

TABLE OF CONTENTS

1.	Invocation	4
2.	Approval of Minutes	
2.1	Regular Meeting – July 8, 1999	4
2.2	Special Meeting – July 13, 1999	4
3.	Approval of the Order of Business and Approval of Additions and Deletions	4
4.	Business Arising Out of the Minutes – None	4
5.	Motions of Reconsideration – None	4
6.	Motions of Rescission – None	4
7.	Consideration of Deferred Business – None	4
8.	Public Hearings	
8.1	Case 00057 – Development Agreement application for five single detached dwellings – River Lane, Bedford	5
8.2	Case 00026 – Development Agreement application to allow a community commercial use at 298 Cobequid Road, Sackville	6
8.3	Case 00125 – Application to rezone property at 900 Hammonds Plains Road to permit the construction of an Islamic Mosque and Culture Centre	9
9.	Correspondence, Petitions and Delegations	11
10.	Reports	
10.1	Bedford Waters Advisory Committee	
10.1.1	Jacks Lake Site Stabilization	11
10.1.2	Lot Disturbances – Paper Mill Lake	12
10.1.3	Water Testing Results – Paper Mill Lake	13

10.2	Case 00162 – Proposed Telecommunication Facilities, Sackville	14
10.3	Status Sheet re District 19 requests	15
11.	Motions – None	15
12.	Added Items	
12.1	Second Lake Regional Park Association	15
12.2	Shopping Carts	16
12.3	Award of Tender No. 99–206 – Upper Sackville Artificial Soccer Surface	16
12.4	Sackville Landfill Compensation Fund – Disbursements	17
12.5	District 19 Capital Projects	18
13.	Notices of Motion – None	19
14.	Presentation and Resignation of Councillor Barnet	19
15.	Public Participation	19
16.	Next Meeting Date	21
17.	Adjournment	21

1. INVOCATION

The meeting was called to order at 7:00 p.m. in the Charles Fenerty Room, Sackville Library, 636 Sackville Drive.

2. APPROVAL OF MINUTES

2.1 Regular Meeting – July 8, 1999

MOVED by Councillors Harvey and Barnet to approve the Minutes of meeting held on July 8, 1999 as circulated. MOTION PUT AND PASSED.

2.2 Special Meeting – July 13, 1999

MOVED by Councillors Harvey and Barnet to approve the Minutes of meeting held on July 13, 1999 as circulated. MOTION PUT AND PASSED.

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

Added Items: Correspondence from Shane O Neil, Chairman, Second Lake
Regional Park Association
Shopping Carts – Councillor Harvey
Award of Tender No. 99-206 – Upper Sackville Artificial Soccer
Surface
Sackville Landfill Compensation Fund – Disbursements
District 19 Capital Projects – Councillor Barnet

MOVED by Councillors Harvey and Barnet to approve the Order of Business as amended. 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. PUBLIC HEARINGS

8.1 Case 00057 – Development Agreement Application for Five Single Detached Dwellings – River Lane, Bedford

Roger Wells, Regional Coordinator, Planning Services provided an overview of the Staff Report dated June 25, 1999 with the aid of overheads. As well, a Supplementary Report dated July 9, 1999 and a report from Planning Advisory Committee dated July 12, 1999 were before Community Council. During the course of his presentation, he provided information on the three modifications recommended by Planning Advisory Committee which have been incorporated into the revised Development Agreement dated July 12, 1999 which was included with the Supplementary Report. Staff was recommending approval of the Development Agreement.

Councillor Kelly asked if any correspondence and/or calls had been received. In response, Mr. Wells advised that there were several requests for copies of the Staff Report but no calls or correspondence.

The Chair called for speakers for or against the application.

Mr. Kevin Dean, Bedford Waters Advisory Committee advised that the Committee has examined the proposal and determined there were no water related or environmental reasons to oppose it and, therefore, the Committee was recommending approval.

Mr. Michael Iosipescu, the applicant, provided a drawing of the proposed houses. He advised that he had worked with Planning Department to ensure that the footprints and height, the viewplane from the Meadowview homes and protection of mature trees were all taken into account. The location of the houses will be determined by the vegetation on each lot.

The Chair called three times for further speakers for or against the application. There were none.

MOVED by Councillors Harvey and Barnet to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Councillors Barnet and Harvey to approve the Development Agreement as amended and attached as Appendix A to the Supplementary Report dated July 9, 1999 to permit the development of single detached dwellings on Lots 1, 2, 3, 7 and 8 River Lane, Bedford.

