

NORTH WEST COMMUNITY COUNCIL  
MINUTES

June 24, 2013

PRESENT: Councillor Brad Johns, Chair  
Councillor Tim Outhit, Vice-Chair  
Councillor Matt Whitman  
Councillor Steve Craig

REGRETS: Councillor Barry Dalrymple

STAFF: Ms. Kirby Grant, Solicitor  
Ms. Jacqueline Belisle, Planner  
Ms. Thea Langille, Supervisor Planning Applications  
Mr. Austin French, Manager, Planning and Infrastructure  
Mr. Quentin Hill, Legislative Assistant

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**1. CALL TO ORDER**

Councillor Johns called the meeting to order at 7:00 p.m. at the Upper Hammonds Plains Community Centre, 711 Pockwock Road, Upper Hammonds Plains.

**2. APPROVAL OF MINUTES – May 27 and June 5, 2013**

**MOVED by Councillor Whitman, seconded by Councillor Craig, that the May 27 and June 5, 2013 minutes be approved as presented.**

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

Additions: 13.3 Discharge of an Existing Agreement- 10516 Peggy's Cove Road

**MOVED by Councillor Whitman, seconded by Councillor Outhit, that the agenda be approved as amended.**

**4. BUSINESS ARISING OUT OF THE MINUTES- NONE**

**5. STATUS ITEMS- NONE**

**6. MOTIONS OF RESCISSION – NONE**

**7. MOTIONS OF RECISSION – NONE**

**8. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**9. HEARINGS- NONE**

**10. CORRESPONDENCE, PETITIONS & DELEGATIONS- NONE**

**11. REPORTS**

**11.1 Case 18417: Partial Discharge of Development Agreement at corner of Cobequid Road and Legacy Court, Sackville**

A report dated June 10, 2013 was before Community Council.

Ms. Jacqueline Belisle, Planner, Development Approvals, provided the presentation to Community Council. Ms. Belisle stated that an application had been made by Innovation Architects Limited on behalf of Legacy Homebuilders Limited, requesting a Partial Discharge of the development agreement. She noted that the lot is 41,000 square feet in area and is zoned PC under the Sackville Drive Land Use Bylaw. She stated that

there is no demand currently for commercial buildings in the area. She explained that the commercial building that is on the property is currently thirty percent vacant.

**MOVED by Councillor Craig, seconded by Councillor Whitman that North West Community Council:**

- 1. Approve, by resolution, the discharge of the existing and amending development agreements on the lands at the corner of Cobequid Road and Legacy Court as shown on Maps 1 and 2 and as described in Attachment A of the staff report dated May 13, 2012.**
- 2. Require the Amending 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 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.**

A discussion ensued with staff responding to questions of clarification.

**MOTION PUT AND PASSED.**

**11.2 Case 18437: Time Extension to Development on Bedford Highway between Southgate Drive and Glenmont Avenue, Bedford**

The following items were before Community Council:

- A report dated June 10, 2013
- Correspondence from Michael Ellis dated June 14, 2013

Ms. Jacqueline Belisle, Planner, gave a presentation to Community Council. She noted the application was put forward by Jaffar Tabrizzi. She noted that the previous development agreement permitted; 1 multiple unit dwelling, 12 townhouse units and 1 commercial building that was not exceed 16,000 square feet. Ms. Belisle explained that the applicant was facing site constraints and were not able to proceed as planned. She advised that the North West Planning Advisory Committee recommended only a two year extension compared to three year extension recommended by staff.

Councillor Outhit explained that the development in question is in a high traffic area in Bedford. He noted that he has received many calls on the property requesting staff to do get the developer moving on this site. Councillor Outhit agreed that the developer has faced many obstacles in development.

**MOVED by Councillor Outhit, seconded by Councillor Whitman, that North West Community Council:**

1. **Approve, by resolution, the proposed Amending Agreement as contained in Attachment A of the staff report dated April 18, 2013 to extend the construction commencement date by one year, rather than the recommended three years by staff for the mixed use development located along the south-west side of the Bedford Highway between Southgate Drive and Glenmont Avenue, Bedford, and;**
2. **Require the Amending 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 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.**

A discussion ensued with staff responding to questions of clarification.

