

**HALIFAX REGIONAL MUNICIPALITY**

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**NORTH WEST PLANNING ADVISORY COMMITTEE  
MINUTES**

**MARCH 5, 2008**

**PRESENT:** Ms. Ann Merritt, Chair  
Ms. Gloria Lowther  
Councillor Harvey  
Mr. Warren Hutt  
Mr. Lorne Piercey  
Ms. Jessica Alexander

**REGRETS:** Mr. Jim Sullivan  
Mr. Walter Regan  
Councillor Johns

**STAFF:** Ms. Gail Harnish, Admin/PAC Coordinator  
Mr. Paul Morgan, Senior Planner  
Mr. Joseph Driscoll, Planner  
Mr. Andrew Bone, Senior Planner  
Mr. Mark McGonnell, Development Engineer

**1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Morrison Room at the LeBrun Centre.

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

**MOVED by Warren Hutt, seconded by Gloria Lowther, that the order of business be approved. MOTION PUT AND PASSED.**

**3. APPROVAL OF THE MINUTES OF FEBRUARY 6, 2008.**

**MOVED by Lorne Piercey, seconded by Warren Hutt, that the minutes of February 6, 2008, be approved as presented. MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES - None.**

**5. REPORTS**

Ms. Merritt noted Mr. Regan submitted comments on each of the applications which have been circulated to Committee members.

**5.1 CASE 01088 - DEVELOPMENT AGREEMENT FOR A PROFESSIONAL CENTRE, SACKVILLE**

Mr. Joseph Driscoll, Planner, presented the application. He noted Mr. Richard Kassner was in attendance. The following questions/comments were responded to.

Councillor Harvey referenced the public information meeting minutes and a subsequent email from Mr. Shires. He asked for confirmation that most of the issues raised by Mr. Shires and his neighbours were addressed in the development agreement.

Mr. Driscoll advised he did speak with Mr. Shires and sent him a copy of the report/development agreement. He seemed genuinely pleased.

Ms. Merritt asked for confirmation that the rainwater was going to be used for the flushing of the toilets.

Mr. Driscoll advised that is one of the technologies being explored.

Mr. Piercey questioned whether there was a certain National standard they are trying to meet or

exceed in terms of the green aspects.

Mr. Kassner advised Entergreen has prepared a checklist and determined what is easily achievable. Their objective is to evaluate every aspect of this project from manufacture to the final installation. They plan to collect the rainwater from the roof, grey water from the shingles for toilet flushing, and solar collection for domestic hot water. They have not yet designed the heating source. Essentially they have created their own standard to create carbon neutrality for the site. They will provide a manual at the end of the job. They have automated the systems as much as possible. He hoped this project could be used as a model for future commercial projects.

**MOVED by Mr. Hutt, seconded by Mr. Piercey, to recommend that North West Community Council:**

- 1. Give Notice of Motion to consider the proposed development agreement, as set out in Attachment A of the staff report dated February 8, 2008, and schedule a public hearing;**
- 2. Approve the proposed development agreement, as set out in Attachment A of the staff report dated February 8, 2008, to permit a two storey professional office building on the subject property; and**
- 3. Require the agreement be signed and delivered within 120 days, or any 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 void any other obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED.**

**5.2 SUPPLEMENTARY REPORT - CASE 00929 - DEVELOPMENT AGREEMENT, SACKVILLE DRIVE**

Mr. Andrew Bone, Senior Planner, presented the supplementary report for this application. The Committee previously saw this case in October of 2007. The amendments to the Municipal Planning Strategy for Sackville were approved and are now in effect. The applicant asked for some changes to the site plan which were deemed to be major enough to come back through the process.

Councillor Harvey referenced Mr. Regan's comments and questioned why it did not go back to the Halifax Watershed Advisory Board (HWAB).

Mr. Bone advised the original application did go to HWAB. The building is the same, the setback is maintained, and the requirements in the development agreement were not changed, so staff did not feel there would be any benefits to taking it back to the Board. However, because there is additional storage above-ground, the Board might have asked for full treatment.

Councillor Harvey said he was concerned about the compound being outside and the visual impact on the neighbours in behind.

Mr. Bone advised there are no neighbours in behind at the moment and it is owned by John Keizer. The requirement is for landscaping with trees and a 6' high solid wood fence.

Councillor Harvey questioned whether there was a limit on how many vehicles could be stored inside.

