

## **HALIFAX REGIONAL MUNICIPALITY**

---

### **NORTH WEST PLANNING ADVISORY COMMITTEE Minutes**

**July 7, 2004**

**PRESENT:** Ms. Ann Merritt, Chair  
Mr. George Murphy  
Ms. Gloria Lowther  
Mr. Tony Edwards  
Mr. Roddy Macdonald  
Councillor Brad Johns  
Councillor Len Goucher (7:05 p.m.)

**ABSENT:** Ms. Karen Stadnyk (regrets)  
Ms. Jan Gerrow (regrets)  
Mr. Delphis Roy (regrets)  
Mr. Robert Morgan

**STAFF:** Ms. Jill Justason, Planner  
Mr. Richard Harvey, Planner II  
Ms. Gail Harnish, Admin./PAC Coordinator  
Ms. Sheilagh Edmonds, Legislative Assistant

## TABLE OF CONTENTS

1.	Call to Order .....	3
2.	Approval of Agenda .....	3
3.	Approval of Minutes .....	3
4.	Business Arising from the Minutes .....	3
5.	Case 00611 - Amendments to the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville .....	3
6.	Case 00657 - Amendments to Development Agreements - Halifax Golf and Country Club (Ashburn), Fall River .....	5
7.	Status Updates:	
7.1	Monthly Status Sheet .....	7
7.2	Decisions of Community Council .....	8
8.	New Business .....	8
9.	Next regular meeting date .....	8
10.	Adjourn .....	8

**1. Call to Order**

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

**2. Approval of Agenda**

**MOVED by Mr. Tony Edwards, seconded by Councillor Brad Johns, the agenda as presented be approved. MOTION PASSED.**

**3. Approval of Minutes**

**MOVED by Ms. Gloria Lowther, seconded by Mr. George Murphy, the minutes of June 2, 2004 be approved as circulated. MOTION PASSED.**

**4. Business Arising from the Minutes**

The Chair noted that at the last meeting, the Committee was to discuss a matter raised by Councillor Goucher with regard to sending a letter to Nova Scotia Power concerning the Corporation's decision to no longer review street tree plans; however due to time constraints, it was not dealt with. She questioned if the item should be placed on this agenda.

Ms. Gail Harnish responded that, it was her impression that after the meeting, the Councillor advised he would follow up on his own, therefore, she had not placed it on the agenda for this meeting.

Mr. Roddy Macdonald questioned if the item on Home Occupations will be coming back to the Committee.

Mr. Richard Harvey indicated that he expects to have a report for the Committee's next meeting.

**5. Case 00611 - Amendments to the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville**

C a memo dated June 18, 2004 from Jill Justason, Planner, was circulated.

C a report dated May 14, 2004 prepared by Jill Justason, Planner, originally submitted at the North West Planning Advisory Committee meeting of June 2, 2004, was resubmitted.

Ms. Justason addressed the Committee and provided an overview of this application. She pointed out that the Committee had reviewed it at it's last meeting, but due to a couple of concerns, the Committee was not prepared to move it forward to Community Council at that time.

At 7:05 p.m. Councillor Goucher entered the meeting.

Ms. Justason noted the main concerns expressed by the Committee were: 1. the only property owners which seemed to have an issue with semi-detached dwellings resided along the Tucker Lake Road area; and, 2. the amendments result from a single problem being the existing semi-detached dwelling which cannot be sub-divided. She made reference to the submitted memo and advised that it contained additional information in response to these concerns. Ms. Justason pointed out that the actual impact of the amendments is limited to those properties which have or are capable of obtaining central water and sewer services and, thus, the affected area is limited to Beaver Bank Road. She added that if semi-detached dwellings are permitted, there is the possibility they could become more prominent in the area and the intent of the MPS is for lower density.

In conclusion, Ms. Justason advised that staff continue to recommend that the LUB be amended to permit existing semi-detached dwellings to be subdivided upon a common party wall subject to minimum lot requirements established under the LUB; and remove semi-detached dwellings as an option wherever two-unit dwellings are listed in the land use bylaws as permitted use.

A discussion ensued and Ms. Justason responded to questions from the Committee.

Councillor Johns explained that the concern of the residents along Tucker Road is that there is a long parcel of land, currently zoned MU-1, and therefore, someone could construct semi's along the entire side of the street and the residents don't feel this would be in keeping with the rest of the neighborhood. He added that the residents are not opposed to duplex's (over/under) because they are less likely to be sold, noting that in most situations, the owner of a duplex will reside in the building; whereas with semi's, there are two separate property owners. Councillor Johns advised that by approving the staff recommendation, it will resolve the applicant's issue and, at the same time, it ensures that the issue won't arise in the future.

Following further discussion, with Ms. Justason responding to questions, it was **MOVED by Councillor Goucher, seconded by Ms. Lowther that the North West Planning Advisory Committee recommend that North West Community Council:**

1. **Give First Reading to proposed amendments, and schedule a public hearing for June 24, 2004. The proposed amendments would:**
  1. **Remove semi-detached dwellings as a permitted use in the Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville; and**
  2. **Permit subdivision of existing semi-detached dwellings, pursuant to the attached amendments (Attachment 3 of the May 14, 2004 staff report)**

2. **Approve the proposed amendments to the Land Use By-law for Beaver Bank, Hammonds Plains, and Upper Sackville shown in Attachment 3 of the May 14, 2004 staff report.**

**MOTION PASSED.**

6. **Case 00657 - Amendments to Development Agreements - Halifax Golf and Country Club (Ashburn), Fall River**

- C a report dated June 25, 2004 from Paul Dunphy, Director of Planning and Development Services was submitted.

