

HALIFAX REGIONAL MUNICIPALITY

NORTH WEST COMMUNITY COUNCIL MINUTES

November 4, 2010

PRESENT: Councillor Robert Harvey, Chair
Councillor Tim Outhit, Vice Chair
Councillor Brad Johns
Councillor Barry Dalrymple
Councillor Peter Lund

STAFF: Ms. Karen Brown, Municipal Solicitor
Ms. Krista Tidgwell, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. at the Sackville Heights Community Centre Silver and Gold Room, 45 Connolly Road, Lower Sackville.

2. APPOINTMETN OF CHAIR AND VICE CHAIR

Councillor Harvey left the Chair at 7:00 p.m.

The Legislative Assistant assumed the Chair at 7:00 p.m. calling for nominations for the position of Chair and Vice-Chair of the North West Community Council for the 2011 term.

MOVED by Councillor Johns, seconded by Councillor Outhit, that the North West Community Council nominate Councillor Harvey as Chair for the 2011 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 Councillor Johns, seconded by Councillor Dalrymple, that the North West Community Council nominate Councillor Outhit as Vice-Chair for the 2011 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 as Chair at 7:02 p.m.

3. APPROVAL OF THE MINUTES – August 19, 2010 & September 23, 2010

MOVED by Councillor Outhit, seconded by Councillor Lund, that the minutes of August 19, 2010 and September 23, 2010 be approved, as presented.

4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELEITONS

Addition:

13.1 Case 16196: Bedford LUB Amendment – Cat Boarding in Association with Veterinary Clinics

MOVED by Councillor Outhit, seconded by Councillor Lund, that the Order of Business be approved, as amended. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES

5.1 STATUS SHEET REVIEW

A copy of the Status Sheet was before the Community Council for review.

5.1.1 Naming Range Park Football Field

No update, item to remain on the Status Sheet.

5.1.2 Advance Left Turn Arrows – Intersection of Beaver Bank Connector Road and Old Sackville Road

A letter from Minister Bill Estabrooks dated October 18, 2010 was circulated to the Community Council for their review. Item removed from the Status Sheet.

5.1.3 Highway 107 Bedford/Burnside Bypass

An email update from David McCusker, Manager, Transportation and Public Works, dated November 4, 2010 was before the Community Council for review.

Councillor Outhit requested that this matter remain on the Status Sheet to allow for future updates. Item to remain on the Status Sheet.

5.1.4 Crosswalk at Intersection of Sackville Drive and Riverside Drive

An email from Patrick Doyle, Traffic Analyst - Central Region, Transportation and Public Works, dated October 22, 2010 was circulated to the Community Council for their review. Item removed from the Status Sheet.

5.1.5 Area Rate for Implementing a Sidewalk within the Sunset Ridge and Twinbrooks Subdivisions

No update, item to remain on the Status Sheet.

5.1.6 Extended Water Service Area to Fenerty Road, Springfield Lakes

No update, item to remain on the Status Sheet.

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSIONS – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. HEARINGS

9.1 PUBLIC HEARING

9.1.1 Case 16026: Development Agreement and Discharging Agreement – Crossfield Subdivision, Sackville

The following was before the Community Council:

-
- A report from the North West Planning Advisory Committee dated September 2, 2010.
 - A copy of the proposed amendments to Clause 3.4 - General Description of Land Use of the Development Agreement.
 - An email from Thomas Murphy, resident of Sackville, dated October 20, 2010.

Councillor Harvey reviewed the public hearing procedures.

Mr. Andrew Bone, Senior Planner, Community Development, delivered a presentation to the Community Council. He noted that an error was made respecting the number of units per acre. As a result staff has renegotiated the number of units for the Development Agreement to a target of 6.07 units per acre, which reduces the number of units to eighty (80) from the proposed eight-eight (88), as identified in the September 2, 2010 staff report.

Staff responded to questions of clarification raised by members of the Community Council. The following clarification was noted by staff:

- under the proposed amendments, the Developer would be required to reduce the number of units by eight (8)
- the Developer has the flexibility to determine whether the reduction is from multi-unit dwellings or the townhouses
- the Developer has not made a decision respecting which units will be reduced

Councillor Harvey opened the public hearing, calling three times for any speakers for or against the matter to come forward at this time.

