stated there was a Traffic Impact Statement (TIS) done with the original proposal and they did update that statement with what we are proposing. They said there was no significant change to the impact of traffic with what we were proposing. **Councillor Outhit** stated they are not going to put a traffic lights in for these additional units.

**Public** – asked about greenspace and a public playground/space, is it supposed to be on there now or has it gone by the waist side? **Eugene Pieczonka – Applicant**, explained what the setbacks were and where the greenspace/landscape areas would be. Stated they are exceeding what is required by a couple hundred square feet.

**Richard Tolson** – still can't understand how 2 more units on the back property would make all this viable. Thinks that the 7 units they are giving up, on the Bedford highway, making way for parking would make more money for them then adding some additional units on the back property. **Eugene Pieczonka – Applicant**, explained the costs they are going to be able to eliminate by doing what they are doing.

**John Tolson** – has no problem with more units but put all the additional parking underground and make it 2 parking spaces per unit. The internal parking would be instead of adding more surface parking. Move the property lines back to what they were. **Jennifer Chapman** advised that property lines can't be adjusted or made any smaller.

**Public** – the maximum number of units being proposed is 27, what would the minimum number of units be to make it financially viable? **Eugene Pieczonka – Applicant**, 27.

**John Tolson** – then why did you bring forward a proposal that wasn't financially viable 2 years ago? **Eugene Pieczonka – Applicant**, because it wasn't costed out then. **John Tolson** – you're supposed to know that.

**Elvira Akhmetchina** – one of the policy considerations that you mentioned states that the new development must be consistent with the area that it is built in. This new development is in the middle of residential old Bedford and nowhere else in old Bedford will you find such a big parking area. This would make it inconsistent with the surrounding area. The Bedford United church now has 76 outdoor parking spaces and with this new proposal they are adding 49 more outdoor parking spaces. Between the two adjacent lots there will be total of 125 outdoor parking spaces and it will look like a car dealership because the buffer is so minimal between the two properties. This is unprecedented in old Bedford and will change the look of old Bedford. That will be in clear violation of one of the policy documents where you speak about

preserving the historic character of old Bedford. **Jennifer Chapman** spoke to possible buffer options between the two properties. **Elvira Akhmetchina** – stated there are some old big trees in that area between the two properties and to accommodate this new plan they will have to remove 95% of those mature trees. One other posted consideration was to try to preserve existing vegetation whenever possible but if you develop all the way to the property line it is not possible to preserve any and therefore violating the second policy consideration. The third policy consideration that you are violating is the impact on neighbouring properties by removing all the buffer between the two parking areas and making one huge parking area. **Jennifer Chapman** stated all those concerns are things that can be taken into consideration and can be worked out with the applicant. **Eugene Pieczonka – Applicant** – described where the buffer areas were and what the setbacks are. **Elvira Akhmetchina** is not convinced that, that will address any of their concerns.

**Dmitry Trukhachev** – went to the slide and pointed out where the mature trees were.

**Councillor Outhit** wanted to know from Eugene Pieczonka if there was some way to move the parking from the part that has been added (those 9/10 extra spots) to a different location so that they could preserve the mature trees and buffer area between the property and the church parking lot. **Eugene Pieczonka – Applicant** – offered to investigate it.

**Public** – asked about scale and the greenspace. **Eugene Pieczonka – Applicant** – said it was 40 feet.

**Councillor Outhit** stated the stumbling block tonight seems to be the parking not the number of units being added. Suggested that Eugene Pieczonka take that away and work on that aspect for the next meeting. **Eugene Pieczonka – Applicant** – agreed to take that away and stated they would like to find the right balance.

**Public** – wanted to know where the front of the building was. **Eugene Pieczonka – Applicant** – pointed it out on the slide.

**John Tolson** wanted to know if Eugene Pieczonka had costed out putting two layers of parking underground. **Eugene Pieczonka** – no. **John Tolson** – why not? That keeps everybody happy and keeps your as-of-right out front as it was, and you end up with it being viable.

