

NORTH WEST COMMUNITY COUNCIL  
MINUTES

January 30, 2012

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

REGRETS: Councillor Barry Dalrymple, Vice Chair

STAFF: Ms. Krista Vining, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 7:02 p.m. at the Wallace Lucas Community Centre, 596 Lucasville Road, Sackville.

**2. APPROVAL OF MINUTES – November 24, 2011**

**MOVED by Councillor Harvey, seconded by Councillor Lund that the minutes of November 24, 2011 be approved, as presented.**

Councillor Lund clarified for the record that the zoning for Glen Arbour does permit buses to travel on the street.

Councillor Lund further clarified that his comments made during the November 24<sup>th</sup> meeting related to recent complaints of a dog barking was before Regional Council in September 2011 with a request to staff to come back with a report. HRM Legal Services is also involved with this matter regarding issuing of fines.

**MOTION PUT AND PASSED.**

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

Addition:

- 12.1 Councillor Lund – Funding for Hammonds Plains Common Area Rate
- 12.2 Councillor Lund – Request for Update re: Traffic Lights at Intersection of Hammonds Plains Road and Glen Arbour

**Moved by Councillor Johns, seconded by Councillor Lund to defer Item 10.2.3 - Bedford Waterfront Design pending the completion of the staff report and presentation to the Community Planning & Economic Development Standing Committee. MOTION PUT AND PASSED.**

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

**4. BUSINESS ARISING OUT OF THE MINUTES**

**4.1 STATUS SHEET REVIEW**

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

**4.1.1 Petition: Councillor Johns - Request for playground in park area near Legacy Court**

Councillor Harvey requested this matter remain on the Status Sheet to allow for written response from staff.

Item to remain on the Status Sheet.

**4.1.2 Request for Secondary Survey – HPR Park & Ride**

A copy of the Hammonds Plains Road Park and Ride Draft Survey 2012 was circulated to the Community Council for review prior to being forwarded to the Greater Hammonds Plains Communities Association Transportation Committee.

Councillor Lund suggested question 6 read: *Why do you choose to use Metro Transit?*

Item removed from the Status Sheet.

**4.1.3 Request for Street Light Installation – HPR**

Report being prepared for February meeting, item to remain on the Status Sheet.

**4.1.4 Update on Soil and Grading By-law**

Update projected for February/March meeting, item to remain on the Status Sheet.

**4.1.5 Rain Event of August 2, 2011 and the property at 327 Lakeview Avenue, Sackville**

Councillor Harvey is following up with staff, report projected for February meeting. Item to remain on the Status Sheet.

**4.1.6 Case 01311: Paper Mill Lake CCDD MPS Amendment, Bedford**

Report forthcoming, item to remain on the Status Sheet.

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

No update, item to remain on the Status Sheet.

**5. MOTIONS OF RECONSIDERATION – NONE**

**6. MOTIONS OF RESCISSION – NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS/BUSINESS ARISING OUT OF THE MINUTES – NONE**

**8. HEARINGS – NONE**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Correspondence – None**

**9.2 Petitions – None**

**9.3 Presentations – None**

**10. REPORTS**

**10.1 STAFF REPORT**

**10.1.1 Case 17518 – Extension of time signing requirement of the Bedford West Sub Area 5 Development Agreement from 240 days to 420 days**

Staff report dated January 16, 2012 was before the Community Council for consideration.

Andrew Bone, Planner provided a brief overview of Case 17518 to the Community Council, noting that this is not an amendment to the Development Agreement but to enable approval to extend the timeframe for signature by 180 days to August 16, 2012.

**MOVED by Councillor Johns, seconded by Councillor Lund that the North West Community Council require the proposed development agreement for Case 16775 be signed by the property owner within 420 days (from an extension of 180 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. MOTION PUT AND PASSED.**

**10.2 NORTH WEST PLANNING ADVISORY COMMITTEE**

**10.2.1 Case 17169: Telecommunication Tower – 230 Lucasville Road, Sackville**

A report from the North West Planning Advisory Committee dated December 7, 2011 was before the Community Council.

Jacqueline Belisle, Planner delivered a presentation on Case 17169, proposed telecommunication tower for 230 Lucasville Road, Sackville.

In response to a question raised by Councillor Lund, staff was unable to confirm the exact distance of the proposed tower to the floodplain. Mr. Walter Regan, Sackville Rivers Association, cautioned the placement of the tower in relation to acidic slate and noted that the floodplain is on top of the hill.