Walter Regan, Sackville Rivers Association, asked the following questions:

- whether an oil grit separator will be installed
- whether there will be onsite water retention; suggestion of 24 hours monitoring and up to a 100 years of retention
- whether sewage holding tanks will be installed on site
- whether the units will be built to LEED standard
- due to the large amount of silt run off from various construction sites, will the site be monitored per unit, per lot
- whether an underground parking lot can be installed for the apartment building

In response to the questions raised by Mr. Regan, Mr. Bone responded as follows:

- the HRM Red Book identifies a five year retention requirement
- there has been no proposed holding tanks for the site; Halifax Water has indicated that improvements have been made to the system in attempt to accommodate the water flows for the area
- the Developer is not required to follow LEED standards, nor is it being proposed within the Development Agreement
- siltation run off will follow HRM's standard procedures
- there is underground parking associated with the building, which has minimized aboveground parking

- staff did not negotiate an oil grit separator; one could be installed within the parking area of the apartment area; however, it is not required by HRM

Mr. Regan commented that HRM's standards should be expanded to include oil grit separators.

Mr. Nathan Rogers, Planner of Genivar and representative of Armco, noted that he is glad to see that the mistake respecting density has been identified. He questioned the fairness of the proposed development, noting that the Sunset Ridge Development Agreement was approved at six units per acre and this proposed development is at 6.07 units per acre. He suggested that the units per acre be further amended to reduce to 79 units.

Mr. Bill Murphy, Sackville, commented that the proposed development would fit within the area and any new development would assist with the area's value.

Ms. Linda Landry, Sackville, expressed concern that during the last large rain fall water had run off the proposed development and eroded a portion of the Old Sackville Road. She assumed that the developer excavated the ditch and placed additional rock into the ditch to divert the water onto Melham Drive. She commented that there used to be a natural stream that flowed through the proposed development, which has since been covered over and asked whether this would be an ongoing issue.

Councillor Johns clarified that Ms. Landry's concern is in regard to a different development off Sunset Ridge. Staff is aware of this issue and will be visiting/reviewing the site shortly.

Ms. Landry expressed the following points and concerns:

- whether consideration will be given to installing water and sewer along the Old Sackville Road from Melham Drive; presently the properties are on wells and septic; residents in the proposed development will want water and sewer
- lack of shoulders/sidewalks along the Old Sackville Road; many residents are parking their vehicles along the road to drop their children off at the Sackville Heights Community School; additional traffic makes it difficult for people walking along the road, as well as for passing vehicles
- the sidewalk along Melham Drive will not facilitate a place for the children to walk directly to the school; concerned for the children's and her safety

Councillor Johns requested clarification as to which school the children from the proposed development would attend. He commented that children living in the Armco subdivision attend the Cavalier Drive School. Mr. Bone advised that he would have to look into this and report back.

In response to a question raised by **Mr. Alex Aleph, Sackville**, respecting the required amount of parkland dedication, Mr. Bone advised that the developer is required to provide 10% of usable space for the patrons who live in the building. This percentage is

related to the number of developable lots and is not deducted from the overall development. Mr. Aleph noted his support for the proposed development.

In response to a question raised by **Mr. Nick Antoff, Chair of the Waterstone Neighbourhood Association**, Mr. Bone indicated that Halifax Water is aware of how much sewage flow comes from the site and there are no provisions to shut down the flow. Halifax Water has identified that there will be approximately 18 persons per acre and therefore, there should not be any problems. Mr. Bone further noted that the figures assigned to population, from an engineering stand point, are greater than the actual population on the site. He further clarified that the policy agreement requires that there be a program; however, the details respecting the program are determined through discussions with HRM's engineering department and Halifax Water during permitting.

In response to a question raised by **Ms. Valery Gillis, Middle Sackville**, respecting bussing, Councillor Johns suggested that within the Sunset Ridge Development Agreement, adjacent to the proposed development, the children must be bussed to school. He anticipates that the Sunset Ridge development will be completed prior to the proposed development, which will allow for bussing.

