



**NORTH WEST COMMUNITY COUNCIL
MINUTES
May 26, 2014**

PRESENT: Councillor Steve Craig, Chair
Councillor Barry Dalrymple
Councillor Tim Outhit

REGRETS: Councillor Matt Whitman, Vice Chair
Councillor Brad Johns

STAFF: Mr. Andrew Bone, Senior Planner
Ms. Jennifer Chapman, Planner
Ms. Erin MacIntyre, Planner
Ms. Thea Langille, Major Project Planner
Mr. Roddy MacIntyre, Transportation Engineer
Ms. Kirby Grant, Senior Solicitor
Ms. Krista Vining, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/central/140526nwcc-agenda.html>

The meeting was called to order at 7:00 p.m. and adjourned at 8:58 p.m.

1. CALL TO ORDER

Councillor Craig called the meeting to order at 7:00 p.m.

Councillor Dalrymple acknowledged and welcomed Mr. Bill Horne, MLA and Warden Jim Smith, East Hants.

2. APPROVAL OF MINUTES – April 28, 2014

MOVED by Councillor Outhit, seconded by Councillor Dalrymple that the minutes of April 28, 2014 be approved as presented. MOTION PUT AND PASSED.

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

MOVED by Councillor Dalrymple seconded by Councillor Outhit that the agenda be approved as presented. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – NONE

8. HEARINGS

8.1 PUBLIC HEARINGS

8.1.1 Case 18620: Development Agreement for the Enfield Irving Big Stop at 6757 Highway No. 2, Enfield

The following was before Community Council:

- A staff recommendation report dated April 24, 2014
- Correspondence from Paul Bolivar dated May 11, 2014

Mr. Andrew Bone, Senior Planner presented the application of Cobalt Properties Limited outlining the proposed development agreement to enable two drive-in restaurants at 6757 Highway 2.

In response to questions raised, Mr. Bone provided an overview of the site plan in relation to the pedestrian walkway.

The Chair called for the Applicant to come forward and speak at this time. **Ms. Christina Townsend, Planner with WSP Group, representing Cobalt Properties Limited**, stated that they would address the Community Council at the end of the public hearing.

The Chair reviewed the rules of procedure for public hearings, and opened the hearing for anyone wishing to speak.

Mr. Scott MacKinnon, Joshua Street expressed concerns raised by the community, which included 68 families across from the Irving development and four families on Halls Road. In visiting with these residents, he indicated that four topics of concern were mentioned:

1. The traffic entrance at Oldham Road and Old Post Road would be significant as a result of these developments; he pointed out that rural areas have a high mixture of vehicle traffic
2. The lack of crosswalks in order to access the Irving or proposed drive thru; residents have to wait and run across Highway 2, which was unfair to children, as the vehicles do not stop for pedestrians
3. Light pollution from the two Irving signs; one sign already lights up his property (beacon light), the addition of the other sign would increase the light pollution on his property; Mr. MacKinnon proposed either a deflection of lighting or better placement of the lights
4. Noise: residents already express that it is noisy and the proposed drive thru would only increase the level of noise

Mr. MacKinnon went on to raise concern that the prevailing west winds blows garbage off the Irving lot, which lands in between the creek and the trees across the road. He commented that the creek has become a garbage dump. He noted that a couple of ladies from the neighbourhood have cleaned up the garbage; however there are difficulties removing materials such as old stoves, televisions and water jugs. Mr. MacKinnon was further concerned with traffic backing up onto the highway from people accessing the drive thru. He provided an example of a trucker traveling from New Brunswick after driving 14 hours and being tired and the foreseeable accidents and environmental damage to the creek. Mr. MacKinnon further raised the issue of having fume mitigation; commenting that residents are unable to go outside when trucks are filling up. He asked that these concerns be looked at before developing.

