

HALIFAX REGIONAL MUNICIPALITY

NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

June 6, 2006

PRESENT:

Ms. Ann Merritt, Chair
Mr. Walter Regan
Ms. Jessica Alexander
Councillor Martin
Councillor Harvey
Mr. Mike Gray
Ms. Gloria Lowther
Mr. Lorne Piercey

REGRETS:

Mr. Warren Hutt
Mr. Jim Sullivan

STAFF:

Mr. Paul Morgan, Planner
Mr. Joseph Driscoll, Planner
Ms. Gail Harnish, PAC Coordinator
Ms. Chrissy White, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. in the Fenerty Room, Sackville Library, Sackville.

2. APPROVAL OF THE ORDER OF BUSINESS

MOVED by Mr. Regan, seconded by Councillor Martin, that The order of business be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE MINUTES

MOVED by Mr. Regan, seconded by Councillor Martin, that the minutes of May 2, 2007 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES- None

5. REPORTS

5.1 Case 00955: Rezoning and Development Agreements, Cobequid Road and Glendale Drive, Sackville

Mr. Joseph Driscoll, Planner provided an overview on the above noted. The following points were made:

- The report requires a re-zoning and two development agreements,
- the recommendation hopes to re-zone to C2 under the Land Use By-law. This will permit a gas station on the site,
- A commercial development building is also proposed,
- The land will be zoned R2 and C2,
- The actual proposal would include site development under a C2 use,
- 20% of the site is C2 and will be governed under the Land Use By-law if approved,
- There will be access from the Cobequid Road to the gas station,
- There is a buyer interested in the C2 lands to be purchased from HRM,
- The Subway restaurant would remain on the main level, and offices will be housed on the second level,
- The design compliments the residential surroundings,
- The office building will be facing Glendale Road and close to Cobequid Rd,
- Issues include possible short cutting, location of storage tanks, turning movements onto and off of the site, pedestrian safety, comparability of commercial building, fencing, commercial lighting, and parkland conversion to commercial land,

- Remedies have been established to solve the above noted problems. A study has been conducted to ensure a minimal amount of short cutting. The location of the storage tanks have been moved as far away from the residential area, and a traffic study was conducted and paid for by the applicant, concluding there would be no concern for traffic. All access will meet HRM requirements, and there are three access points that staff have outlined as safe for pedestrians,
- There will be strict lighting clause enforced indicating that lighting be directed toward the front of the store and away from the residential properties,
- The roof has been changed to give a more residential feel, and there are no windows permitted to face residential properties,
- HRM is in the process of reviewing the lighting requirements for gas stations and it is not subject under the development agreement. The gas station is not significantly removed from the residential properties and the fencing has been increased to 10 feet,
- as part of the revised proposal, the developer will provide HRM with \$10,000 or in-kind work to develop a portion of the parkland site owned by the municipality,
- The complete site plan will largely be developed under the C2 plan making almost 90% of the site C2,
- The commercial building is developed exclusively under the development agreement,
- Policy UR24 requires that lands under consideration for commercial uses have frontage on Cobequid road. There will have to be an insertion with this amendment to consolidate both lots. This was an oversight, and the applicant is in agreement with the change.

In response to questions from Members of the Committee, Mr. Driscoll advised:

- There will be a wood fence that is visually pleasing,
- The car wash will cause a manageable level of traffic,
- Glendale is a busy road regardless, and the development will not increase this further,
- Real Property and the applicant came up with the \$10,000 figure,
- From Glendale Avenue to the exit there is over 100 feet of space. People will have time to make a decision,
- At peak times traffic may be increased, but Traffic Engineers, Traffic Services and HRM Engineers advised that the amount of space is acceptable,
- Having an entrance onto Glendale will be beneficial for the applicant as the alternate routes could prove to be more dangerous,
- The parkland will increase the attractiveness of the site. It will also provide flexibility in spreading the site to comply with boundaries. HRM will now develop land that was not being used prior,

Councillor Martin expressed concern regarding no lighting and windows on the back of the development. He advised that minimal lighting could cause safety problems and encouraged a Crime Prevention Through Environmental Design (CPTED) audit on the area. He expressed further concern with regard to the amount of money proposed for the development of the HRM parkland. He noted that \$10,000 would not accomplish much. Mr. Driscoll advised that he would review CPTED options and report back.

In response to Mr. Regans request to implement an oil grid separator at the car wash, Mr. Driscoll advised that HRM can not compel the applicant to install a separator, but could encourage it. Mr. Driscoll noted that he would correspond with the applicant regarding this issue and report back.