Further, to require the Development Agreement be signed within 120 days, or any extension thereof granted by North West Community Council on request of the applicant, from the date of final approval of said agreement by North West Community Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise, this approval shall be void and any obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED.

8.2 Case 00026 – Development Agreement Application to Allow a Community Commercial Use at 298 Cobequid Road, Sackville

Rogers Wells provided an overview, with the aid of overheads, of the Staff Report dated June 24, 1999. As well as the Staff Report, a recommendation was before Community Council from North West Planning Advisory Committee recommending approval of the application. As part of the presentation, he referred to drainage problems at the back of the property and advised that the proponent was required to provide a lot drainage plan. Engineering Department will determine how best the property will be graded so that the drainage from the rear of the property makes its way adequately to the existing ditch and culvert on Cobequid Road. Staff was recommending approval of the application.

Councillor Kelly asked if any correspondence and/or calls had been received. In response, Mr. Wells advised that requests had been received for copies of the Staff Report only.

The Chair called for speakers for or against the application.

Ms. Janet Shiers, 9 Kings Road expressed concern about runoff, explained that there had been problems with drainage from the property in question and asked what kind of recourse there would be and who would be responsible if the work was not done properly. In response, Mr. Wells advised that Section 2.7 of the Development Agreement indicates that prior to commencement of construction, the proponent will need to obtain a Development Permit. One of the conditions of granting the Development Permit is a Lot Grading Permit. The proponent would have to submit a lot grading plan that shows existing grades on the property and what he intends to do for the low area at the back of the site to ensure proper drainage. The details will be determined by the Engineer and would have to be approved prior to Mr. Piercey commencing work on the site.

Ms. Shiers cited previous problems and contacts with municipal employees. When Mr. Wells asked how long ago this had happened, Ms. Shiers advised it was 1993.

Mr. Wells subsequently advised that he was confident, because the proposal was proceeding by way of a Development Agreement, that the drainage situation would be rectified but, if not rectified satisfactorily, there was a section in the Development Agreement allowing the Municipality to require the owner to fix it.

Ms. Shiers referred to open storage and asked if it was possible for the applicant to put vehicles for sale in front of the antique shop.

Mr. Piercey stated it was not his intention to put any cars of any kind. Mr. Wells added that Section 2.3.10 of the Development Agreement prohibits outdoor storage and display. The proposed addition is

30' x 50' and he thought a lot of that was for storage. The property is zoned R-1 and that zone remains in place. The Development Agreement is superimposed on that zone and the only thing permitted in the Development Agreement, other than permitted in the R-1 zone, is an antique store and office space with an associated showroom and storage area.

Councillor Kelly asked for clarification that cars for sale were not permitted on the lot. Mr. Wells said that was his understanding.

Ms. Shiers asked for clarification that there would not be any junk in the back yard. Mr. Wells confirmed this was so.

Ms. Shiers referred to page 7 re hours of operation – 8 a.m. to 9 p.m. and asked for clarification. Mr. Wells responded that in order for the developer to change the hours of operation, he would need to come back to Community Council for approval of a non-substantial amendment. He explained the process for a non-substantial amendment.

Ms. Glenna Shiers, 9 Kings Road referred to C-4 re storage and display and another section, page 23, 15.5. She asked for clarification. In response, Mr. Wells advised that 15.5 delineates what is permitted in the C-2 (Community Commercial) zone but the Development Agreement overrides that. Section 2.3.10 of the Development Agreement is specific to the site. In all matters that are not addressed in the Development Agreement, it defaults to the Land Use By-law applicable to the zone.

Ms. Janet Shiers asked when the fence along the property line would be constructed. In reply, Mr. Wells advised that the developer would not be able to get an Occupancy Permit unless the conditions of the Development Agreement are met. The Development Officer will review the stipulations of the Development Agreement and if there are outstanding items, they would have to be addressed prior to occupancy.

Ms. Janet Shiers asked if it was possible to donate the vegetation at the property line as parkland. Mr. Wells replied no, but Section 2.5 of the Development Agreement requires the delineation of a buffer area. If the developer ignores the clause and cuts the trees and clears the land, he would have to replant.

