



**NORTH WEST COMMUNITY COUNCIL  
MINUTES  
December 13, 2021**

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

STAFF: Donna Boutilier, 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](http://halifax.ca).*

*The meeting was called to order at 6:01 p.m. and recessed at 9:15 p.m. Community Council reconvened at 9:22 p.m. and adjourned at 9:39 p.m.*

## **1. CALL TO ORDER**

The Chair called the meeting to order at 6:01 p.m.

### **1.1 ELECTION OF CHAIR AND VICE CHAIR**

Andrea Lovasi-Wood, Legislative Assistant called for nominations for the position of Chair of North West Community Council.

MOVED by Councillor Outhit, seconded by Councillor Blackburn

**THAT Councillor Paul Russell be nominated as Chair of North West Community Council.**

**MOTION PUT AND PASSED.**

Andrea Lovasi-Wood called three times for further nominations. There were none.

MOVED by Councillor Outhit, seconded by Councillor Blackburn

**THAT nominations for the position of Chair close.**

**MOTION PUT AND PASSED.**

Councillor Russell was acclaimed as Chair of North West Community Council.

The Chair called for nominations for the position of Vice Chair of North West Community Council.

MOVED by Councillor Blackburn, seconded by Councillor Outhit

**THAT Deputy Mayor Lovelace be nominated as Vice Chair of North West Community Council.**

**MOTION PUT AND PASSED.**

The Chair called three times for further nominations. There were none

MOVED by Councillor Deagle Gammon, seconded by Councillor Blackburn

**THAT nominations for the position of Vice Chair close.**

**MOTION PUT AND PASSED**

Deputy Mayor Lovelace was acclaimed as Vice Chair of North West Community Council.

### **1.2 TABLING OF 2021 ANNUAL REPORT**

The following was before Community Council

- A staff recommendation report dated December 8, 2021

#### **• Public Participation for Annual Report**

There were no speakers registered to address North West Community Council on the 2021 Annual Report.

MOVED by Deputy Mayor Lovelace, seconded by Councillor Deagle Gammon

**THAT North West Community Council accept the 2021 Annual Report as presented.**

**MOTION PUT AND PASSED.**

**2. APPROVAL OF MINUTES – October 4, 2021, November 8, 2021, and November 17, 2021 (Special)**

MOVED by Councillor Deagle Gammon, seconded by Councillor Outhit

**THAT the minutes of October 4, 2021, November 8, 2021, and November 17, 2021 (Special) 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

North West Community Council agreed by consensus to rearrange the order of business as follows to deal with the following agenda items immediately after the scheduled public hearings (items 10.1.1 and 10.1.2):

- Item 13.1.6 Review of Proposed North West Community Council 2022 Meeting Schedule
- Item 13.1.2 Case 21639 - Phase 1: Amendments to the Regional Subdivision By-law to remove Growth Management Area Policies from portions of the Indigo Shores Subdivision, Middle Sackville
- Item 13.1.5 Case 22670: MPS and LUB amendments to allow for industrial and highway commercial uses on the Conrad Quarry Lands, Montague Gold Mines and Waverley
- Item 13.1.1 Case 23662: Amendments to Development Agreement for lands at Walker Service Road, Lower Sackville
- Item 13.1.3 Case 22218: Development Agreement for 32 Dutch Settlement Road, Lantz
- Item 13.1.4 Case 23532: Discharging Agreement and Amending Development Agreement for 636 Bedford Highway

MOVED by Councillor Outhit, seconded by Councillor Deagle Gammon

**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 20110: Rezoning and Development Agreement for an Open Space Design Development along Windgate Drive, Beaver Bank**

The following was before Community Council:

- A staff recommendation report dated October 5, 2021
- A staff presentation dated December 13, 2021
- A presentation from the applicant dated December 13, 2021
- A Memorandum from the North West Planning Advisory Committee dated July 16, 2020
- Correspondence from Sheldon and Valerie Benoit; Karen Marquis and Ralph Zinck; Joel Irvine; Trevor Cloney; Christine Elliott and Thomas Deal; Allison Legere and Jason Finlayson; Delvin Kowalski; Cynthia Nelson; Scott Meek; Cheryl Schurman and J.C MacFarlane, D.A. Blanche and Katherine McKee-Blanchem and Lori Purcell; Alan Joyce; Keith and Alice Hickey

Thea Langille, Principal Planner presented on Case 20110: Rezoning and Development Agreement for an Open Space Design Development along Windgate Drive, Beaver Bank. A copy of the staff presentation is on file.