Mr. Tom Mills, Highway #2 advised that his comments made at the public information meeting last fall had remained unresolved. He was concerned with staff's overview of the sidewalk being built up to the edge of the Irving property; however, this was not where the curb stops. He pointed out that the house beside the Irving had no shoulder but there was a curb which extended to the front of his property; and that there was at least a hundred feet of road with no shoulder. He provided an example of his wife only having a foot of gravel to walk on between the curb and cliff when walking along the road. Mr. Mills indicated that he and his wife have also walked over to the Irving for supper but would not continue this practice until there was a sidewalk or shoulder. Mr. Mills had written to the Department of Transportation (DOT), who agreed that this was a problem but he was told that Cobalt's position was that it was up to HRM to finish the sidewalk. He had also spoken with Councillor Dalrymple who had advised him that Cobalt would not extend the sidewalk because they do not want the ongoing operating costs and liability concern of plowing an HRM owned sidewalk. Mr. Mills stated that he did not want the sidewalk built until residents could get to it. He went on to note the need for a crosswalk to get from Oldham Road to the Irving site; especially for the children who have to cross the street to catch the school bus. He encouraged Community Council to resolve these matters and put something in writing to ensure they would be addressed. Mr. Mills went on to raise concerns around the

speed limit which he understood was a provincial matter but suggested that Community Council would have some influence. He was also concerned with motorists speeding, indicating that the speed limit goes from 50 to 70 kilometres in front of the RCMP station. Mr. Mills concluded that he was the Chairman of the Shubenacadie Watershed Environmental Protection Society (SWEPS) and commended Irving on the work they had done to date, and there being no sedimentation coming from the site.

At the request of the Chair, Mr. Bone pointed out Oldham Road on the map as a reference for those in attendance.

Mr. Harold Gray, Highway #2 echoed similar concerns around speed limits, speeding motorists and the difficulties trying to leave his driveway in the morning and getting home in the evening with reverse rush hour traffic. He agreed with comments made around the lack of sidewalk and foreseeable accidents.

Ms. Sarah Wood, Oldham Road had similar concerns around children not being able to walk from one house to another or to the Irving with the lack of sidewalk and shoulder. She was concerned that motorists were not paying attention to the new pavement markings; trucks and cars using the wrong lanes, which she saw as dangerous in a 70 kilometre speed zone. She has also seen a number of cars in the evening and early morning going over the median and getting stuck; which was dangerous and caused road blocks. Ms. Wood went on to comment on the difficulty of getting out of Oldham Road in the morning and having to use Old Post Road to get to work due to the speed limit and high level of traffic. She echoed concerns around the dangers of children crossing the street to get to the bus stop and agreed that the signage was too large. Ms. Wood was also concerned with not receiving notification to any of the meetings around this development and was told by Mr. Mills. Ms. Wood commented on the damage to Oldham Road from truck traffic carrying heavy loads and questioned what would happen with more development on the site. She added that her daughter attends Old Field School and was often late getting to school and home from school during the construction at the Irving site and traffic. She agreed with the concerns around garbage and how her children have also picked up bags and bags of garbage. Ms. Wood questioned who would be benefiting from the development; expressing that the immediate community did not seem to be benefiting.

Ms. Liz Sanderson, Joshua Street echoed concerns around traffic, difficulties exiting the road and garbage. She highlighted that two years ago Bennery Brook was cleaned up and restocked with fish but now there were numerous windshield washer jugs and long strips of plastic in the trees. She made comment around motorists not stopping to give people the right-of-way and provided an example of a bad experience she had with a near miss accident while trying to let someone out. She agreed with statements around foreseeable accidents. Ms. Sanderson was also concerned with the pollution omitted from the transport trucks and questioned how staff and the developer could identify what building materials would be used and the size of the building surface but could not identify what business would be operating the drive thru and how heavy the traffic would become. She was concerned with traffic backing up from Enfield and residents not being able to get out of the Oldham Road between the hours of 6:30 a.m. to 9:30 a.m. if the drive thru was a Tim Hortons; adding that people would be traveling from Truro to use this location and suggesting that traffic lights would have to be installed. Ms. Sanderson concluded by

commenting on transport trucks rear wheels going over the medium and tearing up sod while turning.

