



**NORTH WEST COMMUNITY COUNCIL
MINUTES
February 11, 2019**

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

REGRETS: Councillor Streach

STAFF: Duncan Read, 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 7:05 p.m. and adjourned at 8:53 p.m.

1. CALL TO ORDER

Councillor Whitman, Chair called the meeting to order in the Youth/Senior Room of the Bedford-Hammonds, Plains Community Centre, 202 Innovation Drive, Bedford.

- **Presentation to Sackville Heights Community Centre**

North West Community Council presented the Sackville Heights Community Centre with a contribution in the amount of \$60,000 from the Sackville Landfill Compensation fund to assist with accessibility improvements at the Sackville Heights Community Centre.

2. APPROVAL OF MINUTES – January 14, 2019

MOVED by Councillor Outhit, seconded by Councillor Blackburn

THAT the minutes of January 14, 2019 be approved as circulation.

MOTION PUT AND PASSED.

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

Additions: None.

MOVED by Councillor Blackburn, seconded by Councillor Outhit

THAT the agenda be approved as circulated.

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

8.1 January 14, 2019 – Hammonds Plains Common Area Rate Funding Request – Hammonds Plains Community Centre

The following was before Community Council:

- A Councillor request for consideration form from Councillor Whitman dated February 11, 2019

MOVED by Councillor Blackburn, seconded by Councillor Craig

THAT North West Community Council recommend that Halifax Regional Council request a staff report for a one time allocation of \$345,000.00 from the Hammonds Plains Common Area Rate to the Hammonds Plains Community Centre Society to recapitalize the Hammonds Plains Community Centre.

MOTION PUT AND DEFEATED.

MOVED by Councillor Blackburn, seconded by Councillor Craig

THAT North West Community Council request a staff report on providing financial support for the recapitalization of the Hammonds Plains Community Centre with funding from the Hammonds Plains Common Area Rate to be allocated as follows:

- \$75,000 in 2019/20
- \$75,000 in 2020/21.

MOTION PUT AND PASSED.

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS

10.1 PUBLIC HEARINGS

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

(i) Supplementary staff report dated October 24, 2018

(ii) Staff report dated March 10, 2017

The following was before Community Council:

- A supplementary staff recommendation report dated October 24, 2018
- A staff recommendation report dated March 10, 2017
- Correspondence received by the Municipal Clerk's Office from Eileen Westall, Dianne Andrews, and Maureen Palmetter

Andrew Bone, Planner III provided a presentation on Case 19110.

In response to a question from Community Council, Bone advised that, currently there are no plans to widen the Bedford Highway in the area near civic address 592. Bone further noted that the Integrated Mobility Plan has taken the focus out of widening streets and making the best out of existing streets, by adding additional transit and alternate transportation measures.

In response to a follow up question related to easements from neighbouring property owners required for water and storm water services, Bone advised that if approved, an evaluation of the required easement will be undertaken by staff at the time of permitting.

Councillor Whitman read the rules of procedures respecting public hearings, opened the public hearing and invited the applicant to present on Case 19110.

Eugene Pieczonka, Principal Architect with Lydon Lynch, on behalf of the applicant provided a presentation on case 19110. Highlights of the presentation include:

- Architectural considerations and designs undertaken to address concerns related to building height, massing, and scale.
- Architectural consideration given to the slope of the land to reduce impacts on shadowing and sight lines.
- The creation of landscaped areas on the subject property to enhance privacy with neighbouring properties.
- Design consideration to enhance the privacy and impact on existing properties and respect the architectural character of Bedford gained through engagement with neighbouring property owners.

Councillor Whitman invited members of the public to address Community Council on Case 19110:

Lisa Allen, of Bedford, raised concerns with respect to winter shadowing, the proposed height and massing of the building, impacts of the development on traffic and pedestrian safety, and the potential for

damage to well and septic systems on neighbouring properties caused by blasting and construction. Allen concluded by noting that the proposal could negatively impact any future planning to expand the Bedford Highway and requested that conditions be put in place to ensure that damages caused by construction be the responsibility of the developer.

Lisa of Bedford, inquired if there are stipulations put in place to ensure that the property cannot be expanded further if the application is to be approved. Lisa noted existing concerns respecting density and traffic congestion in the area.

Jennifer Nash, of CapReit Property Management raised concerns regarding the impact of the proposed development on Ocean Brook apartments, particularly on view plains and vehicular access to the Bedford Highway.

Phil Doody, of Bedford, raised concerns respecting the shadow studies that were undertaken as part of the application. Doody noted ownership of an adjacent property that will be significantly impacted by shadowing from the proposed development. Doody reiterated further points raised by previous speakers respecting the potential of damage to neighbouring properties during construction.

