

# **HALIFAX REGIONAL MUNICIPALITY**

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## **NORTH WEST PLANNING ADVISORY COMMITTEE MINUTES**

**September 6, 2006**

**PRESENT:** Ms. Barb Grant, Vice-Chair  
Mr. David Grace  
Councillor Harvey  
Mr. Warren Hutt  
Ms. Gloria Lowther  
Ms. Ann Merritt  
Mr. Walter Regan

**STAFF:** Ms. Gail Harnish, Admin/PAC Coordinator  
Mr. Andrew Bone, Planner  
Mr. Paul Morgan, Planner  
Ms. Chris Newson, Legislative Assistant

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**1. CALL TO ORDER**

The Vice-Chair called the meeting to order at 6:30 p.m. in the Fenerty Room, Sackville Library, 636 Sackville Drive, Lower Sackville.

**2. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Councillor Harvey requested that Items 5.1, 5.4 and 5.5 be dealt with first on the agenda. He requested that if there are time constraints that Item 5.5 be dealt with this evening.

Ms. Barb Grant commented that Item 5.2 was to be first on the agenda and that Item 5.4 was not to be dealt with until 7:00 pm as some members of the public will be in attendance for that item and were of the understanding that the meeting would commence at 7:00 pm.

**Additions:** 7.1 Information Report: Paper Mill Lake - *Ms. Gloria Lowther*  
7.2 Resignations - *Ms. Barb Grant*.

**MOVED by Mr. Warren Hutt, seconded by Ms. Ann Merrit that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

**3. APPROVAL OF MINUTES - July 5, 2006**

**Corrections:** Ms. Barb Grant commented that under 1. CALL TO ORDER, it should be noted that the meeting was called to order by the Vice-Chair not the Chair.  
Ms. Gloria Lowther commented that on page 6, the section referred to in the staff report should be noted as page 19 not page 12.

**MOVED BY Councillor Harvey, seconded by Ms. Ann Merrit that the minutes of July 5, 2006 be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

**4. BUSINESS ARISING OUT THE MINUTES**

Ms. Gloria Lowther requested that the statistics regarding the number of units built/remaining to be built in the Bedford South/Royale Hemlock development areas, in regard to the interchange, be distributed prior to the joint meeting of the three community councils (North West Community Council and Western Region Community Council).

**5. REPORTS**

It was agreed during approval of the agenda that Item 5.2 Case 00938: Bedford West

Business Campus Amendment, be dealt with first on the agenda.

**5.2 Case 00938: Bedford West Business Campus Amendment**

- A staff report dated August 18, 2006 was before the Committee.

Mr. Paul Morgan, Planner, presented the report.

Mr. Morgan responded to questions of the Committee as follows:

- Zoning remains with the land even if the land is sold.
- As indicated in the staff report, Capital Cost Charges are covered in the conditions of the Purchase and Sale Agreement. RIM (Research in Motion) has agreed to cover the costs.
- In response to a request for height clarifications for Areas "A" and "B" and the effect on area homes, Mr. Morgan advised that there are very few residential homes in that area as it is near the Atlantic Acres Industrial Park. He added there are a few homes near the Hammonds Plains Road and the height distinction is to protect those homeowners.
- Underground parking is not a requirement in the By-Law. Four parking spaces per 1000 square feet of building space is the standard. He added that RIM feel they may require more parking spaces but would prefer to see more transit service.
- The sidewalk from the RIM building will extend to the nearest public sidewalk. It is possible that a private road may be built to reach the building and then transferred to the municipality.
- Page 14 of the staff report outlines the criteria for the stormwater management plan. Consultants are working to create green areas to direct the flows. Mr. Walter Regan suggested the Consultants review the green islands used on the Sobey's property. He also requested a copy of the stormwater/wastewater report. Mr. Regan requested oil grid separators be incorporated into the stormwater/wastewater plan.
- Green roofs are not mandated.
- Mr. Morgan agreed to provide the percentage of sewer/infrastructure charges (which would be approximately \$5000 per developed acre).
- In response to a request that the amendments be site specific to the RIM building and that any other requests come forward as a development agreement, Mr. Morgan replied that staff could redraft the report but it would require a plan amendment. He added that part of the commercial objective is to infringe as little as possible into the residential area. Lifting the height requirement could mean there would be other 175' buildings. Mr. Andrew Bone, Planner, added that the setback for a building is usually ½ the height of the building.
- The approximate distance between the entry road/parking area (at left) and the property line of private homes is 300'.
- This site is adjacent to a site previously turned down for development due to the turn at the top of a blind hill. He added that safety standards would have to be met.

