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

Item No. 10.2.1
North West Community Council
November 10, 2025

TO:	Chair and Members of North West Community Council
FROM:	Thea Langille, Acting Director of Development Services
DATE:	October 23, 2025
SUBJECT:	**Case VAR-2025-00711: Appeal of Variance Approval – 100 Meadowbrook Drive, Bedford**

ORIGIN

Appeal of the Development Officer's decision to approve a variance.

EXECUTIVE SUMMARY

This report recommends approval of a variance to reduce the required flankage yard from 4.57 metres (15 feet) to 2.4 metres (7 feet 10.5 inches) at 98 Meadowbrook Drive, Bedford. The variance has been requested to facilitate the development of a new public street at 100 Meadowbrook Drive, Bedford. No alterations or changes to the existing dwelling has been proposed. Staff recommend that North West Community Council deny the appeal and approve the requested variance.

RECOMMENDATION

In accordance with Administrative Order One, the following motion shall be placed on the floor:

That the appeal be allowed.

Community Council approval of the appeal will result in refusal of the variance.

Community Council denial of the appeal will result in approval of the variance.

Staff recommend that North West Community Council deny the appeal.

BACKGROUND

A variance request has been submitted for 100 Meadowbrook Drive, Bedford (Map 1) to reduce the required flankage yard at 98 Meadowbrook Drive from 4.57 metres (15 feet) per the Residential Single Dwelling Unit (RSU) Zone of the Bedford Land Use By-law (LUB) to 2.4 metres (7 feet 10.5inches). This variance is requested to facilitate the development of a new public street with eight (8) new residential lots (see below and Map 2).

The Concept Plan for this project was approved in 2015 (Attachment A). As part of this application, intersection separation distances were reviewed by HRM Development Engineering and Traffic Management. A variance to the minimum separation distances outlined in the 2013 Municipal Engineering Guidelines was approved. Additionally, during the Concept Plan Stage, a boundary alteration of the lot line abutting 98 Meadowbrook Drive was proposed. The proposed lot line of the street right-of-way within the 2015 Concept Plan is indicated by the red dashed line (see below and Attachment A). The proposed boundary alteration would result in a 40.9 square metre (440 square feet) parcel that must be addressed during the Final Subdivision Stage. As the parcel would not meet the minimum lot area and lot frontage requirements of the RSU zone, it is unable to be approved as an individual lot and therefore must be consolidated into the lot at 98 Meadowbrook Drive, or into the right-of-way (ROW) parcel of the proposed public street.

Source: Submission by WM Fare Architects

Variance Application VAR-2025-00711 has been submitted to maintain the existing lot boundary abutting 98 Meadowbrook Drive and expand the ROW parcel to include the 40.9 square metre (440 square feet) parcel indicated on the approved Concept Plan. As presently proposed, approval of the public street will change the shared side lot line between 100 and 98 Meadowbrook Drive to a flankage lot line. Per the LUB, a Flankage lot line is a side lot line which abuts a street on a corner lot and requires a minimum yard of 4.57 metres (15 feet) within the RSU zone. The existing yard of 98 Meadowbrook Drive along the shared lot line is currently 2.4 metres (7 feet 10.5 inches). Without the requested variance, the proposed public street would establish a non-conformity at 98 Meadowbrook Drive as the existing side yard does not meet the requirements of a flankage yard. A Final Infrastructure Subdivision cannot be approved where existing developed lots abutting a proposed ROW parcel do not meet the required Front or Flankage yard requirements of the LUB. Therefore, the applicant has requested a Variance to reduce the minimum flankage yard at 98 Meadowbrook Drive to 2.4 metres (7 feet 10.5 inches). The existing dwelling at 98 Meadowbrook Drive will meet all other lot requirements of the Land Use By-law for the subject property.

Site Details:

Zoning

The property is located in the RSU (Residential Single Dwelling Unit) Zone of the Bedford Land Use By-Law (LUB). The relevant requirements of the LUB and the related variance request is as identified below:

	Zone Requirement	Variance Requested
Minimum Flankage Yard	4.57 metres (15 feet)	2.4 metres (7 feet 10.5 inches)

For the reasons detailed in the Discussion section of this report, the Development Officer approved the requested variance (Attachment B). Four (4) of the fourteen (14) property owners within the notification area have appealed the approval (Attachment C) and the matter is now before North West Community Council for decision.

Process for Hearing an Appeal

Administrative Order Number One, the *Procedures of the Council Administrative Order* requires that Council, in hearing any appeal, must place a motion to "allow the appeal" on the floor, even if the motion is in opposition to the staff recommendation. The recommendation section of this report contains the required wording of the appeal motion as well as a staff recommendation.

For the reasons outlined in this report, staff recommend that Community Council **deny** the appeal and uphold the decision of the Development Officer to approve the request for variance.

DISCUSSION

Development Officer's Assessment of Variance Request:

In hearing a variance appeal, Council may make any decision that the Development Officer could have made, meaning their decision is limited to the criteria provided in the *Halifax Regional Municipality Charter*.

The *Charter* sets out the following criteria by which the Development Officer may not grant variances to requirements of the Land Use By-law:

"250(3) A variance may not be granted if:

(a) the variance violates the intent of the development agreement or land use by-law;

(b) the difficulty experienced is general to properties in the area;

(c) the difficulty experienced results from an intentional disregard for the requirements of the development agreement or land use by-law."

To be approved, any proposed variance must not conflict with any of the criteria. The Development Officer's assessment of the proposal relative to each criterion is as follows:

1. Does the proposed variance violate the intent of the land use by-law?

Building setbacks help to ensure that structures maintain adequate separation from adjacent structures, streets and property lines for access, safety, and aesthetics. The focus of this review is the separation distance of the existing dwelling at 98 Meadowbrook Drive and the proposed ROW parcel. Due to the location of the proposed street, a wide ROW parcel is created abutting 98 Meadowbrook Drive. This parcel will not contain the proposed travel way and will be left vacant. The distance between the existing dwelling and the travelled right of way of the proposed public street is approximately 5.4 metres (17 feet 8.5 inches) (Attachment A). While the house at 98 Meadowbrook Drive will be located closer to the boundary of the ROW parcel than the minimum requirement, it will maintain the minimum required separation of 4.57 metres (15 feet) from the physical location of the built street itself.

