

**NORTH WEST COMMUNITY COUNCIL
MINUTES**

April 26, 2007

PRESENT: Councillor Brad Johns, Chair
Councillor Robert Harvey

REGRETS: Councillor Gary Martin

STAFF: Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. in the Sackville Heights Community Centre, 45 Connolly Road, Sackville. He noted that Councillor Martin had another meeting in his district which conflicted and has sent regrets for this meeting.

2. APPROVAL OF MINUTES

MOVED by Councillor Harvey, seconded by Councillor Johns that the minutes of March 22, 2007 be approved. MOTION PUT AND PASSED.

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

Additions:

11.1 First Lake Trail - Staff Report

11.2 Councillor Harvey - Landfill Funds Dedication

MOVED by Councillor Harvey, seconded by Councillor Johns the agenda as amended be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES:

4.1 STATUS SHEET ITEMS:

4.1.1 Pinehill Street Stormwater Drainage

No update. This item is to remain on the status sheet.

4.1.2 Storm Drain Issue - Cavalier Drive

No update. This item is to remain on the status sheet.

4.1.3 Shopping Cart Bylaw Report

No update. This item is to remain on the status sheet.

4.1.4 Judy Avenue Pathway

No update. This item is to remain on the status sheet.

4.1.5 Union Street Flooding

The Chair advised that since Councillor Martin was unable to attend this evening, this item would remain on the status sheet.

4.1.6 Policy P-71, Beaver Bank, Hammonds Plains and Upper Sackville MPS

The Chair advised that staff are looking into addressing some of the issues, such as rocklining ditches. He added that correspondence was also sent to the Springfield Lake Watch in regard to recommendations of prioritizing those ditches.

The Chair advised that he would leave this item on the Status Sheet for an additional month.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Sackville Drive Sewer and Water Servicing Project - Staff Presentation

Staff of the Halifax Regional Water Commission and HRM were in attendance to provide a follow-up presentation to their November 23, 2006 presentation to Community Council.

The Chair noted that staff had circulated information containing a survey and a notice of meeting to the residents along Sackville Drive who will be impacted by this proposal (a copy was submitted for the official file).

Mr. Jamie Hannam, Chief Engineer, Halifax Regional Water Commission (HRWC) advised that this meeting, as a follow up from the November meeting, was designed to provide the next level of detail as staff moved forward, by providing an update on the estimated project costs based on actual construction tender information.

For those that were not in attendance at the November meeting, Mr. Hannam began with a review of the scope of the project. He then reviewed in detail the cost estimates and funding sources, noting the following points:

- C the cost is 6.3% higher than was estimated in November
- C total project cost is \$6.9 million
- C external funding sources include: \$2.878 million from the Federal/Provincial MRIF; and \$250,00 from the Provincial Capital Assistance Program
- C internal funding sources include: funding from water and sewer oversizing; HRM's Capital Budget; and the HRWC Stewardship Contribution
- C net cost to the community will be \$1,649,382.
- C Sackville Drive lot owners would pay a Local Improvement Charge (LIC) as their share of the project cost for services they receive. Estimated LIC is:

\$66/ft. of frontage for water; \$74/ft. of frontage for sewer for a total of \$140 per foot of frontage.

Mr. Hannam outlined the payment options for the local improvement charge; the additional costs related to servicing and advised that the next steps in the process include preparing a report for Regional Council, in which feedback from the November meeting, this meeting and the survey will be included. He added that this will be followed by a public hearing and a decision by Regional Council to proceed or not. Mr. Hannam advised that if Council decided to proceed, it is expected that construction will take 40 weeks. He added that if it is started in July then the project should be completed in the spring of 2008.

Mr. Hannam and Mr. David Ellis, HRM Senior Environmental Engineer responded to questions of Community Council, clarifying the following points:

- C the water system at Lively is being decommissioned because the welltaht serviced the area produced low quality water, and even though a lot of money was spent to resolve the problem, they are unable to maintain water quality that meets the Canadian water quality guidelines. Staff was directed by the Regulator (Utility and Review Board) to find a solution, and the most practical solution is to connect to the public system.
- C with regard to the decommissioning of waste water treatment facilities, the current facility was built 30 or 40 years ago and to the standard of the day. By today's standard, a permit would not be issued to build the same facility. Decommissioning of this facility is a high priority for staff and there are synergies in doing this in conjunction with the work of the Halifax Regional Water Commission.
- C staff have not been contacted by any residents along Sackville Drive with complaints about water quality or quantity or issues with their septic field.
- C currently, there are approximately 50 to 60 homes attached to the Lively system.
- C there are approximately 35 existing homes along Sackville Drive
- C along Sackville Drive the yield to any future development has gone from one house per acre to four homes per acre, however it was always potentially envisioned these would be serviced lots

Councillor Johns advised that the residents along Sackville Drive will end up paying a large share of the total cost in order accommodate future expansions and future developments. He explained that, currently, staff is considering a 20/80 split on capital cost contribution for future land development. Based on the fact that 35 residents will be picking up the cost for something they have no problem with, in order to solve HRM's and the Halifax Regional Water Commission's (HRWC) problem, there is a greater benefit to HRM and to the Water Commission and future development than there is to the residents along Sackville Drive. Councillor Johns questioned what could be done to increase the

proposed split on capital cost contribution from 20/80 to 30/70, and what would the dollar implication be.

