

NORTH WEST COMMUNITY COUNCIL
MINUTES

September 9, 2013

PRESENT:

Councillor Tim Outhit, Vice-Chair
Councillor Matt Whitman
Councillor Steve Craig

REGRETS:

Councillor Brad Johns, Chair
Councillor Barry Dalrymple

STAFF:

Mr. Martin Ward, Solicitor
Mr. Miles Agar, Planner
Mr. Quentin Hill, Legislative Assistant

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1. CALL TO ORDER

Councillor Outhit called the meeting to order at 7:09 p.m. at Acadia Hall, Lower Sackville.

2. APPROVAL OF MINUTES – August 12, 2013

MOVED by Councillor Craig, seconded by Councillor Whitman that the June 24 and July 8, 2013 minutes be approved as presented. MOTION PUT AND PASSED.

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

Additions: 13.1 Councillor Dalrymple- Request to Change North West Community Council Meeting Dates

MOVED by Councillor Whitman seconded by Councillor Craig that the agenda be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

5 STATUS ITEMS- NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. HEARINGS

9.1 Public Hearings

9.1.1 Case 18380: LUB Amendments Queensland and Lewis Lake

A staff report dated July 24, 2013 and a St. Margaret's Bay Planning Advisory Committee report were before Council.

Mr. Miles Agar, Planner presented the report to Community Council. He advised that all the properties covered in the report are privately owned properties. He further added that this was a request from the previous North West Community Council to identify any zoning oversights and look for any privately owned properties that were zoned for public park purposes. He identified the properties on planning maps to Community Council and stated that HRM had no desire to obtain any of the properties. He advised that the properties were missed as an oversight and it was just a housekeeping matter for Council to designate the properties to the Mixed Use-1 (MU-1) zone for the area.

Councillor Whitman wanted to know if the property owners were contacted to see if there were any concerns. He also wanted to know if there would be any negative impact to the land owners such as value or future use of the land.

Mr. Agar advised that all the property owners were contacted to let them be aware of the Public Hearing. He noted there was no Public Information meeting. He further added that the Municipality doesn't have any ability to apply the current zoning. Mr. Agar stated he could not state if the change would affect the value of the land. He stated that the current zoning is inconsistent with the HRM Charter and the Regional Plan, as the properties should be designated MU-1 and this was just an administrative change.

At the request of Council, Mr. Agar provided clarification on the difference between MU-1a, and MU-1b.

Councillor Outhit reviewed the public hearing procedures and opened the Public Hearing.

Mr. Harry Ward, 24 Ransoms Road, advised that he had not been notified of the change of the meeting. He felt he should have been contacted as he uses a granted right-of-way passage as he has to pass through to get to his property. He advised that he thought that there was a piece of Crown Land that was part of the property being considered. He expressed concern that if the property was changed he would lose his granted right-of-way.

Mr. Martin Ward, Solicitor, stated that if there was a deed with a private right-of-way, the zoning would not change the current right of use.

Community Council took a brief recess to discuss possible options if some of the land in question was Crown Land.

Councillor Craig requested to know how notification was sent out to property owners and surrounding areas.

Mr. Agar advised that notification would have gone out to the six property owners affected in the case before Community Council. Further he added that the Community would have been notified of the Public Hearing through advertisement.

The Chair called three times any speakers; there being none it was **MOVED by Councillor Whitman, seconded by Councillor Craig that the public hearing close. MOTION PUT AND PASSED.**

Due to the uncertainty surrounding the question of Crown Land in the area, the following motion was put forward by Community Council:

MOVED by Councillor Whitman, seconded by Councillor Craig that North West Community Council approve the proposed rezoning of six properties in Planning Districts 1 and 3 from the P-3 (Provincial Park) Zone and RPK (Regional Park) Zone to MU-1 (Mixed Use) Zone as provided in Attachment A of the July 24, 2013 staff report, subject to confirming that one property identified as PID # 41032079, is not Crown land.

MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

10.1.1 Soil and Water Conservation Society: Zoobenthos of Lakes

Correspondence from the Soil and Conservation Society, dated August 27, 2013 was before Council

10.1.2 Soil and Conservation Society: Fenerty Lake, Beaver Bank:- Accelerated eutrophication based on HRM's Chlorophylla data of 2006-2011

Correspondence from the Soil and Conservation Society dated September 5, 2013 was before Council.

MOVED by Councillor Craig, seconded by Councillor Whitman that North West Community Council refer correspondence to staff for review and comment back to Community Council. MOTION PUT AND PASSED.

10.2 Petitions - NONE

11. REPORTS

11.1 Case 17760 – Development Agreement – 644 Bedford Highway, Halifax, First Reading.

A staff report dated August 14, 2013 was before Community Council.

MOVED by Councillor Whitman, seconded by Councillor Craig that North West Community Council:

- 1. Give Notice of Motion to consider approval of the proposed development agreement, as contained in Attachment A of the August 14, 2013 staff report, to allow for a multi-unit residential development at 644 Bedford Highway and to schedule a public hearing.**

MOTION PUT AND PASSED.

12. MOTIONS – NONE

13. ADDED ITEMS

13.1 Councillor Dalrymple – Community Council Schedule

Councillor Outhit advised that a request had come forward from Councillor Dalrymple to consider holding Community Council meetings on a different date each month due to conflicting schedules.

Councillor Craig stated that Community Council should consider holding meetings the first Monday of the month. He added that Community Council should only meet once a month, because on the two meeting a month schedule, there have been many meetings with low attendance and very small agendas. He stated that having a meeting once a month, with a fuller agenda might encourage more of the public to participate.

Councillor Outhit stated that the belief was that Community Council would eventually have more powers and thus would have more work to do. He noted that the Community Councils had not been granted the increase in authority at this time. The Councillor added that he was supportive of the change in Community Council schedule to meet once a month at this time

MOVED by Councillor Craig, seconded by Councillor Whitman that North West Community Council hold meetings on the first Monday of the month.

MOTION PUT AND PASSED.

14. NOTICES OF MOTION

15. PUBLIC PARTICIPATION

Public participation offered but no members of the public were in attendance.

16 STATUS SHEET

Councillor Craig stated that he would like to see some changes made in the status sheet to provide clarity. He questioned what the value of the content is for Community Council. Councillor Craig suggested the following changes:

- Change district to area.
- Date column changed to 'Meeting date initiated' and including agenda number in same column.
- Action required including what action and what time staff will respond back to Community Council.
- Responsibility to have department written out and individual responsible listed, if unknown list Director's name.

- Items addressed at Regional Council should be removed from the Status Sheet.
- Removal of old actions that have been completed.

Community Council also requested the following items be removed from the status sheet:

- Extension of Water Service District Boundary to McCabe's Lake North Lands
- Update on Soil and Grading By-law
- Park and Ride Project Eisenhower Ball Field
- Pine Hill Brook
- Walker Road/Old Sackville Road

Councillor Outhit advised that some items are left on the status sheet so that if a Councillor is absent from a Council meeting they can provide an update to questions from members of the public on specific issues.

MOVED by Councillor Craig, seconded by Councillor Whitman that North West Community Council request the Clerk's office to take the comments and recommendations provided and reformat and relook at how the status sheet is used.

MOTION PUT AND PASSED.

17. IN CAMERA

17.1 In Camera Minutes- August 12, 2013

MOVED by Councillor Craig, seconded by Councillor Whitman to accept the August 12, 2013 In Camera Minutes as presented. MOTION PUT AND PASSED.

17. NEXT MEETING DATE – October 7, 2013

18. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Quentin Hill
Legislative Assistant