**Elvira Akhmetchina** if blasting is required are we as property owners notified? **Jennifer Chapman** stated there is a blasting bylaw in HRM which requires a survey beforehand which requires that they do video inspections of the houses in the area. **Elvira Akhmetchina** wanted to know if they knock on their door or do they get a letter, how are they notified? **Jennifer Chapman** – wasn't sure how they would be notified.

### **3. Closing Comments**

**Ms. Chapman** thanked everyone for coming and expressing their comments.

### **4. Adjournment**

The meeting adjourned at approximately 8:23 p.m.

HALIFAX REGIONAL MUNICIPALITY  
Public Information Meeting  
Case 22704

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

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Wednesday, March 11, 2020  
7 p.m.

Basinview Drive Community School (Cafeteria) - 273 Basinview Dr, Bedford

**STAFF IN**

**ATTENDANCE:** Jennifer Chapman, Planner, Planner III, HRM Planning  
Tara Couvrette, Planning Controller, HRM Planning  
Holly Kent, Planning Technician, HRM Planning

**ALSO IN**

**ATTENDANCE:** Eugene Pieczonka – Applicant, Lydon Lynch

**NOT IN**

**ATTENDANCE:** Councillor, Tim Outhit, District 16

**PUBLIC IN**

**ATTENDANCE:** Approximately: 23

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**1. Call to order - purpose of meeting – Jennifer Chapman**

Ms. Chapman introduced herself as the Planner and Facilitator for the application. They also introduced; Tara Couvrette – Planning Controller, Holly Kent – Planning technician, and Eugene Pieczonka – Applicant, Lydon Lynch.

**Case 22704: Application by Lydon Lynch Architects requesting substantive amendments to an existing development agreement to allow a multi-use building on lands at Fourth Street (PID 41457979), Bedford.**

Ms. Chapman 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 – Jennifer Chapman**

Ms. Chapman 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 applicants request. Ms. Chapman outlined the context of the subject lands and the relevant planning policies.

**1b) Presentation by Eugene Pieczonka – Applicant**

Mr. Pieczonka explained the reason for this application and showed the updated site plan with changes made from suggestions at the last meeting.

**2. Questions and Comments**

**Gerry Sampson, High St.** - How many buildings are planned for along these sites? **Ms. Chapman** – One building. **Mr. Sampson** – What is the grey area? **Ms. Chapman** – explained that was a separate project **Mr. Sampson** – so it's another building? **Ms. Chapman** – what we are reviewing, and the content of the development agreement is one building. The parcel in front will be developed at a later date.

**Jean Bird, Fort Sackville Rd.** - Does that mean what we are looking at is setback the later of this piece will be built in front? I don't understand what the grey area is and how it fits into the whole thing. **Ms. Chapman** – The grey area is not part of the development agreement (DA). That is just another piece of

land that the property owner owns and may have some future plans, but it is not part of this application. **Ms. Bird** – we would like to know would like to know how this piece of land fits into this. **Ms. Chapman** – showed the property on the slide and explained where the property was and what was being developed under this agreement. The grey property is a separate parcel of land and right now there is no application as part of the development agreement. They think the future plan is to develop it in accordance with the Land Use Bylaw. **Ms. Bird** – The grey area is a piece of land in front of the one that is being proposed? **Ms. Chapman** – Yes. **Ms. Bird** – possibly how many units would fit in there? **Mr. Pieczonka** – for the land along Bedford Highway, it would be a 2 storey building with ground floor commercial and probably 3 apartments on the second floor.