It is the Development Officer's opinion that this proposal does not violate the intent of the Land Use By-Law.

2. Is the difficulty experienced general to properties in the area?

In evaluating variance requests, staff must determine if the general application of the LUB creates a specific difficulty or hardship that is not broadly present in the area. If these circumstances exist, then consideration can be given to the requested variance. If the difficulty is general to properties in the area, then the variance should be refused.

The property at 100 Meadowbrook Drive is unique to the surrounding community in that it has sufficient area to accommodate a new public street and eight (8) residential lots. Subsequently, the new street proposal at 100 Meadowbrook Drive has created a change in the setback requirement for 98 Meadowbrook Drive, which is unique to the property. Therefore, the difficulty experienced is not general to the properties in the area. This is a unique situation that has arisen from the proposal of a new public street.

3. Is the difficulty experienced the result of an intentional disregard for the requirements of the land use by-law?

In reviewing a proposal for intentional disregard for the requirements of the LUB, there must be evidence that the applicant had knowledge of the requirements of the LUB relative to their proposal and then took deliberate action which was contrary to those requirements.

That is not the case with this request. The applicant identified the parcel created between the proposed ROW lot boundary and the existing lot line of 98 Meadowbrook Drive at the Concept Plan Stage and indicated that the parcel was intended to be consolidated with the lot at 98 Meadowbrook Drive. In 2021, a Final Subdivision application was submitted by the applicant, however the applicant was unable to consolidate the parcel indicated on the Concept Plan into 98 Meadowbrook Drive. Therefore, the applicant has sought an alternative solution to address the parcel. The proposed plan of subdivision included within this variance application now includes the parcel as part of the proposed ROW parcel. This change resulted in an issue with the flankage yard setback of 98 Meadowbrook Drive. The applicants have therefore submitted a request to vary the flankage yard of 98 Meadowbrook Drive as a solution. The applicant has requested the variance prior to commencing any work on the property. Intentional disregard of By-law requirements was not a consideration in this variance request.

Appellant's Submission:

While the criteria of the *HRM Charter* limits Council to making any decision that the Development Officer could have made, the appellants have raised certain points in their letters of appeal (Attachment C) for Council's consideration. These points are summarized and staff's comments on each are provided in the following table:

Appellant's Appeal Comments	Staff Response
Location of street in respect to 98 Meadowbrook Drive. One appellant quotes ByLaw S-300 (the current version).	Although the setback from the existing dwelling at 98 Meadowbrook Drive will be less than the flankage requirement of 4.57 metres (15 feet), the distance from the proposed travelled way shown on the Concept Plan does not appear to raise safety concerns. The original Concept Plan, approved in 2015, was reviewed following Streets By-law S-300 and engineering best practices for subdivision design
Safety concerns regarding street location in respect to Meadowbrook Drive and its grade as well as Beech Street and Sunrise Hill intersections.	At the Concept Plan stage, intersection separation distances were reviewed by HRM Development Engineering and Traffic Management. A variance to the minimum separation distances outlined in the 2013 Municipal Engineering Guidelines was approved. This variance was granted based on two key considerations: 1. The stopping sight distance for both approaches on Meadowbrook Drive exceeded the requirements in place at the time. 2. Traffic volumes in the area—both existing and projected based on the development proposal—are low, resulting in a minimal likelihood of traffic movement conflicts at adjacent intersections. In preparation of this appeal report, HRM staff required an updated Traffic Impact Statement (TIS) for review. The updated TIS has been reviewed and accepted by HRM Development Engineering and Traffic Management.
Stormwater management and Runoff down Meadowbrook Drive	At the detailed design stage, overland stormwater management will be developed in accordance with the requirements of the 2021 HRM Municipal Design Guidelines, Administrative Order 2020-010-OP Respecting Stormwater Management Standards for Development Activities, Grade Alteration By-law G-200, and Lot Grading By-law L-400. At a minimum, the design will ensure the balancing of pre- and post-development stormwater flows. It will also incorporate measures to mitigate potential adverse impacts of stormwater runoff-such as flooding and erosion—on downstream properties.

	The stormwater management design will be prepared by a Professional Engineer, as is standard practice in subdivision development.
Character of the neighborhood	Although there are 8 new lots proposed on the Concept Plan, the zoning of the property will remain RSU, which is consistent with the zoning of the surrounding neighbourhood.
Blasting	When construction takes place, if blasting is required, the owner is required to follow the requirements of the Blasting By-law (By-law Number B-600).
Inadequate parking and overflow parking spilling onto Meadowbrook Drive	The minimum front yard setback under the RSU Zone is 4.57 metres (15 feet) which is sufficient space to accommodate a motor vehicle in the driveway. On Street parking is currently permitted on Meadowbrook Drive.
Access from Meadowbrook Drive to Basinview School via the travelled path and access to Meadowbrook Park	At the Concept Stage, parkland planning requested an easement allowing municipal/public access over PID 40106189 to formalize the entire area of the secondary park entrance. Parkland planning are required to review the proposed easement documents prior to final approval of the subdivision application.

Conclusion:

Staff have reviewed all the relevant information in this variance proposal. As a result of that review, the variance request was approved as it was determined that the proposal does not conflict with the statutory criteria provided by the *HRM Charter*. The matter is now before Council to hear the appeal and render a decision.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this application can be accommodated with the approved 2025/26 operating budget for Planning and Development.

RISK CONSIDERATION

There are no significant risks associated with the recommendation contained within this report.