Mr. Ron Piercey, Fall River, the applicant, referred to page 2 of the Staff Report – location and site description which indicated that the water problems were coming from the surrounding area of Kings Road. The problem he was addressing was essentially not his problem. He was willing to address these problems and do something with the water which was running from the Kings Road properties across his. He had previously approached Mr. Shiers who indicated emphatically he would not get together to alleviate the problem.

Ms. Glenna Shiers referred to the culvert on Cobequid Road. It was just a matter of digging a drainage ditch to this culvert to keep the water flowing. Councillor Kelly advised that was what staff indicated would take place.

Ms. Theresa Scratch, Cavalier Drive and a member of Planning Advisory Committee, advised she had brought up a concern with traffic and safety along Cobequid Road previously at a PAC meeting. The Development Agreement addresses the frontage and access to Cobequid Road but there was a great deal of traffic in that general area. She supported the application but thought that HRM should look at its responsibility with the adjacent roadways and traffic volumes. She suggested lowering the speed limit on Cobequid Road should be considered.

The Chair called three times for further speakers in favour or against the application. There were none.

MOVED by Councillors Harvey and Barnet to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Councillors Harvey and Barnet to approve the Development Agreement attached as Appendix A to the Staff Report dated June 24, 1999 to permit a community commercial use at 298 Cobequid Road. Further, to require the Development Agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval of said agreement by Council and any other bodies as necessary, whichever is later including applicable appeal periods. Otherwise, this approval shall be void and any obligations arising hereunder shall be at an end.

Councillor Harvey advised that a number of issues were raised but have been satisfactorily addressed in the Development Agreement. The mechanism was there to follow up if necessary. With regard to traffic concerns raised, the request to lower the speed limit was made earlier this year and the speed limit was moved back a little. He pointed out that Council did not set speed limits; they were set by Traffic Authority of HRM. To date, Traffic Authority has not agreed to a 50 km/h zone back as far as First Lake Drive.

MOTION PUT AND PASSED.

8.3 Case 00125 – Application to Rezone Property at 900 Hammonds Plains Road to Permit the Construction of an Islamic Mosque and Culture Centre

A Staff Report dated June 25, 1999 was before Community Council along with a recommendation for approval from North West Planning Advisory Committee. Roger Wells provided an overview of the Staff Report, with the aid of overheads. During the course of his presentation, he advised that a significant feature of the property was a stream that runs through it and flooding problems being experienced by residents living along Kearney Lake Road. There was concern that any development of the property might affect the water table or drainage which could exacerbate the problem that now exists. Bedford Waters Advisory Committee had become involved; the developer retained an engineer to do a hydrological and floodplain study. The results of the study led the developer to move the parking area and the building further from the stream and the land adjacent to Kearney Lake Road was able to be preserved in its natural state. A report from Bedford Waters Advisory Committee was previously received by Community

Council recommending approval of the application. Staff was also recommending approval of the application.

Councillor Kelly asked if there had been any correspondence or calls regarding this application. In response, Mr. Wells advised only requests for copies of the Staff Report.

The Chair called for speakers in favour or against the application.

Mr. Marvin Silver, Chair, Bedford Waters Advisory Committee advised that the Committee was involved in one Public Information Meeting, four meetings of BWAC in which a number of sessions involved public participation from the residents and proponent. There were also four site visits. The original proposal was unacceptable because it appeared likely that flooding of the homes on Kearney Lake Road and Aberdeen Paving would be exacerbated by the project as it was originally proposed. Hearing the concerns, there was extensive consultation with the proponent and engineer hired by the proponent and, subsequently, all the objections were addressed. Because of the fact that the proposal as it now stands appears to be as benign as possible to the homes on Kearney Lake Road and the business on Hammonds Plains Road, BWAC was recommending that North West Community Council approve the rezoning of the property. He submitted that there must be a caveat, however, because this is predicated on the present flow rate of water from the development upstream – Blue Mountain – and provided that the flow rate from the upstream development remains the same, there should not be any additional danger of flooding.

Mr. William Hyde, Architect representing the applicant, stated that the application is consistent with the former Town of Bedford's Municipal Planning Strategy. The Institutional objective of the Strategy says that the Town should promote the development of adequate institutional facilities, recognizing that Bedford needs this type of facility. Also, Policy S-3 states the intention to permit institutional land uses on any land use designation to suit the needs of the client as they emerge. It was important to remember that this was not a request to change the Plan for Bedford but to take a step in fulfilling the Plan. With regard to Policy Z-3, technical criteria was being met.