Langille responded to questions of clarification from North West Community Council respecting the proposed 60/40 split for residential and parkland development, the required zoning changes to permit seniors housing, waste and storm water management requirements, and the traffic analysis conducted by HRM staff and the applicant.

In response to a follow up question, Langille provided further context related to the responsibility of the Condominium Corporation to manage the wastewater treatment plant under provincial regulations.

The Chair opened the public hearing and invited the applicant to address North West Community Council.

The hearing opened at 6:51 p.m.

**Jess Harper of WSP**, spoke on behalf of the applicant, Marque Investments. A copy of the applicant's presentation is on file.

Harper responded to questions of clarification from North West Community Council in relation to the conceptual locations for the townhouse and multiunit dwellings and the most recent addendums submitted to HRM Traffic services in 2020.

Responding to a question of clarification from Community Council, **Andrew Rodgers**, of Marque Investments, provided details respecting barrier free designs for the senior citizen units and building code requirements for seniors housing. Rogers provided further detail respecting the onsite septic systems to be incorporated within the development as opposed to a larger septic plant.

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

**Trevor Cloney, of Windsor Junction** raised concerns with the proposal's impact on traffic, particularly on Beaver Bank Road and Wingate Drive. Cloney expressed further concern that traffic will increase in the Capilano Estates subdivision on Elise Victoria Drive citing pedestrian and resident safety concerns.

**Sheldon Benoit, of Windsor Junction** raised concerns with respect to traffic and the impact of the proposed development on Capilano Estates which could cause issues with respect to speeding and short cutting.

**Lisa Frye, of District 1** reiterated the points raised by previous speakers respecting the impact of the development on traffic particularly for Capilano Estates. Frye raised further concerns with respect to the impact of the development on the character of the existing neighbourhood and home property values.

**Karen Marquis, of Capilano Estates** reiterated the points raised by previous speakers respecting the impact the proposed development will have on the character of the neighbourhood. Marquis noted that the proposal should incorporate larger lots with individual home owned septic systems.

**Sue Robb, of Capilano Estates** reiterated points raised by previous speakers related to the volume of traffic and the development not fitting in with the existing character of the area.

**Luke DeWitt, of Capilano Estates** reiterated points raised by previous speakers related to traffic and pedestrian safety.

**Amanda Nicholson, of Capilano Estates** reiterated points raised by previous speakers related to traffic and pedestrian safety.

There were no further speakers registered to speak on Case 20110. The Chair invited the applicant to briefly respond to points raised during the public hearing.

**Andrew Rodgers** advised that the traffic generated by the development will not be borne solely by those in Capilano Estates advising that people will be able to travel through other subdivisions nearby. Rogers noted that the applicants are working closely with HRM staff to ensure that there will be traffic calming initiatives in place to mitigate the impact of construction on neighbouring property owners and that the development will be safe from a traffic safety perspective when the units are occupied.

MOVED by Councillor Outhit, seconded by Councillor Blackburn

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

The hearing closed at 7:55 p.m.

Thea Langille clarified that traffic calming measures cannot be built into a Development Agreement and advised that traffic controls are put in place during the permitting stage.

MOVED by Councillor Blackburn, seconded by Deputy Mayor Lovelace

**THAT North West Community Council adopt the amendment to Schedule 1-C of the Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville, as set out in Attachment A of the staff report dated October 5, 2021.**

Donna Boutilier, Solicitor and Andrea Lovasi-Wood, Legislative Assistant advised North West Community that the public hearing was held for both the rezoning of a portion of the property under the Land Use Bylaw and the proposed development agreement with the applicant. Community Council must first approve the rezoning and when the rezoning process is completed staff will return to Community Council for debate and decision on the development agreement.