In response to a question raised earlier in the meeting, Mr. Bone clarified that the children from the proposed development will attend the Sackville Heights Elementary School, Sackville Heights Junior High School and Millwood High School. He further noted that the schools have the capacity to handle this development.

In response to a concern raised by Ms. Landry respecting the safety of the children, Councillor Johns indicated that the developer will be constructing a sidewalk from Melham Drive to Sackville Drive and suggested that this sidewalk be connected to the sidewalk near the Lucasville Road along Sackville Drive.

Ms. Landry further asked what consideration has been given respecting how the roads will be serviced during the winter once water and sewage has been installed. She expressed concern with salting Melham Drive, which could affect adjacent properties that are still on wells, as well as, driving conditions on roads that are not salted. Councillor Johns commented that with the developments to the surrounding area, it allows for sidewalks and extension of water and sewage to be considered, where justifiable. Ms. Landry expressed the importance of including her property and surrounding properties within the extension of sidewalks, water and sewer.

Mr. Cesar Saleh, P. Eng, W. M. Fares Group, representing the Developer, advised that in 2008 the Community Council approved a Development Agreement on the proposed site that permitted 44 dwellings and an institutional building. Unfortunately due to economic challenges at the marketing pricing stage, the project was deemed not feasible. As a result, the client modified the proposal to what is before the Community Council; a maximum of 80 residential dwellings, including 52 town houses, 2 semi-detached dwelling and a 24 multi residential unit building. Mr. Saleh indicated that all

elements of the previous proposal have been maintained, such as a low density of six units per acre, which is consistent with what Council approved for the area.

Accumulatively, both buildings add up to 14% coverage of the 13.17 acre site. The coverage allows for:

- generous setbacks between the dwellings and the property lines, as well as between each of the dwellings
- a generous pocket of green space
- non disturbance buffer between the townhouse and adjacent uses
- the multi residential unit is located at the corner of Melham Drive and Sackville Drive, with an allocation of 2.25 acres of green amenity
- a proposed community park at the corner of Melham Drive and Sackville Drive

Mr. Saleh indicated that his client has maintained the quality and architectural detail of the previous proposal. As part of the development agreement negotiations, the owner has agreed to install a sidewalk along Melham Drive and extend service water and sewage laterals to the adjacent property owners across from Melham Drive.

Mr. Saleh further advised that the previous proposal had eight townhouses adjacent to the single family dwelling home on Melham Drive; whereas, the current proposal has ten townhouses. The dwellings were larger in the previous proposal and the garages were attached to the dwellings. The current proposal is less invasive to the adjacent property owner on Melham Drive. Instead of seeing 320 feet of building with one separation, the property owner will see 240 feet of building with three separations.

Mr. Saleh asked that consideration be given respecting the density of the development. He commented that it is a fraction of a person; 80 units allows for 6.07 persons per acre, whereas, 79 units would have allowed for 5.9 persons per acre.

Councillor Harvey gave the third and final call for speakers; there being no further speakers, it was **MOVED by Councillor Outhit, seconded by Councillor Lund, that the public hearing be closed. MOTION PUT AND PASSED.**

Councillor Johns expressed concern with not identifying which eight units will be reduced. He commented that presently the adjacent property owner on Melham Drive looks out their back window and sees a field of trees and with the development they will see buildings from their backyard. Councillor Johns further commented during the approval of the Sunset Ridge development, there was a miscalculation respecting the number of persons per acre, which ended up higher than what was originally proposed. Mr. Bone advised that his understanding is that at the time of the development agreement, it was accepted practice not to include commercial units within the flow rates.

In response to a further concern raised by Councillor John, Mr. Bone indicated that the proposed development does not include a similar setback as identified in the Sunset Ridge development.

Councillor Johns asked why the Community Council could not identify the eight units being removed. He suggested the option of removing six units to create a buffer near the adjacent property owner on Melham Drive.