COMMUNITY ENGAGEMENT

Community Engagement, as described by the Community Engagement Strategy, is not applicable to this process. The procedure for public notification is mandated by the HRM Charter. Where a variance approval is appealed, a hearing is held by Council to provide the opportunity for the applicant, appellants and anyone who can demonstrate that they are specifically affected by the matter, to speak.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality (HRM) Charter; Part VIII, Planning and Development

- s. 250, a development officer may grant variances in specified land use by-law or development agreement requirements but under 250(3) a variance may not be granted if:
  (a) the variance violates the intent of the development agreement or land use by-law;
  (b) the difficulty experienced is general to properties in the area;
  (c) the difficulty experienced results from an intentional disregard for the requirements of the development agreement or land use by-law.
- s. 251, regarding variance requirements for notice, appeals and associated timeframes
- s. 252, regarding requirements for appeal decisions and provisions for variance notice cost recovery.

ALTERNATIVES

As noted throughout this report, Administrative Order One requires that Community Council consideration of this item must be in context of a motion to allow the appeal. Council's options are limited to denial or approval of that motion.

1. Denial of the appeal motion would result in the approval of the variance. They would uphold the Development Officer's decision, and this is staff's recommended alternative.

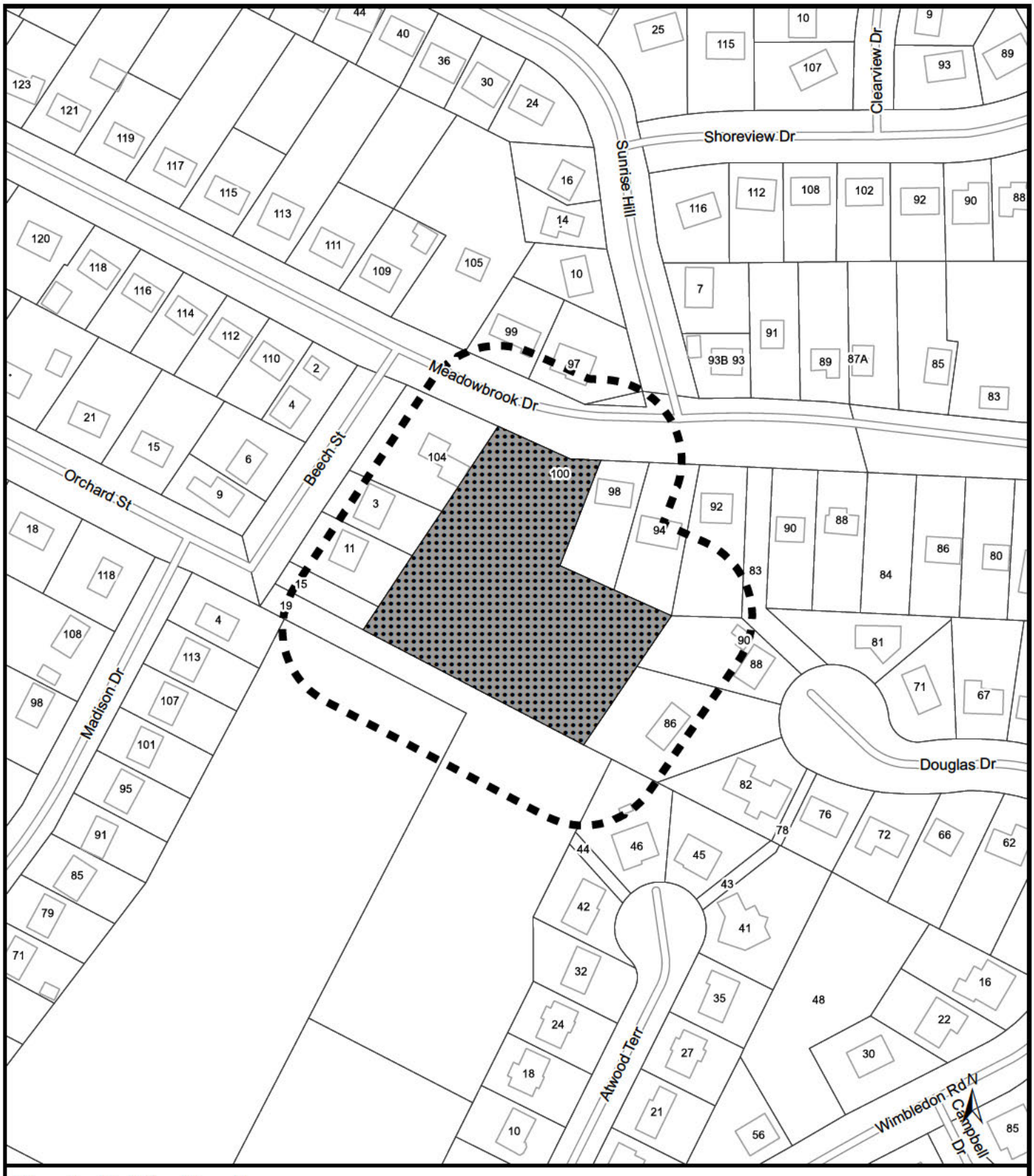
2. Approval of the appeal motion would result in the refusal of the variance. This would overturn the decision of the Development Officer.

ATTACHMENTS

Map 1: Notification Area
Map 2: Site Plan

Attachment A: Concept Plan
Attachment B: Variance Approval Notice
Attachment C: Letters of Appeal from Abutters

Report Prepared by: Matthew Larter, Planner I, (902) 220-1321
Kirstin Poole Chislett, Planner II, (902) 478-2860