In response, Mr. Hannam explained that if a future developer wanted water and sewer, they will have to spend a significant cost to build their local water and sewer system into their streets. They will not only be paying for their local streets, they will also be paying for the trunk sewer portion. So, the developer is paying for the local main and oversizing of the main and the Sackville Drive residents are paying only for the local distribution main.

With regard to the Capital Cost Contribution split, Mr. Hannan advised that if the split were changed to 30/70, the Local Improvement Charge would drop from \$140 to \$112 per foot

Councillor Johns advised that there are ongoing issues, i.e. areas previously outside the serviceable boundary but with the approval of the Regional Plan, have now been put within the boundary and will receive services. However, this does not resolve the issues of the residents along Old Sackville Drive and Orchard. Councillor Johns added that he would like staff to review the serviceable boundary to look at including those additional lands as well.

Councillor Johns requested that when this matter goes before Regional Council, consideration be given to a 30/70 split rather than and 20/80 split. He questioned what would happen in the situation if the cost were to increase significantly.

In response, Mr. Hannam advised that the total construction cost becomes the cost of the Local Improvement Charge. Staff have made significant allowance for rock excavation, etc. so there is little risk in the cost getting too far out of hand. If it did, the frontage charge and if it came in under tender, the frontage charge would decrease.

In response to a question by Councillor Johns as to the implication of the Wastewater charge that Regional Council changed at its last meeting, Mr. Ellis advised that he would follow up on this and get back to the Councillor.

Further to this, Mr. Hannam advised that the charge will be linked to home construction and for homes that will make a direct connection to public sewer. He added that he was not sure if it will impact existing homes but he would get clarification.

Responding to additional questions, Mr. Hannam noted that:

- C if a resident chooses not to hook up to the system, they do not pay anything other than the LIC charge.
- C it is too early in the process for a traffic control plan; this would happen after the tender was awarded. HRM has traffic control policies that the contractor will have to adhere to.

The Chair opened the meeting to the public. The following people came forward either with comments or with questions to which staff and Community Council responded:

Bruce DeVenne - Mr. DeVenne questioned if the lateral connection will be according to existing lots or every 60 feet.

Mr. Hannam advised that this will have to be discussed as the general approach is every 60 feet, but staff will work with the lot owner.

Mr. Ellis also pointed out that there will be one set of services per property and if someone wanted multiple sets, there will be an additional cost to the property owner.

Peggy Godfrey - Ms. Godfrey commented that she owned and operated a garden centre on Maroon Hill, and it would be approximately 1000 feet uphill to connect to the system.

She also advised that it appears the work is being done because of an over-riding problem in HRM, adding that it will cost her business \$140,000. She expressed concern about the cost as she works in a very competitive and seasonal business. Ms. Godfrey also noted that the construction work itself will have a negative impact on her business. She pointed out that subdividing her property to pay the LIC is not an option, given the kind of business she operates.

Alan White - Mr. White referred to the 20/80 split and the suggestion to make this a 30/80 split and advised that he believed it should be a 50/50 split.

Walter Regan - Mr. Regan posed questions concerning the treatment of any acidic slate that would be found during construction, to which staff responded. Mr. Regan also noted that he would like to see retention of storm water to prevent surging of feeder brooks.

Susan Morris. Ms. Morris requested clarification on the LIC payment options, to which staff responded.

Alan White - Mr. White referred to the survey staff had mailed to the residents and indicated that he was in favour of receiving water and sewer services but not at the proposed cost.

Nick Antoft - Mr. Antoft referred to the map staff was using and suggested that, by the time all the various sources of funding have been put in place, some of the shaded areas on the map will become very valuable land, and if it is more valuable then the owners should be taxed at a higher level.

Alvin White - Mr. White suggested that consideration be given to a 40/60 split.

Bruce DeVenne - In response to Mr. DeVenne's, Councillor Johns explained the rationale for staff recommending this project which encompasses Sackville Drive, rather than just isolating the problem with the Lively subdivision and fixing it.

