



**NORTH WEST COMMUNITY COUNCIL
MINUTES
December 10, 2018**

PRESENT: Councillor Matt Whitman, Chair
Councillor Lisa Blackburn, Vice Chair
Councillor Steve Streach
Councillor Steve Craig
Councillor Tim Outhit

STAFF: John Traves, Municipal Solicitor
Liam MacSween, Legislative Assistant

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.

The meeting was called to order at 7:00 p.m. and recessed at 7:25 p.m. North West Community Council reconvened at 7:30 p.m. and moved into an In Camera (In Private) session at 9:00 p.m. North West Community Council reconvened to public session at 9:14 p.m. adjourned at 9:15 p.m.

1. CALL TO ORDER

Liam MacSween, Legislative Assistant, called the meeting to order in the Youth/Senior Room, Bedford-Hammonds Plains Community Centre, 202 Innovation Drive, Bedford.

ELECTION OF CHAIR AND VICE CHAIR

Liam MacSween, Legislative Assistant, called for nominations for the position of Chair.

MOVED by Councillor Blackburn, seconded by Councillor Craig

THAT Councillor Tim Outhit be nominated as Chair of North West Community Council.

MOTION PUT AND PASSED.

MOVED by Councillor Streach, seconded by Councillor Craig

THAT Councillor Matt Whitman be nominated as Vice-Chair of North West Community Council.

MOTION PUT AND PASSED.

The Legislative Assistant called three times for further nominations, there were none. The Legislative Assistant distributed and collected ballots to the members of North West Community Council declaring Councillor Matt Whitman as Chair of North West Community Council.

Councillor Whitman called for nominations for the position of Vice Chair.

MOVED by Councillor Outhit, seconded by Councillor Streach

THAT Councillor Lisa Blackburn be nominated for the position of Vice Chair of North West Community Council.

MOTION PUT AND PASSED.

Councillor Whitman called three times for further nominations, there were none.

Councillor Lisa Blackburn was elected Vice Chair of North West Community Council.

TABLING OF 2018 ANNUAL REPORT

- **Public Participation for Annual Report**

Councillor Whitman called three times for members of the public to address North West Community Council on the 2018 Annual Report. There were no speakers present.

MOVED by Councillor Blackburn, seconded by Councillor Outhit

THAT North West Community Council accept and table the 2018 Annual Report as presented.

MOTION PUT AND PASSED.

2. APPROVAL OF MINUTES – November 5, 2018

MOVED by Councillor Blackburn, seconded by Councillor Streach

THAT the minutes of November 5, 2018 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

North West Community Council agreed by consensus to move agenda items 10.1.1, 10.1.2, 10.1.3 and 15.1.1 as the last items of business.

MOVED by Councillor Blackburn, seconded by Councillor Streach

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS

10.1 PUBLIC HEARINGS

10.1.1 Case 21406: Development Agreement for 216 Cobequid Road, Lower Sackville

The following was before Community Council:

- A staff recommendation report dated September 28, 2018.
- A Memorandum from the North West Planning Advisory Committee dated July 5, 2018
- A presentation from the applicant dated December 13, 2018
- A staff presentation dated December 13, 2018

Darrell Joudrey, Planner II provided a presentation on Case 21406: Development Agreement for 216 Cobequid Road, Lower Sackville.

In response to questions from Community Council, Jourdey provided further information respecting the requirement for Community Council to approve the fence permits over six feet in height. Joudrey clarified that Class A bicycle parking refers to protected storage units used for bicycle parking.

In response to a follow up question, Joudrey provided commentary on street walls and setbacks incorporated to enhance privacy as well as increases to underground parking spaces, and enhanced visitor parking during evenings and weekends on the ground level.

Councillor Whitman read the rules of procedure with respect to public hearings, opened the public hearing and invited the applicant to address North West Community Council.

Tom Emodi, of TEAL Architecture provided a presentation with respect to Case 21406. Emodi displayed renderings of the proposed building and noted enhancements to pedestrian and vehicular access to the site and parking and privacy measures for residents living on Malik Court such as landscaping and fencing. Emodi further advised that the number of residential units has been reduced from the original proposal of 36 to 33.

Councillor Whitman invited members of the public to address North West Community Council on Case 21406.

Walter Regan, of the Sackville Rivers Association, provided commentary with respect storm water management on site, particularly the installation of oil grit separators to protect nearby watercourses. Regan provided further commentary with respect to landscaping and pedestrian access to the building.

