

NORTH WEST COMMUNITY COUNCIL

MINUTES

DECEMBER 18, 2003

THOSE PRESENT: Councillor Len Goucher, Chair
Councillor Brad Johns
Councillor Robert P. Harvey

ALSO PRESENT: Jaime Smith, Planner
Sandra Shute, Legislative Assistant

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Cafeteria of Basinview Drive Community School, 273 Basinview Drive, Bedford.

2. **APPROVAL OF MINUTES - November 13, 2003**

MOVED by Councillor Harvey, seconded by Councillor Johns to approve the Minutes of meeting held on November 13, 2003 as circulated. MOTION PUT AND PASSED.

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

Added Items: Sackville Drive Secondary Plan
 Meadowlands - Evangeline Subdivision Siltation

MOVED by Councillor Harvey, seconded by Councillor Johns to approve the Order of Business as amended. MOTION PUT AND PASSED.

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

4.1 **Status Sheet Items**

4.1.1 Home Occupations, Bedford

This will be on the Agenda for North West Planning Advisory Committee for January, 2004.

4.1.2 Extension of Water and Sewer Boundary - Beaver Bank

A report is expected for the January, 2004 meeting.

4.1.3 Union Street Flooding

4.1.4 Glenmount/Millview Servicing Issue

Councillor Goucher advised he met with the Chief Administrative Officer, Deputy Chief Administrative Officer and the Director of Environmental Management Services relative to both of these issues. Both items will have to be considered as part of the capital budget.

4.1.5 Proposed Sackville Waters Advisory Board

A follow up will be sent regarding this issue.

4.1.6 Repairs to Abutments of Lucasville Road Bridge - No information.

4.1.7 Cap on Taxi Roof Lights in the Bedford/Sackville Area - No information.

4.1.8 Mobile Home Park Issues - No information.

4.1.9 Drainage and Sediment - Springfield Lake

Councillor Johns advised that Regional Council pre-approved a number of items, one of which was for \$100,000 to take care of sediment problems at Springfield Lake. The Friends of Springfield Lake have been seeking a resolution to this situation for a number of years. The Councillor advised he would be meeting with staff on site next week regarding a plan to resolve the situation. This item can come off the Status Sheet.

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

No information.

4.1.11 Fencing of Pathways - No information.

4.2 **Spruce Island, Bedford**

A letter was sent to Department of Fisheries and Oceans as requested and a follow up done prior to this meeting. A representative from Fisheries and Oceans advised that information would probably not be available until mid-January.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Baha Court - Development of Remaining Lots**

This item was deferred from the September 25, 2003 meeting.

Councillor Goucher advised that because of the contentious nature of the Development Agreement, the Bedford Watershed Advisory Board continued with the recommendation that the development of the seven undeveloped lots on Baha Court not be reconsidered.

MOVED by Councillor Harvey, seconded by Councillor Johns to accept the recommendation of the Bedford Watershed Advisory Board to reject the request to reconsider and approve the development of the seven undeveloped lots on Baha Court. MOTION PUT AND PASSED.

Councillor Johns acknowledged the concerns of the residents and asked if there was a way to have the lots filled in. In response, Councillor Goucher advised that under the Municipal Government Act for Dangerous and Unsightly, there is now remedy but it would be up to the residents to file a complaint.

8. PUBLIC HEARINGS

8.1 Case 00499 - Amendments to the Land Use By-laws to Accommodate Existing Cemeteries

A Staff Report dated October 23, 2003 was before Community Council along with a recommendation for approval from North West Planning Advisory Committee dated November 6, 2003.

Ms. Jaime Smith, Planner provided an overview of the application and advised that staff was recommending approval.

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

MOVED by Councillor Harvey, seconded by Councillor Johns to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Councillor Harvey, seconded by Councillor Johns to:

- 1. Approve the proposed amendments to the Land Use By-law for Bedford as shown in Attachment 1 of the Staff Report dated October 23, 2003;**
- 2. Approve the proposed amendments to the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville as shown in Attachment 2 of the Staff Report dated October 23, 2003;**
- 3. Approve the proposed amendments to the Land Use By-law for Sackville as shown in Attachment 3 of the Staff Report dated October 23, 2003.**

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS - None

10. **REPORTS**

10.1 **Appointment of Liaison Councillors to North West Planning Advisory Committee and North West Transit Advisory Committee**

MOVED by Councillor Harvey, seconded by Councillor Johns that the status quo remain regarding Councillor appointments to North West Planning Advisory Committee and North West Transit Advisory Committee. MOTION PUT AND PASSED.