Map 1 - Notification Area

100 Meadowbrook Drive,
Bedford

Subject Property

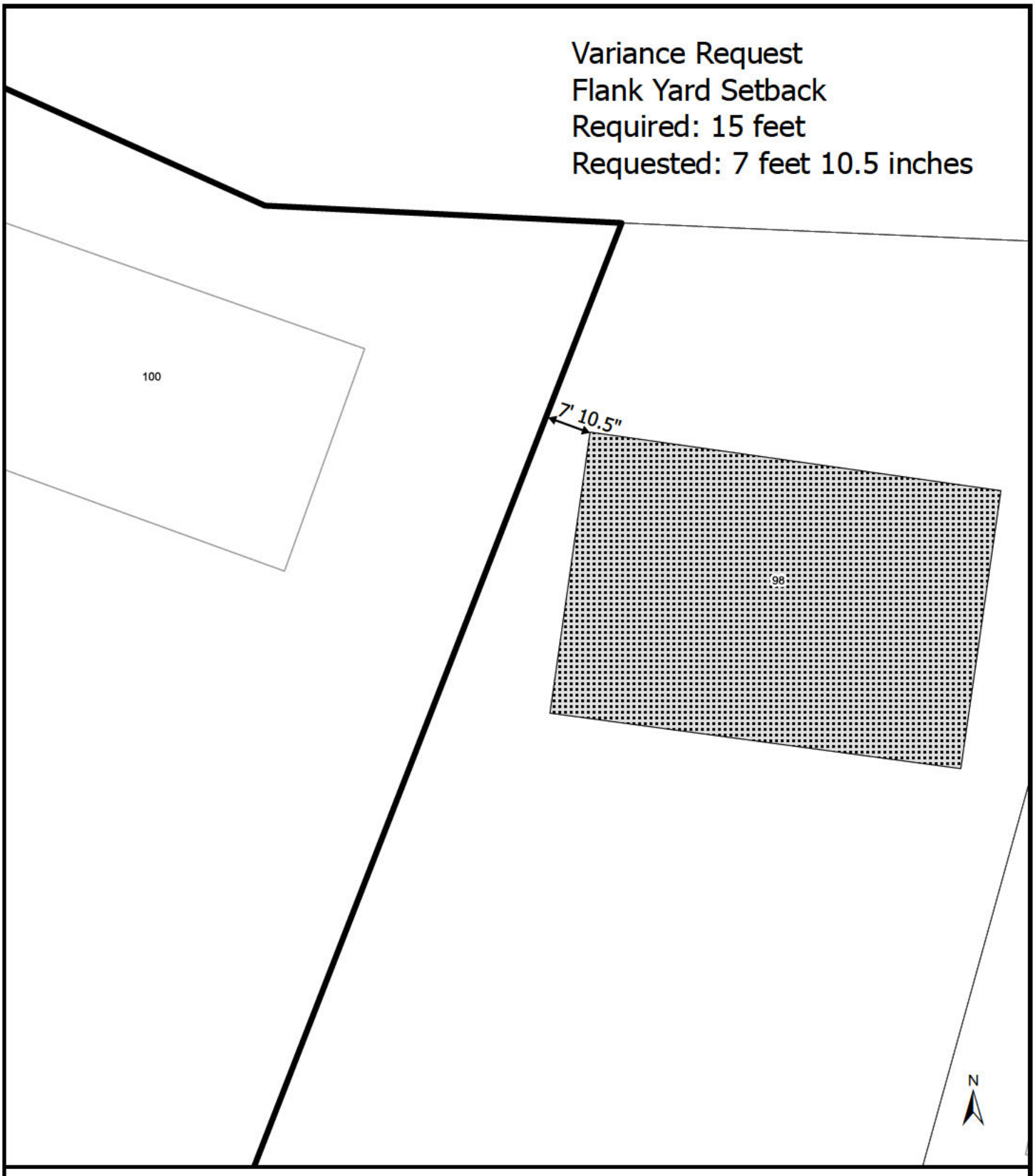
Notification Area

HALIFAX

0 25 50 75

Meters

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



Map 2 - Site Plan

100 Meadowbrook Drive,
Bedford

HALIFAX

0 5 10 15 20 Feet

Subject Property

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

Attachment A

Meadowbrook Drive 100 Meadowbrook Drive, Bedford NS	Master Plan	Project No: 2025-XX Scale: 1" = 40'-0" Date: 2025-04-03 2:10:36 PM	WM FARES ARCHITECTS — **D0**

Attachment B

June 4th, 2025

P/D [redacted]

Dear Property Owner:

RE: VARIANCE APPLICATION 2025-00711, 100 MEADOWBROOK DRIVE, BEDFORD NS, PID 40105827

***Updated letter to include appeal period deadline**

As you have been identified as a property owner within 30 metres of the above noted address, you are being notified of the following variance as per requirements of the Halifax Regional Municipal Charter, Section 251.

This will advise you that as the Development Officer for the Halifax Regional Municipality, I have approved a request for a variance from the requirements of the **Bedford Land Use Bylaw** as follows:

Location: 100 Meadowbrook Dr, Bedford PID 40105827

Project Proposal: To reduce the flankage yard setback to 7 feet 10.5 inches from the minimum requirement of 15 feet to accommodate a new public street.

LUB Regulation	Requirement	Requested Variance
Minimum Flankage Yard Setback	15 feet	7 feet 10.5 inches

Pursuant to Section 250A of the Halifax Regional Municipality Charter, the development officer shall grant a variance respecting a setback unless the variance would materially conflict with the Municipal Planning Strategy. This request to reduce the flankage yard setback does not materially conflict with the Bedford Municipal Planning Strategy and the setback reduction was therefore approved.

Pursuant to Section 251 of the Halifax Regional Municipality Charter, assessed property owners within 30 metres of the above noted address are notified of this variance. If you wish to appeal, please do so in writing, **on or before June 21st, 2025,** and address your appeal to:

Municipal Clerk
Halifax Regional Municipality
P.O. Box 1749, Halifax, NS B3J 3A5
clerks@halifax.ca

Section 251A of the Halifax Regional Municipality Charter requires that any appeals to this variance approval must clearly state the grounds for appeal.

If filing an appeal, be advised that your submission and appeal documents will form part of the public record and will be posted on-line at www.halifax.ca. If you feel that information you consider to be personal is necessary for your appeal, please attach that as a separate document, clearly marked "PERSONAL". It will be provided to the committee and/or council members and staff, and will form part of the public record, but it will not be posted on-line. You will be contacted if there are any concerns.

