



**Public Meeting of Council  
Tuesday, August 1, 2017 at 7 PM  
Council Chambers, City Hall**

**Mayor Clifford Lee Presiding**

**Present:**

**Deputy Mayor Mike Duffy  
Councillor Jason Coady  
Councillor Kevin Ramsay  
Councillor Terry MacLeod  
Councillor Mitchell Tweel**

**Councillor Melissa Hilton  
Councillor Robert Doiron  
Councillor Edward Rice  
Councillor Greg Rivard**

**Also:**

**Peter Kelly, CAO  
Greg Morrison, PI**

**Alex Forbes, PHM  
Victoria Evans, PHAA**

**Regrets:**

**Councillor Terry Bernard**

Mayor Lee opened the meeting. Mayor Lee then turned the meeting over to Councillor Greg Rivard, Planning Board Chair, who introduced the first application.

**1. 141 Mount Edward Road (PID# 1068584)**

Request for a site specific amendment to the Institutional (I) Zone of the Zoning & Development Bylaw as it pertains to 141 Mount Edward Road (PID #1068584) in order to allow apartment dwellings as a permitted use. This site specific amendment also includes a major height variance and lot consolidation.

Councillor Rivard introduced Greg Morrison, Planner I, to present an overview of the application.

Mr. Morrison gave a summary of the application. He explained the application is for an addition which includes 18 residential apartment units. The proposed addition will also contain 16 nursing care units, and space available for lease. He noted that the space available for lease can only be occupied by uses which conform to the Institutional (I) Zone or otherwise the applicant will need to apply for an additional site specific amendment. Mr. Morrison stated that the present application is to permit apartments as a permitted use in the Institutional (I) Zone.

Councillor Rivard then introduced Paul Jenkins, owner of the property and applicant.

Mr. Jenkins explained that the Mount presently serves as a long term care facility. He stated that the purpose of the application is to add apartments for people who may not need long term care yet or spouses of people currently receiving long term care. The entrance for the new addition will be on Mount Edward Road across from Woodlawn Drive. He noted that the leasable spaces will be leased for a pool, two doctors, and hopefully a physiotherapist as well. Mr. Jenkins stated that he has tried to make improvements to the property to make it more environmentally friendly, including adding solar panels and planting five thousand apple trees.

Mayor Lee then opened the floor to the public.

### **Cathy Horne**

Ms. Horne provided some history of Mount Edward Road and Woodlawn Drive. She noted that the Mount as it is fits well into the landscape. She expressed concern with the proposed height of the addition, and argued that it will not fit in with Sherwood which is mostly one to two storey single family dwellings. Ms. Horne also expressed concern with the proposed exit on Woodlawn Drive as there is a blind hill near this intersection and she has witnessed several accidents on the blind hill over the years.

### **Susan Gairns**

Ms. Gairns also expressed concern regarding the potential for traffic congestion at Woodlawn Drive should the development be approved. She stated that the proposed addition will tower over the neighbourhood because it's excessive height, and will block sunlight. She canvassed the area and collected signatures for a petition. Some of the residents provided suggestions for the addition including orienting the building differently so it will not be as visible from the street, secluding the parking spaces, and utilizing the existing southern entrance to the property rather than the northern entrance towards Woodlawn Drive.

### **Councillor Tweel**

Councillor Tweel asked Mr. Forbes, Manager of Planning & Heritage, if the applicant and residents could have a meeting with Planning Staff in order to work out a compromise.

Mr. Forbes stated that the public meeting is the opportunity for the applicant to hear the residents' concerns.

Councillor Tweel suggested that staff, the residents and the applicant have a meeting and try to reach a compromise suitable for all parties.

### **Councillor Hilton**

Councillor Hilton asked staff what parts of the application are as-of-right.

Mr. Morrison responded that for the addition to be as-of-right it would have to meet the setbacks, the height, and the uses of the Institutional Zone.

Councillor Hilton asked if the apartments could be considered seniors residents and therefore a site specific amendment would not be required. She noted that there is a senior's residence (Whisperwood Villa) in her district that contains apartment dwellings.

Mr. Forbes stated that the residents of the apartment dwellings proposed for the Mount would not receive any care from nursing home, and the residents would live completely independently.

Councillor Rice added that he thought the apartments of Whisperwood were completely independent from the nursing home. Councillor Rice also agreed with Councillor Tweel that a meeting be held between the residents, staff and the applicant.

Mr. Forbes stated that he is not familiar with Whisperwood; however, the proposed apartment dwellings for the Mount are entirely separate from the nursing home, and therefore necessitate the site specific amendment application. Mr. Forbes stated that Mr. Jenkins may have a meeting with the residents if he wishes to, however Mr. Forbes cannot force Mr. Jenkins to have a meeting.

**Janet Stewart**

Ms. Stewart explained that she was one of people who did canvassing in the neighbourhood. She stated that she is open to discussions with the applicant in order to reach a compromise.