Mr. Richard Harvey, Planner II, addressed the Committee and reviewed the application from Halifax Golf and Country Club to amend two existing development agreements that respectively apply to parts of its lands that are regulated by the planning documents for: "Beaver Bank, Hammonds Plains and Upper Sackville"; and, "Planning Districts 14 and 17" as outlined in the submitted staff report.

In his presentation, Mr. Harvey pointed out the following aspects contained in the report of which the Committee should focus:

- C the Halifax Golf and Country Club lies within two planning areas, and it is the northern section of the site which is in the Beavercreek, Hammonds Plains, Upper Sackville area.
- C there are no facilities in the section that NWPAC will be reviewing; the area is entirely golf course.
- C there are two existing development agreements, and by way of amendment, the applicant will, essentially, be entering into two new agreements.
- C presently, the applicant has an 18-hole golf course and with present development agreement, it can add another 18 holes, done in two phases of 9 holes each.
- C the applicant wants to develop the second 18-hole golf course in and around Beaver Pond and the northern section.

Mr. Harvey explained that with the previous development agreements the applicant intended to develop an 18-hole golf course in two phases of nine holes. As well, they wanted to put an addition on the clubhouse. Subsequently, the applicant found out there were problems with their existing clubhouse in the City, and this resulted in substantial financial outlay which caused them to put this particular course on the back burner. When the applicant revisited proceeding with the new course, they realized the cost of developing it in two phases would be too ambitious. The applicant also looked at whether

they wanted to add on to the existing clubhouse, however, they decided they wanted to retain the existing clubhouse and develop a brand new clubhouse. This posed a problem because the existing development agreement doesn't permit this because it states that the existing clubhouse must be demolished if a new clubhouse is built.

Mr. Harvey advised that staff reviewed the matter and have ended up with the following, in terms of the main elements of the Development Agreement:

1. allow the developer to construct a few golf course holes at a time, rather than require them to construct nine holes at one time;
2. allowances for the construction of small accessory buildings, located no closer than 100 feet to any property boundary.
3. A major element, which is a carry-forward from the past agreement is the requirement for environmental protection, such as a baseline water quality sampling program and an ongoing monitoring program,
4. water course setback at 66 feet;
5. erosion and sedimentation plans;
6. stormwater management;
7. identify old growth stands;
8. geotechnical testing for pyritic slate, and mitigation plans
9. the duration of the development agreement - applicant has asked for a 20 year window for which this development agreement to stay in place.

Other pertinent remarks Mr. Harvey made with respect to the application were:

- C Non substantial amendments involve course layout changes, permitted only where they improve course playability and are supported by the studies; and flexibility with regard to any changes in size or setback of any accessory buildings.
- C staff received input from the Halifax Watershed Advisory Board on the application and comments from the Board have been incorporated into the agreement.
- C Public Information Meeting was attended mainly by residents of Capilano Estates. Their concerns have been incorporated into the Development Agreement. Main concerns of traffic and stormwater drainage issues will be addressed.

Mr. Harvey concluded his presentation by advising that although the proposal is an amendment to the development agreement, essentially, staff is looking at wholesale changes. This is being done because: 1. the business plan for the golf course has changed; and, 2. in reviewing this with HRM's insurance staff, some changes have been noted that improve the administration of the development agreement through the approach staff is recommending.

A lengthy discussion ensued, with Mr. Harvey responding to questions.

The discussion resulted in the following concerns being expressed and requesting changes in the proposed development agreement to address these:

- C requirement for netting to protect adjacent properties from stray golf balls
- C requirement for washroom facilities
- C a preliminary investigation of the site overall, followed by a detailed analysis of each hole, in regard to pyritic slate
- C change the length of term to a five-year renewable term, conditional upon review

**MOVED by Mr. Macdonald, seconded by Councillor Johns that North West Planning Advisory Committee recommend North West Community Council:**

- 1. Give Notice of Motion to consider the proposed amendments (Attachment 6 in the June 25, 2004 staff report) to the existing development agreement for Halifax Golf and Country Club, and schedule a joint public hearing with Marine Drive, Valley & Canal Community Council;**
- 2. Approve the amended development agreement (Attachment 6 to the June 25, 2004 staff report) to permit the expansion of Halifax Golf and Country Club in Fall River, on lands identified as part of PID NO. 00526863 and defined in the amended development agreement that relate to the planning documents for Beaver Bank, Hammonds Plains and Upper Sackville; with the following changes: 1. requirement for netting to protect adjacent properties from stray golf balls 2. requirement for washroom facilities 3. a preliminary investigation of the site overall, followed by a detailed analysis of each hole, in regard to pyritic slate 4. change the length of term to a five-year renewable term, conditional upon review.**
- 3. Require that the amended development 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, including applicable appeal periods: otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PASSED.**

- 7. Status Updates:**
  - 7.1 Monthly Status Sheet**

The monthly status sheet was submitted for information.

- 7.2 Decisions of Community Council**

Information pertaining to the scheduling of public hearings by Community Council on Case No.'s 00626, 00651 and 00622, were submitted for information.

8. **New Business** - None

9. **Next regular meeting date** - September 1, 2004

10. **Adjourn**

The meeting adjourned at 8:40 p.m.

Sheilagh Edmonds  
Legislative Assistant