

**NORTH WEST COMMUNITY COUNCIL  
MINUTES**

November 25, 2009

**PRESENT:** Councillor Robert Harvey, Chair  
Deputy Mayor Brad Johns  
Councillor Tim Outhit, Vice Chair

**STAFF:** Ms. Krista Tidgwell, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	
1.1	APPOINTMENT OF CHAIR AND VICE CHAIR .....	4
2.	APPROVAL OF MINUTES - September 24, 2009 .....	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	4
4.	BUSINESS ARISING OUT OF THE MINUTES	
4.1	STATUS SHEET ITEMS	
4.1.1	Topsoil/Grading By-Law .....	4
4.1.2	Boundary Line Sackville MPS and Sackville Drive SPS .....	4
4.1.3	Bus Service Old Sackville Road .....	5
4.1.4	Glendale Avenue/Duke Street Sidewalk .....	5
4.1.5	Legacy Court Playground .....	5
5.	MOTIONS OF RECONSIDERATION - NONE .....	5
6.	MOTIONS OF RESCISSION - NONE .....	5
7.	CONSIDERATION OF DEFERRED BUSINESS .....	5
8.	HEARINGS	
8.1	Public Hearings - None .....	5
8.2	Variance Hearings - None .....	6
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
9.1	Correspondence - None .....	6
9.2	Petitions - None .....	6
9.3	Presentations - None .....	6
10.	REPORTS	
10.1	STAFF REPORTS	
10.1.1	Case 01340: Rezoning of 70 Torrington Drive, Bedford .....	6
10.1.2	Case 01344: Bedford South Non-Substantive Amendments - Neighbourhoods .....	6
10.1.3	Case 01343: Bedford South Non-Substantive Amendments - Neighbourhood B .....	7
10.1.4	Case 01186: Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB .....	8
10.2	MEMBERS OF COUNCIL	
10.2.1	Councillor Appointment to North West Transit Advisory Committee .....	9
10.2.2	Councillor Harvey - Amendment of Terms of Reference .....	9

11.	ADDED ITEMS .....	10
12.	NOTICES OF MOTION .....	10
13.	PUBLIC PARTICIPATION .....	10
14.	NEXT MEETING DATE - December 8, 2009 (Special Meeting) .....	11
15.	ADJOURNMENT .....	11

**1. CALL TO ORDER**

The meeting was called to order 7:01 p.m. at Springfield Lake Recreation Centre, Members Lounge, 266 Lakeview Avenue, Middle Sackville.

**1.1 APPOINTMENT OF CHAIR AND VICE CHAIR**

Councillor Harvey left the Chair at 7:01 p.m.

The Legislative Assistant assumed the Chair at 7:01 p.m. calling for nominations for the position of Chair and Vice-Chair of the North West Community Council for the 2010 term.

**MOVED BY Councillor Outhit, seconded by Deputy Mayor Johns, that the North West Community Council nominate Councillor Harvey as Chair of the North West Community Council for the 2010 term.** Upon Councillor Harvey's acceptance of the nomination, and hearing no further nominations, the Legislative Assistant declared the **MOTION PUT AND PASSED.**

**MOVED BY Deputy Mayor Johns, seconded by Councillor Harvey, that the North West Community Council nominate Councillor Outhit as Vice-Chair of the North West Community Council for the 2010 term.** Upon Councillor Outhit's acceptance of the nomination, and hearing no further nominations, the Legislative Assistant declared the **MOTION PUT AND PASSED.**

Councillor Harvey resumed the Chair at 7:03 p.m.

**2. APPROVAL OF MINUTES - September 24, 2009**

**MOVED BY Deputy Mayor Johns, seconded by Councillor Outhit, that the minutes of September 24, 2009, as presented, be approved. MOTION PUT AND PASSED.**

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

**MOVED BY Councillor Outhit, seconded by Deputy Mayor Johns, that the Order of Business, as presented, be approved. MOTION PUT AND PASSED.**

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

**4.1 STATUS SHEET ITEMS**

**4.1.1 Topsoil/Grading By-Law**

There was no update at this time.