Further responding to questions from Committee Members, Mr. Driscoll advised:

- The parking spots have not been decreased,
- There is no sewage retention,
- Mechanical equipment is provided on the roof. Any grounded equipment will be screened, and no exhaust fan will face the residential dwellings,
- Committee Members expressed concern regarding the location of the parking lot.

Mr. Gray advised that he does not want HRM to sell lands due to the nature of the transaction. He would like the sale to go through an approved process.

Committee Members expressed concern regarding the amount of money (\$10,000) proposed to develop HRM park land on the site. In response, Mr. Driscoll advised that he would inquire with Real Property regarding the \$10,000 figure for park land development and how that figure was decided.

MOVED by Lorne Piercey, seconded by Michael Gray ,that the North West Planning Advisory Committee recommend that the North West Community Council:

- 1. Move First Reading and Notice of Motion to consider the proposed rezoning and development agreement, as provided in Attachment A, B and C and schedule a public hearing;**
- 2. Approve the re-zoning of PID#00361493 and a portion of PID#00637652 from P-1 (Community Facility) Zone to C-2 (Community Commercial) Zone as provided in Attachment A,**
- 3. Approve the development agreements as set out in Attachment "B" to permit the establishment of a gas station on a portion of the property, and**

Attachment “C” to permit the establishment of a commercial building, subject to the sale of HRM lands and the creation of Lots 1 and 2 through the subdivision process. (The development agreement cannot be approved until the rezoning is in effect).

- 4. Take into consideration the suggestions of the North West Planning Advisory Committee regarding an increase in funding to develop HRM owned park land, and consider main points made in the minutes from June 6, 2007 (Attached).**
- 5. Require that the development agreement be signed and registered within 365 days, or any extension thereof granted by Council on request of the developer, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

5.2 Case 00949: Development Agreement, 91 Dartmouth Road, Bedford

Mr. Joseph Driscoll provided an overview on the above noted. The following points were made:

- The property is zoned as residential,
- The school property is zoned RS-2,
- The applicants hope to create a flag lot beside the existing dwelling,
- The flag lot would come down from the Dartmouth Road section,
- Policy R-27 enables Council to consider flag lot proposals by development agreement,
- The intent is to enable infill development while minimizing impacts on adjacent properties,
- The proposed development agreement states that there is only one unit dwelling permitted on the proposed flag lot,
- The maximum height of the dwelling is 22 feet,
- The maximum dwelling footprint is 1189 square feet,
- The sideyards increased to 12 feet,
- The existing trees and vegetation in sideyards will be retained,
- There will be a shared driveway
- The applicant has agreed to provide a \$50.00 administrative fee to the property owners affected by civic addressing changes,
- The policy requires at least 40 feet of separation,
- The existing dwelling would like to encroach upon the minimum sideyard,
- The impacted property is owned by the applicants,

- The dwelling will be no closer to any other adjacent property,
- Staff feel that it is reasonable to enable the yard encroachment through the development agreement,
- Building requirements increase closer to the property line. The applicant would have to be granted a permit before this approval could be granted,
- The applicants will have to comply with the National Building Code,

Committee Members provided their comments, noting:

Ms. Lowther advised that she would like a progress update regarding a staff report on flag lots that has been put on hold (Case 00790). Mr. Driscoll advised that the report was held due to staffing constraints, but Mr. Bone would be continuing work on it in the near future.

Councillor Martin advised that he is happy to see this go forward as the public and neighbours are happy with the development. He continued by noting that the nearby school is the most vandalized school in the area and this house will bring an extra set of eyes and ears to increase safety and prevention.

Mr. Gray advised that he agrees with most of the proposal, but does not want to see anything within the eight feet radius.

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

- 1. Give Notice of Motion to consider the proposed development agreement, enclosed as Attachment D of this report, to enable the creation of a flag lot at 91 Dartmouth Road (PID 40111221), Bedford, and schedule a public hearing;**
- 2. Approve the proposed development agreement as Attachment D; and**
- 3. Require the agreement be signed and delivered within 120 days, or any extension thereof granted by North West Community Council on request of the applicant, from the date of final approval of said agreement by North West Community Council and any other bodies as necessary, whichever is later, including any appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

6. STATUS UPDATES

6.1 Monthly Status Sheet

The status sheets were reviewed. The Committee would like to receive an update on the status of Case 00790.

6.2 Decisions of Community Council

Circulated.

7. ADDED ITEMS- None

8. NEXT MEETING DATE

The next meeting of the North West Planning Advisory Committee will be June 18th, 2007 at 7:00 p.m in the Fenerty Room, Sackville Library, Sackville.

9. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Chrissy White
Legislative Assistant