**MOVED by Councillor Johns, seconded by Councillor Lund that North West Community Council forward a positive recommendation to Industry Canada supporting the proposal by EastLink for the consideration of a new 60 metre (197**

**foot) self support telecommunication tower and associated equipment cabinets at 230 Lucasville Road (PID# 40014797), Middle Sackville, as shown on Map 1 and Attachment B of the staff report dated November 9, 2011. MOTION PUT AND PASSED.**

#### **10.2.2 Case 17189: Telecommunication Tower – Hammonds Plains**

A report from the North West Planning Advisory Committee dated December 7, 2011, with attached November 7, 2011 staff report was before the Community Council for consideration.

Ms. Jacqueline Belisle, Planner delivered a presentation on the proposed telecommunication tower of off Daisywood Drive, Hammonds Plains. Staff are of the opinion that the proposed new location of the telecommunication tower, 400 feet further North than the original location does not create any concerns with the enabling criteria. The proposal is in conformance with the intent of the Municipal Planning Strategy for Planning Districts 15, 18 and 19. It is recommended that North West Community Council forward a positive recommendation to Industry Canada supporting the proposed new location for Case 17189.

Ms. Belisle provided clarification on the distance of the proposed telecommunication tower location to Tattenham Crescent and property boundaries, as identified in the November 7, 2011 staff report.

**MOVED by Councillor Lund, seconded by Councillor Johns that North West Community Council forward a positive recommendation to Industry Canada supporting the proposal by EastLink for the construction of a new 42.7 metre (140 ft.) self support telecommunication tower and associated equipment cabinets off of Daisywood Drive (PID #00423491) Hammonds Plains, as shown on Map 1 and Attachment B of the staff report dated November 7, 2011. As well as replanting the trees which were cut down to do testing on the site as a replanting rate of 3 to 1 and the use of manual vegetation in the area.**

Councillor Lund advised that during the October 3, 2011 Public Information Meeting (PIM) a number of questions were raised by himself and residents that were un answered that evening. During the meeting residents asked whether Eastlink could review an alternate location further away from Daisywood Drive. He noted that the primary concerns were the tower's visibility and the unknowns associated with the tower and potential health affects. He, Councillor Johns and Daisywood Drive resident Gordon Hebb visited the proposed site a few days following the meeting. The proposed new location, 400 feet from the original proposal seems to satisfy the concerns of neighbouring residents. Councillor Lund asked to allow Mr. Hebb to speak to verify his comments, to which the Community Council agreed.

Mr. Gordon Hebb of Daisywood Drive confirmed that the proposal does satisfy him, noting that he understood if the tower had to be put in, 400 feet further away from the original proposal and his house is better for his family.

Councillor Lund further indicated that the tower from the proposed new location would not be visible from Daisywood Drive. He further indicated that Halifax Water seems to be in support of the proposal, to which Mr. Jamie Hannam, Director, Engineering and Information Services, Halifax Water confirmed.

Councillor Lund went on to note that Eastlink was able to move the tower as far away as possible from residents while still maintaining a proper elevation in order to meet their needs. He asked that the letter to Industry Canada indicate that the Community Council has no objections to the proposal, but would ask them to please respond to questions raised during the October 3<sup>rd</sup> PIM related to potential health affects, to which the Community Council agreed.

It was noted that the October 3<sup>rd</sup> PIM Minutes are attached to the November 7<sup>th</sup> staff report, which will be forwarded to Industry Canada as part of the Community Council's letter of recommendation.

Councillor Johns echoed similar comments made by Councillor Lund, thanking and congratulating both the Water Commission and Eastlink. Both were cooperative in listening to what residents wanted and the newly proposed location is a fair compromise.

Councillor Outhit clarified that report from the North West Planning Advisory Committee recommends that North West Community Council forward a recommendation in the negative to Industry Canada. Councillor Lund advised that the Committee's minutes reflect two main issues: visibility and potential health affects, which was the reasoning for a negative recommendation.

#### **MOTION PUT AND PASSED.**

#### **10.2.3 Bedford Waterfront Design Study** **(i) NWPAC Report** **(ii) Bedford Watershed Advisory Board Report**

Item deferred during the approval of the Order of Business.

#### **10.2.4 Case 17227: Time Extension to Development Agreement for Sackville Manor Development, Walker Avenue, Sackville (Give First Reading)**

A staff report dated December 7, 2011 was before the Community Council.

Mr. Andrew Bone, Planner delivered a presentation on Case 17227 to the Community Council. He noted that since the application was made, the property has changed

ownership; Tony Maskine, Wadih Jabbour and Phillip Jabbour are now the applicants. The previously approved agreement enabled a development on Walker Avenue of twenty semi-detached dwellings, six townhouses and one multiple unit dwelling with 32 units. Of the approved development, the only incomplete portion is the 32 unit dwelling, which could be completed with an extension. The request is to extend the completion date by five years to September 20, 2017.