Gloria Tynan - Ms. Tynan advised that since the project is to benefit the Lively subdivision and that the residents along Sackville Drive are being charged, she questioned whether something could be collected from Lively. She also noted that sewage will now be going from Lively to Mill Cove.

Peggy Godfrey - Ms. Godfrey raised questions concerning the impact the project will have on her property value and she noted that her land will become too valuable for her to afford.

Avis Taylor - Ms. Taylor noted that she lived outside the serviceable boundary, however if she were in serviceable boundary, it would cost her \$50,000. She indicated that it was unfortunate for some people that, in order to pay for upgrades, they will have to sell property.

Alan White - Mr. Hannam responded to questions of Mr. White's in regard to the cost and benefits of the project to the residents in Lively and along Sackville Drive.

The Chair thanked staff for the presentation and members of the public for providing feedback.

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: None

10.2 NWPAC Reports:

10.2.1 Case 00964 - Application to Rezone 43, 47, 51, 55, 59, 63, 67, 67A, 71, 75, 79, 83 and 87 Nordic Crescent, Sackville

A staff report dated March 13, 2007 with an attached report dated April 17, 2007 from the North West Planning Advisory Committee was submitted.

Mr. Joseph Driscoll, Planner, outlined staffs' reasons for recommending Community Council reject the proposed rezoning of properties at 43, 47, 51, 55, 59, 63, 67, 67A, 71, 75, 79, 83 and 87 Nordic Crescent, Sackville from the R-2 Zone to the R-1 Zone.

Mr. Driscoll responded to questions of Community Council.

Councillor Harvey indicated that, based on staff's review of the matter and that it appears the rezoning will not accomplish what the petition wants to achieve, he was prepared to support the staff recommendation not to proceed with a rezoning.

MOVED by Councillor Harvey, seconded by Councillor Johns, North West

Community Council reject the proposed rezoning of properties at 43, 47, 51, 55, 59, 63, 67, 67A, 71, 75, 79, 83 and 87 Nordic Crescent, Sackville from the R-2 (Two Unit Dwelling) Zone to the R-1 (single Unit Dwelling) Zone. MOTION PUT AND PASSED

10.3 North West Transit Advisory Committee:

10.3.1 Pedestrian Activated Traffic Signals

A report from the North West Transit Advisory Committee dated March 23, 2007 was submitted.

In reference to the submitted report, the Chair advised that the Committee would like activated signals to be installed at the Mount Saint Vincent University crosswalk on the Bedford Highway.

Councillor Harvey advised that he supported the idea of activated signals being installed, however, he noted that either Community Council or Regional Council have the ability to implement this recommendation.

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council endorses the recommendation by North West Transit Advisory Committee to have activated signals installed at the Mount Saint Vincent University crosswalk on the Bedford Highway. MOTION PUT AND PASSED.

11. ADDED ITEMS:

11.1 First Lake Trail - Staff Report

This item was added to the agenda during the approval of the order of business.

A staff report dated April 17, 2007 was submitted.

The Chair noted that the report addresses issues which were raised at the last meeting of Community Council . He explained that since the report was only submitted today and that the public has not had an opportunity to review it; with the concurrence of Councillor Harvey, he would permit questions from the public at this time.

Councillor Harvey, Councillor Johns, Mr. Don Ambler, HRM Trail Specialist and Mr. Paul Euloth, HRM Regional Trail Coordinator, responded to questions.

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council support the construction of the First Lake Trail as described in the April 17, 2007 staff report. MOTION PUT AND PASSED.

11.2 Landfill Funds Dedication

This item was added to the agenda at the request of Councillor Harvey.

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council recommend that \$5,000 from the Landfill funds be allocated to the Sack-A-Wa Canoe Club for the boat buying project. **MOTION PUT AND PASSED.**

12. NOTICES OF MOTION: None

13. PUBLIC PARTICIPATION:

The following people spoke during public participation:

Ms. Avis Taylor. Ms. Taylor addressed Community Council with the following concerns: the amount of traffic at the intersection of Old Sackville Road and Rosemary Drive; littering created by flyers; and the lack of enforcement on developers to ensure siltation fences are maintained.

Mr. Walter Regan advised that at the last meeting he had asked about landscaping for the bus terminal and if an oil/grit separator was going to be installed in the parking lot. He questioned if there was any update on this.

In response, Councillor Harvey advised that the landscaping began today but he had heard nothing of an oil/grit separator.

Mr. Ed Grace noted his concern with problems occurring at the lower end of Fenerty, and suggested the installation of a grate on the outflow would alleviate the problem.

14. NEXT REGULAR MEETING DATE

The Chair advised that the next regular meeting was scheduled for May 24, 2007 and a special meeting of Community Council would be held on May 10, 2007 for the purpose of holding four public hearings.

15. ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Sheilagh Edmonds
Legislative Assistant