Mr. Bone advised it is limited by its size and they have to keep the loading door at the rear clear. Also, there is a requirement prohibiting vehicles with leaking oil from being stored outside. He suggested the Committee could ask for an amendment to require storm treatment on the rear parking lot.

Councillor Harvey urged that staff contact the applicant to see if they would be in agreement with that requirement in advance of the report coming to Community Council.

Mr. Hutt questioned whether a public information meeting was held with the residents in the surrounding area.

Mr. Bone advised there was a meeting previously held and the minutes were included with the previous staff report. Most of the concern was with the previous uses and with possible site contamination. The issue was reported to the Department of the Environment (DOE). The applicant submitted a soil sample which was forwarded to DOE. The development of the site would help clean up anything that may be there. Some of the soil has already been cleaned up and moved from the site. He understood it might have been a swampy area in the past and there might have been fill placed there many years ago by a previous owner.

Ms. Lowther asked for confirmation that there are residential homes directly across from this site on the Old Windsor Road.

Mr. Bone responded yes, and noted they were concerned about the environmental aspects.

Mr. Piercey referenced 5.11 of the agreement which states "floor drains in the building shall be diverted to an oil/water separator prior to discharge to municipal services or watercourses".

Mr. Bone clarified it would be discharged to municipal services. Deletion of the words "or

watercourses” would be appropriate. There is a provision in the development agreement which

states no occupancy permit shall be issued until sewer and water services are available to the building.

Mr. Bone provided the following responses to Mr. Regan's email:

- changes were made because of the cost of constructing the basement
- sedimentation and erosion plans generally go to our Development Engineer and DOE for comment
- there was infill in the past adjacent to the brook - there is no proposal to change what is there now
- the Committee could request there be an amendment to require oil and grit separators
- there is a requirement for a \$2500 bond in the current agreement which was determined to be reasonable
- sewage holdback is not a concept permitted in Sackville at this time

Ms. Merritt noted they have already dug a large hole on the property, and questioned whether there is a timeframe they have to wait for that soil to settle.

Mr. Bone advised they removed a large quantity of soil to do geo-technical work to figure out what was underneath that soil. They may have to provide structural fill to deal with the existing composition of the ground.

**MOVED by Ms. Alexandar, seconded by Ms. Lowther, to recommend that North West Community Council:**

- 1. Give Notice of Motion to consider the proposed development agreement as provided in Attachment A of the report dated February 15, 2008, with the following amendments, and schedule a public hearing;**
  - amend clause 5.4 to require security in the amount of \$5000 rather than \$2500**
  - delete the words "or watercourses" in clause 5.11**
  - amend clause 5.8 to require oil and grit separators or an equivalent for the whole site**
- 2. Approve the proposed development agreement as provided in Attachment A of the report dated February 15, 2008, with amendments, to permit an autobody shop between 1676 and 1702 Sackville Drive, Middle Sackville; and**
- 3. Require the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, 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.**

Ms. Lowther referenced the gas bar at the Mill Cove plaza and indicated she thought there was supposed to be a second access. Andrew Bone agreed to check on Monday and to get back to Ms. Lowther.

**5.3     CASE 01027 - DEVELOPMENT AGREEMENT FOR SUNSET RIDGE**  
**SUBDIVISION**

Mr. Paul Morgan, Planner, presented the application. He noted that Mr. Rob MacPherson of Armco Capital Inc. was in attendance.

Mr. Morgan noted there is an error in the staff report. There is a statement in the background section indicating that the interchange and connector road are being cost-shared among the three levels of government. Although the Province remains committed to having this project completed by the fall of 2009, a cost-sharing agreement has not been reached at this point. It is expected that a proposal will be brought before Regional Council within the near future.

The following questions/comments were raised and responded to:

Councillor Harvey noted there were a lot of questions raised in the minutes from the public information meeting about schools.

Mr. Morgan advised we now have the formal answer from the Board saying there is not capacity and elementary students would be bussed to where there is capacity. They did not tell us to where.

Councillor Harvey stated if this development proceeds, anybody buying a lot in there should be told their kids will be bussed out of their neighbourhood to go to school.

Councillor Harvey said he liked that there were no driveways along Sackville Drive and that we have a buffer zone.

Councillor Harvey questioned how much of this development could proceed before the interchange is built.

Mr. Morgan advised a maximum of 300 units can go in off one entrance before the development is held up.

It was confirmed for Mr. Hutt that from Millwood Drive down, there is no sidewalk. There is a small strip in the area of Lucasville Road.

