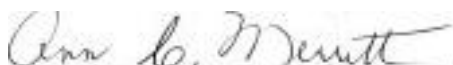


North West Community Council
May 5, 2011 (First Reading)
May 26, 2011 (Public Hearing)

TO: Chair and Members of North West Community Council



SUBMITTED BY: _____
Ann Merritt, Chair, North West Planning Advisory Committee

DATE: May 4, 2011

SUBJECT: Case 16418: Development Agreement – 70 First Lake Drive, Sackville

ORIGIN

North West Planning Advisory Committee Meeting – May 4, 2011

RECOMMENDATION

It is recommended that North West Planning Advisory Committee recommend that North West Community Council:

1. Give Notice of Motion to consider the proposed development agreement as provided in Attachment A of the staff report dated April 18, 2011, and schedule a public hearing;
2. Approve the proposed development agreement as set out in Attachment A of the staff report dated April 19, 2011 to permit new commercial development in excess of the maximum size permitted in the C2 (Community Commercial) Zone at 70 First Lake Drive, Sackville with an amendment to remove “entertainment use” as a permitted use under Section 3.3.1 (a).
3. Require the Development 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.

BACKGROUND

At its meeting on May 4, 2011 the Committee reviewed and discussed the proposed Development Agreement received by W.M. Fares Group Limited to expand the existing commercial Town Centre property at 70 First Lake Drive, Sackville. The Committee recommends that North West Community Council approve the proposed Development Agreement as set out in the staff report dated April 18, 2011 with an amendment to remove “entertainment use” as a permitted use under Section 3.3.1 (a).

BUDGET IMPLICATIONS

None associated with this report

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality’s Multi-Year Financial Strategy, the proposed Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

As per staff report dated April 18, 2011

ALTERNATIVES

1. North West Community Council may choose to approve the agreement, as contained in Attachment A of the staff report dated April 18, 2011. This is the recommended course of action as the proposed development agreement meets the overall intent of the Sackville Municipal Planning Strategy.
2. Alternatively, North West Community Council may choose to approve the terms of the agreement, as contained in Attachment A of the staff report dated April 18, 2011, with modifications or conditions. Some modification or conditions may require additional negotiation with the developer and may require an additional public hearing.
3. North West Community Council may choose to refuse the agreement. Pursuant to Section 245(6) of the *Halifax Regional Municipality Charter*, Council must provide reasons to the applicant justifying this refusal, based on policies of the Sackville MPS. This alternative is not recommended for the reason outlined in the staff report dated April 18, 2011.

ATTACHMENTS

Staff report dated April 18, 2011

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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