

NORTH WEST PLANNING ADVISORY COMMITTEE
MINUTES

October 3, 2007

PRESENT: Ms. Ann Merritt, Chair
Ms. Gloria Lowther
Mr. Walter Regan
Ms. Jessica Alexander
Mr. Caylum Evong
Councillor Gary Martin

ABSENT: Councillor Bob Harvey (Regrets)
Mr. Warren Hutt
Mr. Lorne Piercey
Mr. Jim Sullivan

STAFF: Mr. Joseph Driscoll, Planner
Ms. Gail Harnish, PAC Coordinator
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Melody Campbell, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. in the Fenerty Room, 363 Sackville Drive, Sackville Library, Lower Sackville.

Introductions were made around the table.

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

MOVED by Mr. Regan, seconded by Councillor Martin, that the order of business be approved. MOTION PUT AND PASSED.

3. APPROVAL OF THE MINUTES

MOVED by Mr. Regan, seconded by Councillor Martin, that the minutes of September 5, 2007 as presented, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

Ms. Harnish advised that there will be no response on Papermill Lake as it is currently under appeal.

The memorandum that was included in the agenda package as an information item has a change to the Dwelling Unit Count - Bedford South and Royale Hemlocks Subdivisions - Units should read 1497 units instead of 1254 units. Units for Bedford South should be 475 units instead of 232. The units for Royale Hemlock Subdivision remains at 1022 units.

5. REPORTS

5.1 Case 01064: Development Agreement - 517 Sackville Drive

Mr. Joseph Driscoll, Planner, presented Case 01064: Development Agreement - 517 Sackville Drive.

The following issues came forward after the presentation:

Mr. Regan questioned if the twenty percent green plan would be applicable to this development. Mr. Driscoll will look into this further.

Mr. Regan also asked if an oil grit separator is required. Mr. Driscoll replied that it is not required. The restaurant has already been approved.

Committee members were concerned as to how this project is being developed. The applicant is requesting an extension adding 285 square foot to the 4990 square foot building which had been previously approved. Concern was raised that this addition is a way to expand without having to go through the development agreement requirement for buildings over 5000 square feet. The Committee are concerned that this may set a precedent.

Mr. Driscoll added that it is positive to have garbage kept inside of a building to improve appearances and to deter animals and rodents.

Ms. Merritt proposed that the day and time of refuse removal be investigated. There are homes behind McDonalds, and refuse removal in the middle of the night could be disruptive to the residents. She questioned if this could be addressed in the agreement. Mr. Driscoll will investigate to find out if this would be possible.

Mr. Evong, Ms. Alexander and Councillor Martin added comments approving the plan.

MOVED BY Councillor Martin, seconded by Ms. Alexander that the North West Planning Advisory Committee recommend that the North West Community Council:

- 1. Give Notice of Motion to consider the proposed development agreement, enclosed as Attachment A of this report, to enable the development of an addition to the McDonald's Restaurant at 517 Sackville Drive (PID 40311698), Sackville, and schedule a public hearing;**
- 2. Approve the proposed development agreement provided as Attachment A; and**
- 3. Require the agreement be signed and delivered within 120 days, or an extension thereof granted by North West Community Council on request of the applicant, from the date of final approval of said agreement by North West Community Council and any other bodies as necessary, whichever is later, including any appeal periods. Otherwise this approval shall be null and void and any obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

5.2 Case 00929: Development Agreement and Amendments to the Sackville MPS and LUB

Mr. Joseph Driscoll, Planner, presented Case 00929: Development Agreement and Amendments to the Sackville MPS and LUB.

Ms. Alexander had no concerns, she stated that this is a good plan, and it will be beneficial to the area for the business to store its refuse in the basement.

Councillor Martin mentioned that this site used to have a motorcycle shop on or nearby and there have been no issues in the past from residents in the community.

Mr. Evong stated he supported the plan.

Mr. Regan discussed the buffer zones noting they should be the property of HRM. In response, due to liability and maintenance issues, buffer zones could not be owned by HRM. Mr. Regan also expressed concern regarding material disposal. In reply, analysis and disposal would fall under the jurisdiction of the Nova Scotia Department of Environment. Mr. Regan also inquired if HRM can require a waste oil tank for recycling. Mr. Driscoll replied that this probably would not be possible, but he will look into this further. Another concern was the oil grit separator which will be further addressed at the public hearing. Mr. Regan stated that the bond requirement is too low.

Ms. Merritt added that this is a good plan as long as the residential properties are protected.

MOVED BY Mr. Regan, seconded by Councillor Martin that the North West Planning Advisory Committee recommend that the North West Community Council:

- 1. Recommend that Regional Council give First Reading to the proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-law as provided in Attachments A and B; and the schedule a joint public hearing with North West Community Council;**
- 2. Recommend that Regional Council approve the proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-law as provided in Attachments A and B; and**
- 3. Give Notice of Motion to consider the proposed development agreement as provided in Attachment C and schedule a joint public hearing with Regional Council.**

Contingent upon the adoption by Regional Council of the above Municipal Planning Strategy and Land Use By-law amendments and those becoming effective under the Municipal Government Act, it is further recommended that North West Community Council:

- 1. Approve the proposed development agreement as provided in Attachment C; and**

2. Require the development agreements be signed within 120 days, or any extension thereof granted by Council on request for the application, from the date of final approval of said agreements by Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED.

6. STATUS UPDATES

6.1 Status Sheet Updates

Ms. Harnish provided an update to the status sheet.

6.2 Decisions of Community Council

- Veterinary Clinic staff recommendation was approved.
- 199 Rocky Lake Drive Public Hearing will be held on October 25th.
- Mill Cove Public Hearing will be held on October 25th.

7. ADDED ITEMS - NONE

8. NEXT REGULAR MEETING DATE

The next meeting is scheduled for Wednesday, November 7, 2007 at 7:00 pm.

9. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Melody Campbell
Legislative Assistant