Mr. Hutt questioned whether there was any thought given to putting a sidewalk along the highway.

Mr. Morgan said he expected when we did the visioning exercise that we would look at what infrastructure is needed.

Councillor Harvey noted the visioning will take eighteen months and this development will be considered for approval in two months time. He understood this project is outside visioning and is already accounted for in the Regional Plan.

Mr. Morgan advised the Regional Plan did put a few properties in the Service Boundary which allowed a development agreement to be entertained prior to the secondary planning strategy being undertaken.

Mr. Pyle pointed out there will be sidewalk on Road F down to Sackville Drive. He referenced a development behind this called Twin Brooks. As part of that, there will be a four lane intersection that would go to Road F and into Millwood.

In response to Ms. Lowther, Mr. Morgan confirmed it is anticipated there will be a second access onto Margison Drive and that there is a phasing plan attached to the development agreement.

Ms. Lowther expressed concern that sometimes the infrastructure is not there to accommodate development, particularly when you have existing residents having problems. It is a great development as long as the infrastructure supports the size of the development being proposed.

Ms. Alexander questioned why the subdivision was not connected to the Old Sackville Road.

Mr. Morgan noted there is a right-of-way which has to be maintained as an easement for access to the sanitary system. The residents were concerned about additional access over their streets. We did however allow pedestrian access.

Ms. Alexander said she was concerned with the concept of excluding others from using streets. This is an urbanized area.

Ms. Merritt advised there was a traffic calming exercise done on the Old Sackville Road not too long ago because of the amount of traffic. It is a very narrow road and was picking up a lot of traffic from the Lucasville Road. Now there is a stop sign on every corner for almost the entire length of the road.

Ms. Alexander stated she looked for things to be designed to make her life easier and her family safe. The streets in this proposed development are extremely narrow and are narrower than any other street in the area.



Ms. Alexander noted the green space is extremely sloping and may be better used as a hiking trail.

Ms. Merritt indicated there was reference to a left turning lane at the entrance, and questioned what would be there to allow cars turning out of that subdivision to be able to see what is coming around that bend which you cannot do now.

Mr. Morgan responded the turning lane is to allow cars to queue while they are waiting for oncoming traffic to go by.

Ms. Merritt questioned whether the green area is a wetland or if it is sloping.

Mr. Morgan advised there is a good slope to it. It is intended to allow for a trail, and is for more of a passive area.

Ms. Merritt questioned whether there was a proposed timeline on the park and ride facility.

Mr. Morgan noted a presentation was made at a recent North West Community Council meeting which indicated 2009.

Ms. Merritt noted they are talking about no connections to neighbouring streets. She questioned whether it would affect the external traffic patterns on the #1 Highway.

Mr. Morgan responded Sackville Drive is designated as a collector for this area. In addition, there is a connector road to Highway 101.

Ms. Merritt commented people go the shortest route. This will see the traffic from the multiple family houses going through the single family residential streets, which seems contrary to what we normally try to do. She asked about an exit from Road D to the connector road.

Mr. Morgan advised TPW would not allow another access that close to the intersection. It is smarter to put commercial at the entrance so it does not attract traffic into the neighbourhood.

Ms. Merritt noted it was mentioned the density is 17.3 persons per acre (ppa) and the sewer has been sized to accommodate 18 ppa. She also understood there is capacity in the sewer system to accommodate other lands that may be developed as-of-right and to take the Springfield Lake plant off the system at some point.

Mr. Mark McGonnell confirmed this to be the case. Generally speaking, the area we are looking at is relatively small in nature and that line has been sized for a much larger area including the subdivision further out. The direction was given by the Department of the Environment to extend services out

because of the treatment plant issues. The 18 ppa is for this site.

Ms. Merritt questioned whether this would limit development on other lands.

Mr. McDonnell responded no. If they were proposing to go beyond the capacity for this land, it would be different because you would have to take away from other lands. They are within the allocation that has been set aside for this property.

Ms. Merritt asked for confirmation that the capacity for Springfield Lake would remain until that work can be done.

Mr. McDonnell responded that is part of the design. Also, there are a lot of inflow/infiltration problems in that area.

Ms. Merritt questioned how this is going to impact the downstream sewer system in Lower Sackville which overflows into people's houses when it rains.

Mr. McDonnell responded he was advised by David Ellis of Halifax Water that there are a number of required upgrades. A number of upgrades have taken place to the fish hatchery pumping station, and significant improvements need to be made to the inflow/infiltration problems. The events happen during large wet weather conditions. Some overflow will still happen but only until they do the improvements to the inflow/infiltration.