Mr. Dave Harrison responded to questions of clarification from Council on behalf of the developer. He noted that there is a large rock outcropping that has been a substantial financial block to developing the site.

#### **MOTION PUT AND PASSED.**

#### **12. MOTIONS**

#### **13. ADDED ITEMS**

##### **13.1 Councillor Appointment to North West Planning Advisory Committee**

Councillor Outhit advised that he wished to continue to serve on the North West Planning Advisory Committee but his term had expired.

**MOVED by Councillor Whitman, seconded by Councillor Craig that North West Community Council appoint Councillor Tim Outhit to the North West Planning Advisory Committee. MOTION PUT AND PASSED.**

##### **13.2 RP + 5: Proposed Changes to Regional Plan Discussion**

Mr. Austin French, Manager, Planning and Infrastructure provided a presentation to Community on the Regional Plan consultations. He stated that a number of public engagement sessions had taken place throughout the Municipality. He explained that the draft was developed as part of the Plan's first five-year review. Mr. French highlighted the following key policy goals areas as part of the presentation:

- Revised Community Design Program
- Enhanced Regional Centre
- Integrated Land Use and Transportation

- Protected Industrial Land Holdings
- Plan Performance Measurement

Councillor Whitman questioned if residents who lived outside of Halifax should be concerned about developing their land based on the Green belting process in the plan. He also raised concern that the Stantec report indicates residents would save a combined 670 million under the revised plan. He stated that this savings noted in the report are not a direct municipal tax savings to residents. Councillor Whitman pointed out that development seemed to be growing faster in the suburban areas and not enough downtown. He suggested that additional incentives were needed to encourage more growth in the downtown core.

Mr. French advised that Green belting is not about restricting land use, but is more of a tool to shape communities. He explained that Council could consider providing additional incentives to increase development in the downtown core.

Councillor Whitman request clarification on when the Sandy Lake development would be developed.

Mr. French advised that Sandy Lake was one of six areas set aside for potential future investment and development. He stated that there has been no development approval for the Sandy Lake area at this time.

Councillor Outhit stated that he has received lots of calls regarding development on Sandy Lake. He stated there has been a lot of conversation between HRM and the developer questioning if the sign, noting the development, should be on the property. Councillor Outhit requested clarification on clear cutting to a water courses edge.

Mr. French noted that they are proposing a new tree by-law that would partially restrict clear cutting, but also wouldn't necessarily require always getting a permit to cut an individual tree.

Councillor Johns applauded the discussion on affordable housing in the review. He requested information on what the province was proposing for affordable housing. He also requested information on if the plan was going to look at making different requirements for amenities, such as sidewalks in suburban and rural areas, which would be more affordable for these areas.

Mr. French advised that the province has a new housing strategy. He noted that the strategy calls for development of mixed market housing. He stated that it would incorporate regular market development with a percentage of it to include housing for modest incomes. He also advised that the plan did not address those specifically but the traffic and transportation staff would be discussing the issues of amenity requirements

Community Council requested Mr. French stay and answer questions on the Regional Plan review during the Public Participation portion of the meeting.

**13.3 Discharge of Existing Agreement – 10516 Peggy’s Cove Road, Glen Margaret**

A report dated June 21, 2013 was before Community Council.

Councillor Whitman declared conflict of interest on the matter and removed himself from the meeting at 8:30 p.m.

Ms. Kelly Denty, Manager, Development Approvals provided background on the matter. Ms. Denty advised that there was a land transaction on the property and there was an existing agreement on the property which had no effect. She noted that the property owners wished to have the existing agreement removed from the title of the property before they could proceed with the sale.

Councillor Johns clarified that if Community Council agreed to discharge the existing agreement it would prevent the issue from going before the courts.

**MOVED by Councillor Outhit, seconded by Councillor Craig that North West Community Council approve, by resolution, the discharge of the existing agreement for 10516 Peggy’s cove Road, Glen Margaret, as provided in Attachment A of the June 21, 2013 staff report. MOTION PUT AND PASSED.**

Councillor Whitman returned to the meeting at 8:35 p.m.

