



**NORTH WEST COMMUNITY COUNCIL
SPECIAL MEETING
May 10, 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
Liam MacSween, 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 7:02 p.m., and recessed at 7:24 p.m. Community Council reconvened in at 7:30 p.m. and adjourned at 9:38 p.m.

1. CALL TO ORDER

Councillor Russell, Chair called the meeting to order at 7:02 p.m.

2. APPROVAL OF MINUTES – April 12, 2021 and April 14, 2021 Joint Halifax and West & North West Community Councils Special Meeting

MOVED by Councillor Deagle-Gammon, seconded by Councillor Blackburn

THAT the minutes of April 12, 2021 and April 14, 2021 Joint Halifax and West & North West Community Councils Special Meeting be approved as circulated.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS

Additions: None

Deletions: None

MOVED by Councillor Blackburn, 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 – 7:00 p.m.

Councillor Russell stepped down from the Chair and Councillor Blackburn assumed the Chair.

10.1.1 Case 22703: Amendments to Development Agreement for Lands on Walker Service Road, Lower Sackville

The following was before Community Council:

- A staff recommendation report dated February 12, 2021
- A staff presentation dated May 10, 2021
- A memorandum from the North West Planning Advisory Committee dated November 4, 2020
- Correspondence from H and B Cameron

Paul Sampson, Planner II presented Case 22703: Amendments to Development Agreement for Lands on

Walker Service Road, Lower Sackville. The application is to amend an existing development agreement on four parcels of land on Walker Service Road, Lower Sackville to change from one multi-unit residential building with 52 units and 34 townhouse units on a new public street to two 56-unit apartment buildings and two single-unit dwellings, for a total of 114 units on the site. A copy of the staff presentation is on file.

Due to technical difficulties experienced by a registered speaker, North West Community Council took a break at 7:24 p.m. North West Community Council reconvened at 7:30 p.m. and conducted other business until the registered speaker was able to fully re-join the virtual meeting. North West Community Council resumed discussion of this matter at 7:44 p.m. with Sampson providing a recap of the staff presentation for Case 22703.

In response to questions from Community Council, Sampson noted the requirements for the developer to enter into an agreement with Halifax Water prior to construction that will connect the subject property to the existing sewer and water services located on Old Sackville Road. Sampson also clarified that the existing development agreement includes multiple townhouse lots which triggers the requirement for a public parkland component under HRM's Subdivision By-law. Sampson explained that the proposed amendments do not include multiple town house lots and that if the proposed amendments are approved, a public parkland component for the subject property is not legislatively required.

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

Cesar Saleh, Vice President of Planning and Design, WM Fares Group, spoke on behalf of the applicant. Saleh provided an overview of the application and noted that the amendments are being proposed primarily for project viability. Saleh commented on the extensive public engagement and planning process which has been ongoing since 2012. Saleh advised Community Council of various elements of the proposed amendments to the existing development agreement and their benefits. Saleh commented that the proposed amendments provide more open space, larger setbacks from the property lines and better street appeal than the original proposal.

Saleh also commented that the amended proposal will result in a shorter build out time and advised that the concerns raised by the public respecting traffic have been addressed and approved by HRM's Traffic Engineering group. Saleh clarified that although the amended proposal does not require a public parkland component, the applicant is in negotiations with HRM to provide a parcel of land on site for future park purposes. With respect to concerns raised by the public relating to the impact of the development on the Sackville River, Saleh explained that the proposed development agreement requires clear erosion and sedimentation measures.

In response to follow up questions from Community Council, Saleh advised that compounding cost effects contributed to the change in proposal for the project. Saleh also commented on the provisioning of water and sewer services to the subject property.

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

Chris Rendell, of Lower Sackville, expressed concerns that the new proposal does not fit in with the existing neighbourhood which is predominantly made up of single-family homes. Rendell commented that the original plan reflected the area better as the town house units are similar to the surrounding uses in the community and helped buffer the impact of the larger multi-unit dwelling.

There were no further registered speakers. The Chair invited the applicant to respond to points raised by the public.

Cesar Saleh noted their opinion that the planning process was open and comprehensive and that many of the concerns raised by the community are addressed in the proposal. Saleh noted their position that the amended proposal will be a welcome addition to the community, particularly as it will result in less disruption in construction time and a more environmentally sound development.

MOVED by Councillor Russell, seconded by Councillor Lovelace

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Russell, seconded by Councillor Lovelace

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 February 12, 2021; and**
- 2. Require the amending development 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.**

North West Community Council expressed concerns with the amendments to the existing development agreement as the construction of two multi-unit buildings and the loss of public parkland creates issues with respect to the setback of the proposed multi-unit buildings resulting in a lack of buffering and visual screening of the multi-unit dwellings from Walker Service Road and the rest of the community. Additional concerns were expressed that the two multi-unit buildings will not fit with the character of the neighbourhood which does not currently include an apartment building and that the scale of the multi-unit buildings is not in keeping with the surrounding residential community of single-unit dwellings.

MOTION PUT AND DEFEATED.

Councillor Russell reassumed the position of Chair.

10.1.2 Case 21355: Development Agreement for a Residential Subdivision between Lively Road and Wilson Lake Drive, Middle Sackville

The following was before Community Council:

- A staff recommendation report dated March 4, 2021
- A staff presentation dated May 10, 2021
- An applicant presentation dated May 10, 2021
- A memorandum from the North West Planning Advisory Committee dated June 26, 2020
- Correspondence from David Clement, Scott Fraser

Stephanie Salloum, Planner III presented Case 21355: Development Agreement for a Residential Subdivision between Lively Road and Wilson Lake Drive, Middle Sackville. The application is for a development agreement to allow a residential development on PID 41071069 located between Lively Road and Wilson Lake Drive in Middle Sackville. A residential subdivision may be considered on the lands by development agreement under policy SU-6 of the Regional Plan. A copy of the staff presentation is on file.