**4.1.2 Boundary Line Sackville MPS and Sackville Drive SPS**

Councillor Harvey advised that there is a public information meeting being held on December 10, 2009 at the Sackville Heights Community Centre.

**MOVED BY Deputy Mayor Johns, seconded by Councillor Outhit, that item 4.1.2 - Boundary Line Sackville MPS and Sackville Drive SPS be removed from the North West Community Council Status Sheet. MOTION PUT AND PASSED.**

**4.1.3 Bus Service Old Sackville Road**

Councillor Harvey advised that an information report, Request for Metro Transit Service - Old Sackville Road, Sackville, dated November 2, 2009 is included in the North West Community Council November 25, 2009 agenda package under Information Item #1.

**MOVED BY Deputy Mayor Johns, seconded by Councillor Outhit, that item 4.1.3 - Bus Service Old Sackville Road be removed from the North West Community Council Status Sheet. MOTION PUT AND PASSED.**

**4.1.4 Glendale Avenue/Duke Street Sidewalk**

Councillor Harvey advised that a letter from the Honourable Bill Estabrooks, M.B., Minister of Transportation and Public Works is included in the North West Community Council November 25, 2009 agenda package under Information Item #2. This letter indicates that there is a provincial road but Transportation and Public Works does not build sidewalks. Councillor Harvey noted that he had exchanged emails with David Hubley, Manager, Design & Construction, Design & Construction Services, and Mr. Hubley confirmed that the sidewalk has been rated and is listed under the second half of approximately two to three hundred projects.

Deputy Mayor Johns asked whether there is an ability to do similar work that had been done in the Burnside Industrial Park on Akerley Boulevard. Deputy Mayor Johns requested information on how funding was provided for the Akerley Boulevard sidewalk.

**4.1.5 Legacy Court Playground**

Councillor Harvey confirmed there is to be a Legacy Court Playground and noted that the site has been set aside.

Mr. Andrew Bone, Senior Planner, Planning Applications, advised that staff is still looking in to where the funds were allocated. He indicated that he had previously inquired into this matter but would do additional follow up.

**5. MOTIONS OF RECONSIDERATION - NONE**

**6. MOTIONS OF RESCISSION - NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS - NONE**

**8. HEARINGS**

**8.1 Public Hearings - None**

**8.2 Variance Hearings - None**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**9.3 Presentations - None**

**10. REPORTS**

**10.1 STAFF REPORTS**

**10.1.1 Case 01340: Rezoning of 70 Torrington Drive, Bedford**

- A report from the North West Planning Advisory Committee dated November 5, 2009 was before Council.

**MOVED BY Councillor Outhit, seconded by Deputy Mayor Johns, that the North West Community Council:**

- 1. Give First Reading to the proposed rezoning of 70 Torrington Drive from RSU (Residential Single Dwelling Unit) Zone to POS (Park Open Space) Zone as shown in Attachment A of the staff report dated October 14, 2009, and schedule a public hearing; and**
- 2. Approve the proposed rezoning of 70 Torrington Drive in Bedford from RSU (Residential Single Dwelling Unit) Zone to the POS (Park Open Space) Zone as shown in Attachment A of the staff report dated October 14, 2009.**

**MOTION PUT AND PASSED.**

Councillor Harvey advised that the public hearing will take place in January 2010.

**10.1.2 Case 01344: Bedford South Non-Substantive Amendments - Neighbourhoods**

- A report from the North West Planning Advisory Committee dated November 5, 2009 was before Council.

Mr. Andrew Bone, Senior Planner, Planning Applications, delivered the presentation to Council.

In response to questions raised by Council, Mr. Bone advised that the existing

Development Agreement required that staff could not start issuing permits until the interchange has been opened. He noted that the proposal would not negatively effect the existing streets.

In response to a comment made by Deputy Mayor Johns, Mr. Bone clarified that the developer was not directly paying for the interchange and that a portion of the Capital Cost Contributions (CCC) that had been collected from the developer and would be applied to HRM's commitment to the interchange.

Councillor Outhit expressed concern about delaying the construction of the interchange. He noted that the delay is costing money and holding up employment. He suggested in the interest of the economy, construction should be started earlier.