Lynn Allison, of Bedford, raised concerns respecting the lack of visitor parking spaces proposed for the subject property. Allison inquired if there have been studies undertaken to determine if and where additional parking spaced can be included to enhance vehicular and pedestrian safety.

Councillor Whitman called three times for further speakers; there were none present.

Councillor Whitman invited the applicant to respond to questions raised by the public.

In response to points raised during the public hearing, **Pieczonka** noted that the applicant has been in discussions with CapReit Property Management and have shared information regarding the proposed height and design of the meeting. Pieczonka further noted that there is an existing easement in place with CapReit for the temporary construction of the building, if approved. Pieczonka advised of a great deal of collaboration and engagement that was undertaken with neighbouring property owners to address issues related to the proposal of the sight including the impact on views and shadowing. Pieczonka concluded by noting that the applicant has accomodated as much visitor parking as possible on the subject property.

MOVED by Councillor Outhit, seconded by Councillor Blackburn

THAT the public hearing close.

MOTION PUT AND PASSED.

MOVED by Councillor Outhit, 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 October 24, 2018; and**
- 2. Require that the proposed 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 or any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder will be at an end.**

In response to questions from Council and points raised during the public hearing, Andrew Bone noted that the proposal submitted by the applicant meets the requirements of the Land Use By-law regarding visitor parking.

Bone displayed graphical representations of the shadowing study advising that the building will cast shadows on two residential properties for a good portion of the day in the winter. Bone advised that the shadowing will be less prevalent in spring and summer months, showing examples listed in the presentation.

With respect to issues related to blasting, Bone advised that blasting impacts will be mitigated under HRM's Blasting By-law which sets out the requirements to conduct blasting in HRM. Bone advised that a blasting survey and management plan must be submitted by the developer at the time of permitting and stipulates that the developer is liable for any damages to neighbouring properties resulting from blasting activities. If approved, Bone encouraged neighbouring property owners to allow representatives from a blasting survey company access to their property so that the proper information can be recorded prior to construction.

With respect to Access and Traffic concerns, Bone advised that the application has been reviewed by HRM traffic services.

With respect to concerns related to the future expansion of the site, Bone advised that planning policy allows for the consideration of expansion in the future, but it will be at Council's discretion as to what would be allowed on the site per the development agreement process. Bone advised that adding to the building in the future would be difficult, given the challenges of the site related to slope and grading. Bone concluded by noting that further expansion of the subject property is subject to another development application.

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARINGS – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Liam MacSween, Legislative Assistant noted Liam correspondence received for agenda item 10.1.1 which was distributed to members of North West Community Council.

11.2 Petitions – NONE

11.3 Presentation

11.3.1 Margo Riebe-Butt, Executive Director, Nourish Nova Scotia re: advocacy work within the community, and how municipalities in other jurisdictions support school food programs and initiatives

The following was before Community Council:

- A presentation from Nourish Nova Scotia dated February 11, 2019

Margo Riebe-Butt, Executive Director, Nourish Nova Scotia provided a presentation on Nourish Nova Scotia's advocacy work for a universal healthy school food program and food literacy initiatives.

In response to questions from Community Council, Reibe-Butt, provided clarification on the following:

- Partnership opportunities with the Halifax Regional Municipality, and other municipalities to support Nourish Nova Scotia's programs and initiatives.
- Councillor support in gaining signatures for Petition E-1957 which seeks Federal investment to implement an adequately-funded cost shared universal healthy school food program
- Public Engagement support from members of Council respecting the National School Food Program resolution adopted by the Federation of Canadian Municipalities (FCM) March 2018.

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS – NONE

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE)

15.1 Personnel Matter

15.1.1 Citizen Nominations to Regional Watersheds Advisory Board

The following was before Community Council:

- A private and confidential staff report dated January 31, 2019.

The following motion was passed in public session:

MOVED by Councillor Craig, seconded by Councillor Outhit

THAT North West Community Council recommend to Regional Council:

- 1. Proceed to nominate one North West Community Council representative to the Regional Watersheds Advisory Board for consideration by Regional Council for a term to November 30, 2020 as outlined in attachment 1 of the private and confidential staff report dated January 31, 2019;**
- 2. That the name of the successful appointee be released to the public following ratification and notification of applicants; and**
- 3. That this report not be released to the public.**

MOTION PUT AND PASSED.

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Public participation held and closed. There were no speakers present.

19. DATE OF NEXT MEETING – March 11, 2019

20. ADJOURNMENT

The meeting was adjourned at 8:53 p.m.

Liam MacSween
Legislative Assistant