

**NORTH WEST PLANNING ADVISORY COMMITTEE
MINUTES**

November 2, 2005

PRESENT: Ms. Ann Merritt, Chair
Ms. Gloria Lowther, Vice Chair
Ms. Barb Grant
Mr. Walter Regan
Mr. Joel Matheson
Mr. George Murphy
Councillor Len Goucher
Mr. Warren Hutt

ABSENT: Councillor Brad Johns

STAFF: Ms. Gail Harnish, Admin./PAC Coordinator
Mr. Andrew Bone, Planner
Ms. Thea Langille-Hanna, Planner
Ms. Stephanie Parsons, Legislative Assistant

OTHERS: Councillor Bob Harvey

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1. CALL TO ORDER

The Chair called the meeting to order at 6:58 p.m. in the Fenerty Room, Sackville Library.

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

The approval of the order of business was accepted.

3. ELECTION OF CHAIR

The Legislative Assistant called for nominations of Chair and Vice-Chair. Ms. Gloria Lowther nominated Mr. Joel Matheson for the position of Chair. Councillor Goucher nominated Mr. George Murphy for the position of vice-chair. Mr. Murphy declined the nomination. Ms. Lowther nominated Ms. Barb Grant for the position of Vice - Chair.

With no further nominations for the position of Chair and Vice-Chair, Mr. Matheson was elected Chair and Ms. Grant was elected Vice-Chair.

4. APPROVAL OF THE MINUTES - September 7, 2005

MOVED by Mr. Walter Regan, seconded by Ms. Lowther that the minutes of September 7, 2005 be approved as circulated. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES

In response to Ms. Grant, Ms. Gail Harnish confirmed that Mr. Batherson resigned from the Committee.

6. REPORTS

6.1 Case 00730 - Development Agreement Amendment, 477 Cobequid Road Sackville

C A staff report dated October 20, 2005 was before the Committee for consideration.

Mr. Andrew Bone advised that an application by Metric Framing Limited to amend the development agreement for 477 Cobequid Road, Sackville has been received.

Mr. Bone showed on overhead where the property is located, 477 Cobequid Road and noted the following:

C The property is subject to the provision of the Sackville Municipal Planning Strategy and Land Use By-Law. It is located within the Rural Residential Designation and is

- zoned R-6 which permits single residential uses.
- C The proposed development is to permit the construction of a 1096 square metre addition to an existing 930 square metre commercial building that has five commercial units.
- C The Sackville Municipal Planning Strategy enables Council to consider development agreements for community commercial uses on the property.
- C The community commercial policy does not set a maximum building size. The development agreement process enables Council to consider adjustments to the standard. It is the opinion of staff that a building more than 10,000 square feet in size may be considered under the policy, provided that it integrates into the community.
- C There are two surrounding residential areas along Sucker Brook. Staff is of the opinion that the development will have little impact on the residential areas as the addition is screened from the street by the existing building and is sufficient distance from the nearest residence. It requires fencing and the property has existing landscaping. There is also a requirement that a 20 ft tree buffer be maintained.

Mr. Bone further advised that a number of issues were identified by the Halifax Watershed Advisory Board because the development is adjacent to Sucker Brook. The Watershed Board recommended that the development agreement include the following:

- C a 100-ft buffer is maintained
- C a provision for a protective catchment device on any heating oil storage
- C an oil/water separator be installed
- C a Stormwater Management Plan by a qualified engineer is completed
- C a provision for an Erosion and Sedimentation Control Plan
- C a Water Quality Monitoring Program

The Developer did not agree to a Water Quality Monitoring Program because the risk of damage to the brook was minimal given the limited amount of disturbance anticipated. The existing vegetation along the brook and sedimentation controls would be adequate. Staff is of the opinion that although some testing is desirable excluding such a provision is not a sufficient basis for refusing the proposed development.

Mr. Bone also advised of the following:

- C Staff are not proposing architectural controls as the building is not visible from the street.
- C There are no issues regarding traffic. The agreement allows for a single access road, however there is a second access road constructed.
- C The development agreement requires an expansion of the septic system subject to review by the NS Department of Environment of Labour.
- C Crime Prevention through Environmental Design staff have reviewed the site and made recommendations which have been incorporated into the agreement.

In response to questions from the Committee Mr. Bone clarified that:

- C The policy allows for provisions to be made.

- C The developer does not intend to pave the back area at this time. If it is paved in the future the agreement triggers a Storm Water Management Plan and separators will be required.
- C Staff could not negotiate all of the Watershed Boards concerns into the agreement The Board made a specific recommendation for hydro carbon testing on Sucker Brook. This was an abnormal request from staffs perspective. Although a Water Quality Monitoring Program is good to have, it is not a standard requirement. Mr. Regan clarified that the intent of the request by the Watershed Board was to get base line data of the brook before and after the construction. The Board wanted to make sure there was no run off from the pavement and ensure that the separator was working properly.
- C Mr. Bone advised that if run off is a concern of the North West Planning Advisory Committee that they can make a recommendation to Council to add a water testing clause into the agreement. The agreement does include a trigger for a Storm Water Management Plan and a separator to treat the run off, if the area is paved. Due to the cost involved and the minimal risk of discharge the developer felt that a Water Quality Testing Program is an unreasonable request. Councillor Goucher advised the Committee that section 17 subsection 2.6 clause (i) states that any paving of the outdoor storage area or parking areas will require a Storm Water Management Plan be submitted and reviewed for approval. Further, that the plan include a oil/water separator to treat stormwater.
- C The parking area of disturbance is 100 feet back from the brook which is 30 ft more than what is proposed in the Regional Plan and 75 ft more in the Sackville Plan.
- C The recommendation by the Watershed Board to include a sedimentation and filtration holding pond was forwarded to the developer to consider. The engineers will determine an appropriate engineering plan.
- C Provincial regulations address issues with erosion and sediment control into the water course. Pre and post flows are not specifically stated in the development agreement.