Deputy Mayor Johns asked whether HRM has the ability to limit when trucks could start working. He advised that he has received calls from residents in regard to trucks showing up early to set up, noting this adds to the level of traffic for residents travelling to and from work. He suggested having the construction start at 9 a.m. to alleviate some of the traffic congestion.

Mr. Bone advised that under HRM's Charter, it does not address limiting the hours of construction, however, under the Noise Bylaw staff would have the ability to limit the hours when construction could take place.

Mr. Kevin Neatt, Associate Planner, Clayton Developments Limited, advised that the construction of the intersection is being done by off road trucks. Trucks still bring materials on to the job site but do not limit street access like other construction sites. Mr. Neatt advised he would look into having the trade supplier trucks start work after 8 a.m. should residents have complaints about the noise.

**MOVED BY Councillor Outhit, seconded by Deputy Mayor Johns, that the North West Community Council:**

- 1. Approve, by resolution, the proposed amending agreement as set out in Attachment A of the report dated October 15, 2009, to permit the issuance of Development and Building permits for the residential dwellings units within Clayton Developments' lands in Neighbourhoods D, E and Commercial Lands prior to the interchange at Highway 102 and Larry Uteck Boulevard being connected to Larry Uteck Boulevard and open to vehicular traffic; and**
- 2. Require the agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, 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.**

**MOTION PUT AND PASSED.**

**10.1.3 Case 01343: Bedford South Non-Substantive Amendments - Neighbourhood B**

- A report from the North West Planning Advisory Committee dated November 5, 2009 was before Council.

**MOVED BY Councillor Outhit, seconded by Deputy Mayor Johns, that the North West Community Council:**

1. **Approve, by resolution, the proposed amending agreement as set out in Attachment A of the report dated October 15, 2009, to permit the issuance of Development and Building permits for the remaining multiple unit dwellings within Clayton Developments; lands in Neighbourhood B prior to the interchange at Highway 102 and Larry Uteck Boulevard being connected to Larry Uteck Boulevard and open to vehicular traffic; and**
2. **Require the agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, 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.**

**MOTION PUT AND PASSED.**

**10.1.4 Case 01186: Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB**

- A report from the North West Planning Advisory Committee dated November 5, 2009 was before Council.

Miles Agar, Planner, Community Development, delivered a presentation to Council. He provided a brief description of the permitted land use, detailed zone requirements and site plan approach requirements. Mr. Agar noted that there is a project on the books to upgrade the intersection of Hammonds Plains Road, as well as, provide a right hand turning lane to Kingswood Drive towards Bedford. This would provide dedicated lanes to Kearney Lake Road.

Mr. Agar clarified that there is no Development Agreement. He advised that HRM's Charter allows staff to deal with the site planning approval, which includes provisions related to the walkways. The proposed zone includes site plan approval conditions that apply to the applicant's land and requires the applicant to either connect to a public corridor on the abutting property, or in the event a connection is not possible at the time, design the development in such a way that the connection can be made at a later date.

Mr. Agar advised that staff had notified residents beyond the required 1,000 feet. Staff had also notified the Kingswood Ratepayers Association of the public workshop and staff will take the same approach when they notify residents for the public hearing.



Mr. Agar advised that staff have received feedback from the Kingswood Residents Association.

Deputy Mayor Johns suggested that staff contact Glen Arbour, White Hills, Kingswood and Waterstone's Homeowners Associations to notify them of the public hearing. He noted that each of those subdivisions have area rates that they administer. Deputy Mayor Johns noted that Councillor Peter Lund has the contact information for the four subdivisions' Homeowners Associations.

**MOVED BY Deputy Mayor Johns, seconded by Councillor Outhit, that the North West Community Council:**

- 1. Recommend that Regional Council give First Reading to the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law as provided in Attachment A and B of the staff report dated October 14, 2009, and schedule a public hearing; and**
- 2. Recommend that Regional Council approve the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB as provided in Attachment A and B of the staff report dated October 14, 2009.**

**MOTION PUT AND PASSED.**

## **10.2 MEMBERS OF COUNCIL**

### **10.2.1 Councillor Appointment to North West Transit Advisory Committee**

Council was advised that the Councillor appointment to the North West Transit Advisory Committee (NWTAC) has expired effective November 2009. Deputy Mayor Johns advised that a meeting would be held in January 2010 with NWTAC to obtain direction. Following the meeting a decision would be made to determine an appointment to the Committee.