**Sean O'Connor, High St.** – In the provided Traffic Impact Statement (TIS) the numbers don't match what is being proposed. There is mention made of phase 1 and phase 2, by there count there would be 31 apartments in the initial application which the engineer authoring the report notes that this proposal would be a decrease to 30 but neither of those numbers is 18 or 27 so they are confused as to what this TIS is referring to. This has reliance because much is being made of the fact that this property only fronts onto Fourth St. and the TIS seems to assume that at least some portion of the traffic going to it will be going through the Bedford Highway which it won't be. And to clarify how many units are going to be going into this building? **Mr. Pieczonka** – Explained in the grey area they had summited for a separate project which was going to be 10 units plus commercial which was about 6900 square feet. In total we had 33 residential units combined between the two properties plus around 7000 square feet of commercial space which would have had its own amount of traffic. What we are proposing now is 30 residential units and around 4000 square feet of commercial, so we are decreasing, so in totality if we if we look at both properties, the amount of residential and commercial. **Mr. O'Connor** – what fronts of the Bedford Highway so it is irrelevant how many units it has all the access for the 27 units will be on Fourth St. Meaning they are going to go down Fourth St. down High St. down wherever. **Mr. Pieczonka** – the traffic engineer was aware of all the data that I was describing, and their summary was that in comparison there would be no change to the TIS. **Mr. O'Connor** - but this is written with the assumption that they can all exit through the Bedford Highway and they can't, they would have to go out through Fourth St. So, 27 units which is a net increase to the people that have to drive onto Fourth St. and the assumption that they are saying here is that there is a net decrease it is only if you weave that kind of magic where these are connected, which you are showing in your drawing that they are not, does this work. If you live in that building you must drive down Fourth St. They made a big point in here of saying that there is almost no commercial traffic that is going to be added because it's all pass by traffic. So realistically Fourth St. just gained however many units are being added in traffic and that is not accounted for in the TIS. The TIS seems to assume that it is split equally between these two streets. I don't think most people are concerned with the number of windows that are on the building we are concerned about the effect it is going to have on the neighbourhood and the effect its going to have on traffic. I feel at the very least this report should be amended or at least made clear. It is very confusing to read this. **Ms. Chapman** – offered to follow up with their development engineer and connect Mr. O'Connor with them so that they can go over all their concerns. **Mr. O'Connor** asked if there is ever an evaluation of adequacy for these submissions? **Ms. Chapman** explained that is what the development engineer does.

**Jim Bruce, High St.** – has noticed a fair increase in traffic on High St. over the past few years. High street will be the conduit for people in this development. There is no sidewalk on High St. and there is a lot of pedestrian traffic there. Sullivan's Hill up by the church has no stop sign at that top of it and it shouldn't have one, because a lot of people use that in the winter to come up because there is no stop sign, but there are stop signs on either side of High St. there and a lot of people don't respect those stop signs so with the increase in traffic there, there is probably going to be more pressure to remove those stop signs and put it coming up Sullivan's Hill which is a concern. The increase in the amount of traffic without a sidewalk is a real concern. That street is not as wide as some of the other streets to be able to accommodate that much of an increase in traffic. People will be using High St. not the Bedford Highway. Expects to see a big increase in traffic and an increase in pedestrians and this is their concern and how with this be accommodated for?

**Elvira Akhmetchina, High St.** – has concerns with the TIS. In the TIS and in the current proposal there is a reference to the number of units between the two projects. They understand that the project that fronts the Bedford High is very flexible and it could even be sold so their point is that this is quite misleading and irrelevant to count the total number between the two projects while the second half of the project is very flexible. **Ms. Chapman** explained they want to look at the worst-case scenario when looking at the TIS and that is why it was considered.

**Nancy Bianco, High St.**- all the streets surrounding have children. Basinview is a walking school and you

haven't discussed any of the requirements for the heavy traffic flow. We already struggle enough with traffic on High St. We have children walking home and you are increasing traffic by quite a bit and you can't tell me that this building that doesn't have an application, yet you have already made plan on how that building was going to be climb. I think it is irresponsible to have this and not have something planned for how the traffic is going to work. We need sidewalks, speed bumps, something to control the traffic. If even on one child gets hurt from this heavy traffic flow that is to much.

**Gerry Sampson, High St.** – High St. is an access Rd. for a lot of traffic that goes above us. High St. is in a deuterated condition and needs improvements. It has a lot of foot traffic and vehicle traffic and now we are adding on more. A lot of residents of High St. have been advocating with Councillor Outhit to do something but the response we get is that it is in the engineers' hands, they decide. High St. is going to be a preferred route once this development is put in because of Bedford Highway being so heavily traveled. Are these two properties the only properties the developer owns? **Mr. Pieczonka** – yes.