Ms. Dorothy MacDonald, Highway 2 stated that her children attend George P. Vanier Junior High School and Lockview High School; indicating that the bus stop for her children's schools and for Oldfield Consolidated Elementary School and East Hants Rural High were in front of the Irving Big Stop. She spoke to the difficulties of the children walking along the side of the road to get to the bus stop and pointed out the grassed path being used on the map. She indicated that when the new road was constructed, a curb was installed resulting in there no longer being a shoulder. She had spoken with Transport Canada and Stock Transportation; advising them that the curb was not regulation or wide enough, but no changes are being made. Ms. MacDonald pointed out that she drives her children to the bus stop and picks them up daily, but that there were other children walking to the bus stop, and she was concerned with one of them getting hit by a car.

Mr. Walter Regan, Sackville suggested that based on the number of vehicles onsite, there should be oil grit separators for the entire site. He also suggested that all stormwater be kept onsite with no discharge as the site dumps water runoff into Bennery Brook. Mr. Regan pointed out that Bennery Brook feeds into the Shubenacadie River and the Bay of Fundy which has wild and endangered Atlantic salmon. He indicated that there should be mandatory ongoing water quality monitoring and commented that these were minimum standards that Community Council could ask for within the agreement.

Mr. Bill Horne, MLA Waverly-Fall River-Beaver Bank agreed that a majority of the concerns expressed were raised at previous meetings and were still unanswered or reconciled. In regards to the safety issues for children, he commented that Irving had to give some thought about extending the sidewalk whether it was on their property or not, in order for children and adults to get back and forth. He indicated that Mr. Regan's comments around water runoff should be verified to prevent water runoff from getting into the Bennery Brook and spoke to the Environmental Protection Society's work to clean up the Brook. He wanted Community Council to approve the development agreement with Irving in order to have some of those issues undertaken and solved.

Ms. Wendy Smith, Halls Road agreed with the comment made around traffic coming from Truro toward Halifax and expressed concern with the Enfield overpass which has gotten continually worse over the years and was only being patched. Ms. Smith commented that she could understand the condition of the roads as it had been a bad winter, but it did not excuse the condition of the overpass. She questioned whether a study has been done on the overpass; pointing out that a study was done on the overpass in Milford to Hardwood Lands and based on the condition roundabouts were installed. She could not understand why money would be spent on roundabouts for this exit having very little traffic compared to Enfield. She stated that roundabouts should have been put at the Enfield exit instead of the Milford exit, especially given this proposal. Ms. Smith was concerned with driving over the overpass daily to get to and from work. At the request of the Chair, Ms. Smith pointed out the location of Highway 102, Halls Road and the overpass. She added that her husband also uses the overpass to haul fuel, and

questioned the condition of the overpass with increased truck traffic from the proposed drive thru. Ms. Smith sought clarification on why the park and ride was cancelled.

The Chair called three times for any further speakers.

For the second time speaking, Mr. Horne indicated that he thought that the overpass was the responsibility of Nova Scotia Transportation and Infrastructure Renewal (NSTIR) department. Having driven over it a number of times, he agreed with Ms. Smith's comments and would report this to NSTIR for review.

There being no further speakers, it was **MOVED by Councillor Dalrymple, seconded by Councillor Outhit that the Public Hearing be closed. MOTION PUT AND PASSED.**

Mr. Bone clarified that some of the issues raised were related to the existing Irving Big Stop (i.e. gas fumes and the existing access points), previously approved by the Municipality and the Province at the time of the reconstruction of the Big Stop. Therefore, staff was unable to comment on matters relative to the gas station. Although these matters were related because of the site, they were not directly relevant to the agreement as the proposal is for a new drive thru use.

In regards to sidewalks, Mr. Bone clarified that under the development agreement process; the property lines are the bounds of the agreement and anything affected within the property lines. He further spoke to staff being able to permit a sidewalk from the centre of the site to the north end of the site and the challenges within the agreement which resulted in gaps in the sidewalk.

Mr. Bone agreed that offsite garbage was problematic; noting that the Development Agreement required Cobalt to maintain their property, including garbage collection. However he advised there was the potential for carry off from the site and suggested that a requirement could be added to the agreement to have extra garbage receptacles onsite.