North West Community Council raised concerns with the impact of traffic generated by the proposed development on neighbouring properties and noted that further information on traffic mitigation may be requested at a subsequent meeting when evaluating the proposed development agreement.

**MOTION PUT AND PASSED.**

#### **10.1.2 Case 22732: Development Agreement for lands off Kenwood Avenue, Hammonds Plains**

The following was before Community Council:

- A staff recommendation report dated October 14, 2021
- A staff presentation dated December 13, 2021
- A presentation from the applicant dated December 13, 2021
- A Memorandum from the North West Planning Advisory Committee dated September 8, 2020
- A Memorandum from the North West Planning Advisory Committee dated July 26, 2021

- Correspondence from Heather Grandy; Daniela Alonso Ruiz; Miguel Angel Padilla; Megan Boudreau; Cindy Freeman; Alison Stone; Greg Dauphinee; Colleen Admon; Tracey Laing; Kerry-Lynn McGrath

Thea Langille, Principal Planner provided a presentation on Case 22732: Development Agreement for lands off Kenwood Avenue, Hammonds Plains. A copy of the presentation is on file.

Langille responded to questions of clarification from North West Community Council respecting water and storm water servicing which is typically addressed at the permitting stage.

The Chair opened the public hearing and invited the applicant to address North West Community Council.

The hearing opened at 8:42 p.m.

MOVED by Councillor Outhit, seconded by Councillor Blackburn

**THAT the meeting be extended up to 10:00 p.m.**

**MOTION PUT AND PASSED.**

**Chrystal Fuller of Brighter Community Planning & Consulting**, spoke on behalf of the Applicant, Marque Investments, and. A copy of the presentation is on file.

Fuller responded to questions of clarification from North West Community Council indicating that there is a stormwater management plan in place with all the required infrastructures. Fuller advised that this was reviewed by HRM staff and Halifax Water as part of the application process.

The Chair reviewed the rules of procedures for public hearings and called for the registered speakers. There were no speakers registered.

MOVED by Councillor Lovelace, seconded by Councillor Blackburn

**THAT the public hearing close.**

**MOTION PUT AND PASSED.**

The hearing closed at 8:58 p.m.

MOVED by Deputy Mayor Lovelace, seconded by Councillor Blackburn

**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 14, 2021; and**
2. **Require the 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.**

MOVED by Councillor Lovelace, seconded by Councillor Outhit

**THAT North West Community Council defer consideration of Case 22732 Case 22732: Development Agreement for lands off Kenwood Avenue, Hammonds Plains to a future meeting of North West Community Council, pending a supplemental staff report which provides further**

**information on storm water management planning for the proposed development and primary access through Kingswood Drive.**

Donna Boutillier, Solicitor advised that if the supplementary staff report recommends substantive changes to storm water management planning or the primary access through Kingswood Drive, then an additional public hearing may be required as the proposal will be substantively different to what has been publicly advertised.

**MOTION TO DEFER PUT AND PASSED.**

## **11. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **11.1 Correspondence**

Correspondence was received and circulated for items 10.1.1 and 10.1.2.

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**

Councillor Russell stepped down from the Chair and Deputy Mayor Lovelace assumed the Chair.

#### **13.1.1 Case 23662: Amendments to Development Agreement for lands at Walker Service Road, Lower Sackville**

The following was before Community Council:

- A staff recommendation report dated October 13, 2021

MOVED by Councillor Russell, seconded by Councillor Blackburn

**THAT North West Community Council:**

- 1. Approve, by resolution, the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A of the October 13, 2021 staff report; 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.**

**MOTION PUT AND PASSED.**

Councillor Russell resumed the Chair.

