



**NORTH WEST COMMUNITY COUNCIL
SPECIAL MEETING
MINUTES
July 12, 2021**

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

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 7:01 p.m. and adjourned at 8:52 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:01 p.m.

2. APPROVAL OF MINUTES – June 14, 2021

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT the minutes of June 14, 2021 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: none

Deletions: none

Community Council agreed to consider the agenda items in the following order: items 1-7, item 10, item 18, item 11, item 8-9 and items 12-20.

MOVED by Councillor Deagle Gammon, seconded by Councillor Lovelace

THAT the Order of Business 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

8.1 Staff Presentation – Draft Regional Centre Secondary Municipal Planning Strategy (RCMPS) and Land Use By-law (RCLUB) Review

The following was before Community Council:

- Staff presentation dated July 12, 2021

Ben Sivak, Program Manager, Community Policy, gave a presentation on Centre Plan Package B and responded to questions of clarification from North West Community Council.

A copy of the staff presentation is on file.

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS

10.1 PUBLIC HEARINGS – 6:00 p.m.

10.1.1 Case 22980: Development Agreement for 112 Ledgegate Lane, Bedford

The following was before Community Council:

- A staff recommendation report dated May 6, 2021
- Staff presentation dated July 12, 2021
- Applicant presentation dated July 12, 2021
- A memorandum from North West Planning Advisory Committee dated February 8, 2021
- Correspondence from Stephanie Mah

Jamy Ellen Klenavic, Planner III, Rural Policy & Applications, presented Case 22980: Development Agreement for 112 Ledgegate Lane, Bedford requesting an amendment to the existing development agreement including the substitution of one of the apartment buildings for 21 townhouses, amending the design requirements to remove the requirement for individual garages, and to allow a reduction in the minimum permitted width from 20 feet to 16 feet per townhouse. The site is currently vacant and zoned Bedford West Comprehensive Development District (BWCDD).

A Public Information Meeting was held on December 10, 2020 to which five people attended. The application was before the North West Planning Advisory Committee on January 6, 2021 and approval was recommended with consideration given to retaining as many trees as possible. 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.

Stephanie Mah, of Clayton Developments, spoke on behalf of the applicant, West Bedford Holdings Limited, and responded to questions of clarification from North West Community Council. A copy of the applicant's presentation is on file.

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

There were no registered speakers.

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

THAT the public hearing be closed.

MOTION PUT AND PASSED.

Klenavic responded to questions of clarification from North West Community Council.

MOVED by Deputy Mayor Outhit, 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 of the staff report dated May 6, 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.**

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARINGS

10.2.1 Case 23033: Appeal of Variance Refusal – 14 Wardour Street, Bedford

The following was before Community Council:

- A staff recommendation report dated June 1, 2021
- Staff presentation dated July 12, 2021
- Property owner presentation dated July 12, 2021
- Correspondence from E.A. Nelson Blackburn, Aaron Everett and Sarah Everett, Ryan Chisholm and Ba Chisholm
- Petition from residents neighbouring 14 Wardour Street, Bedford

Sean Audas, Development Officer, presented Case 23033: Appeal of Variance Refusal – 14 Wardour Street, Bedford. The property is zoned Residential Single Dwelling Unit (RSU) and contains an existing single-family home. The appellant is seeking a variance for a deck that is already built. A copy of the staff presentation is on file.

The Chair reviewed the rules of procedure for variance hearings and the Chair invited the appellant to come forward and address Community Council.

Jessica Cesa and Erik Mont, Property Owners, presented to Community Council and indicated that they purchased the property in 2012 and had the deck constructed in 2014. The property owners indicated that when the deck was constructed, they were advised by their contractor that a permit was not required as it was an addition to an existing structure. The property owners acknowledged that the mistake of not obtaining a permit was unintentional. A copy of the property owners' presentation is on file.

MOVED by Councillor Blackburn, seconded by Deputy Mayor Outhit

THAT the variance hearing close.

MOVED by Deputy Mayor Outhit, seconded by Councillor Lovelace

THAT North West Community Council allow the appeal.

The Community Council noted that there is neighborhood support to allow this variance and that the deck was built in good faith.

MOTION PUT AND PASSED.

Decision of the Development Officer overturned.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence

Correspondence was received and circulated for items: 10.1.1, 10.2.1, 13.1.2.