Mr. Hyde referred to benefits of the rezoning, with the aid of an overhead. He advised that the Islamic community would construct a facility they need, which will be good for the adjacent property owners as they will know who their neighbours are, and they will be good neighbours, and a significant natural area will be protected including the Hammonds Brook.

Mr. Imam A.M. Khatab, Islamic Affairs Consultant from Ontario spoke in support of the application. It would be an asset for the whole province. He gave a history of the Islamic population in Canada and the construction of other mosques.

Mr. Walter Regan, Sackville Rivers Association congratulated the developer for bending over backwards to the wishes of the community. He requested a copy of the SNC Lavalin Report. He asked if water quality

testing was going to be done of the brook and the status of a storm water separator for the parking lot. In response, Mr. Hyde advised that one of BWAC's recommendations was that there will be monitoring as construction proceeds. There will be engineering measures taken to ensure runoff and water testing done.

Mr. Regan referred to present flooding and asked if it was possible to have this addressed particularly if the flooding was caused by other developments upstream which could be diverting water or overcapacity of the brook. In response, Councillor Kelly advised that flooding on Hammonds Plains Road has been ongoing for years and there is an attempt being made to mitigate it as much as possible. As well, there was a current on-going study with regard to Kearney Lake for the side properties.

Mr. Regan asked further if it was possible to have included in the Development Agreement that the rock that controls the flooding should not be moved. Mr. Wells, in response, said this application was not proceeding by way of Development Agreement but rezoning. He understood, however, that the developer is going to perform all of the items he agreed to perform and staff will be doing whatever it can to hold the developer to that.

Mr. Hyde subsequently provided a picture of the brook which indicates the rock which was the control point. He said he could not imagine any reason to move the rock nor was he sure how to move it.

Mr. Advil Galley, Dartmouth spoke in support of the application. He assured that engineering problems would be taken care of and that they would continue to be good neighbours.

Mr. Terry Saleh, 40 Charlotte Lane, Halifax advised that there were now approximately 10,000 Islamic people in the area. He expressed appreciation that in Canada there was freedom to practice their own faith. There was a need for a community centre and the project would be good for the neighbourhood.

Mr. Bob Kerr, 332 Moirs Mills Road and a member Bedford Waters Advisory Committee requested that staff amend the agreement so that the proponent will know when the water testing should be carried out.

The Chair called three times for further speakers for or against the application. There were none.

MOVED by Councillors Harvey and Barnet to close the Public Hearing. MOTION PUT AND PASSED.

Councillor Kelly asked, with regard to testing, would the proponent be willing to work with staff to put in some time frames and testing aspects. In response, Mr. Hyde agreed and added that this was being considered as part of the next step in the project.

MOVED by Councillors Harvey and Barnet to approve the rezoning from RR (Residential Reserve) to SI (Institutional) of the property identified as PID 645853, known as 900 Hammonds Plains Road, Bedford as shown on Map 1 attached to the Staff Report dated June 25, 1999 and more particularly described

as Block Y in Appendix A, to permit the construction of an Islamic Mosque and Culture Centre. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS – None

10. REPORTS

10.1 Bedford Waters Advisory Committee

10.1.1 Jacks Lake Site Disturbance

A report dated August 18, 1999 from Bedford Waters Advisory Committee was before Community Council.

Marvin Silver, Chairman, Bedford Waters Advisory Committee explained the concerns of the Committee with respect to this 53-acre area which was clear cut for the proposed Correctional and Forensic facility. The area was between two watersheds – Sackville River watershed and Paper Mill Lake watershed. The Committee was concerned that if the area was not stabilized over the winter, there was the possibility of snow melt and clay and silt would be eroded into the watercourses. BWAC was recommending that the area be stabilized.

Councillor Kelly advised that the provincial government has already been approached and, as negotiations proceed, he expected that stabilization would be an outcome of the negotiations.

MOVED by Councillors Barnet and Harvey to request the Province of Nova Scotia, in light of the decision to move the jail site, to continue to stabilize the clear-cut site to reduce the environmental impact on adjacent water courses. MOTION PUT AND PASSED.

10.1.2 Lot Disturbances – Paper Mill Lake

A report dated August 18, 1999 from Bedford Waters Advisory Committee was before Community Council.