**MOVED BY Ms. Gloria Lowther, seconded by Mr. Walter Regan that the North West Planning Advisory Committee recommend that the last sentence in Clause b) on page 10 of the staff report dated August 18, 2006 be amended to “This clause shall not apply to office buildings over three (3) storeys or 35' in height.” MOTION PUT AND PASSED.**

**MOVED BY Mr. Walter Regan, seconded by Mr. Warren Hutt that the North West Planning Advisory Committee recommend that the North West Community Council:**

- 1. Give first reading and schedule a public hearing to consider amendments to the Bedford West Business Campus Zone;**
- 2. Approve the amendments to the Bedford West Business Campus Zone presented in Attachment “E”, “G” and “H” of the staff report dated August 18, 2006. And that Clause b) on page 10 of the staff report dated August 18, 2006 be amended to read that “This clause shall not apply to office buildings over three (3) storeys or 35' in height. “**

**It is further recommended that North West Community Council recommend that Regional Council:**

- 1. Give first reading and schedule a public hearing to consider an amendment to the Regional Subdivision By-Law;**
- 2. Approve an amendment to the Regional Subdivision By-Law presented in Attachment “F” of the staff report dated August 18, 2006.**

**AMENDED MOTION PUT AND PASSED.**

During approval of the agenda, the Committee agreed to deal with item 5.4. at this time.

#### **5.4 Case 00889: Bedford Land Use By-Law Amendment - CHWY Zone**

- A staff report dated July 25, 2006 was before the Committee.

Mr. Andrew Bone, Planner, presented the report.

Mr. Bone responded to questions of the Committee as follows:

- A daycare license would be granted by the province. The province suggested that HRM use best practices in determining the location for the daycare centre.
- There are other daycare centres in the area whose current zoning permits that use.

- Installation of sidewalks at this location along the Bedford Highway would assist when considering a daycare centre at this site but, there are other conflicts with this location such as: the close proximity to the Bi-Centennial Highway, access ramps, speed, design of the highway and access to the site. The property owner was granted full access to the Bedford Highway at this site and HRM has agreed to maintain what was granted to him. There are five lanes of traffic, traffic medians and turning lanes, changes in speed zones etc. that make this area challenging.
- The property owner responded to the Committee that there would be approximately fifty children at the daycare.

The Committee raised the following comments/concerns during the ensuing discussion:

- This amendment would apply to the entire area along the Bedford Highway. Currently, zoning along the Bedford Highway varies. Mr. Bone confirmed that the amendment would apply to all CHWY zone properties.
- In response to the Committee, Mr. Bone advised that to change the area to all CGB would significantly broaden the uses permitted as CHWY zoning has a limited number of uses, for example, a CHWY zone would not permit office use.
- Mr. Bone confirmed that direct access to this property is from the Bedford Highway (adjacent to the Rubber Duck Car Wash).

**MOVED BY Mr. Warren Hutt, seconded by Ms. Ann Merritt that the North West Planning Advisory Committee recommend that the North West Community Council reject the proposed amendment to the Bedford Land Use By-Law to allow daycares within the CHWY (Highway Commercial Zone). MOTION PUT AND PASSED.**

The Committee agreed to deal with Item 5.1 at this time.

**5.1 Case 00925: Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law Amendment - C-4 (Highway Commercial) Zone - Auto Repair**

- A staff report dated August 1, 2006 was before the Committee.

Mr. Andrew Bone, Planner, presented the report.

The Committee raised the following comments/concerns during the ensuing discussion:

- Concern was expressed that as a stand alone repair facility the parking area could be full of cars that never get repaired and resemble a junkyard. Mr. Bone commented that an autobody facility may have derelict vehicles but not a repair facility. He further clarified that there are By-Law Standards that would have to be met (minimum standards) as junk or scrap yards are not permitted.
- Mr. Bone further responded that there are provincial regulations that have to be met in regard to environmental controls (disposal of oils/fluids/tires). See Attachment "C", page 9 the staff report. Contaminants cannot be discharged to the

- environment.
- Mr. Bone responded that he did not know of any landscaping requirements for auto repair facilities.
- Mr. Bone responded that this amendment would cover all C-4 properties (of which there are approximately seven (7) located in the areas of the Beaver Bank Road, Lucasville Road and Hammonds Pains Road.

**MOVED BY Ms. Ann Merritt, seconded by Mr. Walter Regan that the North West Planning Advisory Committee recommend that the North West Community Council:**

- 1. Give first reading to consider the proposed Land Use By-Law amendment and schedule a joint public hearing with the Western Region Community Council and Marine Drive, Valley and Canal Community Council for Thursday, October 26, 2006.**
- 2. Approve the proposed Land Use By-Law amendment relating to the definition of service stations to permit stand alone auto repair uses as set out in Attachment "D" of the staff report dated August 1, 2006.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

It was agreed during the approval of the agenda to deal with Item 5.5 Case 00934: Sackville Land Use By-Law Amendment - Personal Service Use at this time.

**5.5 Case 00934: Sackville Land Use By-Law Amendment - Personal Service Use.**

- A staff report dated August 25, 2006 was before the Committee.

Mr. Andrew Bone, Planner, presented the report.

