

NORTH WEST PLANNING ADVISORY COMMITTEE
MINUTES

November 7, 2012

PRESENT: Ms. Ann Merritt
 Mr. Walter Regan
 Ms. Pamela Lovelace
 Ms. Carrie Purcell
 Mr. Michael Cogan
 Councillor Tim Outhit

REGRETS: Ms. Jessica Alexander
 Mr. Robert Wooden

STAFF: Mr. Tyson Simms, Planner, Planning Services
 Ms. Thea Langille, Supervisor, Planning Services
 Ms. Donna Honeywell, PAC/Admin Coordinator
 Ms. Sarah Pellerine, Legislative Support

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1. CALL TO ORDER

The Chair called the meeting to order at 7:15 p.m. in the Fenerty Room, Sackville Public Library, 636 Sackville Drive, Sackville.

2. APPROVAL OF THE MINUTES – September 26 2012

MOVED by Mr. Regan, seconded by Ms. Lovelace that the minutes of September 26, 2012 be approved as presented. MOTION PUT AND PASSED.

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

MOVED by Mr. Regan, seconded by Ms. Purcell that the Order of Business be approved as presented. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CONSIDERATION OF DEFERED BUSINESS – NONE

6. REPORTS

6.1 Case 18101: Time Extension to Development Agreement for a Mixed Use Development at the Southern Corned of Bedford Highway and Moirs Mill Road, Bedford

A staff report dated October 22, 2012 was before the Committee.

Mr. Tyson Simms, Planner, presented the report to the Committee.

Mr. Simms explained that the commencement date means the developer being granted a building permit, and that if this change does not pass then the Development Agreement will be dissolved after December 6, 2012. Also, that changing the commencement date does not change the completion date, which would remain at 10 years from the Development Agreements approval.

Ms. Thea Langille, Supervisor, Planning Services, gave the Committee an overview of the appeal on the case that happened in 2006 by Mr. Fox, Mr. Ford and Ms. Bird. In the end Ms. Bird was the only one who went through with the appeal, which was heard by the Nova Scotia Utility and Review Board. The NSUARB agreed that the case met policy and the appeal was denied. Staff has made the residents living within a 500m area from the proposed building aware of the extension, based on a clause in the Development Agreement.

In response to questions regarding whether the commencement date could be changed again, Mr. Simms noted that yes the applicant could come back and ask for another extension but the completion date will not change. Also that if the completion comes and a permit still has not been granted the Development Agreement will dissolve and the applicant could come back to HRM staff with a new proposal.

In response to questions regarding the construction permit, Mr. Simms noted that the developers have been in talks with staff about obtaining a permit but cannot fully meet the Development Agreement so one has not been granted as of yet. Also, that if the Developer needs to deviate from the proposed design to obtain a permit there would have to be an amendment brought forth to the committee for recommendation.

In response to questions regarding no change being approved to the commencement date, Mr. Simms noted that if this case does not get passed then there is a possibility the Development Agreement (DA) will be reopened for changes and brought back to the Committee for approval. Staff are recommending the extension so that they can keep things moving along and on target. Mr. Simms also noted that this DA was very site specific because at the time there was a lot of development happening in this section of Bedford and they wanted to do something specific for a commercial/residential building.

In response to questions regarding the Bedford Highway Corridor study, Mr. Simms noted that the only way this would be affected by the study would be if the DA was opened up for changes which would affect traffic flow more then originally proposed.

In response to questions whether the renderings shown in the 2006 Development Agreement is what the building actually must look like, Mr. Simms confirmed that the completed building will be constructed as set out in the DA and any changes must come to the Committee for recommendation.

MOVED by Ms. Purcell, seconded by Ms. Lovelace that the North West Planning Advisory Committee recommends that Halifax Regional Council:

- 1. Approve, by resolution, the proposed Amending Agreement as contained in Attachment A of the October 22, 2012 staff report to extend the construction commencement date for the development at the southern corner of Bedford Highway and Moirs Mill Road, Bedford by one additional year to December 6, 2013; 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.

7. STATUS UPDATES

7.1 Monthly Status Updates

The Planning Applications Status Update sheet was reviewed with the Committee.

7.2 Decisions of Council – None

8. ADDED ITEMS - None

9. NEXT MEETING DATE – December 5, 2012

The next meeting of the North West Planning Advisory Committee will be held on Wednesday, December 5, 2012 at 7:00 p.m. at the BMO Centre (Boardroom), 61 Gary Martin Drive, Bedford, Nova Scotia.

10. ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

Sarah Pellerine
Legislative Support