**MOVED BY Deputy Mayor Johns, seconded by Councillor Outhit, that the North West Community Council extend Deputy Mayor Johns' term on the North West Transit Advisory Committee until the end of January 2010. MOTION PUT AND PASSED.**

### **10.2.2 Councillor Harvey - Amendment of Terms of Reference**

**MOVED BY Councillor Outhit, seconded by Deputy Mayor Johns, that the North West Community Council request that Halifax Regional Council amend Administrative Order Number Two Respecting the Creation of North West Community Council, to include that portion of District 2 that falls within the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and that portion of District 23 that falls within the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy.**

Deputy Mayor Johns noted that having District 2 and District 23 included within North West Community Council would be a move in the right direction. There are synergies between the Hammonds Plains, Beaver Bank and Upper Sackville zone which falls within District 2 and the undeveloped lands around the Cape Lakes within the existing North West Community Council area. Effective communication is difficult due to the fact these are in different districts and there is no common Community Council.

Councillor Harvey advised that if amendments are made to the Administrative Order Number Two Respecting the Creation of the North West Community Council, that Councillor Barry Dalrymple and Councillor Peter Lund would join the North West Community Council as full voting members on all issues.

**MOTION PUT AND PASSED.**

**11. ADDED ITEMS**

**12. NOTICES OF MOTION - NONE**

**13. PUBLIC PARTICIPATION**

Mr. Nick Antoff, Waterstone, asked for an update in regard to the Burning By-law and noted that from the September 24, 2009 North West Community Council meeting Minutes, a report was to be prepared in terms of the area rate for Hammonds Plains. He advised the Hammonds Plains area was still being charged for water service.

Deputy Mayor Johns advised that there is an update on the Burning By-law in the North West Community Council November 25, 2009 agenda package as Information Item #3. He advised that he would contact finance in regard to an update to District 19 still paying the Hammonds Plains area rate.

Mr. Antoff asked how HRM planned to pay for the Four Pad Arena and how it will impact the tax payers.

Councillor Outhit advised that the Federal Government did not support the project and noted that the Province has provided support for the project. HRM was hoping the Province would provide around \$10 to \$13 million but Councillor Outhit indicated that the Province had allocated \$2 million from their Health Promotion Project. He noted that Council had always given instruction to staff that, while there were two parties that HRM would share the funding with, HRM could not necessarily count on them for funding. HRM has approximately \$12 million in reserve along with the \$2 million from the Province. He advised that HRM is borrowing the remaining \$18 million to construct the facility. Councillor Outhit indicated that he was surprised to learn that HRM has approximately five hundred (500) women on the list for women's hockey. He advised that the facility is needed and after the first or second year would turn a profit of approximately \$250,000 to \$500,000 per year.

Mr. Antoff asked whether the average ice rental rate of approximately \$150 per hour would

change. He expressed concern with regard to whether the central library would be put aside for a few years to focus on the arena.

Councillor Outhit advised that his understanding is that funding is in place for the library and noted that Council does not know which projects will be affected. He noted that some projects could be delayed but more than likely would not be cancelled. Councillor Outhit indicated that HRM is keeping the hourly ice rental rates within the standard rental rates.

Councillor Harvey advised that \$18 million for the library funding is coming from a separate Federal program, the Building Canada Funding.

**14. NEXT MEETING DATE - December 8, 2009 (Special Meeting)**

The next meeting of North West Community Council will be a special meeting held on Tuesday, December 8, 2009 in the Trophy Room, City Hall.

Councillor Harvey advised the next regular meeting will be held on January 28, 2010, with the location to be announced at a later date.

**15. ADJOURNMENT**

The meeting adjourned at 7:55 p.m.

---

**Information Items**

1. Request for Metro Transit Service - Old Sackville Road, Sackville from North West Transit Advisory Committee
2. Response from Honourable Bill Estabrooks, M.B., Minister, re: Glendale Avenue/Duke Street, Bedford/Lower Sackville - Request for Sidewalk
3. Burning By-law update