



**NORTH WEST PLANNING ADVISORY COMMITTEE  
MINUTES  
September 6, 2017**

**PRESENT:** Ann Merritt, Chair  
Paul Russell, Vice Chair  
Ross Evans  
Dave Haverstock  
Councilor Lisa Blackburn  
Joshua Levy  
Evan MacDonald  
Councilor Tim Outhit  
Brian Murray

**REGRETS:** Dianna Rievaj

**OTHERS PRESENT:** Councilor Matt Whitman  
Deputy Mayor Steve Craig

**STAFF:** Shayne Vipond, Planner III  
Thea Langille, Supervisor Planning Applications  
Lori MacKinnon, Elections Coordinator  
Alanna Stockley, Legislative Support

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

*The agenda, reports, supporting documents, and information items circulated are online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 7:04 p.m. and adjourned at 8:53 p.m.*

## **1. CALL TO ORDER**

Ann Merritt, Chair called the meeting to order at 7:04 p.m. in the Sackville Public Library Fenerty Room, 636 Sackville Drive, Lower Sackville.

## **2. APPROVAL OF MINUTES –June 5, 2017**

MOVED by Paul Russell, seconded by Councilor Blackburn

**THAT the minutes of July 5, 2017 be approved.**

**MOTION PUT AND PASSED.**

## **3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

MOVED by Councilor Blackburn, seconded by Councilor Outhit

**THAT the agenda be approved as presented.**

**MOTION PUT AND PASSED.**

## **4. BUSINESS ARISING OUT OF THE MINUTES – NONE**

## **5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS**

In advance of the meeting, Dianna Rievaj had declared a conflict of interest for Item 9.1.1 Case 19461 to the Clerk's Office and recused them self from attending the meeting.

## **6. CONSIDERATION OF DEFERRED BUSINESS**

## **7. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **7.1 Correspondence**

Correspondence was received for item 9.1.1, and circulated to the Planning Advisory Committee.

## **8. INFORMATION ITEMS BROUGHT FORWARD – NONE**

## **9. REPORTS**

### **9.1 STAFF**

#### **9.1.1 Case 19461 Application for Site Specific Amendments to the Planning Districts 1 and 3 MPS and LUB to permit an asphalt plant at PID# 40042822, north of Highway 103 and west of Little Indian Lake, Head of St. Margaret's Bay – Shayne Vipond, Planner III**

The following was before the Planning Advisory Committee:

- A staff memorandum dated August 23, 2017
- Correspondence from Nick Horne, Ken Donnelly

Shayne Vipond, Planner III, presented the application of Scotian Materials Limited to amend the Planning Districts 1 and 3 Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable an asphalt plant at PID #40042822, located approximately 1 km northwest of Highway 103 and 1.5 km west of Little Indian Lake, Head of St. Margaret's Bay.

The Chair explained that requests to present on Case 19461 were made by Scotian Materials Inc. and Nick Horne, to which the Committee agreed.

Rob MacPherson, President of Scotian Materials Inc., explained that the site is an existing quarry and was formerly used as a mobile asphalt plant. They commented that concerns were only brought forward after the amendment request was made and spoke to the minimum distance permitted in residential areas. The speaker explained what a mobile asphalt plant looks like and how it operates, noting that the proposed plant would operate for approximately two months of the year. They further commented on the consultation process done to date and thanked the Planning Advisory Committee for granting their request to present. A copy of the Thinkwell report re: Mobile Asphalt Plant Survey dated January 5, 2017 is on file.

Nick Horne, past chair of the former St. Margaret's Bay Planning Advisory Committee spoke in opposition of the proposed asphalt plant, reading from their correspondence that was submitted for the record.