**Joyce Chew, High St.** – the documents online do not show the most current plans of the proposed development. **Ms. Chapman** explained they were just received last night so we haven't had a chance to get the website updated yet, but it will be updated. **Ms. Chew** the original info on the website shows that the development on Bedford Highway would have contained 17 townhouses, 31 apartments and roughly 7000 square feet of commercial space and that was what they based this tis on. The TIS, in that case, is not very useful. Especially sense it is talking about 48 potential units and not entirely sure where 17 townhouses come into this. So, the only thing we are looking at tonight is weather we are going to have 17 spaces and the original number of parking or 27 spaces? **Mr. Pieczonka** – we had 18 now its 27 units. **Ms. Chew** – they are justifying this because the as-of-right development, in theory they could build whatever they wanted, but, because they are increasing one to 27 they are only going to put 3 units on the as-of - right development. **Mr. Pieczonka** – right. **Ms. Chew** at the other meeting there was discussion around someway of guaranteeing what could be built as-of-right. **Mr. Pieczonka** – stated anything they do along the property on Bedford Highway could only be done as-of-right and that can't be done under a DA. The as-of-right requirements are very clear in terms of what the max allow building is, it would be limited to something very close to what we are prosing which is about 4000 square feet of commercial on the bottom and an equivalent amount of floor space on the second floor and it can only be 2 storeys. The second floor will on allow for 3-4 small units. What we are showing is what the max that can be down there. **Ms. Chew** so then you are back to the original 31 units if you consider the two properties together. **Mr. Pieczonka** yes 30-31 in total. **Ms. Chew** then getting back to traffic, there is only one access point for the main development which will have the 17 or 27 units which is exiting on Fourth St. where as the smaller development, in theory, has the traffic exiting on the Bedford Highway. Is there any way for the lower parking of the larger development to us the exit onto Bedford Highway rather than existing onto Fourth St. **Mr. Pieczonka** because of the difference in height/grade of the two properties there is no way to connect them. **Ms. Chew** living on High St. they know you can potentially go down Fourth St. to get onto the Bedford Highway but in reality, that isn't going to happen. Everyone will turn up off Fourth St., onto High St. and then proceed down onto Holland Ave taking those lights to get onto the Bedford Highway. There is going to be a steep increase in traffic.

**Marilyn Millett, High St.** – concerned about traffic. Will there be blasting or jackhammering when doing the underground parking? **Mr. Pieczonka** not entirely sure yet until the excavation contractor is hired to look at the site. **Ms. Millett** the houses in that area are getting old and will not withstand blasting. **Mr. Pieczonka** explained that there is a blasting process that would have to be followed if that was the way they decided to go. **Ms. Millett** – how far would they go? **Ms. Chapman** stated she wasn't sure of the radius and explained there is a bylaw that covers blasting. There is before work that happens where they look at people's foundations etc.

**John Tolson, Shore Dr.** – what these people said is going to happen way more then they think. What they are saying is true, people are going to go up High St. not out the Bedford Highway. The traffic on High St. is going to be out of this world. What date was the DA registered. **Ms. Chapman** I'm not sure of the date. **Mr. Pieczonka** stated about a year ago. **Mr. Tolson** it is registered? **Mr. Pieczonka & Ms. Chapman** yes. **Mr. Tolson** so you get a DA registered and then you decide that what was designed is too expensive therefore we now must add more units to make it feasible. They love this because this is opening Bedford up to everybody, this is terrible. They worked in town council for 6 years trying to get Bedford to stay like it used to be, Old Bedford. We want old Bedford to stay like it was, Bedford West can have all this type of construction. We don't need this, we don't need extra places stuffed in here. You have registered a DA which doesn't mean a thing because you can change it and who's to say they won't change it again. **Mr.**

**Pieczonka** said it is physically impossible to bring a driveway up from the Bedford Highway, that is not true. You can bring traffic in from the Bedford Highway, it doesn't have to come in off Fourth St, I don't agree with it, you work to get one thing approved and that's where it should end.