**MOVED by Councillor Harvey, seconded by Councillor Johns that the North West Community Council Give First Reading to consider the proposed amending agreement as provided in Attachment A of the staff report dated November 9, 2011, and schedule a public hearing. MOTION PUT AND PASSED.**

Public Hearing scheduled for February 23, 2011, location to be determined.

**10.2.5 Case 17291: Mill Cove Plaza Façade Improvements Amending Agreement, Bedford (Give First Reading)**

A staff report dated January 4, 2012 was before the Community Council.

Jacqueline Belisle, Planner delivered a presentation to the Community Council on Case 17291 to amend the existing agreement to permit façade improvements.

**MOVED by Councillor Johns, seconded by Councillor Harvey that the North West Community Council Give Notice of Motion to consider the proposed amending agreement as provided in Attachment A of the staff report dated December 10, 2011, and schedule a public hearing. MOTION PUT AND PASSED.**

Public Hearing scheduled for February 23, 2011, location to be determined.

**11. MOTIONS – NONE**

**12. ADDED ITEMS**

**12.1 Councillor Lund – Funding for Hammonds Plains Common Area Rate**

A motion memorandum with attached background information and correspondence from the Hammonds Plains Baseball Association was before the Community Council.

**MOVED by Councillor Lund, seconded by Councillor Johns that North West Community Council approve in principle \$50,000 from the Hammonds Plains Common Area Rate to be used to assist with the construction of a baseball field along Lakeshore Boulevard in Kingswood South.**

Councillor Lund provided an overview of the funding breakdown; one third equal funding from the Kingswood Rate Payers Association, the Province and the Hammonds Plains Common Area Rate for the construction of the baseball field. Councillor Lund advised

that he had various discussions with the Homeowners Association and the Hammonds Plains Baseball Association. The baseball field would be used by the Hammonds Plains Baseball Association for children under 12 years and benefit the Hammonds Plains Community. Reference was made to the correspondence received from the Hammonds Plains Baseball Association in support of the initiative.

As the recommendation is to approve in principle, a report would come back to the Community Council outlining the feasibility of the request to use funds from the Hammonds Plains Common Area Rate, which would ultimately require approval by Halifax Regional Council.

**MOTION PUT AND PASSED.**

**12.2 Councillor Lund – Request for Update re: Traffic Lights at Intersection of Hammonds Plains Road and Glen Arbour**

**MOVED by Councillor Lund, seconded by Councillor Johns that North West Community Council request staff to provide a status update on the installation of traffic lights at the intersection of Hammonds Plains Road and Glen Arbour. As well, direct staff to investigate whether traffic has increased coming out of Glen Arbour with the connection of Sandy Run to White Hills Run.**

During the discussion, it was noted that the request would be sent to Traffic Authority, as well as to Community and Recreation Services in relation to the commercial development, and would probably come back as a joint report.

Councillor Lund noted that it is also important to know whether there will be a set of lights at that intersection, if there is to be a proposed park and ride pilot at Eisenhower Field. He suggested that the traffic count may be need to be updated with respect to the connection of Sandy Run, as he believed the last count was done in 2008/2009.

**MOTION PUT AND PASSED.**

**13. NOTICES OF MOTION – NONE**

**14. PUBLIC PARTICIPATION**

**Mr. Ross Evans, Pockwock Road,** reported on another major head on collision due to slippery roads and increased speed near the intersection of Hammonds Plains Road and Pockwock Road. He noted the need to reduce speed limits from Yankeetown Road up to Micmac Drive and over to the intersection of Pockwock Road from the Bay, as motorists are not observing the speed limits. Mr. Evans further agreed that traffic has increased coming out of Glen Arbour.

Councillor Outhit indicated that the Community Council recently wrote to the RCMP in regard to enforcement along Hammonds Plains Road. Councillor Lund confirmed that

he is receiving daily updates from the RCMP. The RCMP have put an emphasis on Lucasville Road and Pockwock Road and made a good presence since this issue was raised by residents back in November 2011.

**Ms. Joyce Evans, Pockwock Road**, commented that the accidents are worsening, vehicles are being written off and people are getting injured; whereas before the accidents were minor. She commented that motorists are trusting that they can proceed when entering into the intersection from Pockwock Rod on a green light. However, there are still accidents resulting from motorists going through red lights from the Bay direction. She made reference to the accident Mr. Evans noted, as well as an accident that took place around Christmas.

