

NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES

June 5, 2013

PRESENT: Ms. Ann Merritt
Mr. Paul Russell
Ms. Carrie Purcell

REGRETS: Mr. Michael Cogan
Councillor Steve Craig

STAFF: Ms. Jacqueline Belisle, Planner, Planning Services
Ms. Thea Langille, Supervisor, Planning Services
Ms. Sarah Pellerine, Legislative Support

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1. CALL TO ORDER

The Chair called the meeting to order at 7:02 p.m. in the Boardroom, Sackville BMO Centre, 61 Gary Martin Drive, Bedford.

2. APPROVAL OF THE MINUTES – May 1, 2013

MOVED by Ms. Purcell, seconded by Ms. Merritt that the minutes of May 1, 2013 be approved as presented. MOTION PUT AND PASSED.

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

Addition:

- New Terms of Reference

MOVED by Mr. Russell, seconded by Ms. Purcell that the Order of Business be approved with the addition. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CONSIDERATION OF DEFERED BUSINESS – NONE

6. REPORTS

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

A staff report dated May 13, 2013 was before the Committee.

Ms. Jacqueline Belisle, Planner, presented the report to the Committee.

In response to questions regarding what development can happen once current policy is removed, Ms. Belisle noted that it will be 'by right' and there will be a lot of zoning regulations because of the PC (Pinehill/Cobequid) Zone.

MOVED by Mr. Russell, seconded by Ms. Purcell that the North West Planning Advisory Committee recommend that North West Community Council approve, as amended:

- 1. By resolution, approve the discharge agreement, presented as Attachment A to May 13, 2013 staff report, for lands located at the corner of Cobequid Road and Legacy Court, Lower Sackville as shown on Maps 1 and 2 (subject property); 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.

6.2 Case 18437: Time Extension to Development Agreement on Bedford Highway between Southgate Drive and Glenmont Ave, Bedford

A staff report dated April 18, 2013 was before the Committee.

Ms. Jacqueline Belisle, Planner, presented the report to the Committee.

Councillor Outhit noted that he has received a lot of complaints about this piece of land from residents and thinks it would be unfair to grant an extension of three years, for it is too long. He noted these issues that have held up commencement still may not be solved and this is too high profile and visible of an area to leave construction not started for so long. Councillor Outhit added the Committee has set precedence on developments that have come through over the years and would like to see this done here as well.

In response to questions regarding what must be completed to show commencement, Ms. Belsile noted that a construction permit must be issued and construction started (ie: hole dug, footings in, ect)

Mr. David Harrison noted that there have been a few different issues with the site, one of which being rock; this is a technical issue that is challenging to areas of viability. Various engineers have looked at this and one option is for a significantly alternative site design, which could take up to 15 months. In his professional opinion a year which has been suggested would be too short for this to be completed well. Mr. Harrison also noted there have been delays due to the retaining wall built along with the neighbours.

Ms. Thea Langille, Supervisor, Planning Services noted staff took careful consideration when looking at this site as to other sites which have been passed in the last while and the criteria are not the same. With this site there are three different areas to look at; a single unit dwelling, town houses and commercial property. Staff does not want to see things rushed and only have partial construction completed; therefore staff saw the proposed three-year extension as acceptable. Ms. Langille gave the Committee a scenario that, in theory, the Developer could come in for a permit on the single unit dwelling and dig a hole and consider that as construction started, and the rest of the site would remain as is.

It was noted by the Committee that a shorter extension as to the three years would be acceptable as long as the developer will have the time to come up with a viable solution that will not result in a mediocre product.

MOVED by Mr. Russell, seconded by Ms. Purcell that the North West Planning Advisory Committee recommend that North West Community Council approve the following and amended Attachment A from a 3 year to a 2 year extension:

- 1. Approve, by resolution, the proposed Amending Agreement as set out in Attachment A of the April 18, 2013 staff report to extend the construction commencement date as amended for the approved mixed use development located along the south-west side of the Bedford Highway between Southgate Drive and Glenmont Avenue, Bedford; and**
- 2. Required 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 other bodies 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

8.1 Public Participation for 74 Union Street, Bedford (memo & TOR attached)

Ms. Thea Langille gave an update to the Committee regarding a Committee that will be formed later this year and she asked for two NWPAC members to volunteer for the Committee. Ms. Purcell and Mr. Russell volunteered.

8.2 Terms of Reference

Ms. Thea Langille gave an update to the Committee regarding the terms of reference. She let the Committee know that on the HRM map NWPAC is responsible for Hammonds Plains/Beaver Bank/ Upper Sackville/ Sackville/ Sackville Drive and Bedford. It was explained that items will now come to the Committee in a memo form instead of a staff report so the Committee can have more input in the process.

With regards to membership it was noted there should be up to two Council members and up to eight (8)community members representing the five (5) plan areas. Ms. Langille will look into the **two** Council members and past members.

9. NEXT MEETING DATE – July 3, 2013

The next meeting of the North West Planning Advisory Committee will be held on Wednesday, July 3, 2013 at 7:00 p.m. at the Fenerty Room, Sackville Public Library, 636 Sackville Drive, Sackville, Nova Scotia.

10. ADJOURNMENT

The meeting was adjourned at 9:02 p.m.

Sarah Pellerine
Legislative Support