**Jean Bird, Fort Sackville Rd.** – Would like to know when the Bedford Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) were developed because they have lived in Bedford for 65 years and is totally unaware of this. What this is going to do to Bedford in 10 years, you will not recognize this community. It will be destroyed. People spent many hours developing a zoning plan for the community of Bedford to preserve the integrity of the community and it was to develop areas that we would have commercial and multiunit buildings and preserve our community. Now this spot rezoning is destroying it. This has got to stop, and the traffic has to stop. HRM allows apartment building to be built all along the Bedford Highway, every vacant piece of land was another condo until the traffic was so congested that for us to even get out of our communities is next to impossible. It would have been nice to be made aware of this new plan so that most of us would be aware as to what you had proposed for this community.

**Brad Walker, High St.** – wanted to know why they did not receive notice of the last meeting when they received notice in the mail of the very first meeting. In the TIS, there is nothing there about High St. only the Bedford Highway. During the winter High St. is one lane only and we have children walking back and forth for school and you are going to at the very least double the traffic up there. Before you even consider the final steps on this development you must look at High St. and how are you going to alleviate the problems that this is going to cause. You need to do a traffic study on High St.

**Paula MacInnis, High St.** – Halifax has talked about community, when we are looking at this building, what about the sustainability of this building? What about how you are looking forward like your solar programs, your building constructs, instead of doing it in steel, and prefab concrete, what about wood and making it look even like kind of the community. How are we making this apartment and this complex part of Bedford and part of the community, are we isolating it? Are we making it a transient population? Are we making community oriented and are we doing it for the benefit of Bedford and the community? High St. is not a long street and we believe this is going to impact us and it will impact the people around on neighbouring streets. Is it the right spot and size for the community? Make the TIS clearer because both projects are in there and it is not clear.

**Richard Tolson, Shore Dr.** – I am guilty of coming cutting through side streets to avoid Fourth St. because Fourth is crazy. Cutting through is very convoluted but it is better than sitting on the Bedford Highway. I know I'm not the only one who does this. Everyone is correcting is saying people are going to cut through the neighbourhood to avoid Fourth and the Bedford Highway. What are the requirements for handicap parking for a 27-unit building? **Mr. Pieczonka** – 2. **Mr. Tolson** 4000 square feet is the max for the as-of-right property. **Mr. Pieczonka** it is in that range, I can't say it is exactly 4000 square feet. **Mr. Tolson** so it could be 5000 square feet? **Mr. Pieczonka** it won't be that much. It is going to be very close to 4000 square feet.

**Paula MacInnis, High St.** – what is the due process on this for the public? **Ms. Chapman** – explained the process. **Paula MacInnis** – in regard to the public meeting, how do you determine who is contacted/notified? **Ms. Chapman** – ad in paper, mailout as well as info on the website. **Paula MacInnis**, I don't think you can expect the general population to be checking on the website. **Ms. Chapman** explained HRM is trying to explore how to notify people of these meetings. **Paula MacInnis** – What is your notification are/proximity to the development that the mailout is done? **Holly Kent** – Bedford is usually around 500 feet, but it really depends on the size of the application. **Paula MacInnis** – so why would we have been notified the first time but not the second time or the third time? We haven't moved. **Holly Kent** – explained there was a technical issue with their system they may have affected the mailout. **Paula MacInnis** – but you are still proceeding with the process and some people haven't been notified. **Holly Kent** – explained again the issue that was happening in the new system. **Paula MacInnis** feels the public, because of the notification issue, did have enough time to properly investigate this project. **Ms. Chapman** – explained this isn't the public's only opportunity to provide feedback on this and engage planning staff. She provided other options for people to provide feedback, website, their contact info – call or email etc.

**Joyce Chew, High St.** – stated they had come to the meeting for the original agreement after they got off work and nobody was there. HRM staff and anyone that may have shown up were gone by that time (8:30 pm). So, there was no opportunity for them to voice their concerns. HRM really needs to find a better way to engage the community in which these agreements are being proposed because otherwise you get a lot

of very upset people. They have been at meetings where they provided their opinions and feedback, and everything gets torn up and whatever is proposed by the developer is what gets approved. So why voice your opinion if you're just blowing in the wind.

