



NORTH WEST COMMUNITY COUNCIL

March 24, 2005

MINUTES

PRESENT: Councillor Brad Johns, Chair
Councillor Robert Harvey
Deputy Mayor Len Goucher

STAFF: Mr. Wayne Anstey, Municipal Solicitor
Mr. Andrew Bone, Planner
Mr. Kevin Warner, Development Officer
Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:05 p.m. in the Fenerty Room, Sackville Library.

2. APPROVAL OF MINUTES

MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey the minutes of the regular meeting of February 24, 2005 be approved as circulated. MOTION PUT AND PASSED.

MOVED by Councillor Harvey, seconded by Deputy Mayor Goucher the minutes of the special meeting of March 8, 2005 be approved as circulated. MOTION PUT AND PASSED.

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

At the request of Deputy Mayor Goucher, the following item was added to the agenda:

12.1 Appointments to Bedford Tree Committee

MOVED by Councillor Harvey, seconded by Deputy Mayor Goucher 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 Judy Avenue Pathway

Councillor Johns indicated he had no update at this time. Noting that this item had been delegated to Mr. Kevin Warner and that Mr. Warner was in attendance this evening, Councillor Johns advised that they would get together soon on this issue. Mr. Warner added that Tom Crouse, Real Estate Services was also assigned to this issue.

To remain on the status sheet.

4.1.2 Purchase of Land for Springfield Lake Rec Centre

No update. To remain on the status sheet.

4.1.3 George Hepworth Park Designation

Deputy Mayor Goucher made reference to an e-mail received from staff advising that, due to a decreased staff compliment, this matter has not yet been addressed. Staff will look into the issue as soon as possible.

To remain on status sheet.

4.1.4 Sackville Drive Secondary Planning Strategy

Councillor Harvey advised that Regional Council will be holding a joint public hearing with North West Community Council on April 12, 2005 concerning amendments to the Sackville Drive Secondary Planning Strategy.

To remain on Status Sheet.

4.1.5 Home Occupations, Bedford

The Chair advised that a public hearing is scheduled on this matter this evening, and therefore, this item can be removed from the status sheet after tonight.

4.1.6 Union Street Flooding

Deputy Mayor Goucher noted that staff is working on getting a consultant to look into a couple of aspects on this issue.

To remain on status sheet.

4.1.7 Sackville Waters Advisory Board

A staff report dated March 8, 2005 was submitted.

Referring to the submitted report, the Chair advised that the view of staff is that the current watershed advisory boards adequately cover all the districts. He indicated that he would be contacting staff with regard to the membership on the Halifax Watershed Advisory Board, to see if there is a representative from Sackville sitting on the Board.

MOVED by Councillor Harvey, seconded by Deputy Mayor Goucher that North West Community Council recommend that the current watershed advisory board structure be maintained, with current jurisdictional boundaries. MOTION PUT AND PASSED.

To be removed from the status sheet.

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

The Chair read an e-mail from Denise Schofield A Manager, Development Engineering, updating Council on this matter. The e-mail noted that the work relates closely with the work being done by Regional Planning and that staff involved will be meeting within a week and an additional response will be provided for the next meeting.

MOVED by Councillor Harvey, seconded by Deputy Mayor Goucher that North West Community Council table the submitted information. MOTION PUT AND PASSED.

To remain on the status sheet.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**: None

8. **HEARINGS**:

8.1 **Public Hearings**:

**8.1.1 Case 00660: Amendments to the Bedford Land Use Bylaw
Respecting Home Occupations and Day Care Centres**

C A report dated March 3, 2005 by the Chair of North West Planning Advisory Committee with an attached staff report dated February 17, 2005 was before Community Council for consideration.

C First Reading on this matter had been given at a special meeting of North West Community Council on March 8, 2005.

Mr. Andrew Bone, Planner, outlined the proposed amendments to the Bedford Land Use Bylaw respecting Home Occupations and Day Care Centres as contained in the submitted staff report. In his presentation, he indicated that this matter arose due to an animal grooming business which created a nuisance for a neighbour. Mr. Bone explained that staff's preference is to keep home occupations in the by-law, and were recommending that home occupations which have minimal impact continue as-of-right.

With respect to the proposed amendments Mr. Bone advised of the following:

- C prohibit nonresident employees in a home occupation
- C prohibit accessory buildings in a home occupation
- C prohibit signs that have back lighting

- C prohibit any use involving the care of animals
- C amendments will remove any reference to employees in home occupations

With respect to daycares, Mr. Bone pointed out that the current provision limits daycares to 500 ft. within each other and there had been some suggestion to expand this to 1000ft. He advised that staff's recommendation is to keep it at 500 ft. He noted that staff feel this is an appropriate distance, and that if it were changed to 1000 ft., several existing daycares would not be able to meet this requirement. With regard to other changes in daycares, Mr. Bone advised that the daycare operator will be required to be a resident of the building and there will be an exemption to allow for outdoor play areas and equipment storage.

Deputy Mayor Goucher noted that it has taken a year to bring this matter to Community Council and he expressed his appreciation to staff for all their work in bringing these amendments forward, as outlined this evening.

The Chair then requested anyone wanting to speak either in favour or against the amendments to come forward. There being none, it was **MOVED by Councillor Harvey, seconded by Deputy Mayor Goucher that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey that North West Community Council adopt the proposed amendments to the Bedford Land Use By-law as shown in Attachment A of the staff report dated March 3, 2005. MOTION PUT AND PASSED.