Please note, this does not preclude further construction on this property provided the proposed construction does not require a variance. If you have any questions or require clarification of any of the above, please contact Matt Larter at (902) 220-1321

Sincerely,

Kirstin Poole Chislett, Planner II / Development Officer
Halifax Regional Municipality

cc. Office of the Municipal Clerk- clerks@halifax.ca
Councilor Jean St-Amand

Attachment C

Hello,

For consideration,

1. Does the variance violate the intent of the land use by-law?

The new subdivision at 100 Meadowbrook Drive, location of the new road and the requirement for a setback of 15 feet from the property located at 98 Meadowbrook drive creates an undersized lot between 98 Meadowbrook Drive and the new road. This new lot does not have the required 60 feet of road frontage for the approval as a building lot to satisfy the requirements for approval of the subdivision as an "as of right" development. The setback violates this mandatory requirement by its elimination of the parcel of land as a lot. The setback is being used to surreptitiously override a mandatory requirement for approval as an "as of right" development which is a clear violation of the intent of the land use by-law. The setback is not a minor amount, the difference is substantial at almost fifty percent and sufficient to eliminate the creation of an undersized lot that precludes the approval for an "as of right" development. This demonstrates the purposeful use of a variance to violate the intent of the land use by-law.

Bylaw S-300 section 36. (1) No driveway shall be located (c) within 25 feet (8m) of the intersection of a local street, measured from the nearest line of the intersecting street or property line where no street line exists. The driveways for the homes at 98 Meadowbrook Drive and 97 Meadowbrook Drive will be less than 25 feet (8m) from the newly created intersection for the new road at 100 Meadowbrook drive. If the new road is constructed wider than the original concept plan, for which there exists no good reason for the widening to accommodate the wider road and creates the safety issue of automobiles being excessively close to Sunrise Hill when they exit the new road. So, the setback itself is not being used to accommodate the new road, the setback is being used to eliminate the newly created undersized lot, which violates the intent of the land use bylaw.

The approval of the almost 50 percent reduction in setback requirement and subsequent creation of the road will result in numerous safety hazards, contrary to safe practice and the intent of the Bedford Municipal Planning Strategy.

2. Is the difficulty experienced general to the properties in the area?

Bylaw S-300 section 36. (1) No driveway shall be located within 25 feet (8m) of the intersection of a local street, both driveways located at 98 Meadowbrook and 97 Meadowbrook Drive will be within 25 feet (8m) of the intersection created by the construction of the new road at 100 Meadowbrook Drive.

The original submission for development at 100 Meadowbrook was not approved due to the identification, by the engineer, that insufficient parking was available within the new subdivision, and this will lead to overflow parking onto Meadowbrook Drive, a minor collector road. This is a very important item because the grade of fifteen percent, curvature in the road, nearby intersections, the volume and speed of traffic on Meadowbrook Drive will create a very hazardous situation for all properties and persons, pedestrian or vehicles, including buses and bus passengers that arrive or travel through this area or live nearby. The overflow parking will contribute to a hazardous situation for pedestrians as they walk around the parked vehicles into "the travelled path" of traffic to navigate around the parked vehicles from the new subdivision overflow at 100 Meadowbrook Drive. [redacted]walk through this area of Meadowbrook Drive to catch their school bus every day and [redacted]Many elementary school aged children also walk through this area to attend Basinview Drive Elementary school, and to access the

Meadowbrook ballfield and soccer fields for recreation when school is not in session. The wintertime conditions for this area of ice buildup and snow accumulation will lead to very hazardous conditions with pedestrians needing to venture into the travelled path of vehicles due to the automobiles parked on Meadowbrook Drive. As well this creates another issue of where to deposit the snow volume resulting from snow clearing of the new road and cul de sac at 100 Meadowbrook Drive. This snow buildup will become a generalized hazard for all who use Meadowbrook Drive, which is a minor collector road.

The grade of Meadowbrook Drive is fifteen percent, almost twice the allowed grade for a minor collector road, where the intersection of the newly created road will be located, making the intersection hazardous within itself and also the vehicles accelerating downhill toward the intersection of Meadowbrook Drive and Sunrise Hill is of insufficient intersectional distance per the TAC 100 guidelines. A variance for the intersection distances was granted, based on the standard road width for local roads. I do not believe the grade of fifteen percent on Meadowbrook Drive was given sufficient consideration, nor was the curvature of the road between 100 Meadowbrook and Sunrise Hill given due consideration for the hazardous potential it creates. The intersection of Sunrise Hill and Meadowbrook Drive is not the typical ninety-degree angle as is the desire for two intersecting streets. The intersection of Sunrise Hill and Meadowbrook is much less than ninety degrees, and the grade of Meadowbrook Drive at 15 degrees on an uphill incline which requires the driver look through the passenger side window with the top frame of the window, obstructing the driver's view of any vehicle exiting from the newly created road at 100 Meadowbrook Drive. Then the driver must cross the centerline of Meadowbrook Drive and into the path of traffic travelling from the direction of the new road at 100 Meadowbrook Drive. This is a very serious hazard when the TAC 100 intersection safety guidelines have been seriously compromised.

The vast majority of vehicles exiting Sunrise Hill, cross the centerline to travel south and will be directly in the travelled path of vehicles that have exited from the new road constructed at 100 Meadowbrook Drive. Meadowbrook Drive is a minor collector road and there are many near misses each week at the intersection of Sunrise Hill and Meadowbrook Drive, for vehicles transiting through or exiting the neighbourhood. This increased hazard will be a difficulty experienced general to the properties in the area.

