



**NORTH WEST COMMUNITY COUNCIL  
MINUTES  
July 21, 2014**

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

REGRETS: None

STAFF Mr. Liam MacSween, Legislative Assistant

*The following does not represent a verbatim record of the proceedings of this meeting.*

*The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/commcoun/140721NWCC-agenda.php>*

*The meeting was called to order at 6:00 p.m. and adjourned at 8:00 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 6:00 p.m., in the Multi-Purpose Room BMO Centre Bedford.

**2. APPROVAL OF MINUTES – May 26, 2014**

**MOVED by Councillor Dalrymple, seconded by Councillor Outhit that the minutes of May 26, 2014 be approved as presented.**

**MOTION PUT AND PASSED.**

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

Additions:

13.1 - Public Hearing – Case 18306: Development Agreement to enable a personal service use at 932, 938 and 940 Sackville Drive, Middle Sackville.

The Chair noted that the Solicitor was not present and suggested that North West Community Council move the scheduled public hearings to the end of the agenda to be dealt with after the reports and Item No. 15- Public Participation. He further suggested that Item No. 10.2.1 – Cheque Presentation Halifax Radio Control Park Committee be moved to the first order of business.

**MOVED by Councillor Johns, seconded by Councillor Whitman that the agenda be approved as presented.**

**MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES**

**5. MOTIONS OF RECONSIDERATION – NONE**

**6. MOTIONS OF RESCISSION – NONE**

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

**8. HEARINGS**

**8.1 PUBLIC HEARINGS**

**8.1.1 Case 18721: Substantive Amendments to the Development Agreement for 827 Bedford Highway, Bedford**

This item was dealt with later in the meeting please see page 4-5.

**8.2 VARIANCE APPEAL HEARINGS – NONE**

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

**10. REPORTS**

**10.1 STAFF**

**10.1.1 Case 19041: Development Agreement for 527 and 533 Sackville Drive**

This item was dealt with later in the meeting please see page 3.

**10.1.2 Cases 19218/19303: Amendment to Bedford Land Use By-law to identify 23 Olive Avenue and 165 & 167 High Street, Bedford, as existing two unit dwellings in the RSU Zone**

This item was dealt with later in the meeting please see page 4.

**10.1.3 Case 18423: Development Agreement Amendment for Bedford West Sub Area 2, Bedford**

This item was dealt with later in the meeting please see page 4.

**10.2 MEMBERS OF COMMUNITY COUNCIL**

**10.2.1 Cheque Presentation – Halifax Radio Control Park Committee**

The Chair noted that North West Community Council does not have the ability to present a cheque or disburse funds as a body but individual Councillors have the ability to disburse discretionary funds to assist Community Groups within their areas. In this instance, he noted, that members of North West Community Council pooled resources from their discretionary funds together to provide a cheque to the Halifax Radio Control Park Committee to establish a park in Beaverbank for the safe use and enjoyment of remote control devices. Mr. Adrian Parsons of the Halifax Radio Control Park Committee accepted the cheque on behalf of the Members of North West Community Council.

**10.1.1 Case 19041: Development Agreement for 527 and 533 Sackville Drive**

The following was before Community Council:

- *A staff recommendation/information report dated July 9, 2014*
- *A memorandum from the Chair of the North West Planning Advisory Committee dated April 7, 2014*

Mr. Carl Purvis, Planner gave a brief presentation regarding Case 19041: Development Agreement for 527 and 533 Sackville Drive. The Chair thanked Mr. Purvis for his presentation and opened the floor for questions of clarification.

Councillor Craig inquired about traffic concerns raised by the Planning Advisory Committee particularly around a right turn only lane. He noted that there was no mention of this in the staff report and inquired if it was addressed at the Public Information meeting.

Mr. Purvis stated that he raised the issue with the Development Engineer who noted that at this point there is not a need for right turn only lane. He commented that there is a chance that a right turn only lane will be required in the future and that this will be addressed at the public hearing.

