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Item No. 10.1.1 (ii)
Halifax & West Community Council
November 16, 2021
December 15, 2021

TO: Chair Lindell Smith and Members of Halifax & West Community Council

SUBMITTED BY: *Original Signed*

For Jenny Lugar, Chair, Heritage Advisory Committee

DATE: November 12, 2021

SUBJECT: **Case 22879: Amending Development Agreement for Lovett Lake Estates, Beechville**

ORIGIN

November 10, 2021 meeting of the Heritage Advisory Committee, Item 9.1.1.

LEGISLATIVE AUTHORITY

Heritage Property Act, R.S.N.S. 1989, c. 199

- 17 (1) Municipal heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the municipality.
- (2) An application for permission to substantially alter the exterior or public-building interior appearance of or demolish municipal heritage property shall be made in writing to the municipality.
- (3) Upon receipt of the application, the municipality shall refer the application to the heritage advisory committee for its recommendation.
- (4) Within thirty days after the application is referred by the municipality, the heritage advisory committee shall submit a written report and recommendation to the municipality respecting the municipal heritage property.
- (5) The municipality may grant the application either with or without conditions or may refuse it.
- (6) The municipality shall advise the applicant of its determination.

RECOMMENDATION

The Heritage Advisory Committee recommends that Halifax and West Community Council:

1. Give notice of motion to consider the proposed amending development agreement, as set out in Attachment A of the October 19, 2021 report, for the inclusion of additional lands (phase 3) within the Lovett Lake Estates residential development in Beechville and schedule a public hearing;
2. Approve the proposed amending development agreement, which shall be substantially of the same form as set out in Attachment A of the October 19, 2021 report; and
3. Require the agreement be signed by the property owner within 240 days, or any extension thereof granted by Council on request of the property owner, from the 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.
4. Investigate the opportunity to include the phase 2 property along St. Margaret's Bay Road to be incorporated as HRM parkland for future trail head parking lot access to serve as a gateway access with interpretive panels to the heritage significance of the area; and
5. Work with the community to develop street and park names that are reflective of Beechville's heritage.

BACKGROUND

The Heritage Advisory Committee received a staff recommendation report dated October 19, 2021, at a November 10, 2021 meeting of the Committee respecting Case 22879.

For further information on the background of this item, refer to the staff report dated October 19, 2021.

DISCUSSION

The Heritage Advisory Committee reviewed the October 19, 2021 staff report, and received a staff presentation at a November 10, 2021 meeting.

Following a discussion of the item, the Committee approved the recommendation as outlined in the "Recommendation" portion of this report. The Heritage Advisory Committee approved the staff recommendation outlined above with an amendment to incorporate the following clauses:

- Investigate the opportunity to include the phase 2 property along St. Margaret's Bay Road to be incorporated as HRM parkland for future trail head parking lot access to serve as a gateway access with interpretive panels to the heritage significance of the area; and
- Work with the community to develop street and park names that are reflective of Beechville's heritage.

For further discussion on this item, refer to the staff report dated October 19, 2021 (Attachment 1) and draft minutes from the November 10, 2021 meeting of the Committee respecting Case 22879.

FINANCIAL IMPLICATIONS

Refer to the staff report dated October 19, 2021.

RISK CONSIDERATION

Refer to the staff report dated October 19, 2021.

COMMUNITY ENGAGEMENT

Meetings of the Heritage Advisory Committee are open to public attendance and members of the public are permitted to submit correspondence and petitions to be circulated to the Committee. The agenda, reports, and minutes of the Heritage Advisory Committee are posted on Halifax.ca.

For further information on Community Engagement as it relates to this item, refer to the staff report dated October 19, 2021.

ENVIRONMENTAL IMPLICATIONS

Refer to the staff report dated October 19, 2021.

ALTERNATIVES

The Committee did not discuss alternatives. Refer to the staff report dated October 19, 2021.

ATTACHMENTS

NONE

If the report is released to the public, a copy can be obtained by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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