Mr. Bob Kerr, Bedford Waters Advisory Committee outlined incidents where the 50' non-disturbance area has been overridden by the developer or owner. He referred to Lots 140 and 142. The distances were 33 and 35' respectively. Another incident was Lot 110. Baha Court is also clear cut. The Committee was requesting that positive action be taken to have the developer fulfill what is in the Development Agreement.

Councillor Kelly advised that Legal Services is currently working on having the developer correct deficiencies that can be corrected and repair what cannot be corrected. He asked for support from Community Council to allow the ability to continue forward.

MOVED by Councillors Harvey and Barnet that until these violations to the Contract Development Agreement for Paper Mill Lake have been dealt with in full and to the satisfaction of North West Community Council and HRM, any further advancement of work in the area be restricted.

Councillor Barnet, having seconded the motion, referred to the word restricted and stated that he felt it would be in staff's hands rather than Council.

Councillor Kelly reiterated that the matter was in the hands of Legal Services to see if there is the ability to put the contract in abeyance pending a resolution of outstanding issues.

MOTION PUT AND PASSED.

10.1.3 Water Testing Results – Paper Mill Lake

A report dated August 18, 1999 was before Community Council from Bedford Waters Advisory Committee.

Brian Hoyle, Bedford Waters Advisory Committee provided information on testing parameters and, in particular, fecal coliforms. Under the terms of the Development Agreement, the water of Paper Mill Lake should be tested regularly which has not been done. The results of sporadic tests take a long time coming to BWAC. He stated that regular testing of the lake was definitely required, monthly at this time of year. He did not know the water quality this summer because the last report was dated April 28, 1999.

Councillor Kelly advised that Department of Environment has been testing both beach areas of the lake weekly during June, July and August. He asked if BWAC receives copies of those tests. Mr. Hoyle indicated, in response, that BWAC has not received them.

Councillor Kelly then asked that Mr. Wells ensure that BWAC receives copies of these tests. He understood that if there were any problems with the counts, Department of Environment would close down any beaches they feel are above the standard.

Mr. Silver advised that the information could be forwarded to Lynne LeBoutillier, Assistant Municipal Clerk, who is the staff support for the Committee.

MOVED by Councillors Harvey and Barnet to request Works and Natural Services to increase signage referring to By-law D-100, Respecting the Registration and Regulation of Dogs, on the watercourses and swales within the Planning District.

Mr. Kerr outlined the purpose of lake testing and stated that the Development Agreement indicates that the lake has to be regularly tested during construction. BWAC was recommending that testing take place monthly. He requested that Community Council recommend that testing be carried out monthly.

Councillor Kelly asked if the mover and seconder would agree to include the recommendation for monthly testing. The mover and seconder agreed.

The amended motion now reads:

MOVED by Councillors Harvey and Barnett to request Works and Natural Services to increase signage referring to By-law D-100, Respecting the Registration and Regulation of Dogs, on the watercourses and swales within the Planning District. Further, that water testing of Paper Mill Lake be carried out on a monthly basis.

AMENDED MOTION CARRIED.

10.2 Case 00162 – Proposed Telecommunication Facilities, Sackville

A Staff Report dated August 16, 1999 was before Community Council. Roger Wells advised this was a request for comment from Community Council as to the proposed location of two telecommunications facilities within the Sackville Plan area. Telecommunications facilities were the sole jurisdiction of the Federal government through Industry Canada. There was, however, an informal administrative process adopted whereby Industry Canada will wait, prior to issuing the licence, for comments from the municipal level. Staff, therefore, instituted a process of taking it to the public, appropriate PAC and Community Council and get comment with regard to compatibility or impact and pass those comments along to Industry Canada for their deliberations in terms of whether or not to issue the licence, put conditions on it or find alternative locations. He advised that Kiersten Enemark, representing Clearnet was in attendance.

Councillor Kelly referred to cooperation with other networks to reduce the inundation of facilities and asked if this has been explored for these applications. In response, Ms. Enemark provided information on the current situation and the contacts made in an effort to bring about co-location, adding that their first choice was co-location. In this case, if co-location is possible, then Clearnet would co-locate but, failing that, the proposal tonight was the new site.

Mr. Wells then provided information on the two proposals, the types of facilities proposed which were before Community Council and the alternatives being considered. He also provided information on how the Federal government was able to ignore municipal regulations but at least take into account comments from the municipal level prior to issuing the licence.