In response to concerns raised around access and changes to the road network, Mr. Bone suggested that over time motorists would learn to use the lanes appropriately. He clarified that the access was regulated by the Province and Highway 2 infrastructure was regulated by NSTIR. Further, the Province had identified that traffic lights at Oldham Road were not warranted. It was also noted that NSTIR was responsible for maintaining the overpass over Highway 102. In terms of the crosswalk request, Mr. Bone advised that this was provincial jurisdiction and would follow a similar warrant process as traffic lights. He suggested that staff could raise these concerns with the Province. The Community Council could also ask for a reduction in speed limit.

In response to concerns identified around the location of the bus stop, Mr. Bone suggested that discussion be held with the Halifax Regional School Board on whether or not the sites chosen were still appropriate. He added that this was an indirect effect of the redevelopment of the gas station site but additional traffic would be generated by the drive thru.

In regard to construction traffic and delays, Mr. Bone clarified that this should not be a problem, as most of the construction would be on the south end of the site and should not have any impact on Highway 2 because all access points are approved and constructed.

Mr. Bone advised that the development agreement did not require oil grit separators on the drive thru site and this was not a normal requirement but that in some cases they are included in development agreements. He noted that the proponent is permitted to discharge the same amount of stormwater off the site as they do presently. Mr. Bone pointed out that there were storm ponds onsite to control the stormwater runoff. In regards to mandatory water quality monitoring, Mr. Bone indicated that this was not something staff would typically seek unless there was policy support to do so; which was not the case under this current plan.

Mr. Bone concurred with Councillor Dalrymple that none of the roads in the affected area were within the Municipality's jurisdiction.

In response to light pollution, Mr. Bone advised that the existing gas station was outside of the development agreement process as it was previously approved under a standard permitting process. The highway signs are part of this development agreement but from the research he has conducted, he could not recall anything specific that dealt with the light pollution from signs of this scale. Mr. Bone noted that additional research would be needed to determine if there were technical controls to reduce or limit the light pollution.

Ms. Christina Townsend, Planner with WSP Group, spoke on behalf of the Applicant, Cobalt Properties Limited and thanked everyone for coming to the meeting and providing comments. She stated that safety at sites was a major concern for Cobalt and Irving; noting that representative from both groups were in attendance. Ms. Townsend stated that Mr. Bone had addressed many of the concerns raised but that she would be addressing a few as well. In terms of garbage, the development agreement process enables maintenance clauses to be put in place and Cobalt would be responsible for the garbage maintenance onsite. In terms of the height of the sign, several discussions were held with HRM staff through the process, and she commented that it was consistent with, highway zones within HRM. She noted that in the areotech zone, highway signs can be 100 feet and therefore, they saw the sign as being appropriate size for a site of this scale and being a regional centre. Ms. Townsend added that the signage height is mitigated as it was a low lying site compared to the highway. She further clarified that proposed drive thru was designed to be situated at the rear of the property, along with the drive thru cueing and it would be impossible to have traffic back up onto the road. In terms of the road upgrades, Ms. Townsend advised that the work completed was through the requirement of the as-of-right development agreement for the Irving Big Stop; as directed by NSTIR and is in compliance. As well, through the development agreement process, she advised that Cobalt is committed to going beyond these requirements and do the sidewalk upgrade to the edge of their property which is in their jurisdiction to control. Ms. Townsend concluded that the developer was pleased with the process they have followed; thanked HRM for their work and indicated she was prepared to answer any additional questions.

Before moving to questions of clarification from Community Council, Mr. Bone added that there was a clause in the agreement that requires lighting be directed to driveways, parking areas, loading areas, entrance areas and walkways and shall be arranged so that it diverts away from

streets, adjacent lots and buildings. He advised that if there was an issue with light after the fact, the development officer may have means to have this corrected. He noted that this does not speak to specific to signs but might be classified as outdoor lighting.