The continuing appointments, therefore, are:

North West Planning Advisory Committee - Councillors Johns and Goucher
North West Transit Advisory Committee - Councillor Johns

10.2 **Appointment/Re-appointments to Bedford Watershed Advisory Board**

MOVED by Councillor Johns, seconded by Councillor Harvey that David Gorsline be appointed to Bedford Watershed Advisory Board for a term to expire November, 2005. MOTION PUT AND PASSED.

MOVED by Councillor Johns, seconded by Councillor Harvey that Don Lowther and Richard Hattin be re-appointed to Bedford Watershed Advisory Board for terms to expire November, 2006. MOTION PUT AND PASSED.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Sackville Drive Secondary Planning Strategy**

Councillor Harvey advised that recently an Open House was held regarding the transportation aspects of the Sackville Drive Secondary Planning Strategy. A number of people who attended expressed disappointment, as did he and members of the Steering Committee, at the content of the proposal. It appeared that much of what it was hoped to have implemented appeared to be left out. Councillor Harvey also indicated he had received a letter from Gordon Morgan, Chair of the Steering Committee in this regard.

MOVED by Councillor Harvey, seconded by Councillor Johns that Andrew Bone, Planner and the Traffic Authority provide a report as to where the matter stands now and what the next steps are. MOTION PUT AND PASSED.

12.2 Meadowlands - Evangeline Subdivision Siltation

Councillor Harvey reported re siltation problems being experienced as a result of site preparation and development at the above location. This has involved the clearing of a large area of all its natural vegetation combined with heavy rains, including Hurricane Juan, which have caused considerable siltation. Measures taken to control do not appear to have been effective. Concerns continue to be expressed by the residents of the area and the situation is being monitored by the Development Engineer and other HRM staff. Department of Environment has responded as well.

Councillor Harvey then tabled a water sample from the brook behind the playground downstream from the construction site taken earlier in the day. He indicated he would be delivering the sample to the Development Engineer the next day at which time HRM staff will be on site.

Councillor Goucher expressed concern over the failure of the Grade Alteration By-law. He stated the Grade Alteration By-law should give staff all the clout they need in a situation such as this to remediate not only owners' properties but abutting properties as well. He suggested making staff aware of Community Council's feelings about the Grade Alteration By-law.

MOVED by Councillor Harvey, seconded by Councillor Johns to request the Director of Public Works and Transportation to provide information on whether or not it is in order to review the Grade Alteration Topsoil Removal By-law re its adequacy to deal with situations such as this one and express disappointment that the By-law is not able to deal with these issues. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

Councillor Goucher first expressed thanks and appreciation to Kevin Riles, United Gulf/Greater Homes, who was in attendance, for the donation of \$500 from Greater Homes for the Bedford Firehouse Youth Centre.

Walter Regan, Sackville Rivers Association

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

- Mr. Regan referred to the upsizing of one of the storm sewers leading into Parkers Brook, Bedford. Sackville Rivers Association is doing a study of Parkers Brook and it is obvious there is a storm surge effect on the brook. He asked if an oil grit

separator could be installed in the storm sewer line and also a storm water retention pond. In response, Councillor Goucher agreed to check with John Sheppard, Manager, Environmental Services.

- Regarding the Open House on the Sackville Drive Secondary Planning Strategy, he indicated his disappointment and stated the mandate was too narrow. There is no boulevard proposed or Little Sackville River bridge. The Sackville Streetscape Plan is a vision for the future and should not be restricted by right of way.
- Regarding the Open House for the Regional Planning document, he was extremely impressed. The document was extremely well done and takes the comments of the public forward. He was pleased to see bikeways and trails, large buffers for both by-right development and Development Agreements. He hoped Council would sign onto the Plan as it has involved a considerable amount of money and staff time.
- He referred to a recent report to Regional Council on shopping carts. He asked what would happen next in terms of enforcement. In response, Councillor Harvey advised that staff feel they will have changes to By-laws by the spring.
- He offered Councillor Johns help from Sackville Rivers Association with fixing the feeder brook going into Big Springfield Lake. He asked that fish habitat work take place before the retention pond is put in.
- He expressed appreciation that Sackville Rivers Association has a new office at the former Sackville Heights Elementary School.
- He asked for support from Community Council for HRM trails in the amount of \$800,000 for the next budget year.
- He asked the status of the 60 acres at Second Lake. In response, Councillor Harvey advised that an Open House was planned for February by the coalition of citizen groups. As to a report from staff re a land swap, he thought a report would come forward to Regional Council early in the new year.
- He suggested contacting Conservation and Protection Branch of Department of Fisheries and Oceans re Meadowlands siltation.
- He stated there should be mandatory bonding for subdivision construction.
- Referring to Union Street flooding and the cost of \$3-500,000 for upgrades, he asked if it would be possible for Sackville Rivers Association to comment on the proposed work or be part of a committee. He suggested that the Municipality might consider buying up properties that flood, such as these, and turning them into a wetland.