Councillor Harvey asked how many residents or property owners had received notification in the area of the Cobequid Road site. In reply, Mr. Wells advised about 30 with only one phone call asking for clarification as to whether or not there would be any interference. The frequencies, however, were different and would not affect other media.

Councillor Harvey stated he supported co-location. If, however, there was a need to proceed the way the Staff Report was written, the 3' antennas on top of the 80' tank, he could also support. However, if there was a move to a 200' tower on the property, he wanted the same courtesy extended to those property owners regarding notification. As written, he was prepared to go along with the Staff Report but would not support a 200' free-standing tower.

Ms. Jennifer Goodwin, Caudle Park Crescent advised she had not been notified of the proposal as a resident of the area but had seen the notification at her work just today. There might be other people who did not know about the proposal either. Mr. Wells advised that the notification for the Cobequid Road site did not go as far as Caudle Park. He indicated the area of notification.

MOVED by Councillors Harvey and Barnet to support the telecommunication towers/antennas and ancillary shelters at the Stokil Drive water reservoir and at 429 Cobequid Road as outlined in the Staff Report dated August 16, 1999. If, however, it turns out that the request is to build a free-standing tower for Stokil Drive, it will be necessary to go back for comments from the public and have it come back to another meeting. In the case of the Cobequid Road site, Clearnet is to investigate using the MTT tower as a first priority. MOTION PUT AND PASSED.

10.3 Status Sheet re District 19 Requests

Councillor Barnet advised that he had reviewed the Status Sheet as it pertained to District 19. He requested that all items for District 19 remain on the Status Sheet for the benefit of the new Councillor, except for Request for Walkway – Officers Crescent, Beaver Bank. He said it appeared that the people who were concerned with having the walkway built, seemed to have lost interest.

11. MOTIONS – None

12. ADDED ITEMS

12.1 Second Lake Regional Park

A letter dated July 13, 1999 from Shane O Neil, Chairman, Second Lake Regional Park Association was before Community Council requesting that HRM explore the possibility of obtaining ownership of the land on the north side of First Lake Drive and on the lakeshore side still in the hands of Housing.

Councillor Harvey noted that a very large acreage had been transferred to Department of Natural Resources last winter and the very active Second Lake Regional Park Association has been working on it. There is a 50 acre site, however, which is really in the First Lake watershed and this is what the letter is addressing. The request is to look at options for acquiring the land as part of the Park Reserve as it was part of the Concept Plan that was developed by an earlier form of the Association.

MOVED by Councillors Harvey and Barnet to refer the letter to Peter Bigelow, General Manager, Recreation Facilities and Blair Blakeney, Regional Coordinator, Recreation Facilities for comment to see if there is an approach warranted to bring the issue forward to Regional Council. MOTION PUT AND PASSED.

12.2 Shopping Carts

Councillor Harvey outlined his concern with the abundance of shopping carts abandoned in the Sackville area which eventually find their way into the Little Sackville River, particularly in the area of Sackville Cross Road. He explained the attempts made in the past to make store owners more responsible for maintaining and retrieving them.

MOVED by Councillors Harvey and Barnet to refer this question to Legal Services and By-law Enforcement to see if other jurisdictions have faced this problem and found solutions or if any sort of regulation might encourage the stores to prevent the carts from leaving their property or make them responsible for returning them and to provide a report on same. MOTION PUT AND PASSED.

12.3 Award of Tender No. 99-206 – Upper Sackville Artificial Soccer Surface

A Staff Report dated August 20, 1999 regarding the above was before Community Council.

MOVED by Councillors Barnet and Harvey to award Tender No. 99-206, Upper Sackville Recreation Facility Artificial Soccer Field to Turf Masters Landscaping Limited for the materials and services listed at the unit prices quoted for a Total Tender Price of \$694,395 plus HST and a Total Project Cost of \$798,554 plus HST, with funding from the Sackville Landfill Compensation Trust Fund, Account No. T125.

Councillor Harvey advised that the report provides some background involving the Upper Sackville facility. The granting to the community in 1994 of a sum of \$6.5 million for community purposes intended that there be a substantial capital expenditure on recreational facilities in the Upper Sackville area. This has been realized by Springfield Lake and the new facility which includes Weir field in Upper Sackville. There were three major facilities within the Upper Sackville facility, the community building, a senior baseball field with the same line dimensions as the Sky Dome and the soccer facility.