In terms of Cobalt completing sidewalk upgrades within their property limits, Councillor Outhit questioned how much further the sidewalk would have to be extended to address the community's concerns. Mr. Bone did not have this information but noted that there was significant distance between the sidewalk on the Elmsdale side at the bridge to this location. . Councillor Outhit further questioned whether there has been any interest from Cobalt to extend the sidewalk further, to which Mr. Bone responded that staff have not explored beyond the property line.

Councillor Outhit sought comment from Councillor Dalrymple and MLA Horne on review of the crosswalk concerns and street lights under the NSTRI jurisdiction.

In response to questions raised by Councillor Dalrymple, Mr. Bone confirmed that the sign would be two faced and perpendicular to Highway 102 and would shine up and down the highway, not necessarily across the highway. Mr. Bone pointed out the proposed location of the drive thru lanes on the map. He commented that the way the property is designed there is a large amount of overflow ability; four to five times greater than most drive-in restaurants. As well, he added that parking was located a significant distance from the street to ensure safety of vehicles.

MOVED by Councillor Dalrymple, seconded by Councillor Outhit that North West Community Council adopt the proposed amendment to the Planning Districts 14 and 17 Land Use By-law as contained in Attachment A of the April 24, 2014 report;

Contingent upon the amendments to the Planning Districts 14 and 17 Land Use By-law becoming effective pursuant to the requirements of the Halifax Regional Municipality Charter, that North West Community Council:

- 1. Approve the proposed development agreement as contained in Attachment B of the April 24, 2014 report; and**

- 3. Require that the development 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.**

Councillor Dalrymple noted that a number of issues brought forward during the public hearing, with not raised at the first public meeting. He spoke to the rules around notification areas, indicating that not all residents in the affected area would have received notification but that the public hearing was advertised in local new papers. In regard to the question raised around the removal of the park and ride in the amendment, Councillor Dalrymple clarified that it was not the existing park and ride on the other side of the overpass, which would remain. He clarified that under old HRM policy, the Big Stop site was contemplated as a future park and ride, which would not happen and therefore, there was no reason to keep the wording in the agreement. He

and HRM staff have had many discussions with their departments and with the Warden in regard to transit extending out into the Enfield and Elmsdale area. He and Councillor Outhit have been open and vocal to the idea of rail service coming to Enfield. Discussions have also been held with the stakeholders around transit extending to Elmsdale.

Councillor Dalrymple went on to note that discussions had been held around sidewalks and he was pleased with the discussions and response from Cobalt who had redesigned the proposal to include sidewalks in across the property and up to the edge of their property to the road. He understood the community's frustration around traffic but reiterated that all of the streets and road in this area are provincial jurisdiction. He has spoken to DOT and NSTRI and would continue to keep trying to make progress. However, HRM does not have the authority to order that crosswalks be installed and could only make recommendation. Councillor Dalrymple further echoed the response made by staff around oil grit separators and stormwater runoff, agreeing that Cobalt has gone beyond their requirement in the agreement to install some of these features. He agreed that the speed limit should be reduced from 70 to 50 kilometres, highlighting his years as an RCMP working out of the Enfield detachment; but again noting that this was a provincial matter. Councillor Dalrymple encouraged residents to call the provincial DOT to ask for a speed reduction for that area or raise make a petition.

Councillor Craig spoke to rural roads being the combined responsibility of municipal and provincial governments. In this particular case, the Municipality's responsibility has to do with the development agreement and within the boundaries of the Cobalt Properties Limited site. Staff has worked with the developer to work on a number of the aspects that are within their control to mitigate risk and concerns. He noted he was pleased with the layout of the proposed drive thru. He echoed points made around provincial responsibility for expressed around speed limits, crosswalks, sidewalks and shoulders of the road. He commented that both Councillor Dalrymple and MLA Horne have indicated that they are supportive to try and work with the community to address these concerns.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence – None

9.2 Petitions

9.2.1 Councillor Outhit

Councillor Outhit submitted a petition containing approximately 50 signatures signed by the tenants of 37 Larry Uteck Blvd., Halifax in regard to their concern over the proposed building (Case 18993) being constructed above thirty-five feet (35') in total height.