The Committee raised the following comments/concerns during the ensuing discussion:

- Concern was expressed that more requests may come forward to change from residential to C1 and slowly a residential neighbourhood would become a commercial area. Mr. Bone responded that a rezoning process would require the application to come forward to the Community Council for approval. The Planning Advisory Committee would also review the application prior to it going forward to Community Council. He added that some areas would be more appropriate for a commercial use than others, such as an arterial roadway.
- Concern was expressed with an increase in traffic on residential streets as area residents would not like that. Mr. Bone advised that there would be limited impact as there would not be a lot of difference in traffic between a hairdresser/chiropractor use.

- Mr. Bone and Ms. Gail Harnish reviewed the requirements for public information meetings (PIM's) explaining that waiving a PIM is a judgement call. Most often PIM's are held and a notification mail out is sent to area residents.
- Mr. Bone clarified that a personal service use would include a registered massage therapist but not a massage parlour, strip club, tavern or arcades. Personal Service use is clearly defined.
- Mr. Bone responded to Councillor Harvey that a residential property rezoned C1 would not have to have the residential designation revoked/removed. He explained that there is a list of criteria that must be followed.

**MOVED BY Ms. Gloria Lowther, seconded by Ms. Ann Merritt that the North West Planning Advisory Committee recommend the North West Community Council:**

- 1. Give first reading to consider the proposed amendments to the Sackville Land Use By-Law and schedule a public hearing.**
- 2. Approve the proposed amendments to the Sackville Land Use By-Law relating to the definition of personal service uses as set out in Attachment "C" of the staff report dated August 25, 2006.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**5.3 Case 00833: Rezoning to Institutional/Development Agreement, 806 Kearney Lake Road, Bedford**

- A staff report dated August 1, 2006 was before the Committee.

Mr. Andrew Bone, Planner, presented the report. He responded to concerns/comments from the Committee as follows:

- Confirmed that all three environmental assessments were forwarded to the Bedford Waters Advisory Board. Some revisions were made but will not affect the decision.
- He reviewed the proposed sewage treatment system adding that septic issues are regulated under the Environment Act.
- In regard to ongoing flow monitoring, after speaking to the engineers, what was being requested was not practical and will not be done.
- Confirmed that there is a bond agreement in place as it is a requirement of the by-law.
- There are no lot service charges as the developer is not gaining any services.
- There may be limited ditching to drain back to the wetland. Due to the grade difference, it will not be possible to catch everything. Runoff from the top area (parking lot) will be treated.
- The development agreement does not allow for temporary road access and they



only place the developer is permitted to disturb is the indicated area.

Mr. Walter Regan suggested one three sided culvert instead of three culverts at the road crossing.

Mr. Walter Regan commented that this is one of the best staff reports he has received and would like to see more with this amount of detail.

**MOVED by Mr. Walter Regan, seconded by Ms. Ann Merrit that the North West Planning Advisory Committee recommend the addition of clause 6.13a to read as follows:**

**6.13a            *The developer shall install a three sided culvert at the driveway water course crossing subject to the approval of the Nova Scotia Department of Environment and Labour.***

**MOTION PUT AND PASSED.**

In response to concerns raised by the Committee, Mr. Bone provided the following comments:

- In regard to the flat rooftop design, he advised that stormwater retention was part of the environment plan.
- The waterway crossing is the jurisdiction of the Department of Environment and Labour.

Mr. Regan requested a colour set of original drawings.

**MOVED BY Mr. Walter Regan, seconded by Ms. Ann Merrit that the North West Community Council:**

- 1.     Move first reading and notice of motion to consider the proposed rezoning and development agreement, and schedule a public hearing;**
- 2.     Approve the rezoning of 806 Kearney Lake Road PID#41140989 from RSU (Residential Single Unit) Zone to SI (Institutional) Zone as set out in Attachment "E" of the staff report dated August 1, 2006.**
- 3.     Approve the development agreement as set out in Attachment "F" of the staff report dated August 1, 2006 to permit the establishment of a church and permit disturbance within 30.5 m (100 feet) of a watercourse.**
- 4.     Require that the development agreement be signed and registered within 120**

days, or any extension thereof granted by Council on request of the applicant, 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.**

**6. STATUS UPDATES**

**6.1 Monthly status sheet**

A copy of the Status Sheet was circulated to the Committee.

**6.2 Decisions of Community Council**

Decisions passed at the North West Community Council Meeting of were submitted for information purposes only. No further action required.

**7. ADDED ITEMS**

**7.1 Information Item, Paper Mill Lake**

Mr. Bone responded to Ms. Lowther that if the Paper Mill Lake application is re-activated, the Public Information Meeting minutes will be included with the staff report as all staff reports forwarded to Community Council and Regional Council automatically include those minutes.

Ms. Langille added that a draft report will come to the North West Planning Advisory Committee and then, upon approval, will be forwarded to the North West Community Council.

**7.2 Resignation from Committee**

The Chair read into the minutes the resignation of Mr. George Murphy and Mr. Joel Matheson.

**8. NEXT REGULAR MEETING DATE**

The next meeting will be held on October 4, 2006. (Meeting on Sept. 14<sup>th</sup> that NWPAC is hosting).

Ms. Ann Merritt forwarded regrets for the October 4, 2006 meeting.

9. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

Chris Newson  
Legislative Assistant