With regard to the proposed soccer field, Councillor Harvey advised that the original thought was for three natural turf soccer fields for Upper Sackville. The end result, however, has been one artificial field with lights which he understood could handle the wear and tear of three grass fields. In doing this, Community

Council will be fulfilling the commitment for the final phase of the Upper Sackville facility and also the moral commitment to Upper Sackville to build major long term recreational facilities there. This will be paid for out of monies which were put aside four or five years ago in a long term investment to allow the opportunity to see what was needed to finish the commitment and have the money to pay for it. The total cost of putting in the field does not come from the Capital Budget but from monies put aside in the Sackville Landfill Compensation Funds. Next year, 2000, when the construction is complete, it will certainly be a showplace for Sackville and a much wider area.

Councillor Barnet added that he has been working on this project over the last four years and it seemed as though it was all going to come together during his last days as the Councillor for District 19. The selection of product to be chosen was not easy for staff or himself but he felt it was the best choice. This field will go on to save operating expenses for the Municipality in the future. Football has created additional expense annually towards repairs of fields but Football can be played on this field and there will not be any expense to repair it. There were also benefits to the environment due to the fact that three full size soccer fields using pesticides and nitrogen fertilizer would obviously have an impact on the environment. One synthetic field needs nothing. This is the first time in the Atlantic Provinces for a publicly-owned synthetic surface which can be used for recreation purposes by the public. This facility will not only be the community's pride but something for all of Nova Scotia. To make sure the facility operates in perpetuity without costing the taxpayer money, some funds have been set aside which will cover the operating expenses. He acknowledged there was a life cycle on the synthetic field but hoped that the user fees charged would not only cover the cost for lights but also cover the replacement of the surface at the end of its useful life. There was enough money in the Trust account to operate this class facility indefinitely. He was pleased to have moved the motion.

Councillor Harvey added that Councillor Barnet was really the Project Manager for this development over the last four years. He knew the hurdles and frustrations that Councillor Barnet had to endure. The whole idea was that this community which was tagged for 20 years with a negative – the former landfill – now will be known for something that is the best – the best Senior baseball field in Nova Scotia and the best soccer facility in the Maritimes operated by the Municipality – a positive.

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Sackville Landfill Compensation Fund – Disbursements

Councillor Barnet explained that he and Councillor Harvey met recently to discuss the balance in the Sackville Landfill Compensation Fund accounts and found there was sufficient in the accounts to cover a couple more projects that have been requested by the community and which would have a positive impact not only on the community of Sackville but the entire area.

MOVED by Councillors Barnet and Harvey to ratify the expenditures of funds for the following four items from the Sackville Landfill Compensation fund:

1. Pledge to Cobequid Multi Service Centre of \$100,000 subject to the new facility being located within the community of Sackville for their Capital Construction project and that this Pledge represent a portion of the community's share towards the new Cobequid Multi Service Centre.
2. Pledge to Sackville Sports Stadium of \$100,000 to be used for the expansion of the Sackville Sports Stadium which would go towards fund raising efforts and their commitment to the Municipality in terms of financing the project.
3. The principal portion of the Library loan be segregated to form its own account to re-collect the \$1 million of principal over the life of the loan.
4. The \$500,000 Bursary Fund has reached its term of reinvestment. Those funds to be reinvested at the best terms available in the market today in order to continue to receive interest from the funds. Also, to reinvest the portion above the \$500,000 so that it would be in the vicinity of \$600,000.

With regard to the Library loan, Councillor Barnet explained that a portion of the financing for this was funded through the Landfill account. It was proposed to have the fund rebuild itself. Right now the interest component is actually what funds the operations of the Upper Sackville facility. In order for the community to have some funds to enjoy in the future, the \$1 million plus the interest it generates on its own, will replenish itself over the life of the 20-year mortgage.

With regard to the Bursary, Councillor Harvey explained that it was in perpetuity, both the Bursary \$500,000 and the interest it has gained. It was clear that this would be continued as an on-going project.

MOTION PUT AND PASSED.

12.5 District 19 Capital Projects

Councillor Barnet explained that both in 1998 and 1999, each Council member had an allotment in his/her District to spend. He advised that he has made commitments and wanted to ensure that they be followed through on his behalf and on behalf of the people he represented. There was sufficient funding in the account to cover off these commitments.