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

11.2 Petitions

The Clerk's Office submitted a petition from neighbours of 14 Wardour Street regarding Case 23033 with approximately 13 signatures requesting North West Community Council allow the property owners' appeal of the variance refusal.

11.3 Presentations

11.3.1 Introduction to the Urban Development Institute

The following was before Community Council:

- Presentation dated July 12, 2021

Stephen Adams, Executive Director of the Urban Development Institute of Nova Scotia gave a presentation introducing the Urban Development Institute of Nova Scotia and responded to questions of clarification from North West Community Council. A copy of the presentation is on file.

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS

13.1 STAFF

13.1.1 Case 23247: Measurement of Building Height under the Sackville Drive Land Use By-law

The following was before Community Council:

- A staff recommendation report dated June 2, 2021
- Staff presentation dated July 12, 2021

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

Brittney MacLean, Planner II, Urban Enabled Applications, gave a presentation on Case 23247: Measurement of Building Height under the Sackville Drive Land Use By-law and responded to questions of clarification from North West Community Council.

A copy of the staff presentation is on file.

MOVED by Councillor Russell, seconded by Deputy Mayor Outhit

THAT North West Community Council direct staff to commence the planning process to amend the Sackville Drive Land Use By-law to allow for the height of a building to be based on the mean grade of the building, not the lowest grade of the curb.

MOTION PUT AND PASSED.

Councillor Russell resumed the Chair.

13.1.2 Case 23617: Upper Hammonds Plains Land Use Designation Review

The following was before Community Council:

- A staff recommendation report dated June 17, 2021
- Staff presentation dated July 12, 2021
- Correspondence from Melisa Marsman, Vanessa Jackson

Peter Nightingale, Planner II, Rural Policy and Applications, presented Case 23617: Upper Hammonds Plains Land Use Designation Review and responded to questions of clarification from North West Community Council.

A copy of the staff presentation is on file.

MOVED by Councillor Lovelace, seconded by Deputy Mayor Outhit

THAT North West Community Council recommend that Regional Council:

- 1. Initiate a process to review and amend the land use polices and regulations under the Upper Hammonds Plains Land Use Designation within the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville; and any other planning documents as necessary to mitigate conflict between allowable uses in the area; and**
- 2. Follow the public participation program for municipal planning strategy amendments as approved by Regional Council on February 27, 1997.**

MOTION PUT AND PASSED.

13.2 MEMBERS OF NORTH WEST COMMUNITY COUNCIL – NONE

14. MOTIONS – NONE

15. IN CAMERA (IN PRIVATE) – NONE

16. ADDED ITEMS – NONE

17. NOTICES OF MOTION - NONE

18. PUBLIC PARTICIPATION

Curtis Whiley, of Upper Hammonds Plains, of the Upper Hammonds Plains Strategic Initiatives Committee, spoke regarding Case 23617: Upper Hammonds Plains Land Use Designation Review. Whiley indicated that work is being done to preserve the heritage of the community and encourage development that benefits members of the African Nova Scotian community. A community land trust is being developed to purchase and preserve land. Current development is having negative impacts on the community and is being performed without any community engagement.

Gina Jones-Wilson, of Upper Hammonds Plains, is the president of the Upper Hammonds Plains Community Development Association spoke regarding Case 23617: Upper Hammonds Plains Land Use Designation Review. Jones-Wilson expressed concerns around General Use (GU-1) zoning in Upper Hammonds Plains and the lack of consultation with the community with respect to new development.

Brandon David, of Upper Hammonds Plains, also spoke regarding Case 23617: Upper Hammonds Plains Land Use Designation Review. David feels that GU-1 zoning is good, but it needs some restrictions such as buffers between residential and commercial uses.

Vanessa Jackson, of Upper Hammonds Plains, also spoke regarding Case 23617: Upper Hammonds Plains Land Use Designation Review. Jackson stated that mixed use zones as well residential zones may be better suited for the community as opposed to just GU-1 zoning. Jackson also noted that the Upper Hammonds Plains Community Development Association should be consulted with respect to new development in the community.

19. DATE OF NEXT MEETING – August 9, 2021

20. ADJOURNMENT

The meeting was adjourned at 8:52 p.m.

Alicia Wall
Legislative Support