**14. PUBLIC PARTICIPATION**

**Mr. Reginald Jones**, Voyager Lakes, he stated that the HRM website is a great site and provides lots of information for residents. He was concerned that there is a number of plans on the server, and then they will disappear. He also advised that there is a pile of wood cleared by a contractor in the Voyager Lakes area that has been there for a few weeks. He noted that he reported it to 311 and expressed frustration on the 311 service as he has no idea when the matter will be addressed.

Councillor Craig noted that the 311 service was a way to track issues in the system. He noted that it gives Councillors the ability to track it down to take a look at what is being dealt with or not being dealt with.

**Mr. Ross Evans**, Pockwock Road, advised that he owned the land including Masons Mill Pond. He noted that it became a pond in 1859, and he noted the water rights belonged to his family. He did not agree with changing the water setbacks proposed of 30 meters. He said changing it to 30 meters without a good reason was not good policy. He also expressed frustration with the clear-cutting at Sandy Lake.

**Ms. Theresa Scratch**, Sackville, thanked Community Council for inviting Mr. French to the meeting to discuss the Regional Plan. She explained that she had attended one of the planning discussions and found it difficult to ask a question with so many people in attendance. She was pleased that the calculation of density in the plan had excluded buffer areas. She expressed concern at the wording in the plan that read 'shall consider' and never indicated a concrete direction of what Council would be doing.

Mr. French noted that some of the terminology is legal in nature so that it protects the Municipality, due to fact that the current Council cannot commit future Council direction. He also noted that some of the 'shall consider' statements also require Council to consider such things as affordable housing when they are looking at development agreements.

Ms. Scratch also expressed concern that the Regional Plan did not have a committed action plan for a Wastewater management by-law to protect public health and the environment.

**Mr. Peter Lund**, St. Margaret's Bay, indicated there was growing concern about people wanting to downsize their homes. He suggested that many people could not afford to downsize and move into the urban centre. Mr. Lund also wanted to know if there focus on rural road standards.

Mr. French noted that rural road standards were something that was being looked at.

**Mr. Ketih Ayling**, Masthead News, wanted to know if the RP +5 plan going to take into account or consideration the visioning folks project on the Tantallon Visioning Process and if so would it be moving forward.

Mr. French advised that the Tantallon Visioning Process was behind and noted that the community had done good work. He noted that it is an active program and staff is working on it but could not provide a definite answer when it would be ready.

**Mr. Greg Mahar**, stated that the municipality went through a lot of construction for implementing underground natural gas lines. He wanted to know if having underground power lines would cause the same disruption and would it cost the developers and home buyers significantly more money.

Mr. French explained that there was a study done that indicated it would be more expensive for underground power lines. He noted that there were benefits as well to having the power lines underground.

**Nick Antoff**, Waterstone, explained that it is very hard to have development in the urban core when there are so many special interest groups protesting every development coming forward. He noted that this also forces the costs of development and the cost of purchasing property in the downtown core. He noted that he was before Community Council a year ago, speaking on truck issues on Hammonds Plains Road.



He stated there are a lot of trucks on the Hammonds Plains Road that should not be on the road and are using it as a short cut. He noted that the trucks are travelling at a high rate of speed and could be using other routes.

Councillor Johns noted that Community Council could by resolution request that Regional Council consider a review of the truck by-law. He requested that it be placed on a future agenda.

**Ms. Joyce Evans**, Pockwock Road, suggested that the Regional Plan look at ways to improve the parking situation in the downtown core. She noted that it is difficult to go downtown for events when there is limited parking.

**16. STATUS SHEET**

There were no updates to the status sheet.

**17. IN CAMERA - NONE**

**18. NEXT MEETING DATE – July 8, 2013**

**19. ADJOURNMENT**

The meeting was adjourned at 9:04 p.m.

Quentin Hill  
Legislative Assistant

**INFORMATION ITEMS**