9.3 Presentation – None

10. REPORTS

10.1 STAFF

**10.1.1 Case 18710 – Development Agreement – 3188 Sackville Drive (Notice of Motion and Schedule Public Hearing)
(i) North West Planning Advisory Committee Memorandum – Case 18710**

The following was before Community Council:

- A staff recommendation report dated May 14, 2014
- A memorandum from North West Planning Advisory Committee dated November 6, 2013

MOVED by Councillor Dalrymple, seconded by Councillor Outhit that North West Community Council give Notice of Motion to consider the proposed development agreement as contained in Attachment A of the staff report dated May 14, 2014 to permit a kennel at 3188 Sackville Drive and schedule a public hearing. MOTION PUT AND PASSED.

**10.1.2 Case 19168 – Non-substantial amendment to Development Agreement – 910 Bedford Highway
(i) North West Planning Advisory Committee Memorandum – Case 19168**

The following was before Community Council:

- A staff recommendation report dated May 14, 2014
- A memorandum from North West Planning Advisory Committee dated April 7, 2014

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

- 1. Approve, by resolution, the proposed Amending Agreement as contained in Attachment A of the staff report dated May 14, 2014 to extend the construction commencement date for the development at the southern corner of Bedford Highway and Moirs Mill Road, Bedford, by an additional year to May 19, 2015;**
- 2. Approve, by resolution, the proposed Amending Agreement as contained in Attachment A of the staff report dated May 14, 2014 to allow for an increase to the maximum number of residential units permitted, from 30 units to a maximum of 60 units, provided the total number of bedrooms does not exceed 60; and**
- 3. Require the Amending 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.**

As identified in the motion, Councillor Outhit noted that this was not increasing density but a shakeup of the size of the units. Based on the feedback he had received, Councillor Outhit noted his support for the matter going forward to public hearing.

MOTION PUT AND PASSED.

10.1.3 Case 19120 –Telecommunications Tower – 142 Oakes Road, Fall River

The following was before Community Council:

- A staff recommendation report dated April 28, 2014

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

- 1. Inform Industry Canada that they have no policy-based objections to the proposal by Eastlink to erect a new 30.5 metre monopole telecommunication tower at 142 Oakes Road, Fall River, as shown on Attachment A of the staff report dated April 28, 2014; and**
- 2. Forward a copy of the April 28, 2014 staff report to Industry Canada for background purposes.**

Councillor Dalrymple spoke to the attendance at the public meeting and support received from the public.

MOTION PUT AND PASSED.

10.1.4 April 2014 Update: Waverley Ratepayers Association Traffic and Transportation Study

The following was before Community Council:

- A staff recommendation report dated March 24, 2014

MOVED by Councillor Dalrymple, seconded by Councillor Outhit that Item #5 - Waverley Ratepayers Association Local Traffic Study (District 1) be marked as completed on the North West Community Council status sheet as items in the report that have not yet been addressed, require coordination with major projects not yet planned and short-term updates would not provide any additional benefit to Community Council.

Councillor Dalrymple provided background on the origin of this matter being placed on the Community Council's status sheet and the written updates provided by staff. He has had several discussions with Transportation and Public Works staff regarding the financial implications and supported the completion of this matter on the status sheet.

MOTION PUT AND PASSED.

10.2 MEMBERS OF COMMUNITY COUNCIL

10.2.1 Councillor Dalrymple

Councillor Dalrymple reminded residents of Oakfield Elementary School's Annual Spring Fling on June 7th.

10.2.2 Councillor Craig

Councillor Craig invited residents to attend his open house on Wednesday, May 28th; noting that residents were also welcome to attend the North West Planning Advisory Committee Public Information Meeting on May 29th respecting a development agreement for the lands located at Walker Avenue and Old Sackville Road, Sackville (Case 19060). Councillor Craig further spoke to the success of the Sackville Farmers Market.

- 11. MOTIONS – NONE**
- 12. IN CAMERA – NONE**
- 13. ADDED ITEMS – NONE**
- 14. NOTICES OF MOTION – NONE**

15. PUBLIC PARTICIPATION

In response to a request made following the Public Hearing for Case 18620, Councillor Craig clarified that the only recorded votes taken in the Halifax Regional Municipality were at Halifax Regional Council meetings.