The homes located at addresses 64, 60, 56, 54, 52 and 50 Meadowbrook drive have suffered numerous flooding events since their construction 50 years ago and will experience flooding events more often if the new road is constructed at 100 Meadowbrook Drive. Currently the trees and terrain at 100 Meadowbrook Drive slow down the volume of runoff from rain and melting snow events due to the permeable surface and water pooling on the uneven surface. If the new road is constructed it will eliminate the absorption of water, contribute to rapid runoff into the streets and storm drains, with the net effect of overwhelming the stormwater system and rapidly flood the properties at 64, 60, 56, 54,52 and 50 Meadowbrook Drive due to the volume of water. Previous Bedford council meeting notes have identified the flooding problems and that construction of houses at the addresses noted should never have been allowed. The new road construction at 100 Meadowbrook Drive will contribute to a much worse situation for the residents at these addresses and more frequent flooding, even during less intense precipitation events. The more frequent and more intense flooding will be a difficulty experienced general to the properties in the area.

Sincerely,
Brian Baillie

June 3, 2025

PID WILLIAM BRIAN BAILLIE,DIANE HENDERSON
[redacted]

Dear Property Owner:

RE: VARIANCE APPLICATION 2025-00711, 100 MEADOWBROOK DRIVE, BEDFORD NS, PID 40105827

As you have been identified as a property owner within 30 metres of the above noted address, you are being notified of the following variance as per requirements of the Halifax Regional Municipal Charter, Section 251.

This will advise you that as the Development Officer for the Halifax Regional Municipality, I have approved a request for a variance from the requirements of the **Bedford Land Use Bylaw** as follows:

Location: 100 Meadowbrook Dr, Bedford PID 40105827

Project Proposal: To reduce the flankage yard setback to 7 feet 10.5 inches from the minimum requirement of 15 feet to accommodate a new public street.

LUB Regulation	Requirement	Requested Variance
Minimum Flankage Yard Setback	15 feet	7 feet 10.5 inches

Pursuant to Section 250A of the Halifax Regional Municipality Charter, the development officer shall grant a variance respecting a setback unless the variance would materially conflict with the Municipal Planning Strategy. This request to reduce the flankage yard setback does not materially conflict with the Bedford Municipal Planning Strategy and the setback reduction was therefore approved.

Pursuant to Section 251 of the Halifax Regional Municipality Charter, assessed property owners within 30 metres of the above noted address are notified of this variance. If you wish to appeal, please do so in writing, **on or before TBD** and address your appeal to:

Municipal Clerk
Halifax Regional Municipality
P.O. Box 1749, Halifax, NS B3J 3A5

[redacted]

Bedford, NS [redacted]

Municipal Clerk
Halifax Regional Municipality
PO Box 1749, Halifax
NS, B3J 3A5

cc. Braedon Clark – [redacted]
cc. Jean St Amand –

clerks@halifax.ca

Re. Variance Application 2025-00711 100 Meadowbrook Drive, Bedford NS, PID 40105827

[redacted]

Content provided to members of Council and staff but not posted to Halifax.ca, as per provisions described in the Variance Approval Notice

CONFIDENTIAL

[redacted]

Content provided to members of Council and staff but not posted to Halifax.ca, as per provisions described in the Variance Approval Notice

Yours sincerely

Caroline Banks & Matthew Hoggan

June 10th, 2025 STATUS: PERSONAL

APPEAL TO VARIANCE APPROVAL FOR VARIANCE APPLICATION 2025-00711

To the attention of Kristin Poole Chislett, Planner II/Development Officer HRM,

My name is Donald (Donnie) MacNeil and Paulette Young [redacted]

[redacted]

Content provided to members of Council and staff but not posted to Halifax.ca, as per provisions described in the Variance Approval Notice

Regards [redacted]

Donnie MacNeil

June 4th, 2025

P/D DONALD ROBERT MACNEIL,PAULETTE MARIE YOUNG
[redacted]

Dear Property Owner:

RE: VARIANCE APPLICATION 2025-00711, 100 MEADOWBROOK DRIVE, BEDFORD NS, PID 40105827

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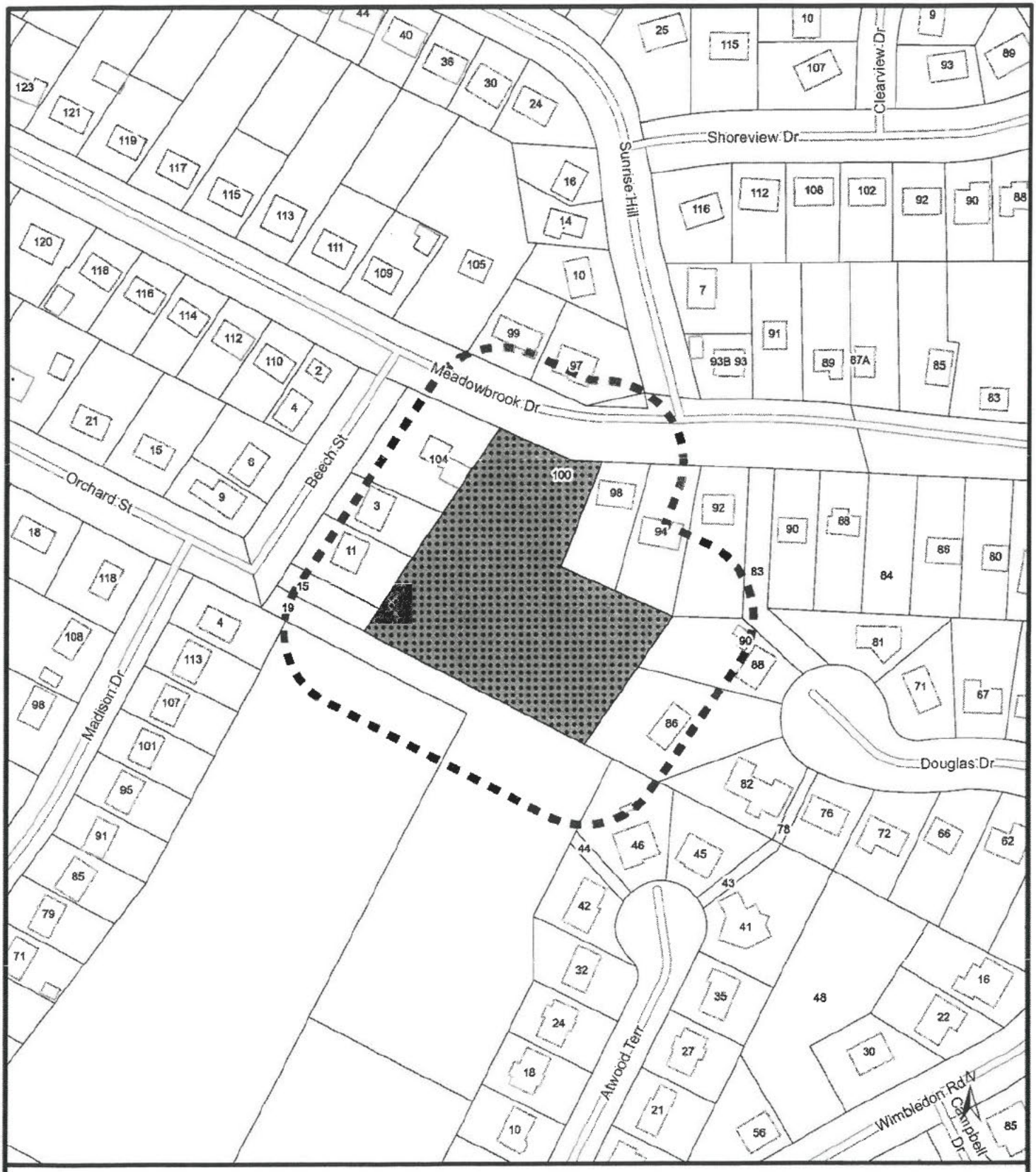
Please note, this does not preclude further construction on this property provided the proposed construction does not require a variance. If you have any questions or require clarification of any of the above, please contact Matt Larter at (902) 220-1321