In response to questions from Community Council, Salloum noted that Traffic and Engineering staff have reviewed the site and Wilson Lake Drive is not preferred for traffic lights. Salloum noted public concerns that traffic lights at this location will cause queuing and spilling into the roundabout at Margeson Drive. For this reason, the preferred placement of traffic lights is at Lively Road as it will not divert traffic from the proposed subdivision on to Wilson Lake Road. Salloum also advised that Level one and two provincial environmental impact studies have been completed as part of the application. Further Salloum noted that the subject property is located entirely within the Municipal Service boundary and is fully serviced with water and sewer.

Responding to a follow up question Salloum advised that the proposed non-substantive amendments are listed as such because the applicant is not changing the number of units, nor are they proposing changes to the size of the lots. Salloum further advised that the adjacent lot is owned by the applicant.

MOVED by Deputy Mayor Outhit, seconded by Councillor Blackburn

THAT North West Community Council extend the virtual meeting past 9:00 p.m.

MOTION PUT AND PASSED.

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

Marc Ouellet, Director of Planning, Armco, spoke on behalf of the applicant and provided a presentation on Case 21355. A copy of the presentation is on file. Ouellet provided an overview of the application highlighting that the proposal contains no apartment buildings, maintains tree buffering between existing and new houses, addresses water quality concerns through adherence to relevant provincial and municipal environmental regulations. Ouellet provided commentary with respect to a shortage of housing inventory in HRM and gave an overview of the traffic measures put in place to address the concerns raised by the public regarding traffic in the surrounding area.

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

Melissa Boland, of Berry Hill Subdivision, noted concern with traffic and pedestrian safety due to the development. Boland disagreed with the decision to not install traffic signals at Wilson Lake Road noting concerns with making left hand turns onto Sackville Drive. Boland also stated concerns regarding the negative impacts of construction related traffic. Boland made several inquiries regarding possible solutions to their traffic concerns. Boland also made inquiries about the impact on water quality/flow for residents who are on wells during construction of the project.

There were no further registered speakers. The Chair invited the applicant to respond to points raised by the public.

Ouellet noted that there is no anticipated impact on property owners who use wells due to the construction of the project and advised of municipal and provincial pre-blast surveys which need to be completed to ensure that there is recourse and protection for homeowners if there is damage caused to wells or property due to construction.

Dave McCusker, Senior Transportation Engineer, WSP Canada, also spoke on behalf of the applicant, and clarified that there is no traffic signalization proposed on Wilson Lake Drive as it will cause backups at the Margeson Drive roundabout due to a fairly steady stream of traffic on Trunk 1. McCusker noted that the engineering assessment concluded that many drivers would use the signalization at Lively Road as opposed to making a left turn on Sackville Drive as it is the easier route to take.

Stephanie Salloum clarified that there are several HRM By-laws that regulate construction activities and aim to protect private property owners and their wells from potential damage caused by construction. Salloum further advised that the proposed traffic lights at Lively Road will also contribute to pedestrian safety in the area.

MOVED by Deputy Mayor Outhit, seconded by Councillor Deagle-Gammon

THAT the public hearing be closed.

MOTION PUT AND PASSED.

MOVED by Councillor Blackburn, seconded by Councillor Lovelace

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 in the staff report dated March 4, 2021; and**
- 2. 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.**

Responding to questions from Community Council, Salloum advised of HRM's traffic calming program and texts within the development agreement related to speed limits and road design.

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARING – NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

The Legislative Assistant noted that correspondence was received for items: 10.1.1, 10.1.2 and 18. 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 Presentation – NONE

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 23061: Development Agreement for an outdoor dog run at Lot 2 Glen Arbour Way (PID 41480120), Hammonds Plains

The following was before Community Council:

- A staff recommendation report dated March 29, 2021

MOVED by Councillor Lovelace, seconded by Deputy Mayor Outhit

THAT North West Community Council give First Reading to consider the proposed development agreement, as set out in Attachment A of the staff report dated March 29, 2021, to enable an outdoor dog run (kennel) at Lot 2 Glen Arbour Way (PID 41480120), Hammonds Plains, and schedule a public hearing.

MOTION PUT AND PASSED.

13.1.2 Case 22726: Amendments to the Bedford Municipal Planning Strategy Land Use By-law for 16 Rutledge Street, Bedford

The following was before Community Council:

- A staff recommendation report dated April 6, 2021
- A memorandum from the North West Planning Advisory Committee dated February 8, 2021

MOVED by Councillor Outhit, seconded by Councillor Lovelace

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 Bedford, as set out in Attachments A and B of the staff report dated April 6, 2021 to change 16 Rutledge Street from the Residential Two Unit Zone to the Residential Multiple Unit Zone, and schedule a public hearing; and**
- 2. Adopt the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Bedford, as set out in Attachments A and B of the staff report dated April 6, 2021.**

MOTION PUT AND PASSED.

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION – NONE

18. PUBLIC PARTICIPATION

Jacqueline Scott was a registered speaker for public participation and submitted correspondence but was not available for the meeting.

19. DATE OF NEXT MEETING – June 14, 2021

20. ADJOURNMENT

The meeting was adjourned at 9:28 p.m.

Liam MacSween
Legislative Support