Mr. Saleh commented that a reduction of eight units from the townhouses versus the multi-unit residential dwellings would be a punishment to the developer. The previous proposal was revised due to hard economics. He commented that the ratio of townhouses to multi residential units is four to one. The loss of eight townhouses compared to eight multi residential units would have a large economical impact on the developer. Mr. Saleh requested that the flexibility respecting which eight units remain with the decision of the developer.

Following further discussion by Council, it was **MOVED by Councillor Johns, seconded by Councillor Outhit, that North West Community Council defer Item 9.1.1 - Case 16026: Development Agreement and Discharging Agreement – Crossfield Subdivision, Sackville to the November 25, 2010 meeting and direct staff to prepare a supplementary report identifying the eight (8) units being removed from the proposed development agreement. MOTION PUT AND PASSED.**

9.1.2 Case 15853: Development Agreement – 1727 Sackville Drive, Sackville

The following was before the Community Council:

- A report from the North West Planning Advisory Committee dated September 2, 2010.
- A letter from Theresa Plorkowski, Project Planner, MPLAN, Genivar, dated October 27, 2010.

Councillor Harvey reviewed the public hearing procedures.

Mr. Tyson Simms, Planner, Community Development, delivered a presentation to the Community Council.

Councillor Harvey and opened the public hearing, calling three times for any speakers for or against the matter to come forward at this time.

In response to questions raised by **Mr. Walter Regan, Sackville Rivers Association**, respecting the extension of services, Mr. Simms indicated that services end at the intersection of Hamilton Drive and Sackville Drive and he would have to review whether or services are extended to the Harry R. Hamilton Elementary School. Halifax Water has indicated that there are two options that could be pursued to service the proposed development. Services could be connected to the proposed development through directional drilling, which would be provided by the applicant or extend the existing sewer main in Sackville Drive to the proposed location, which could then run a lateral to the proposed property.

Mr. Regan asked whether a requirement could be made within the development agreement that the septic tank be pumped out every three years. Mr. Simms indicated that this requirement is not within HRM's jurisdiction.

Mr. Regan further asked whether the undisturbed area at the back of the lot could be turned over to HRM, as it will not be used. Mr. Simms advised that this question was also raised by the Halifax Watershed Advisory Board and was noted within the Board's recommendation. Staff did not address this within the development agreement, as they thought that any proposal regarding HRM acquiring this portion of land or any portion north of the development was something that could be brought forward to Regional Council outside of this process. Mr. Regan commented that this is an opportunity for HRM to acquire a buffer zone next to a brook and small wetland area and noted the importance of HRM giving it consideration if the landowner is willing to sell.

In response to further questions raised by Mr. Regan, Mr. Simms noted the following:

- there are no proposed requirements to build the development to LEED standard
- there are clauses within the agreement respecting the property's maintenance
- there is no existing Local Improvement Charge (LIC) applicable to the property; in the event the applicant wanted to extended services, the cost would be born by the applicant
- if HRM were to extend services along Sackville Drive, an LIC could apply
- presently, there is no plan to extend services along Sackville Drive

Mr. Regan commented that he is pleased to see that the developer will be installing a monitor to assist with the oil grit separator.

Councillor Johns requested clarification that if the applicant were to extend the water main along Sackville Drive, whether the middle lot would be able to connect to the services and would a service charge apply should that lot be developed. Mr. Simms advised that Halifax Water has indicated that the middle lot may have the ability to connect to the services if the main were to cross in front of the property. However, there is no effective policy that would allow the owner of the subdivision to recover cost from adjacent property owners wishing to connect to the water main. Mr. Simms further noted that the response received from the Water Commission is that if the applicant were to undertake an extension of services, they are doing this through a private endeavour. The Water Commission would be involved respecting the design.

Mr. Nathan Rogers, Planner with Genivar, representative of Armco, commented that while the plan and development agreement make reference to a landscape plan that will be required at the construction phase, it would be more appropriate to include a landscape plan as a schedule to the development agreement. He commented that there is a need to understand what is being proposed. He further commented that while Armco was not involved earlier in the process, there could be improved planning respecting a shared access driveway between the proposed development and the adjacent parcels of land. Mr. Rogers read from an excerpt of the traffic impact statement completed for the site. He noted that if the development were to move

forward as proposed, there would be a driveway on Sackville Drive, as well as, a driveway on the Armco property. There is an opportunity to have shared access between Armco and the proposed development. He requested consideration be given to deferring this matter until a plan can be developed.