**MOVED by Councillor Dalrymple, seconded by Councillor Whitman that North West Community Council give notice of motion to consider the proposed development agreement as set out in attachment A of the staff report dated July 9, 2014 to permit a commercial building exceeding a total building footprint of 464 square meters (5,000) at 527 and 533 Sackville Drive and to schedule a public hearing.**

**MOTION PUT AND PASSED.**

**10.1.2 Cases 19218/19303: Amendment to Bedford Land Use By-law to identify 23 Olive Avenue and 165 & 167 High Street, Bedford, as existing two unit dwellings in the RSU Zone**

The following was before Community Council:

- *A staff recommendation/information report dated June 20, 2014*
- *A memorandum from the Chair of the North West Planning Advisory Committee dated May 8, 2014*

**MOVED by Councillor Outhit, seconded by Councillor Whitman that North West Community Council give First Reading to the proposed amendment of the Bedford Land Use By-law to include 23 Olive Avenue and 165 and 167 High Street as existing two unit dwellings in the RSU (Residential Single Unit) Zone, as contained in Attachment A of the staff report dated June 20, and schedule a public hearing.**

**MOTION PUT AND PASSED.**

**10.1.3 Case 18423: Development Agreement Amendment for Bedford West Sub Area 2, Bedford**

The following was before Community Council:

- *A staff recommendation/information report dated June 18, 2014*

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

- 1. Approve the proposed development agreement as contained in Attachment A of the staff report dated June 18, 2014, 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.**

**MOTION PUT AND PASSED.**

**15. PUBLIC PARTICIPATION**

Mr. Tim Auld, an Independent Taxi Owner and Operator, inquired about a former provision that was in Metro Transit's budget to provide accessible taxis services which assist physically disabled individuals. He suggested that if the budget is still available, perhaps some resources could be allocated to obtaining more accessible taxis for the Sackville area.

The Chair thanked Mr. Auld for his comments and noted that he follow up with Mr. Auld on that issue.

Mr. Walter Regan, of Sackville, asked if there is an update on the Paper Mill Lake dam.

Councillor Outhit commented that the Annapolis Group, owners of the dam, are currently working on the project and that he is hoping that all work will be completed by the end of the summer and the lake will be reopened to the public.

Mr. Regan inquired if there is an update on the Top Soil and Grading Bylaw which is currently being reviewed. The Chair commented that he does not have new information to report but is hopeful that the revisions to the bylaw will be completed in the near future.

Mr. Reagan requested a further update on the Water Quality Testing Program. Councillor Dalrymple noted that he would follow up with Mr. Regan on that issue as he did not have the information readily available.

The Chair thanked Mr. Regan for his comment and called for further speakers. No further speakers came forward.

**11. MOTIONS – NONE**

**12. IN CAMERA**

**12.1 Personnel Matter**

**12.1.1 Nominations – Port Wallace Community Public Participation Committee - Private and Confidential Report**

This matter was dealt with later in the meeting please see page 7.

**8.1.1 Case 18721: Substantive Amendments to the Development Agreement for 827 Bedford Highway, Bedford**

The following was before Community Council:

- *A staff recommendation/information report dated June 2, 2014*

The Chair reads the rules of procedures with respect to public hearings and invited staff to come forward to present on Case 18721: Substantive Amendments to the Development Agreement for 827 Bedford Highway. Ms. Erin MacIntyre, Planner, provided a presentation on Case 18721.

The Chair thanked Ms. MacIntyre for her presentation and requested questions of clarification from members of North West Community Council.

Councillor Outhit inquired if there was a way to increase green space through the addition of underground parking. He further inquired if the addition of more commercial space in the development has had an impact on traffic.

Ms. MacIntyre commented that HRM Traffic Services as well as the Development Engineer had no concerns with respect to traffic given the addition of more commercial space.

Mr. Cesar Selah, Applicant, stated that there has been an increase in the green space by closing in a redundant access to the building.

**MOVED by Councillor Johns, seconded by Councillor Whitman that the public hearing be opened. MOTION PUT AND PASSED.**

The Chair noted that there were no names on the public sign-up sheet. He asked for members of the public hearing to come forward and address Community Council.

Mr. Walter Regan of Sackville, stated that he believes that this development will bring more vehicular and pedestrian traffic to the area and noted that sidewalks should be included as part of the development. He further inquired if the project will be built to LEED (Leadership in Energy and Environmental Design) standards.

Councillor Outhit noted that a sidewalk was not planned for the development but noted a provision for an internal pathway.

Mr. Saleh stated that the design of the subject property does not allow for a sidewalk to be installed as there is not enough usable space to accommodate one. He provided further commentary on the internal pathway to the proposed development which can be accessed by pedestrians.

