



The regular meeting of the Planning Advisory Committee for the Town of Mahone Bay was held on Tuesday, October 22, 2019 at 7:00 p.m. in Council Chambers.

**Present:**

Councillor C. O'Neill (Chair)  
Deputy Mayor K. Nauss  
Councillor R. Nowe  
Mayor D. Devenne  
J. Biebesheimer  
K. Martell  
F. Kangata  
Mayor D. Devenne (via videoconference)  
Senior Planner, G. Sturtevant  
Planner, Emily Statton  
CAO, Dylan Heide  
Clerk, Maureen Hughes  
Ramsay Duff, MacLeod Group (Developer)  
Tara Maguire (Director of Community Services)

**Absent:**

**Gallery:** 9

**Agenda**

A motion by Deputy Mayor Nauss, seconded by Councillor Nowe, **"THAT the agenda be approved as presented."** **Motion carried.**

**Minutes**

A motion by Mr. Biebesheimer, seconded by Ms. Martell, **"THAT the minutes of the September 9, 2019 Planning Advisory Committee meeting be approved as amended to include the direction from the Chair that no new information since the Public Information Meeting was to be introduced."** **Motion carried.**

**Staff Report and Draft Development Agreement**

Garth Sturtevant, Senior Planner, provided a staff report and a draft Development Agreement in response to the request from the MacLeod Group to enter into a Development Agreement with the Town for the construction of a Nursing Home on Main Street. Committee members posed questions to Mr. Sturtevant on a variety of points presented in the staff report and how issues might be represented in a Development Agreement.

Mr. Sturtevant detailed the ways in which the proposed development aligned with the Municipal Planning Strategy and Land Use By-law; it was noted that staff feel that the landscaping plan and proposal as presented do not appear to satisfy the intent of the Municipal Planning Strategy. Staff recommend a clause in the Development Agreement requiring a detailed landscaping and planting plan be submitted before a Development Permit could be issued.

### **Referrals and Presentations**

Ramsay Duff, of the MacLeod Group, made a presentation to the members of the Planning Advisory Committee on the proposal that the MacLeod Group has submitted for a Development Agreement, their continued work with planning staff, and specifically the rationale for requesting that the proposal go forward without a landscaping plan. Mr. Duff stated that the MacLeod Group would like the trust of the Town to be able to maintain as much greenery as possible during construction, then augment it with berms, trees and planting, rather than having to follow a landscaping plan.

A motion by Deputy Mayor Nauss, seconded by Councillor Nowe, **“THAT the Planning Advisory Committee recommend that Council enter into a Development Agreement with MacLeod Group Ltd. to facilitate development and operation of a 96 bed Nursing Home and 8 bed Assisted Living Facility on Main Street.”**

**Motion failed**

A motion by Ms. Martell, seconded by Mr. Kangata, **“THAT the Planning Advisory Committee recommend that Council enter into a Development Agreement with MacLeod Group Health Services to facilitate development and operation of a 96 bed Nursing Home and 8 bed Assisted Living Facility on Main Street subject to the following conditions: submission of a lighting plan with details, type and location of lighting used; to limit ground signs to 30 square feet per side; the addition of “species native to Nova Scotia” to Part 10 of the Development Agreement; provision of further information to determine if encroachment into the 8m buffer of Ernst Brook is avoidable; limit construction on Saturdays to between the hours of 8am and 5pm on Saturdays in July and August; addition of language explaining how dust will be limited during construction; and the addition of language indicating that if the developer exceeds the timeline for construction it would go to Council as a non-substantial amendment.”**

**Motion carried**

Mr. Sturtevant noted that he would work with the developer on a revised Development Agreement reflective of the Committee’s recommendation, to be presented to Council along with an updated staff report.

### **Resignation**

The Planning Advisory Committee received a resignation letter from Charles Barr, PAC member, dated September 19, 2019.

A motion by Deputy Mayor Nauss, seconded by Councillor Nowe, **“THAT the Planning Advisory Committee accept the letter of resignation from Mr. Barr.”** **Motion carried.**

**Meeting adjourned upon motion at 9:44 p.m.**

**Town of Mahone Bay**

Clerk, Maureen Hughes

**Town of Mahone Bay**

Chair, Colleen O’Neill

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