Councillor Johns asked whether Armco is prepared to consider sharing the cost to extend the services. Mr. Rogers indicated that Armco would be willing to review this option.

Mr. Simms indicated that the landscaping plan is not a standard requirement of HRM. Through the information provided, the applicant has demonstrated and indicated where they will be contributing some planting of vegetation along the front line. Discussions were also had respecting the service buffer at the rear of the property. Staff did not feel a landscaping plan was an item that had to be provided at this stage.

Mr. Simms noted that during a preliminary review, the development engineer advised the applicant to locate the driveway as far away as possible from the intersection of Sackville Drive, Rosemary Drive, Old Sackville Road and Orchard Drive, which is what the applicant has done. He indicated that there is no official application on file for this site; however, consideration could be given at the time an expression of interest is given.

Mr. Evon, Sackville, provided an example regarding a reimbursement policy Nova Scotia Power has for property owners that pay the initial cost for power installation. He expressed concern with the developer barring the costs of the water main extension and asked why consideration could not be given to developing a reimbursement policy. Councillor Harvey clarified that the Water Commission would have to develop a policy not HRM. He further commented that the Nova Scotia Utility and Review Board may have to approve this form of policy.

Mr. Mel MacKenzie, Sackville, expressed concern with the lack of improvement to the five corners of the intersection to decrease the impact on traffic. He commented that there have been several accidents at the intersection.

Councillor Johns indicated that during the last public information meeting, many concerns were raised respecting the intersection and not directly related to the proposed development. He and traffic services did a site visit and there have been preliminary discussions respecting opportunities to acquire property to realign the intersection. Councillor Johns further indicated that during the public information meeting, other concerns raised were related to the safety of the crosswalk. Residents wanted an overhead light; however, staff indicated that it does not meet the requirements. He further noted that staff is prepared to review alignment options related to how the Old Sackville Road connects with Orchard Drive.

Mr. Jim Parity, Sackville, expressed concern with the waterway that runs through his property. He commented that he had inquired to Halifax Water respecting cleaning up

the waterway and was advised that it is the responsibility of the homeowner. He further noted that Halifax Water has since installed a 24 inch culvert across from the proposed septic tank that runs down to the Sackville Rive. He asked what happens if in ten years the septic tank leaks in the waterway. Mr. Parity indicated that he has already dumped 500 loads of fill around his property in attempt to stop the water from coming into his basement. He noted that the properties in the area are all on wells and expressed concern with the health risks if they become contaminated.

In response to a question raised by **Ms. Valerie Gillis, Middle Sackville**, respecting the hours of operation for the store and restaurant takeout, Mr. Simms advised that the hours are specific to the proposed convenience store. Ms. Gillis commented that 11 p.m. seems early to close the takeout restaurant. Ms. Thea Langille, Supervisor of Planning Applications - Central Region, Community Development, advised that the development agreement does work with hours of operations. The hours of operations would apply to the list of uses that are permitted, which would be subject to take out as well. She further indicated that the hours of operation can be changed in the non-substantive amendment; therefore, there may be flexibility if a request is made by the applicant.

Councillor Harvey gave the third and final call for speakers; there being no further speakers, it was **MOVED by Councillor Outhit, seconded by Councillor Lund, that the public hearing be closed. MOTION PUT AND PASSED.**

Councillor Johns requested clarification regarding the seven year time frame in which the developer has to build the proposed development. He commented that this seems rather long and if HRM wants to encourage commercial development, the time frame should be decreased. Mr. Simms advised that it is not uncommon for staff to suggest seven years for commercial development; however, the time frame is at the Community Council's discretion.