Councillor Lund added that he has confirmed with Transportation and Public Works that staff is going to be profiling along Hammonds Plains Road in terms of what improvements can be done. A report is coming forward to the Transportation Standing Committee in February identifying the high level costs and operations before a more detail survey is conducted in the Spring.

Ms. Evans commented that the area is still within the school zone but the speed limit is 70 km.

**Mr. Nick Antoft, Chair of the Waterstone Neighbourhood Association**, requested an update on the development of Margeson Drive, particularly to the west of the Sackville River. Discussions have been that the development is a few years into the future. However, there is a house at the intersection of what will become Margeson Drive and South Road that is owned by HRM; the tenants were given notice by HRM to move out by the end of March, as the house is being demolished in anticipation of Margeson Drive going forth. He asked if there was a change in the planning. As well, he did not believe that during the discussions anyone in the community advocated to have the house destroyed. It would be a poor investment on HRM to destroy the house after spending approximately \$300,000. The consensus has been that if the septic system were to be relocated the house could continue to be occupied and then sold.

Councillor Johns advised that there are a number of issues with the home currently. The house has flooded a couple of times and is becoming a liability to HRM. There has been no update or discussion on the road construction. The demolition of the house is in relation to the flooding. HRM is reviewing the most affordable option; whether to move or demolish the house. HRM is in negotiations with the tenants, as the tenants are looking to find a piece of property within the subdivision and possibly move the house. Following Christmas, staff was to conduct site measurements to determine if there is enough width to put the road through and/or confirm if the house needed to be moved. Councillor Johns could not confirm the status of this work but would obtain an update. He went on to note that based on the findings, the house would either go to tender or be demolished. Staff has also advised the tenants that they have first option to purchase.

On behalf of the Greater Hammonds Plains Communities Association Transportation Committee, Mr. Antoft requested to make a presentation to the Community Council at their February meeting respecting truck traffic on Hammonds Plains Road and Kearney Lake Road. The Committee is looking to highlight some of the issues related to the use of trucks on the roads and the impact on the Five Year Plan.

Councillor Johns asked whether the presentation could include Lucasville Road.

Mr. Antoft indicated that there is a HRM By-law which is enforceable under the Motor Vehicle Act for truck restrictions on Lucasville, Hammonds Plains and Kearney Lake Road. The Committee conducted a survey and in one hour they had 192 photos. Councillor Johns suggested Mr. Antoft invite a representative from the RCMP to the February meeting in relation to enforcement. Mr. Antoft further suggested inviting a representative from the Department of Transportation (Vehicle Compliance).

The Community Council accepted Mr. Antoft's request to present at their February meeting.

On a personal point, Mr. Antoft noted that he was happy with the Nova Scotia Utility and Review Board's conclusion of the boundary review. He did not agree with the reduction in the size of Council and potential growing pains but the current layout of Waterstone, Lucasville in relation to Sackville is a better solution. He asked, however, that when the boundaries are redrawn, he hoped that all three phases of Waterstone are included in Sackville and not cut off at the trailer park.

**Mr. Walter Regan, Sackville Rivers Association**, advised that he was invited to see a property at 44 Jack Ladder Drive earlier this month and was shocked at the amount of water coming out of the retaining wall onsite. The resident's backyard is being flooded, as well gravel and silt is washing onto the road and into Jack Ladder Brook. He asked whether HRM could get involved to stop this resident's house from flooding.

Mr. Regan requested an update from Halifax Water regarding repairs to Pine Hill Brook. The erosion site is getting quite bad and during heavy rain storms silt is washed into the river.

Mr. Regan further requested an update on the construction of the Lucasville Park and Ride and whether it will be possible to keep stormwater onsite.

Councillor Johns advised that he and staff have been out to the property at 44 Jack Ladder Drive. Flooding has been an ongoing issue for over a year. He believed the developer of the subdivision has come forward with a significant plan to install drainage at the top and at the bottom of the retaining wall. His understanding from the correspondence received from staff is that the resident is satisfied with the proposal.

Councillor Johns did not have an update on the Lucasville Road Park and Ride but believed it is in the 2012-2013 budget.

It was Councillor Harvey's understanding that Pine Hill Book is in the Five Year Plan. Mr. Jamie Hannam, Chief Engineer, Halifax Water Commission, indicated that he would follow up on a response back to the Community Council.

**15. NEXT MEETING DATE – February 23, 2012**

Location proposed for Sackville Heights Community Centre, if available.

**16. ADJOURNMENT**

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

Krista Vining  
Legislative Assistant

INFORMATION ITEMS

1. Approved 2012 Meeting Schedule