**Paul Jenkins**

Mr. Jenkins stated that he is open to moving the entrance from the north near Woodlawn Drive to the south by using their existing entrance. He explained that the proposed addition has higher than permitted because he wanted to limit the footprint of the addition. He noted that the trees on the property are the same height or taller than the proposed addition so the addition will be camouflaged from the road. Mr. Jenkins also stated that the addition was designed to be parallel to Mount Edward Road. If it was turned, it would block out sunlight from the rooms of the existing residents of the nursing care unit.

Mayor Lee asked if there were any further questions or comments; there being none Councillor Rivard introduced the next application:

**2. 3 Walker Drive (PID# 524017)**

Request to amend Appendix "A" – Future Land Use Map of the Official Plan from Industrial to Commercial and to amend Appendix "H" – Zoning Map of the Zoning & Development Bylaw from the Light Industrial (M-1) Zone to the Mixed-Use Corridor Commercial (MUC) Zone for the property located at 3 Walker Drive (PID #524017). The applicant would like to rezone the property to MUC to match the other two properties and consolidate it with PID #452920.

Councillor Rivard introduced Greg Morrison, Planner I, to present an overview of the application.

Mr. Morrison explained that the subject property is a grocery store and is three separate parcels: two properties are zoned Mixed-Use Corridor Commercial (MUC) while the grocery store building itself is zoned Light Industrial (M-1). The applicant would like to erect a free standing sign on the corner of Walker Drive and Kensington Road however since this is a separate parcel from the grocery store it would be considered off-lot signage which is not permitted in the City. The applicant is therefore seeking to rezone the parcel which is presently zoned Light Industrial (M-1) to Mixed-Use Corridor Commercial (MUC) and consolidate the two properties.

Mayor Lee asked Mr. Morrison if the sole purpose of the application is for signage.

Mr. Morrison responded that signage cannot presently be approved because it would be off-lot signage, and a lot consolidation could not be approved because the properties do not have the same zoning.

Councillor Rivard introduced Brian Hughes, the applicant, to present the application.

Mr. Hughes stated that he is the Director of Real Estate for Sobeys. He stated that the application is being sought in order to consolidate the properties and construct a free standing sign. He presented a design of what the proposed signage will look like, noting that it will be similar to other Foodland locations in Nova Scotia and New Brunswick.

**Councillor Rice**

Councillor Rice asked if this application is just being made for a sign.

Mr. Hughes responded yes the application is in order to construct a sign.

**Councillor MacLeod**

Councillor MacLeod asked it will be an electronic sign.

Mr. Hughes responded that it will be illuminated.

Mr. Morrison clarified that the signage will be backlit and will not be an electronic sign as defined in the Zoning & Development Bylaw.

Councillor Tweel asked if the applicant would like an electronic sign and not just a backlit one.

Councillor Rivard commented that an electronic sign may not be permitted due to the proximity of residential dwellings.

Mr. Hughes responded that the signage will be similar to other Foodland locations and will not be fully electronic. He stated that Sobeys intends to follow all of the existing bylaws regarding signage and will adjust the size of the signage if required by the bylaw.

**Councillor Tweel**

Councillor Tweel asked if Foodland had any planned expansions in the near future.

Mr. Hughes explained that they did not, as the property does not lend itself to future development very well due to the location of the building on the property. If they did, additional parking would have to be located on PID #452920.

Mayor Lee asked if there were any further questions or comments from the public; there being none Councillor Rivard introduced the next application.

**3. Lot 2014-5 (PID# 1076702) Towers Road**

Request to amend Appendix "G" (Comprehensive Development Area Zone Lands and Uses) of the Zoning & Development Bylaw and the Development Agreement for the property at Lot 2014-5 (PID # 1076702) Towers Road in order to increase the permitted height for a 60 unit apartment building from 39.4ft to approximately 54.3 ft.

Councillor Rivard then introduced Alex Forbes, Manager of Planning & Heritage to present an overview of the application.

Mr. Forbes explained that the development agreement for the property was approved in 2013 for a 60 unit apartment building. The applicant has now realized that due to factors such as an easement, it is difficult to construct a footprint large enough to accommodate all sixty units without exceeding the maximum height of 39.4ft. Therefore the applicant is seeking to increase the maximum permitted height to 54.3ft.

Councillor Rivard then introduced Chris Jette, architect for the development, to present the application.

Mr. Jette explained that the site's conditions, such as the easement running through the property have made it difficult to construct a large enough footprint for sixty units, and therefore the developer would like to make the development taller. He noted that a neighbouring development on Towers Road was recently approved to have a maximum height of 54ft. Mr. Jette also stated that Towers Road has a significant slope from Mount Edward Road, and therefore the height of the proposed development will be lessened.

Mayor Lee questioned Mr. Jette on what is different in this application compared to the previous application made in 2013, specifically how the site's conditions have changed. He asked if the applicant was aware of the easement on the property in 2013.

Mr. Jette responded that they were aware of the easement in 2013, however it is one of several factors that make it difficult to construct a large enough footprint for a sixty unit apartment building.

Mayor Lee asked if there were any further questions or comments.

**Janet Stewart**

Ms. Stewart asked to speak about the 141 Mount Edward Road application again. She stated that she spoke to Mr. Jenkins, the applicant, and he is willing to make several compromises including relocating the entrance and location of the parking lot.

The meeting was adjourned at 8:15p.m.