Following further discussion it was, **MOVED by Councillor Johns, seconded by Councillor Outhit, that North West Community Council:**

- 1. Approve the proposed development agreement to permit a commercial development including a convenience store and up to three additional commercial units at 1727 Sackville Drive as provided in Attachment A of the staff report dated August 17, 2010.**
- 2. Require the agreement be signed by the property owner within 120 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.**

In response to concern raised by Councillor Lund respecting Mr. Parity's property, Councillor Johns commented that his intent would be to contact Halifax Water to determine whether or not there is an opportunity to extend the flow down Sackville Drive to the other location. Independent of the proposed development, given the concerns of Mr. Parity respecting existing flooding, there would be merit in asking Halifax Water to review the waterway.

MOTION PUT AND PASSED.

9.2 VARIANCE HEARING

9.2.1 Case 16393 – 73 Sackville Cross Road, Lower Sackville

A staff report dated October 25, 2010 was before the Community Council.

Mr. Trevor Creaser, Development Officer, Community Development, provided an overview of the October 25, 2010 staff report.

In response to questions raised by Councillor Johns and Harvey, Mr. Creaser advised that the existing setback requirement is 15 feet. He further clarified that the setback from the corner of the development from the existing building to the legion property is 14 feet; however, this setback was probably established prior to the Bylaw taking effect.

Councillor Harvey reviewed the variance hearing process.

Councillor Harvey called for the appellant and any property owners within the thirty metre boundary to come forward if they wish to speak for or against the variance.

Mr. Dwaine Corbin, Applicant, indicated that he is looking to increase his business and stay within the footprint of the property. He noted that he has a great relationship with the businesses, tenants and residents within the area and that there has never been a concern in the thirteen years he has been there. Mr. Corbin commented that the original building does not meet the 15 foot setback; however, the property is surrounded by a parking lot and road and any changes would not affect the properties around him. He further noted that there are no windows on the side of the apartment building that face their business. There is however, an exit door on the side that leads out to the parking lot.

Councillor Harvey called three times for any further speakers; there being no further speakers, it was **MOVED by Councillor Johns, seconded by Councillor Outhit, that the variance hearing be closed. MOTION PUT AND PASSED.**

Council entered into a brief discussion.

In response to a question raised by Councillor Dalrymple respecting the setback at the rear of the building, Mr. Corbin indicated that he is looking to maintain the working space (ie. parking area and entrance to the building).

Councillor Lund expressed concern with the building being too close to the property line. Mr. Creaser indicated that the setback requirement is 15 feet or half the height of the building, whichever is greater. Mr. Corbin's proposal is less than 30 feet, which requires a 15 foot setback. If the building was taller, then it would be half the height of the building.

Councillor Harvey stepped down as Chair at 9:01 p.m. and Councillor Outhit assumed the Chair.

Councillor Harvey indicated that he visited the site yesterday and noted the following points:

- with the present setup the apartment building is approximately 50 feet away from the property line with a parking lot in between
- there are no windows on the side of the building that faces Mr. Corbin's business
- there is a large parking lot on the opposite side of the building for the Royal Canadian Legion
- no evidence of disturbance with existing neighbours

MOVED by Councillor Harvey, seconded by Councillor Johns, that North West Community Council overturn the decision of the Development Officer and approve the variance.

Further discussion ensued.

MOTION PUT AND PASSED.

Councillor Harvey assumed the Chair at 9:05 p.m. and Councillor Outhit took his seat.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence

10.1.1 Christina Parker, Chairperson, Highland Park Ratepayers Association

- (i) Response to Traffic Authority Information Report dated June 2010 re: Street Lighting**
- (ii) Speed Limit – Uncontrolled Access Portion – Hammonds Plains Road**

Councillor Lund indicated that Ms. Parker and Mr. and Mrs. Haverstock could not attend this evening's meeting and requested that items 10.1.1 and 10.1.2 be deferred to the next meeting.

MOVED by Councillor Lund, seconded by Councillor Johns, that North West Community defer Items 10.1.1 and 10.1.2 to the next meeting date. MOTION PUT AND PASSED.

10.1.2 David and Kathy Haverstock

A letter from David and Kathy Haverstock dated November 4, 2010 was before the Community Council review.

This matter was deferred under Item 10.1.1, see page 15.

10.2 Petitions – None

10.3 Presentations – None

11. REPORTS

11.1 Uniform Charges for Lost Creek Community Association

A staff report dated October 22, 2010 was before the Community Council.