MOVED by Councillors Barnet and Harvey to allocate the following amounts from District 19 Capital Projects:

1. Allocate \$3,000 to Harry R. Hamilton School for pea gravel for the children's play area;
2. Allocate \$1,500 for directional signage at Lakeview Avenue for the Springfield Lake Recreation Centre and the Upper Sackville Recreation Facility.

MOTION PUT AND PASSED.

Councillor Barnet clarified that he would be agreeable to whatever the wishes of staff were with regard to these two projects. Staff could have the work carried out or have the school and the recreation facility deal with it, whichever was the most expedient.

13. NOTICES OF MOTION – None

14. PRESENTATION AND RESIGNATION OF COUNCILLOR BARNET

Councillor Kelly, on behalf of North West Community Council, presented Councillor Barnet with a copy of the Town Clock – with a working clock – to show Community Council's appreciation for Councillor Barnet's service and dedication to Community Council and the community. He advised the reason Community Council had chosen to give him a clock was to remind him where he came from as he progressed up the ladder in provincial government and to always allow time for his constituents. He thanked Councillor Barnet for a job well done and wished him well in the future.

Councillor Barnet stated that the last four years have been very rewarding for him, to see constituents come out on a regular basis to Community Council. He hoped that over the next four years he would have the opportunity to serve in a different capacity but in a way that will satisfy his constituents and himself as well.

Councillor Harvey wished Councillor Barnet well in his new position as MLA. Councillor Barnet had an exciting and challenging time representing Upper Sackville/Beaver Bank over the last four years and it will be just as exciting to work with him in his new role as MLA as his Constituency will still overlap.

15. PUBLIC PARTICIPATION

Mr. Walter Regan, Sackville Rivers Association raised the following points:

He asked the status of Second Lake Provincial Park. In response, Councillor Harvey referred to the letter received tonight and then stated that he had no direct dealings with the Association. He suggested checking their Website.

As a member of Halifax Harbour Cleanup Committee, he advised there was a recommendation that combined sewers in Halifax be separated. He requested that the recommendation be reinforced as there were many contracts going out this year as combined sewers.

It was agreed to remind Engineering of this and ask for comment on any projects done this year as to why the recommendation has not been followed.

He asked if it would be possible to have signage on the Little Sackville River. Councillor Barnet suggested that Mr. Regan contact the new Councillor when he/she is elected.

He asked if there would be a public opening of the Millwood Commons. He was told yes but Councillor Barnet did not know when it would be.

He asked the status of the Tree By-law. Councillor Barnet, in response, encouraged members of Community Council to carry forward this By-law as recently there was a negative example of what could happen – Hemlock Ravine.

It was agreed to recommend to Regional Council that Regional Council move forward to develop an enhanced Tree By-law that would more stringently regulate the cutting and removal of trees both on public and private property.

He referred to dams on Kearney Lake Run and asked if they were engineering sound and if there was a mechanism to inspect dams in HRM overall. In response, Councillor Kelly advised that Annapolis Basin Pulp and Power owned those dams and they had offered them to HRM in the past but HRM refused because they would be expensive to repair. He agreed to follow up.

In July, Sackville Rivers Association held a shopping cart cleanup along the Little Sackville River and recovered over 20 shopping carts. He offered photographs if staff wished to make use of them. Several years ago, Sackville Rivers Association approached several businesses to see if they could enter into a recovery system but were politely dropped. He hoped HRM would pursue the shopping cart issue.

Mr. Marvin Silver invited everyone to the 250th Anniversary of the Sackville/Bedford settlement which will take place at Scott Manor House, Fort Sackville on September 11, 1999. Involved will be the burial of a time capsule to be opened on September 11, 2049.

Councillor Harvey added that the event Mr. Silver was referring to was part of a week-long HRM Summerfest. There will be many events and much publicity for events running from September 6 to September 12, with the Closing Ceremonies at Weir field.

Mr. Denis Huck, Regional Coordinator, Recreation Facilities advised that he had samples of the soccer field for Upper Sackville available if anyone wanted to see them.

Mr. Jim Naugler, Regional Coordinator, Recreation Facilities advised that the new soccer field will be the model home for HRM and the province. It was an excellent product and would be a credit to the community.

16. NEXT MEETING DATE – September 23, 1999 – location to be confirmed.

October meeting date – October 28, 1999

17. ADJOURNMENT

On a motion from Councillor Harvey, the meeting adjourned at 9:35 p.m.

Sandra M. Shute
Assistant Municipal Clerk