Sincerely,

Kirstin Poole Chislett, Planner II / Development Officer
Halifax Regional Municipality

cc. Office of the Municipal Clerk- clerks@halifax.ca
Councilor Jean St-Amand



Map 1 - Notification Area

100 Meadowbrook Drive,
Bedford

Subject Property

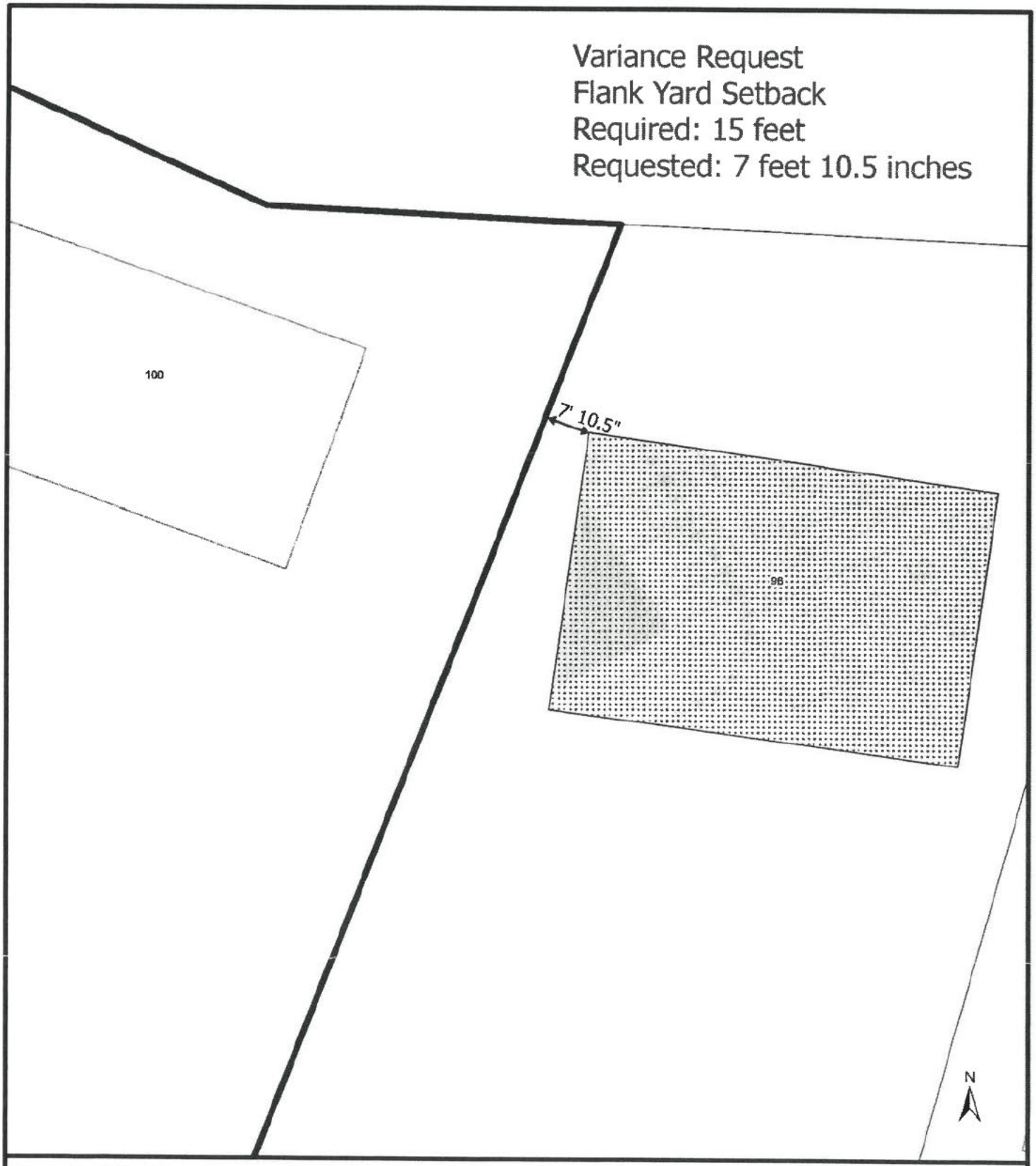
Notification Area

HALIFAX

0 25 50 75

Meters

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



Map 2 - Site Plan

100 Meadowbrook Drive,
Bedford

HALIFAX

Subject Property

0 5 10 15 20 Feet

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

David and Daniele Hart
[redacted]