MOVED by Ms. Merrit, seconded by Ms. Lowther that North West Planning Advisory Committee recommend that North West Community Council:

- 1. Give Notice of Motion to consider the proposed development agreement, as per the staff report dated October 20, 2005 and schedule a Public Hearing.**
- 2. Approve the amending agreement as set out in Attachment "E" of the staff report dated October 20, 2005.**
- 3. Require that the amending agreement be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever approval is later; otherwise, this approval with be void and obligations arising hereunder shall be at an end.**

A discussion ensued and the following amendment was placed.

MOVED BY Mr. Regan, seconded by Mr. Hutt that the motion be amended to include: that the Stormwater Management Plan require pre and post construction flows be balanced. MOTION PUT AND PASSED UNANIMOUSLY.

In response to further questions from Mr. Regan, Mr. Bone advised of the following:

- C There is no requirement from a policy perspective to turn over a 30 metre buffer to HRM. The developer has agreed to maintain a 100 ft buffer.
- C The size of the bond depends on the size of the development and advice of the development engineer.
- C Staff do not request that maintenance schedules be forward to the Watershed Advisory Boards or to HRM. It is assumed that the separators will be maintained. The development agreement requires that they maintain the separators and they must comply. Ensuring compliance is an administrative issue.

MOVED BY Mr. Regan, seconded by Mr. Hutt that the motion be amended to revise Section 2.6 (f) of the amending agreement to add a clause to require a maintenance schedule for the oil and grit separator to be forwarded to the Watershed Advisory Board and HRM Staff. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Ms. Merrit, seconded by Ms. Lowther that North West Planning Advisory Committee recommend that North West Community Council:

1. Give Notice of Motion to consider the proposed development agreement, as per the staff report dated October 20, 2005 and schedule a Public Hearing.
2. Approve the amending agreement as set out in Attachment "E" of the staff report dated October 20, 2005 with the following amendments:
 - C **Require that the Stormwater Management Plan require that pre and post flows be balanced;**
 - **Revise Section 2.6 (f) of the amending agreement to add a clause to require a maintenance schedule for the oil and grit separator to be forwarded to the Watershed Advisory Board and HRM Staff.**
3. Require that the amending agreement be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever approval is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED.

Councillor Goucher further advised that the Bedford Watershed Advisory Committee has a list of the separators in Bedford and that they are monitoring them.

7. STATUS UPDATES

7.1 Monthly status sheet

- C A copy of Central Region status updates for planning applications were submitted for information.
- C A copy of the December 5, 2005 North West Planning Advisory Community Public Meeting agenda was submitted for information.

In response to Committee Members Ms. Langille-Hanna provided updates on the following:

Case 00842 - The application for Karen Holdings to discharge the development agreement for 1386 Bedford Highway will ensure that the main street commercial zone is rezoned commercially.

Case 808 - Ms. Langille - Hanna advised the Committee that Staff have received approval from Council to initiate the amendment to the Sackville Drive Secondary Planning Strategy and Land Use By-Law to examine the height restrictions. Staff would like to conduct a Public Information Session on December 5, 2005. Given the issue staff is of the opinion that conducting a workshop meeting would be more effective. Staff is going to make a presentation to the Sackville Business Association and invite them to be active participants and host a table. She would facilitate the process and explain the issues and process. The group would then break off into small groups and report back to the whole group.

In response to questions by the Committee she advised that:

- C Participants would be required to register and that the meeting would be advertised through the regular process.
- C Staff have a general idea as to what the business community wants. It is anticipated that the end result will be a height restriction would be more than three stories.
- C The Sackville Business Association will have the opportunity to give a presentation at the beginning of the workshop.

Mr. Andrew Bone updated the Committee on the following cases:

Case 00835 Mr. Andrew Bone advised that he has not had the opportunity to review the application by Redden Brothers Development Limited to permit alternate housing forms on Shaffleburg Run, in the Nottingham Subdivision, Bedford. They want to convert from a multi housing complex to six townhouses.

Case 00838 - Twin Brooks Development submitted a subdivision application to rezone a five acre portion of the former Sackville golf course from open space to single unit residential

zone. The front of the gulf course is zoned park land. The application will be subject to Regional Plan.

7.2 Decisions of Community Council

- C A copy of Halifax Regional Council's decision's pertaining to Cases 00808 and 00790 was submitted for information.

8. ADDED ITEMS - None.

9. NEXT REGULAR MEETING DATE - December 7, 2005

10. ADJOURNMENT - The meeting adjourned at 8:26 p.m.

Stephanie Parsons
Legislative Assistant