

HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case 22704

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

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

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 expensive 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.