June 16, 2025

Municipal Clerk
Halifax Regional Municipality
P.O. Box 1749,
Halifax, NS B3J 3A5
clerks@halifax.ca

Attn: Kirstin Poole Chislett
HRM Development Officer

Mayor Andy Fillmore
mayor@halifax.ca

Councillor Jean St-Amand
jean.st-amand@halifax.ca

RE: VARIANCE APPLIKCATION 2025-00711, 100 MEADOWBROOK DRIVE, BEDFORD NS, PID 40105827

Dear Sirs:

My wife and I are residents of HRM and have lived in our present home in Bedford for the past thirty-two years. We live in a well-established neighborhood, with a well-established character that has existed throughout all these years and earlier.

Recently we received a letter dated June 4, 2025 from Kirstin Poole Chislett, Planner II / Development Officer for the city soliciting feedback by June 21. This provided a two-week window for response. We had been travelling and just received the letter a few days ago. Allow me to say, first of all, that such short notice window constitutes incredible disrespect to long-term residents of the city. Developers and city officials work for months and sometimes years to prepare development proposals which can radically overturn and impact the lives of residents affected by their proposals. To then expect residents to be able to respond with such short notice is simply the height of arrogance and disrespect. We would like our objection noted in whatever public records are kept.

The property referenced in this variance request has been submitted numerous times over the years, ever since its purchase by the developer, to the city for development. On each occasion, the request has been denied for a host of extremely pertinent and valid reasons. The proximity of the newly requested subdivision road to closely adjacent intersections,

along with the grade of Meadowbrook Drive to which it intersects, increases danger to both pedestrians and drivers. Each new succession of development officers seems to deem it fit to progressively relax prior intersection distance guidelines as though these changes pose no risk to local resident safety. But they do! Furthermore, because of ice and water build up on Meadowbrook Drive, which flows rapidly downhill due to its steep grade and insufficient drainage, the new and also quite steep road suggested for the development proposal will simply add to the hazardous conditions along Meadowbrook Drive. Regarding drainage, residents downhill from the 100 Meadowbrook property have always had to deal with flooding in both their basements and backyards and this new development will only exasperate the problem. And of course, the development being proposed will dramatically change the character of the neighborhood where single family homes were all built on similarly sized lots. Does not the Halifax Planning Act profess to maintain the character and environmental integrity of established neighborhoods?

So here we go, once again, with the city development officer attempting to accommodate the desire of a developer to build a development which does not fit or belong in an established neighborhood. HRM, successfully, has been building new neighborhoods in many different parts of the city, each of these having their own established character and rules of development. There is no need to disrupt established neighborhoods and the lives of long-term taxpayers by ignoring long established rules and infilling every last, tiny spot of greenery left in established neighborhoods. And yet the city insists on doing so, constantly ignoring the desires and rights of its residents in favour of developers who have no investment in the communities in which they are proposing these kinds of developments, other than financial investments.

So, with regard to the present variance request, allow me to remind the development officer and the city officials what happened the last time this proposal was submitted. The developer submitted the proposal in such a manner as to suggest that a small piece of the 100 Meadowbrook property had been sold or otherwise allotted to the resident at 98 Meadowbrook Drive, thereby ensuring that the correct flankage distance of 15 feet between the home at 98 Meadowbrook and the new street being proposed for 100 Meadowbrook had been achieved. It was only after we and other neighbors conferred with the resident at 98 Meadowbrook that it was discovered that no such arrangement had been made. The developer was simply seeking to pull the wool over the eyes of city staff to ensure their approval of the proposal. When this was discovered, city staff quickly withdrew support for the proposal. This speaks to the character of the developer in question. With the present submission, it would seem that the developer has convinced the city development officer that instead of appropriately and legitimately approaching the resident at 98 Meadowbrook and seeking to donate to them sufficient property from the 100 Meadowbrook Property to increase the 98 Meadowbrook lot size, which would allow for the proper flankage distance between their home and this new road, the developer has simply managed to convince the development officer that there is no need to abide by the original flankage distances and to actually reduce them by 50%. Those flankage distances were originally created to protect the health, safety and comfort of homeowners. So, what the developer has done this time

round is to manipulate the development officer to do an end-run around the resident living at 98 Meadowbrook Drive to get their own way. Does the homeowner at 98 Meadowbrook not have any rights in this situation? Does the homeowner not deserve any compensation? Does an unscrupulous developer always need to get their way? When city development officers change positions, new personnel lack knowledge of a proposal's real history and therefore lack perspective. The new development officer in this situation will tend to superimpose guidelines from new developments onto older established neighborhoods, which the city forcefully states in its Planning regulations "it seeks to protect." Please know that over the years, our prior councillor Tim Outhit, repeatedly assured us that the bylaws would be strictly followed if ever there was to be a development at 100 Meadowbrook Drive. As long-time residents, we are entitled to this being the case.

My wife and I strongly object to the approval of this variance. I know that the owner of the lot most impacted by this proposal, the one at 98 Meadowbrook Drive, strongly objects to this variance [redacted] The developers submitting this proposal have proven themselves to be utterly unethical in their past behavior. Is it no wonder that the entire neighborhood is opposed to this development.

I and my wife therefore ask the city to turn down this request for a variance and at the very least require this developer to negotiate properly with the resident at 98 Meadowbrook to either substantially compensate them for the loss of flankage or otherwise to provide them with additional property that protects their flankage. Simply proceeding to unilaterally reduce the need for the minimum flankage by 50 percent is totally disgusting and an abrogation of the residents' rights. Anything other would be a miscarriage of justice!

The above being said, this whole development proposal should be disallowed on the basis of the arguments we have named above and which earlier development officers have found highly problematic.

Respectfully Yours
David and Daniele Hart