MOVED by Councillor Dalrymple, seconded by Councillor Lund, that North West Community Council recommend to Halifax Regional Council that a uniform charge of \$50.00 per property be approved to be applied against the properties within the mapped area depicted in Appendix A of the staff report dated October 22, 2010 effective with the 2011-12 fiscal year for the purpose of funding the activities of the Lost Creek Community Association.

MOTION PUT AND PASSED.

12. NEW BUSINESS

12.1 Hammonds Plains Common Rate

Councillor Johns indicated that the Waterstone subdivision implemented their own area rate regarding improvements to recreational services a number of years ago. He noted that the North West Community Council and possibly the Western Region Community Council passed a recommendation a few years ago indicating that the Waterstone subdivision and the Timber Trails Mobile Home Park would stop contributing towards the Hammonds Plains area rate once the new area rate was established. Further, that the money from the old area rate would be transferred to the new area rate. Councillor Johns advised that it has come to his attention that residents of Waterstone area are still being charged the old rate on their tax bills. He indicated that he has contacted staff to discuss this issue.

In response to a question of clarification raised by Councillor Johns, Mr. Nick Antoff, Chair of the Waterstone Neighbourhood Association, indicated some of the Hammonds

Plains area rate was transferred prior to the establishment of the Waterstone area rate. He noticed in September 2009 that he and others residents were still being charged the old rate.

Councillor Johns further clarified that monies redirected from the Hammonds Plains area rate were distributed by the Waterstone Neighbourhood Association on behalf of the Timber Trails Mobile Home Park and other applicable areas within District 19.

MOVED by Councillor Johns, seconded by Councillor Outhit, that North West Community Council:

- 1. Remove the properties within the Waterstone Neighbourhood Association and the Timber Trails Mobile Home Park, including any impacted properties on the Lucasville Road, from the Hammonds Plains Area Rate; and**
- 2. Direct staff to prepare a report to provide clarification respecting the breakdown of the Hammonds Plains Area Rate.**

The Community Council entered into a brief discussion.

MOTION PUT AND PASSED.

12.2 Recognition of Former North West Transit Advisory Committee Member

MOVED by Councillor Johns, seconded by Councillor Outhit, that North West Community Council send a letter to Mr. Terry Churney, former member of the North West Transit Advisory Committee, thanking him for his years of service.

MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Case 16196: Bedford LUB Amendment – Cat Boarding in Association with Veterinary Clinics

A report from the North West Planning Advisory Committee dated November 4, 2010 was before the Community Council.

MOVED by Councillor Outhit, seconded by Councillor Johns, that North West Community Council Give First Reading to consider the proposed amendments to the Land Use By-law for Bedford, as identified in Attachment A and B of the staff report dated September 20, 2010 and schedule a public hearing.

Public Hearing scheduled for November 25, 2010.

MOTION PUT AND PASSED.

14. NOTICES OF MOTION - NONE

15. PUBLIC PARTICIPATION

Mr. Walter Regan, Sackville Rivers Association requested status updates for the following:

- Pine Hill development
- Top Soil By-law

Councillor Harvey commented that the Pine Hill development is within HRM's Five Year Plan.

Councillor Lund indicated that he has spoke to staff respecting the status of the Top Soil By-law and was advised that it is still under review.

Mr. Regan invited members of the Community Council and the public to the Sackville Rivers Association's Annual Christmas Party on November 25th at 7 p.m.

Mr. Tyler Jacquard, Fall River, indicated that he is a Lockview High School student and is currently job shadowing Councillor Dalrymple. He commented that the meeting was straight forward and he appreciated attending the meeting.

Councillor Johns thanked Mr. Regan and the Sackville Rivers Association for their referral to HRM's parkland staff respecting a developer who may have some potential funding to contribute towards a habitat reinstatement within the Hartland Village area of District 19. He commented that a majority of residents, as well as the parkland planner are excited about this opportunity.

16. NEXT MEETING DATE – November 25, 2010

17. ADJOURNMENT

The meeting adjourned at 9:26 p.m.

Krista Tidgwell
Legislative Assistant

INFORMATION ITEMS – NONE