Ms. Pamela Lovelace, Hammonds Plains noted that she was the founder of the Hammonds Plains Farmers Market and was also one of the key organizers for the Sackville Farmers Market. She thanked the Community Council for addressing an issue she raised at a previous meeting about moving the reduced speed sign to include the crosswalk at the corner of Hammonds Plains Road and Pockwock in the school zone. Ms. Lovelace went on to express a concern respecting the building at 2041 Hammonds Plains Road; providing a brief history of the building's ownership and use from 1969 to present. She was concerned with the Hammonds Plains Fire Hall/Community Centre being sold by HRM for a \$1 to a not-for-profit group.

Councillors Outhit advised that if the building had been sold to a non-profit group for \$1, the sale would have come to Regional Council, as selling below market value requires a two-third vote of Council. He did not recall this matter coming before Regional Council but suggested that the Community Council could ask staff for an update on this matter.

Councillor Dalrymple indicated that there have been a number of discussions and motions that have gone through the Grants Committee to Regional Council in regards to old fire stations in the Hammonds Plains district and advised that these sales would be recorded in the Committee's and Regional Council's minutes. He suggested that Ms. Lovelace ask Councillor Whitman to contact the Clerk's Office to obtain a copy of the minutes from the Grants Committee and Regional Council meetings dealing with this property.

Ms. Lovelace questioned whether there is criteria around ensuring that there is consultation and or notification with the community when a community owned building was being sold. Councillor Craig suggested that she wait and see what comes out of the review of the minutes. In response to a further concern raised by Ms. Lovelace, Councillor Craig suggested that the non-profit's by-laws not being up to date was an issue to be raised with the provincial authority.

Ms. Sarah Wood, Oldham Road expressed concern with the public hearing process and members of the public not having an opportunity to respond to or question comments made by the applicant. She suggested that Community Council review this process to ensure that community members are able to express their thoughts and opinions on issues brought forth during a public hearing.

Councillor Craig advised that all processes of the Municipality are set out in Administrative Order One and the public hearing portion was the last stage of the process for Community Council to make a decision on the matter. Prior to the public hearing, public information meetings were held with the community to talk with the proponents and staff. Ms. Wood was also concerned with not being notified of the public hearing for Case 18620.

Mr. Walter Regan, Sackville Rivers Association requested an update on the Bedford flood plain study, the Cushing Hill project and the functional stormwater plan. He further asked that when the Regional Plan comes forward, that Councillors request that the 20-metre riparian buffer setback be increased to 30 metres for the protection of the rivers.

Councillor Outhit indicated that the flood plain study for Union Street was underway. He, staff and MLA Regan met with the Province to request funding for the study and potential solutions coming out of the study.

Mr. Andrew Bone, Senior Planner indicated that staff was drafting a proposed policy for the Cushing Hill Municipal Plan amendment; with a projection to be at a public information meeting in early fall and then on to Community Council.

Councillor Dalrymple advised that the 20-metre riparian buffer was not in the Regional Plan but had been discussed and targeted in secondary plans. He noted that there are six communities slated for secondary plans, with another eight communities to follow.

Councillor Craig added that the Stormwater functional plan was forthcoming; adding that staff are reviewing flood plains right through to the Little Sackville River and beyond. He further reminded residents of the Regional Plan Public Hearing scheduled for June 24th and if needed June 25th.

Mr. Bill Horne, MLA Waverly-Fall River-Beaver Bank sought clarification regarding intergovernmental engagement around the municipal development agreements process; in particular as it related to provincial jurisdiction matters for Case 18620. Mr. Bone advised that the Municipality's development agreement process are driven by the policies and plan. In

general when an issue arises that is provincial jurisdiction, staff would correspond with the applicable provincial department to pass the information along to them.

16. DATE OF NEXT MEETING – June 16, 2014

17. ADJOURNMENT

The meeting was adjourned at 8:58 p.m.

Krista Vining
Legislative Assistant