Chris MacPhee, of Lower Sackville, expressed concern with respect to the proposed height of the building, light pollution, and privacy for those living on Malik Court. MacPhee expressed further concern with respect to the impact of the proposed development on property values in the area.

Councillor Whitman called three times for further speakers to address North West Community Council. There were none present. Councillor Whitman invited the applicant to briefly respond to points raised during the public hearing.

Tom Emodi, on behalf of the applicant provided commentary with respect to design changes made since the Public Information Meeting to enhance the distance separation between neighbours. Emodi referenced the installation of fencing and landscaping around the property and noted that building will follow LEED principles to avoid light pollution. Emodi further advised that the height of the building is seven feet in excess of what is currently permissible on the site and that the applicant will work with neighbours to minimize public/security lighting.

MOVED by Councillor Blackburn, seconded by Councillor Craig

THAT the Public hearing close.

MOTION PUT AND PASSED.

In response to questions from Council, Joudrey advised that provisions for lot grading, landscaping and lighting has all been included in the development agreement. Joudrey further advised that discussion have been held with Halifax Water with respect to stormwater management with no issues being identified and that the necessary permits from the Department of Environment will need to be obtained.

In response to a follow up question, Jourdrey advised that the proposed building is 7.6 feet higher than what is currently permitted. Jourdrey advised that staff did not consider this to not be out of character, given the use of the street wall and transitioning height proposed by the applicant.

MOVED by Councillor Craig, seconded by Councillor Blackburn

THAT North West Community Council:

- 1. Approve the proposed development agreement, which shall be substantially of the same form asset out in Attachment A of the staff report dated September 28, 2018; and**
- 2. Require the agreement be signed by the property owner within 120 or longer if warranted 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.**

3. Approve the Fence Permit Application to construct fencing in excess of 6.5 feet in height at 216 Cobequid Road, Lower Sackville.

MOTION PUT AND PASSED.

10.1.2 Case 20757: Development Agreement for 235 Beaver Bank Road, Beaver Bank

The following was before Community Council:

- A staff recommendation report dated September 20, 2018
- A memorandum from the North West Planning Advisory Committee dated May 8, 2017

Brittney MacLean, Planner II, provided a presentation on Case 20757.

In response to questions from Community Council, MacLean provided commentary respecting the addition of a crosswalk for those who are walking to the pharmacy/doctors offices from the sidewalk for added safety. MacLean provided further commentary on the informal pathway that is located from the subject property to Haddad Court which is located on lands owned by HRM.

Councillor Whitman read the rules of procedures with respect to public hearings, opened the public hearing and invited the applicant to address North West Community Council on Case 20757.

Troy Scott, of TA architecture, on behalf of the Applicant provided an overview of the proposal for 235 Beaver Bank Road. Scott noted improvements to the design of the building and parking lot to address traffic and pedestrian safety concerns raised by the public hearing. Scott referenced the informal pathway used by local residents which is located on HRM lands and is not a part of the proposed development.

Dave Barrett, of Beaver Bank noted support for the proposed development and provided commentary with respect to the development and planning processes at HRM as well as development in the Beaver Bank area.

Walter Reagan, of the Sackville Rivers Association provided commentary on the stormwater management on site and inquired about a sedimentation erosion plan for the proposed property.

Councillor Whitman called three times for further speakers, there were none. Councillor Whitman invited the applicant to briefly respond to points raised during the public hearing. The applicant declined to speak but noted availability to answer questions.

Brittany MacLean further advised that it is the responsibility of the developer to enforce a sedimentation erosion plan for the site.

MOVED by Councillor Blackburn, seconded by Councillor Craig

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Blackburn, seconded by Councillor Craig

THAT North West Community Council:

- 1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated September 20, 2018; and**
- 2. Require the development agreement be signed by the property owner within 120 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.**

In response to questions of clarification, MacLean provided detail with respect to the hours of operation on the site, changes to signage being a non-substantive amendment and ongoing conversation between the property owners and residents to mitigate light pollution caused by the business

10.1.3 Case 21476: Substantive Amendment to a Development Agreement for 26, 51, and 56 Jacob Lane, Halifax

The following was before Community Council:

- A staff recommendation report dated September 4, 2018
- A staff presentation dated December 13, 2018
- Correspondence from Manon Gilroy dated December 3, 2018
- Correspondence from Marie Surrette dated December 5, 2018

Dean MacDougall, Planner II provided a presentation on Case 21476.