The Chair thanked Mr. Regan and Mr. Saleh for their comments and called two times for further speakers. As there were none, it was **MOVED by Councillor Johns, seconded by Councillor Whitman that the public hearing be closed. MOTION PUT AND PASSED.**

Ms. MacIntyre commented that currently there is no provision in the MPS that speaks to specific design concerns such as LEEDS, but that the proposed development conforms to HRM's current policies.

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

- 1. Approve the proposed amending development agreement as contained in attachment A of the staff report dated June 2, 2014**
- 2. Require that the 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.**

**MOTION PUT AND PASSED.**

**13. ADDED ITEMS – NONE**

**13.1 Public Hearing – Case 18306: Development Agreement to enable a personal service use at 932, 938 and 940 Sackville Drive, Middle Sackville**

The Chair noted that this item was not included on the regular agenda due to an omission. He commented that the public hearing was advertised and both staff and the applicant are prepared to present on the manner.

The Chair read the rules respecting the procedures of Public Hearings and invited staff to give a presentation on Case 18306: Development Agreement to enable a personal use at 932, 938 and 940 Sackville Drive, Middle Sackville. Ms. Erin MacIntyre, Planner, provided a presentation pertaining to Case 18306.

The Chair thanked Ms. MacIntyre for her presentation and asked for questions of clarification from Members of North West Community Council. There were none.

The Chair invited the applicant(s) to come forward to address Community Council

Ms. Monique Guilderson, Applicant noted that she and her business partner Francine Wright are excited to bring Osteopathic services to the community of Lower Sackville, of which they are trained to provide. She commented that proposed development will not be a high volume business and will fit in well with other business and residential developments in the area. She noted that both her and Ms. Wright do not take this undertaking lightly and would be happy to open their business in the area if approved.

The Chair thanked Ms. Guilderson for her comments and requested questions of clarification from Members of Community Council.

Councillor Whitman requested further information with respect to the buffer space.

Ms. McIntyre noted that the buffer is a requirement of the development agreement, to remove it would require a substantive amendment to the Development

**MOVED by Councillor Outhit, seconded by Councillor Johns that the public hearing be opened. MOTION PUT AND PASSED.**

The Chair called for speakers to come forward and address North West Community Council.

Mr. Walter Regan, of Sackville expressed his concerns about adequate storm sewer infrastructure with the proposed development. He further inquired if the number of parking spaces is required for the business.

The Chair thanked Mr. Regan for his comments and asked two more times for further speakers, as there were none it was **MOVED by Councillor Johns, seconded by Councillor Outhit that the public hearing be closed. MOTION PUT AND PASSED.**

Ms. MacIntrye commented that drainage issues are usually dealt with in the development stage and that adequate storm water infrastructure will be included in the development. With respect to the number of parking spaces, she noted that HRM assesses to ensure the parking requirements meet the minimum requirements for the usage of the building and does not enforce parking requirements beyond that provided the development is in compliance.

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

1. **Approve the proposed development agreement, as contained in Attachment A of the staff report dated May 21, 2014 to permit a personal service use at 932, 938 and 940 Sackville Drive, Middle Sackville; and**
2. **Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property, 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.**

**12. IN CAMERA**

**12.1 Personnel Matter**

**12.1.1 Nominations – Port Wallace Community Public Participation Committee - Private and Confidential Report**

The Chair referenced Administrative Order One and commented that North West Community Council cannot convene to an In Camera session without a solicitor present.

Councillor Dalrymple requested that the Legislative Assistant schedule a Special Meeting to be held on July 22, 2014 to deal with item 12.1.1 and ensure that a Solicitor is present as this item is a time sensitive matter.

**MOVED by Councillor Dalrymple, seconded by Councillor Johns that In Camera Item No. 12.1.1 be referred to a Special Meeting of North West Community Council to be held on July 22, 2014.**

**MOTION PUT AND PASSED.**

**14. NOTICES OF MOTION – NONE**

**15. PUBLIC PARTICIPATION**

This matter was dealt with earlier in the meeting please see page 4-5.

**16. DATE OF NEXT MEETING – September 15, 2014**

**17. ADJOURNMENT**

The meeting was adjourned at 8:00 p.m.

Liam MacSween  
Legislative Assistant