#### **13.1.2 Case 21639 - Phase 1: Amendments to the Regional Subdivision By-law to remove Growth Management Area Policies from portions of the Indigo Shores Subdivision, Middle Sackville**

The following was before Community Council:

- A staff recommendation report dated November 25, 2021

- A Memorandum from the North West Planning Advisory Committee dated October 7, 2021

MOVED by Councillor Blackburn, seconded by Deputy Mayor Lovelace

**THAT North West Community Council recommend that Regional Council:**

1. **Give First Reading to consider the proposed amendments to the Regional Subdivision By-law (RSBL) as set out in Attachment A of the November 25, 2021 staff report to remove Growth Management Area restrictions that currently apply to the Indigo Shores subdivision at McCabe Lake North to permit the development of more than 25 lots per year and schedule a public hearing; and**
2. **Adopt the proposed amendments to the RSBL as set out in Attachment A of the November 25, 2021 staff report.**

**MOTION PUT AND PASSED.**

**13.1.3 Case 22218: Development Agreement for 32 Dutch Settlement Road, Lantz**

The following was before Community Council:

- A staff recommendation report dated November 3, 2021

MOVED by Councillor Deagle Gammon, seconded by Deputy Mayor Lovelace

**THAT North West Community Council give notice of motion to consider the proposed development agreement, as set out in Attachment A of the November 3, 2021 staff report, to allow for the expansion of a salvage yard at 32 Dutch Settlement Road, Lantz, and schedule a public hearing.**

**MOTION PUT AND PASSED.**

**13.1.4 Case 23532: Discharging Agreement and Amending Development Agreement for 636 Bedford Highway**

The following was before Community Council:

- A staff recommendation report dated November 29, 2021

MOVED by Councillor Outhit, seconded by Councillor Blackburn

**That North West Community Council:**

1. **Approve, by resolution, the Discharge Agreement, which shall be substantially of the same form as set out in Attachment A of the November 29, 2021 staff report; and**
2. **Require the Discharge 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; and**
3. **Give notice of motion to consider the proposed amending development agreement, as set out in Attachment B of the November 29, 2021 staff report, to allow a non-substantive amendment to an existing development agreement extending the commencement and completion dates for development.**

**MOTION PUT AND PASSED.**

**13.1.5 Case 22670: MPS and LUB amendments to allow for industrial and highway commercial uses on the Conrad Quarry Lands, Montague Gold Mines and Waverley**

The following was before Community Council:

- A staff recommendation report dated November 22, 2021

MOVED by Councillor Deagle Gammon, seconded by Councillor Blackburn

**THAT North West Community Council recommend that Halifax Regional Council:**

1. **Give First Reading to consider the proposed amendments to the Municipal Planning Strategies (MPS) and Land Use By-laws (LUB) for Cole Harbour/Westphal, Dartmouth and Planning Districts 14 and 17, as set out in Attachments A and B of the staff report dated November 22, 2021, to allow industrial and highway commercial uses on the Conrad Quarry Lands and schedule a public hearing; and**
2. **Approve the proposed amendments to the Municipal Planning Strategies (MPS) and Land Use By-laws (LUB) for Cole Harbour/Westphal, Dartmouth and Planning Districts 14 and 17, as set out in Attachments A and B of this report, to allow industrial and highway commercial uses on the Conrad Quarry Lands.**

**MOTION PUT AND PASSED.**

**13.1.6 Review of Proposed North West Community Council 2022 Meeting Schedule**

The following was before Community Council:

- A staff memorandum dated December 13, 2021

MOVED by Deputy Mayor Lovelace, seconded Councillor Blackburn

**THAT North West Community Council approve the proposed North West Community Council 2022 meeting schedule as outlined in the staff memorandum.**

**MOTION PUT AND PASSED.**

**14. MOTIONS – NONE**

**15. IN CAMERA (IN PRIVATE)**

**15.1 PERSONNEL MATTER – Private and Confidential Report**

This matter was dealt with in public.

MOVED by Councillor Blackburn, seconded by Councillor Deagle Gammon

**That North West Community Council:**

1. **Adopt the recommendations as outlined in the private and confidential staff report dated November 29, 2021; and**
2. **Direct that the staff report dated November 29, 2021 be maintained as private and confidential.**

**MOTION PUT AND PASSED.**

**16. ADDED ITEMS – NONE**

**17. NOTICES OF MOTION – NONE**

**18. PUBLIC PARTICIPATION**

There were no speakers registered to speak during public participation.

**19. DATE OF NEXT MEETING – January 17, 2022**

**20. ADJOURNMENT**

The meeting was adjourned at 9:39 p.m.

Liam MacSween  
Legislative Support