Councillor Whitman read the rules of procedures with respect to public hearings, opened the public hearing and invited the applicant to address North West Community Council on Case 21476.

Pam, of Universal Realty Group, applicant advised that the current parking situation is unsafe for motorists and pedestrians. Pam advised that the applicant is requesting an additional 57 parking stalls to accommodate the parking issues on 26, 51, and 56 Jacob Lane, Halifax.

Councillor Whitman invited members of the public to address Community Council on Case 21476. There were no speakers present.

MOVED by Councillor Outhit, seconded by Councillor Streach

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Outhit, seconded by Councillor Blackburn

THAT North West Community Council:

- 1. Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated September 4, 2018; and**
- 2. Require the agreement be signed by the property owner within 120 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.**

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARINGS – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Liam MacSween, Legislative Assistant noted correspondence received for agenda item 10.1.3 which was distributed to members of North West Community Council.

11.2 Petitions – NONE

11.3 Presentation – NONE

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 19110: Development Agreement for 592 Bedford Highway, Halifax

The following was before Community Council:

- A supplementary staff recommendation report dated October 24, 2018
- A staff recommendation report dated March 10, 2017

Andrew Bone, Planner III provided an overview of the supplementary staff report dated October 24, 2018 pertaining Case 19110.

MOVED by Councillor Outhit, seconded by Councillor Craig

THAT North West Community Council give notice of motion to consider approval of the proposed development agreement, as set out in attachment A of the staff report dated October 24, 2018 to develop a residential multi-unit building at 592 Bedford Highway, Halifax and schedule a public hearing.

MOTION PUT AND PASSED.

13.1.2 Case 21915: Non-Substantive Amendment to an existing Development Agreement for 644 Bedford Highway, Halifax

The following was before Community Council:

- A staff recommendation report dated October 24, 2018

MOVED by Councillor Outhit, seconded by Councillor Blackburn

THAT That North West Community Council:

1.Approve, by resolution, the proposed second amending development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated October 24, 2018 to extend the development commencement date and the development completion date for the proposed development at 644 Bedford Highway, Halifax; and

2.Require the second amending development agreement be signed by the property owners within 120 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.

MOTION PUT AND PASSED.

13.1.3 Case 21212: Amendments to the Planning Districts 1 & 3 (St. Margarets Bay) MPS and LUB for 8646 and 8650 Peggy's Cove Road, Indian Harbour (PID 40037327)

Stephanie Salloum, Planner II, provided a presentation with respect to Case 21212.

The following was before Community Council:

- A staff recommendation report dated November 20, 2018

MOVED by Councillor Craig, seconded by Councillor Blackburn

THAT That North West Community Council recommend that Regional Council:

- 1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Planning Districts 1 & 3 (St. Margarets Bay), as set out in Attachments A and B, of the staff report dated November 20, 2018 to accommodate resorts within the C-3 (Tourist Industry) Zone and permit a resort at 8646 and 8650 Peggys Cove Road, Indian Harbour and schedule a public hearing; and**
- 2. Approve the proposed amendments to the MPS and LUB for Planning Districts 1 & 3 (St. Margarets Bay), as set out in Attachments A and B of the staff report dated November 20, 2018.**

MOTION PUT AND PASSED.

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE)

15.1 Personnel Matter

15.1.1 Citizen Appointments to the North West Planning Advisory Committee

This matter was discussed In Camera (In private). The following motion was ratified in public session:

THAT North West Community Council:

- 1. Appoint up to four residents to the North West Planning Advisory Committee for a term to November 30, 2020 as outlined in Attachment 1 of the private and confidential staff report dated November 26, 2018.**
- 2. Nominate an alternate for first consideration when/if a vacancy occurs during the term.**
- 3. That the names of the successful appointees be released to the public following ratification and notification of the successful candidates.**
- 4. That this report not be released to the public.**

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Walter Reagan, of the Sackville Rivers Association provided commentary respecting the Sackville Rivers Flood Plains and whether they can be fully mapped.

Dave Barrett, of Beaver Bank, provided commentary with respect to HRM's Planning processes and the level of taxation in HRM.

Shawn MacIntyre, of the Hammonds Plains Community Centre, submitted and provided an overview of a proposal for the recapitalization of the Hammonds Plains Community Centre with funding from the Hammonds Plains Common Area Rate.

19. DATE OF NEXT MEETING – January 14, 2018

20. ADJOURNMENT

The meeting was adjourned at 9:15 p.m.

Liam MacSween
Legislative Assistant