

NORTH WEST PLANNING ADVISORY COMMITTEE  
MINUTES

November 6, 2013

PRESENT: Ms. Ann Merritt, Chair  
Ms. Carrie Purcell, Vice Chair  
Mr. Michael Cogan  
Mr. Paul Russell  
Mr. Brian Murray  
Councillor Steve Craig

REGRETS: Councillor Tim Outhit

STAFF: Ms. Jennifer Chapman, Planner  
Ms. Thea Langille, Supervisor of Planning Applications –  
Central and Eastern Region  
Ms. Sherryll Murphy, Deputy Municipal Clerk  
Ms. Krista Vining, Legislative Assistant  
Ms. Melissa Eavis, Legislative Support

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**1. CALL TO ORDER**

The Chair called the meeting to order at 7:03 p.m. in the Fenerty Room, Sackville Public Library, 636 Sackville Drive, Sackville.

**2. APPROVAL OF MINUTES – September 11, 2013 and October 2, 2013**

**MOVED by Mr. Russell, seconded by Ms. Purcell that the minutes of September 11, 2013 be approved as presented. MOTION PUT AND PASSED.**

**MOVED by Mr. Cogan, seconded by Ms. Merritt that the minutes of October 2, 2013 be approved as presented. MOTION PUT AND PASSED.**

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

Added Item:

8.1 Annual Election of Chair and Vice Chair

**MOVED by Mr. Russell, seconded by Ms. Purcell that the agenda be approved as amended. MOTION PUT AND PASSED.**

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

**5. CONSIDERATION OF DEFERRED BUSINESS – None**

Council Steve Craig entered the meeting at 7:06 p.m.

**6. MEMORANDUMS**

**6.1 Case 18850 – Application by Eddy Maskine for a development agreement to legalize 5 units in an existing 67 unit building located at 145 Walker Avenue, Sackville.**

A staff report dated October 18, 2013 was before the Committee.

Ms. Jennifer Chapman, Planner presented Case 18550, application by Eddy Maskine for a development agreement to legalize five units in an existing 67 unit building located at 145 Walker Avenue, Sackville, outlined the applicable Municipal Planning Strategy and Land Use By-law policies, and gave an overview of the site. She advised the Committee that the site currently meets all planning and permitting requirements outside of the five illegal units. Ms. Chapman noted that a compliance case was also being conducted in regards to this matter.

In response to questions raised, Ms. Chapman confirmed that all units were currently occupied and up to code. She went on to state that as far as staff could determine, the units were added when the building was being constructed do to internal reconfigurations. The building inspector on-site approved the additional units but the occupancy permit was not changed to reflect those reconfigurations. Ms. Chapman also stated that this is not the first instance of illegal units on Walker Avenue and the Development Agreement process is the only tool available to rectify this issue.

The Committee commented that developers should not be rewarded for not following the proper regulatory process. Ms. Thea Langille, Supervisor of Planning Applications – Central and Eastern Region stated that she would look into how occupancy permits are currently awarded and if the process is different for rental versus condominium units.

Councillor Craig indicated that he has been in contact with the applicant and believes this to be an administrative/compliance issue. He also stated that existing tenants will need to vacate the five illegal units by the end of November; thereby displacing those residents from their homes and communities, which is an undesirable outcome.

The Committee expressed concern over this issue happening in the future and Ms. Langille commented that the process has greatly improved over the past 20 years.

Committee members reiterated that evicting tenants is not a desirable outcome and should be avoided if at all possible.

The following recommendations were agreed to by the Committee in regards to Case 18850.

**MOVED by Mr. Russell, seconded by Ms. Purcell that the North West Planning Advisory Committee recommend to North West Community Council:**

- 1. That the area of the subject site located to the East zoned R-1 be rezoned to R-4.**
- 2. Proceed with a development agreement that legalizes the 67-unit building as opposed to a 62-unit building.**

**MOTION PUT AND PASSED.**

Other comments made by the Committee during the meeting included:

- Planning should work with Compliance to expedite the process so residents are not removed from their homes
- Care should be taken to ensure that developers are not rewarded for non-compliance in regards to the regulatory process

## **7. STATUS UPDATES**

### **7.1 Status Updates – Planning Applications**

Councillor Craig noted that the status sheet is not current and should be brought up to date prior to each meeting.

In response to a question raised, Ms. Thea Langille, Supervisor of Planning Applications – Central and Eastern Region advised that she would consult with staff as to whether Case 17227 – Walker Avenue Development Agreement has been closed.

Ms. Langille also stated that there are matters coming forward to the Committee for December's meeting.

## **8. ADDED ITEMS**

### **8.1 Annual Election of Chair and Vice-Chair**

The Chair turned the meeting over to Melissa Eavis, Legislative Support.

Ms. Eavis called for nominations for the position of Chair of the North West Planning Advisory Committee.

**MOVED by Mr. Russell, seconded by Ms. Purcell that Ms. Ann Merritt be nominated Chair of the North West Planning Advisory Committee.**

Ms. Eavis called three times for any further nominations; there being none the **MOTION WAS PUT AND PASSED.**

Ms. Eavis declared Ms. Ann Merritt Chair of the North West Planning Advisory Committee.

Ms. Ann Merritt assumed the Chair and called for nominations for the position of Vice Chair of the North West Planning Advisory Committee.

**MOVED by Mr. Russell, seconded by Mr. Murray that Ms. Carrie Purcell be nominated Vice Chair of the North West Planning Advisory Committee.**

The Chair called three times for any further nominations; there being none the **MOTION WAS PUT AND PASSED.**

The Chair declared Ms. Purcell Vice Chair of the North West Planning Advisory Committee.

Ms. Krista Vining, Legislative Assistant and Ms. Sherryll Murphy, Deputy Municipal Clerk provided an overview of the planning and legislative process. Ms. Thea Langille,

Supervisor of Planning Applications – Central and Eastern Region stated that she would attend the next six consecutive meetings of North West Planning Advisory Committee to ensure consistency and momentum.

**9. NEXT MEETING DATE – December 4, 2013**

As agreed by the Committee, member's phone numbers and email addresses will be shared with all Committee members.

It was also noted that moving forward, draft minutes will be made available to the Chair for review once prepared.

Ms. Purcell and Mr. Murray requested an electronic copy of future agenda packages rather than a paper copy.

**10. ADJOURNMENT**

The meeting was adjourned at 8:13 p.m.

Melissa Eavis  
Legislative Support