Beaumont Drive Repaving

Mr. Dave Nelson, Beaumont Drive referred to an Information Report dated October 28, 2003 directed to Regional Council re the Petition for the Upgrading of Beaumont Drive. This Petition had been received at the September 25, 2003 meeting of Community Council at which time Community Council passed a motion to recommend to Regional Council that Beaumont Drive be given serious consideration for earlier placement on the Capital Budget.

Mr. Nelson expressed disappointment with the information provided in the Information Report that Beaumont Drive has not been included in the tentative list of streets to be submitted for Council's consideration for paving renewal in the 2004/05 or 2005/06 Capital Budgets. He wanted to know how to proceed from here and to find out what streets in Lower Sackville are now on the list and if they are worse than Beaumont Drive.

Councillor Harvey, in response, advised that Regional Council approved a pre-capital budget amount recently. The only work in District 20 was work on Hillside Avenue adjacent to the Water Commission area. He did not know what streets, if any, were included in the 2004/05 construction season.

Mr. Nelson asked if the rest of the people on Beaumont Drive who signed the Petition could be provided with a copy of the Information Report so they would know where they stand. He expressed concern that the residents find the street unbearable now but it appeared they would have to wait another four years.

Councillor Harvey suggested that Mr. Nelson take a look at Ridge Avenue and Mowat Crescent as he understood those two streets were under consideration for repaving. He pointed out it was a question of money. Tenders have come in higher than estimates. As well, Hurricane Juan has impacted at a cost of \$30 million and it was not known how much would come from the provincial and federal governments to offset this.

As to Mr. Nelson's request for a copy of the Information Report to all those who signed the Petition, this would have to be arranged.

Drainage from First Street, Lower Sackville

Mr. Scott Rogers, 1068 and 1070 Sackville Drive expressed concern regarding ongoing runoff being experienced from the hill behind his property. He did not know if it was as a result of someone draining directly into his backyard or First Street draining over the hill and into his backyard. This drainage has affected others on Sackville Drive as well. He asked if there was anything that Community Council could do to find out if runoff is coming from First Street or from the residents behind. If the runoff was coming from the property behind rather than First Street, he asked if people were allowed to drain directly onto his land and, if not, what recourse did he have.

In response, Councillor Harvey advised that he was aware of the problem and had spoken to a number of Mr. Roger's neighbours. If it could be shown that the problem is water coming off First Street, that would be in the domain of the Municipality. If it turns out the runoff is coming off the neighbour's property above, it would be a civil issue between Mr. Rogers and his neighbour.

Councillor Harvey went on to say that the last he heard about this problem was that John Sheppard, Manager of Environmental Services was setting up a meeting with the residents on site. Subsequently, on a question from Councillor Harvey, Mr. Rogers advised he had not been invited to a meeting and did not know that there were other neighbours affected other than two living near him.

MOVED by Councillor Harvey, seconded by Councillor Johns that Mr. Sheppard be contacted as to the status of the intended meeting and request that the meeting in question be held in early January, 2004. The residents in the affected area from Jubilee to the Temple Baptist Church driveway should be invited. MOTION PUT AND PASSED.

Other

Mr. Don Lowther asked the status of the proposal for a Municipal Golf Course. It was agreed to send a follow up to the Mayor's Office to ask the status of same.

15. **NEXT MEETING DATE** - Thursday, January 29, 2004.

16. **ADJOURNMENT**

On a motion from Councillor Johns, the meeting adjourned at 8:10 p.m.

Sandra M. Shute
Legislative Assistant