

NORTH WEST PLANNING ADVISORY COMMITTEE  
MINUTES

September 4, 2013

PRESENT:                Ms. Ann Merritt  
                              Ms. Carrie Purcell  
                              Councillor Steve Craig  
                              Councillor Tim Outhit

REGRETS:                Mr. Michael Cogan  
                              Mr. Paul Russell

STAFF:                    Mr. Tyson Slimms, Planner, Planning Services  
                              Ms. Thea Langille, Supervisor, Planning Services  
                              Me. Darcy Warren, Legislative Assistant  
                              Ms. Sarah Pellerine, Legislative Support

## TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	APPROVAL OF THE MINUTES – July 3, 2013 and January 7, 2013 Public Meeting.....	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS.....	3
4.	BUSINESS ARISING OUT OF THE MINUTES .....	3
4.1	Update on Committee Appointments and Union Street Public Participation Committee .....	4
5.	CONSIDERATION OF DEFERRED BUSINESS – NONE .....	4
6.	REPORTS .....	4
6.1	Case 18336: Development Agreement – 991 Windgate Drive, Beaver Bank .....	4
7.	STATUS UPDATES .....	5
7.1	Monthly Status Updates.....	6
7.2	Decisions of Council – None.....	6
8.	ADDED ITEMS .....	6
9.	NEXT MEETING DATE .....	6
10.	ADJOURNMENT .....	6

**1. CALL TO ORDER**

The Chair called the meeting to order at 7:05 p.m. in the Fenerty Room, Sackville Public Library, 636 Sackville Drive, Sackville.

**2. APPROVAL OF THE MINUTES – July 3, 2013 and January 7, 2013 Public Meeting**

It was noted that Councilor Steve Craig was at the July 3, 2013 meeting.

**MOVED by Ms. Purcell, seconded by Councilor Craig that the minutes of July 3, 2013 be approved with the above amendment. MOTION PUT AND PASSED.**

In the January 7, 2013 minutes, it was noted on page 3, the fifth paragraph from the bottom starting with “The floor was open ...” should be removed from the minutes.

On page 5, paragraph 7; the name should be changed to Mr. Bob Retson.

**MOVED by Councilor Outhit, seconded by Ms. Purcell that the minutes of January 7, 2013 be approved with the above amendments. MOTION PUT AND PASSED.**

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

Addition:

Update on the Committee membership – to be incorporated into 4.1

**MOVED by Councilor Outhit, seconded by Ms. Purcell that the Order of Business be approved as amended. MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES**

Councilor Craig would like to have an update from Halifax Water regarding the potential risk associated with having a telecommunication tower in proximity to Pockwock Treatment Plant.

Staff noted that a response from Halifax Water was provided and they are in the process of drafting a report that should go to North West Community Council in October.

#### **4.1 Update on Committee Appointments and Union Street Public Participation Committee**

Councilor Outhit has been appointed to the Committee and an advertisement recruiting additional committee members has been sent out. Staff was not sure if anyone had applied to participate on the committee but would look into this and provide an update next meeting.

Ms. Merritt indicated that she had informed Mr. Regan that he would have to reapply to participate on NWPAC, but was unsure if Mr. Wooden was informed.

Staff provided an update on the Union Street Public Participation Committee, noting there are four (4) members from the community and two (2) members from NWPAC and the Committee is proposing the last Wednesday of September for their first meeting. The first meeting will be an orientation and the committee will get an overview and materials for the case. This Committee will meet for about four (4) months and meetings will be held in the evenings.

#### **5. CONSIDERATION OF DEFERED BUSINESS – NONE**

#### **6. REPORTS**

##### **6.1 Case 18336: Development Agreement – 991 Windgate Drive, Beaver Bank**

A staff memorandum dated August 12, 2013 was before the Committee.

Mr. Tyson Simms, Planner, presented the report to the Committee and noted that because the lot size is smaller than the typical commercial use lots size and the property is a Heritage Property, a Development Agreement is required.

In response to questions regarding a storm water management system and concern of water on the road causing issues in the winter, Mr. Simms noted that there is currently a storm water management system on site but with a DA put in place this system would be reviewed. It was also noted that the Development Engineer is aware of the concern regarding the storm water management system and will take this into consideration during the permit stage. Mr. Simms added that this DA relates mainly to the interior not the exterior of the building.

In response to issues with additional traffic in the area, Mr. Simms noted that a traffic study was conducted and nothing stood out which would cause an increase in the traffic. This is mainly due to the fact that this request is very similar to previous uses for the building.

In response to questions regarding concerns from the community, Mr. Simms noted that there have been no concerns voiced and the same property owner owns the adjacent property.

In response to questions regarding hours of operation and noise, Mr. Simms noted the property owner is tied to construction noise bylaws but staff are suggesting that 9:30 p.m. would be a good closing time for an outside patio due to the close proximity to homes. The applicant has reviewed and agrees with this time.

In response to questions regarding why the lot is a smaller size than a commercial lot, Mr. Simms noted the original lot was subdivided into three (3) lots; two (2) residential and one (1) commercial. It was also noted that the building is somewhat off of the property line but, in older homes this is common.

The committee questioned the possibility of reducing the number of spaces required in the parking lot, wondering if there is a possibility to not have a parking lot on site. Mr. Simms noted that currently there are 28 spaces on site and the bylaw states that there must be 30 spaces. Consequently, the applicant is currently under the required spots. Studies indicate there are an excess of parking spots and staff have agreed that a future small reduction in spots would not require another public process. It was noted that the applicant is limited to 1,500 square feet so he would not be able to reduce the parking lot to add on additional space. The limit of parking spaces could drop to 25 from 28 but, the use for the site will be locked down to a commercial restaurant.

**MOVED by Ms. Purcell, seconded by Councillor Craig that the North West Planning Advisory Committee recommend that North West Community Council:**

- 1. Move Notice of Motion to consider the proposed development agreement as contained in attachment A of the staff memorandum dated August 12, 2013 to allow for a full service restaurant at 991 Windgate Drive, Beaver Bank and schedule a public meeting;**
- 2. Approve the proposed development agreement with the following amendment: Clause 6.4.1 (d) for those portions of the development which are completed, discharge this Agreement and apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-Law for Beaver Bank, Hammonds Plains and Upper Sackville as may be amended from time to time; and**
- 3. Require that the 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 final 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.**

**MOTION PUT AND PASSED.**

## **7. STATUS UPDATES**

## **7.1 Monthly Status Updates**

The Planning Applications Status Update sheet was reviewed with the Committee.

The Committee asked if they could be provided a better status update with more details including the date when the application would be closed. Staff noted they would investigate this for the future.

## **7.2 Decisions of Council – None**

## **8. ADDED ITEMS**

## **9. NEXT MEETING DATE**

The next meeting of the North West Planning Advisory Committee will be held on Wednesday, October 2, 2013 at 7:00 p.m. at the Boardroom, BMO Centre, 61 Gary Martin Drive, Bedford, Nova Scotia.

## **10. ADJOURNMENT**

The meeting was adjourned at 8:17 p.m.

Sarah Pellerine  
Legislative Support