The Committee reviewed and considered the application, with staff responding to questions. The following points were noted:

- A question was asked on what is in place to control the dust (a by-product of the asphalt making process). The applicant has offered the opportunity to use either a dry or wet system, however no final production decisions have been made.
- Concern was raised over why there was such a large gap in time (18 months) between the PIM and open houses. Staff indicated there was direction received from Regional Council to go back to the community for further consultation after a staff report was written and submitted. Due to the size and locations of the consultations, extra time was needed to plan the events.
- It was noted that there are asphalt plants located elsewhere on the Highway 103, the specific locations of these sites can be found on the Scotian Metals website. Committee inquired why the company cannot use the already-established plants. Staff indicated the site discussed in the application is the only location that is up for a change to LUB and MPS so that is the location the committee needs to focus on.
- Clarification was sought on the number of Request for Proposals the company currently has out. Staff indicated that they and the committee are not privy to the company's business interests at this location.
- Concern was raised that the committee was being asked to comment on environmental and scientific criteria, and there is no expertise on the committee.
- A question was asked if the Department of Natural Resources (DNR) is currently using the land in question. Staff indicated that DNR is not currently using the land, however residents use it for recreation.
- Concern was raised that if the applicant is granted the amendment, there would be no way to distinguish a mobile or permanent asphalt plant. Staff indicated that there may be a way to include this distinction in writing through the Development Agreement, however further research is needed before an official answer could be given.
- It was noted that the Halifax Charter indicates that for an amendment to be adopted, there must be major changes to the area to validate the amendment. Committee members agreed there have been no major changes to the area to validate the amendment requested.
- A question arose over why the company was permitted to operate a mobile asphalt plant previously and now it needs an amendment. Staff indicated that if there is provincial interest/need, the province can essentially override the municipal rules. This amendment would permit operation for private company interests. It was clarified that if the province required the company to operate the mobile asphalt plant again, it could operate in the same manner as before without the amendment.

- Concern was raised over the polling information offered by the company versus what has been heard at the community events or vocalized by community members. Staff indicated that they did not take the poll offered by the company into account in the presentation.
- Concern was raised that there has not been enough health and science studies shared with the Municipality on this topic. Staff indicated the land-use compatibility cannot involve the Departments of Environment or Health as it is not in the Municipality's purview under the Halifax Charter. The current quarry size is under the size required for an environmental assessment.

MOVED by Paul Russell, seconded by Joshua Levy

**THAT the North West Planning Advisory Committee has reviewed Case 19461 application for site specific amendments to Planning Districts 1 and 3 Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to permit an asphalt plant at PID# 40042822, north of Highway 103 and west of Little Indian Lake, Head of St. Margaret's Bay and recommends against changing the MPS and LUB as the location in question is not an appropriate site for an asphalt plant.**

**MOTION PUT AND PASSED.**

**9.1.2 Case 21213: Application for a non-substantive amendment to an existing development agreement for lands located at 285 Larry Uteck Blvd, Halifax to allow for an extension to the construction completion dates**

The following was before the Planning Advisory Committee:

- A staff memorandum dated August 23, 2017

Melissa Eavis, Planner II presented the application of Ariana Properties for a non-substantive amendment to an existing development agreement for lands located at 285 Larry Uteck Blvd, Halifax to allow for an extension to the construction completion dates.

The Committee reviewed and considered the application, with staff responding to questions. The following points were noted:

- Questions arose over the visuals of the land currently, if it is vacant and if there has been clearing or development started. Staff indicated that per Google street view there is nothing visible. There are no known developments and there are currently no permits to build on the property. To staff knowledge there have been no complaints about the curb appeal of the property in its current state.
- Concern was raised as to why the developer had not begun the building process in the past 9+ years since the Development Agreement was first issued. Staff indicated that the property has changed ownership in that time frame and the current developer needs more time to build/acquire permits, etc.
- Concern was raised that there may be complaints of unsightly premises if the development is further delayed. Staff indicated that this should be taken in to consideration when it goes before the North West Community Council.

MOVED by Councillor Blackburn, seconded by Paul Russell

**THAT the North West Planning Advisory Committee has reviewed Case 21213: Application for a non-substantive amendment to an existing development agreement for lands located at 285 Larry Uteck Blvd, Halifax to allow for an extension to the construction completion dates and recommends approving the non-substantive amendment.**

**MOTION PUT AND PASSED.**

**10. ADDED ITEMS – NONE**

**11. DATE OF NEXT MEETING – October 4, 2017** at 7:00 p.m., BMO Centre Boardroom, 60 Gary Martin Drive, Bedford

**12. ADJOURNMENT**

The meeting adjourned at 8:53 p.m.

Alanna Stockley  
Legislative Support