Ms. Merritt stated she was concerned about the school situation. She agreed everybody who buys a lot should know their kids will go somewhere else for school and probably somewhere outside of Sackville.

Ms. Merritt expressed concern that there are no architectural requirements included in the development agreement for the townhouses or the apartments. In the other agreements presented tonight, they have seen architectural designs and renderings of what the buildings will look like.

Ms. Merritt questioned what was meant by "no development shall be permitted within the non-disturbance area".

Mr. Morgan responded it means no development and the area shall not be disturbed. The Municipality can direct the owner to do a site rehabilitation plan if they are found to be in violation.

Ms. Merritt noted the non-substantive amendments section refers to amendments to Schedule B of the agreement as well as Parts 3 and 4 of the agreement, the latter being the guts of the agreement. She felt that was a lot to be considered as non-substantial.

Mr. Pyle advised this agreement leaves it up to Community Council to determine whether or not something is considered minor. If there is a minor amendment, people within 500' of the site would be notified. It would be an open process. The residents would have the ability to appeal Council's decision.

Mr. Hutt expressed concern about the poor visibility coming down that hill.

Mr. McGonnell confirmed the road widths would meet the HRM standards in this development and he was not aware of any variations being proposed. In terms of coming out onto Sackville Drive the road would have to be designed to meet stop sighting distances for that intersection. There would have to be a sight triangle to give those sightlines.

Ms. Alexander suggested the municipal standard is too tight. There is less frontage per home.

Mr. Piercey questioned whether there are any provisions to control speed.

Mr. McGonnell advised he was not aware of any speed bumps being required in this development. People would not be using this development to short-cut so there would be local traffic only. Sometimes speeding can be controlled by putting in intersections and stop signs. The developer will have their engineer look at those kind of things.

Ms. Lowther questioned whether the standard width of the roads in this development could be increased.

Mr. McGonnell confirmed the streets in this development would be classed as local roads. There are a number of standards and it depends on the capacity.

**MOVED by Mr. Hutt, seconded by Mr. Piercey, to recommend that North West Community Council:**

- 1. Move Notice of Motion to consider the proposed development agreement presented as Attachment "A" to the report dated February 18, 2008, and schedule a public hearing;**
- 2. Approve the proposed development agreement presented as Attachment "A" to the report dated February 18, 2008, to permit a mix of residential uses and a convenience commercial use in Middle Sackville; and**
- 3. Require that the 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**

**the Community 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.**

Councillor Harvey suggested the Committee should request staff to prepare a supplementary report to respond to the concerns relative to the kids being bussed to school and that this development would exasperate the sewage overflow capacity in Lower Sackville.

Mr. Pyle confirmed the option was there to request a supplementary report and suggested the report could go to the next meeting of North West Community Council.

**MOVED by Mr. Hutt, seconded by Mr. Piercey that the motion be amended to request that staff prepare a supplementary report for North West Community Council to respond to the concerns related to schools (capacity and where the children would go); the impact on the sewer system downstream; traffic, street design; and the requirement for architectural standards for townhouses and apartments.**

**THE AMENDMENT WAS PUT AND PASSED.**

**THE MOTION, AS AMENDED, WAS PUT AND PASSED.**

The motion now reads as follows:

**MOVED by Mr. Hutt, seconded by Mr. Piercey, to recommend that North West Community Council:**

- 1. Move Notice of Motion to consider the proposed development agreement presented as Attachment “A” to the report dated February 18, 2008, and schedule a public hearing;**
- 2. Staff prepare a supplementary report for North West Community Council to respond to the concerns related to schools (capacity and where the children would go); the impact on the sewer system downstream; traffic, street design; and the requirement for architectural standards for townhouses and apartments.**
- 3. Approve the proposed development agreement presented as Attachment “A” to the report dated February 18, 2008, to permit a mix of residential uses and a convenience commercial use in Middle Sackville; and**
- 4. Require that the 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 the Community 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.**

**6. STATUS UPDATES**

The monthly status sheet and decisions of Community Council were circulated for information.

**7. ADDED ITEMS - None.**

**8. NEXT REGULAR MEETING - Wednesday, April 2, 2008 at 7 p.m.**

**9. ADJOURNMENT**

The meeting adjourned at 9:05 p.m.

Gail Harnish  
Admin/PAC Coordinator