**Dmitry Trukhachev, High St.** – Several people didn't get notices. It was concerning that the meeting that the initial development got approved was held in Tantallon, far away from the site and hard to access for local residents. Because this is a legal process of approval, why the process violated by the fact that the community wasn't properly notified and the meeting was held far away from the site. I think somebody has to look at this and see if this was actually appropriate. The council has to be aware that the public consultation there was serious questions about how the public was notified and how the meetings were held. The councillor stated at the last meeting that they will work with the clerk's office to make **Ms. Chapman** sure it is held in a closer location.

**Jean Bird, Fort Sackville Rd.** - has the biggest problem with the planning department that the MPS and LUB was developed without any input or knowledge of the people of Bedford. A good flyer indicating what their plan was so that they were aware of it would have been nice. As a tax payer they are insulted by the attitude that seems to thrive in the city proper about places outside. After amalgamation it seems like we don't matter anymore, HRM will do what they like out there. Before you go ahead with more of these multi-unit developments you have to really consider what you are doing to this community.

**John Tolson, Shore Dr.** – Showed how to bring an entrance/exit off the Bedford Highway and cut off access through Fourth St. but it would require losing some of the greenbelt. This can be done, build your 18 units or row houses there, do something nice that looks like Old Bedford.

**Elvira Akhmetchina** – sees in the new site plan map that the greenbelt area has got larger but there is no specifications as to what will be there, trees etc. The issue they raised last time with separating the two sites with the mature trees that are there now and from the empty space on the map it is not obvious what is happening there. Also, the public opinion was not represented when the initial development was approved because of the location and timing and your comment was in the future we will try to address that but that was not the point. The point was that the public was not represented when the original project was approved and to look back retroactively to see if there is enough evidence to reconsider that whole process. There are 23 people here now and everyone has a pretty strong opinion as to this project overall. Not just the second phase but also the first phase.

**Darrell Johnson, Bedford United Church** – If you drive through the neighbourhood, it's not much of a neighbourhood, condemned buildings and vacant lots etc. Thinks everyone is right with regards to traffic and thinks there should be a sidewalk and a safe place for people to walk. The building, whether you like it or not, can really be a plus to the community because it really needs revitalization it doesn't need old in that space. There are parts of Bedford that are old and special and historic but certainly along that strip where the church and all these other spaces are, this could aesthetically enhance the community. If you look after the traffic part on High street, which is a legitimate concern, put a sidewalk in but the building can only add to this community and thinks it is a real plus.

**Paula MacInnis, High St.** – Doesn't think people are against development, they think people would like a good development and one that fits in with the community. Doesn't think vacant lots are good for the area and something needs to be done but that doesn't mean that putting anything there is acceptable. We want people that are going to contribute to the community so make them condo's or townhouses, so people would have to purchase them and have ownership in the community. Apartments don't do that. Not keen on an apartment building going in there because it has more potential than that.

**Jim Bruce, High St.** – I don't dislike the design of it and at an age where they may have to move to an apartment and they like the community they are in, so this might not be bad. The biggest concern is the traffic on High St. Think it isn't good the Councillor Outhit isn't there tonight because they are the person that can probably do the most to make the street better by widening it and putting sidewalks on it. Something needs to be done with High St., either before, or in conjunction with this development.

**Public** – this development should not go through prior to these areas of traffic being resolved. If that happens then we are really into it.



**Richard Baxter, Fourth St.** – the building on the Bedford Highway that is as-of-right, is there any room for a sidewalk there for the part of it that is on Fourth St. or is it right to the property line? **Mr. Pieczonka** – there is probably about 25 feet between the property line and the street curve which is all HRM land. If the city wants to build a sidewalk there, there is lots of room. **Richard Baxter, Fourth St.** thinks the 500-foot radius for notification should be increased. The old Atlantic Garden site was recently for sale, they have taken off the market, but it was up for sale. I can guarantee that. That is going to be another apartment building. That will just add to the traffic again on the Bedford Highway and High St. as well.

**John Tolson, Shore Dr.** – The jest of the meeting was to change the number of units from 18-27 units. I'm against that. That is 9 more units, another 18 cars and how many trips a day. What you got approved for, in a very sneaky manner, do that and live with what you've got.

### **3. Closing Comments**

**Ms. Chapman** thanked everyone for coming and expressing their comments.

### **4. Adjournment**

The meeting adjourned at approximately 8:32 p.m.