



**NORTH WEST COMMUNITY COUNCIL
SPECIAL MEETING
January 11, 2021**

PRESENT: Councillor Paul Russell, Chair
Councillor Lisa Blackburn, Vice Chair
Deputy Mayor Tim Outhit
Councillor Cathy Deagle-Gammon
Councillor Pam Lovelace

STAFF: Roxanne Maclaurin, Solicitor
Andrea Lovasi-Wood, Legislative Assistant
Alicia Wall, 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.

The meeting was called to order at 7:00 p.m., and Community Council adjourned at 8:16 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m.

2. APPROVAL OF MINUTES – December 14, 2020

MOVED by Councillor Blackburn, seconded by Deputy Mayor Outhit

THAT the minutes of December 14, 2020 be approved as circulated.

MOTION PUT AND PASSED.

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

MOVED by Councillor Lovelace, seconded by Deputy Mayor 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 - 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 22865: Rezoning Application, PID 41489048, Sackville Drive, Middle Sackville

The following was before Community Council:

- A staff recommendation report dated August 13, 2020
- Correspondence from Kevin Spears.

Brittney MacLean, Planner II, Urban Enabled Applications, presented case 22865. A rezoning of the lands from R-6 (Rural Residential) to R-4 (Multiple Unit Dwelling) is being requested to enable the construction of a 4-unit, townhouse style multi-unit dwelling. The surrounding area contains a mixture of commercial and residential uses with access to the site off Sackville Drive. The site is currently vacant, and Halifax Water has confirmed the maximum capacity is 4 units.

Public engagement was achieved through a webpage which received 86 views, signage on the site and 40 mailouts, to which no emails or calls were received. The North West Planning Advisory Committee recommended that Community Council approve the application. A copy of the staff presentation is on file.

The Chair opened the Public Hearing and invited the applicant to come forward and address Community Council.

Jess Harper, WSP Canada Inc., on behalf of the applicant, presented to Community Council. The applicant is proposing a 4-unit, townhouse style multi-unit dwelling with separate entrances and outdoor amenity space. It was noted the proposed development is located on a Transit route, has access to bike lanes and is close to neighborhood amenities.

Community Council sought clarification on the driveway to the development to ensure it will be considered a driveway and not a private road, as well as the rationale for Halifax Water choosing a 4-unit capacity. Inquiries were also made regarding the accessibility of the units.

In response to Community Council, staff confirmed that it will be a driveway and not a private road and that Halifax Water did not provide a lot of information other than the wastewater management would hold a capacity of 4 units.

Jess Harper indicated she would pass along the accessibility point to the property owner and that the details of the interior design have not been worked out yet.

MOVED by Deputy Mayor Outhit, seconded by Councillor Lovelace

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Blackburn, seconded by Councillor Deagle-Gammon

That North West Community Council adopt the amendment to the Land Use By-law for Sackville, as set out in Attachment A of the staff recommendations report dated August 13, 2020.

MOTION PUT AND PASSED.

10.1.2 Case 21863: Development Agreement at Wilson Lake Drive and Sackville Drive, Middle Sackville

The following was before Community Council:

- A staff recommendation report dated September 20, 2020
- Correspondence from Luc and Valerie Leblanc.

Paul Sampson, Planner II, Urban Enabled Applications, presented case 21863. The proposal is for a development agreement to enable a 7-unit, townhouse style multi-unit dwelling. The site is about 1.5 acres in size, has driveway access off Wilson lake and has water and sewer connection off Sackville Drive. The owner has owned the property for about 30 years, and it is currently vacant. Halifax Water indicated that site has a 7-unit capacity. The site is designated Urban Residential (UR) and zoned Rural Residential (R-6). The surrounding neighborhood consists of commercial and residential uses.

Public engagement was achieved through a Public Information Meeting which had 12 attendees, a webpage and onsite signage. Feedback from the public included traffic concerns, rental versus owner occupied units, environmental and stormwater impacts, as well as the appearance of the building.

The North West Planning Advisory Committee recommended that Community Council approve the application with consideration given to separate exit and enter driveways. A copy of the staff presentation is on file.

The Community Council made inquiries as to the status of traffic lights at the intersection of Wilson Lake Drive and Sackville Drive and whether or not blasting would occur as part of the construction.

Staff indicated that this particular proposal would not warrant new traffic lights.

Walid Jreige, applicant confirmed that no blasting would take place during construction.

The Chair opened the Public Hearing and invited the applicant to come forward and address Community Council.

The applicant did not wish to address Community Council but indicated availability for questions of clarification.

The Chair reviewed the rules of procedure for public hearings and called for the registered speaker.

Melissa Boland, Middle Sackville, expressed concerns around the volume of traffic, previous bikeway interruptions as a result of construction and the environmental impacts. Boland agrees with the recommendation of the North West Planning Advisory Committee regarding separate driveways, one for entry and second for exit. Inquiries were made as to who would maintain the tree buffers and amenity spaces.

In response to the speaker, staff indicated that Council could write one-way driveways into the development agreement and signage could be used to enforce it. Maintenance of the grounds could also be written into the development agreement. HRM cannot control whether the units are rented versus owner occupied. It was further noted that the development engineer has reviewed the application and did not identify any negative impacts on traffic. It was also noted that driveway locations are looked at more closely during the permitting stage.

MOVED by Deputy Mayor Outhit, seconded by Councillor Lovelace

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Blackburn, seconded by Councillor Lovelace

That North West Community Council:

- 1. Amend the proposed development agreement to include a substantive amendment requiring that there be two one-way driveways to access the property, specifically an entrance only driveway and an exit only driveway.**
- 2. Approve the amended development agreement, which shall be substantially of the same form as set out in Attachment A of the staff recommendation report dated September 30, 2020; and**
- 3. Require the agreement be signed by the property owner within 240 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.**

Maggie Holm, Principal Planner, suggested that Community Council decide whether including the requirement for one-way driveways would be considered a non-substantive amendment or a substantive amendment.

Community Council agreed that changing the requirement for one-way driveways should be considered a substantive amendment.

Roxanne MacLaurin, Solicitor advised Community Council that in order to pass a motion to amend the development agreement that the applicant must first agree to the amendment. MacLaurin also advised that it was not necessary to re-open the public hearing to request that the applicant agree to the proposed amendment to the development agreement.

Walid Jreige, applicant, confirmed their agreement to the proposed amendment to the development agreement.

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARINGS - NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted that correspondence was received for items 10.1.1 and 10.1.2. This correspondence was circulated to the Committee.

For a detailed list of correspondence received refer to the specific agenda item.

11.2 Petitions – none

11.3 Presentations - none

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS - NONE

13.1 STAFF - NONE

13.2 MEMBERS OF NORTH WEST COMMUNITY COUNCIL - NONE

14. MOTIONS - NONE

15. IN CAMERA (IN PRIVATE) – NONE

15.1 Approval of In Camera (In Private) Minutes – December 14, 2020

This matter was dealt with in public session. The following motion was passed:

MOVED by Councillor Blackburn, seconded by Councillor Lovelace

That North West Community Council approve the In Camera (In Private) Minutes of December 14, 2020 as circulated.

MOTION PUT AND PASSED.

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION - NONE

18. DATE OF NEXT MEETING – February 8, 2021

19. ADJOURNMENT

The meeting was adjourned at 8:16 p.m.

Alicia Wall
Legislative Support