8.1.2 Case No. 00706: Development Agreement - 116 Shore Drive, Bedford

- C A report dated March 3, 2005 from the Chair of the North West Planning Advisory Committee with an attached staff report dated January 20, 2005 was before Community Council for consideration.
- C Notice of Motion on this matter was given at a special meeting of North West Community Council on March 8, 2005.

The following correspondence in support of the application was submitted:

- C A letter dated March 10, 2005 from Shirley Jerram
- C A letter dated March 14, 2005 from Dan Sargeant
- C A letter dated March 15, 2005 from John Tolson
- C A letter dated March 16, 2005 from Richard O'Brien
- C A letter dated March 17, 2005 from Gloria Shermen-O'Brien
- C A letter dated March 20, 2005 from Carl Merritt
- C A letter dated March 20, 2005 from Doreen St. Croix

- C A letter dated March 21, 2005 from Claudette & Georges Herbert
- C A letter, received in the Municipal Clerk's Office March 22, 2005 from Alice Jan Dollahite-Scott
- C A letter dated March 23, 2005 from Gita Sinha
- C A letter dated March 23, 2005 from Mary Patterson
- C A letter, received in the Municipal Clerk's Office March 23, 2005 from Zak and Annemarie van Vuren
- C A letter, received in the Municipal Clerk's Office March 23, 2005 from Nancy Wallace and Megan Wallace
- C A letter dated March 24, 2005 from David F. Knowles
- C A letter dated March 24, 2005 from Starr G. MacMullin

The following correspondence in opposition to the application was submitted:

- C A letter dated September 21, 2004 from Mrs. C.E. Stanfield
- C A letter dated October 2, 2004 from Wendy Hayes-Walsh and Al Walsh

Mr. Andrew Bone, Planner, addressed Community Council and reviewed the application for a development agreement to subdivide the property at 116 Shore Drive to allow for the infill of a single family house on a new flag shaped lot adjacent to the existing house, as outlined in the submitted staff report.

Highlights of his presentation are as follows:

- C current property is designated residential single unit; approximately 20,000 sq. ft.; 100 x 200 ft. in size.
- C Single family home and has access on Shore Drive; property slopes from back to front
- C a previous application of a similar proposal was brought before Council in 1998 and Council rejected it; the application was appealed to the Nova Scotia Utility and Review Board and Council's decision was upheld.
- C This proposal includes a 9100 square foot lot, 70' x 130' for the existing home. Creation of a 10,900 sq. ft. flag lot. The rear portion is 7,000 sq. ft. (the Plan requires a minimum of 6,000 square feet). The flag lot would have 30 ft. of frontage on Shore Drive and the proposed access will be the existing driveway, i.e. shared driveway with easement.
- C No proposed building at this time, however the proposed agreement has specific requirements pertaining to compatibility with the neighbourhood; the policy requires staff consider the average height and square footage of surrounding buildings—average height is 26 ft. and this has been included in the Development Agreement. Also included are architectural controls

and design requirements in the building which will limit impact on surrounding properties, particular at rear; footprint of the building to be a maximum of 1500 square feet; the proposal meets and in some places exceeds side yard requirements under the MPS.

- C Staff also suggested architectural design to minimize impact on surrounding neighbours; and existing garage will have to be removed to allow access to the rear property.
- C Water service on Shore Drive was an issue with citizens, due to the many water main breaks; staff reviewed this with the Halifax Regional Water Commission and their view is that, although replacement of the main line on Shore Drive is a priority, it is not in the plans for replacement in the next budget year. The Water Commission has indicated that the lack of an upgrade does not preclude the ability of the line to handle additional connections.

In summary, Mr. Bone advised that it is the opinion of staff the requirements in the agreement reasonable satisfy the policies of the Plan. He referred to the previous decision of the Utility and Review Board where there was a difference of opinion between a number of planners with regard to what would be considered a reasonable flag lot on this property, and the Utility and Review Board identified that, where there is a discrepancy or difference of opinion between planners, it is not the role of URB to determine whether or not to replace the decision of Council and that a decision in either direction may be appropriate.

Mr. Bone responded to questions from Council.

Councillor Harvey questioned if both parties agreed to share access on the other side of the property, would they be permitted to do so.

In response, Mr. Bone indicated it is not permitted under the Agreement.

The Municipal Solicitor suggested the following phrase could be added to provide further clarification: "*and shall not be accessed from any other point on the Lot.*"

Mr. Bone advised that he would include this as part of the Agreement.

The Chair then opened the hearing to anyone wishing to speak either in favour or against the application.

The following persons spoke:

Jack Innis, Bedford

Mr. Innis spoke in support of the application. In his remarks he advised that he had been

involved with the original Bedford Planning Advisory Committee and that this proposal is entirely consistent with what that Committee intended. On another point, Mr. Innis indicated that this proposal was consistent with HRM's Regional Plan with respect to the efficient use of services already in the ground.

Gill Winham, Bedford

Mr. Winham spoke in support of the application. Mr. Winham advised that he had opposed the previous proposal the applicant made, but this one was different and he believed it was a way to save the house which is currently on the lot.

Dan Sargeant, Bedford

Mr. Sargeant spoke in support of the application. In his comments he noted that he knows the family well and is aware of the property in question. Mr. Sargeant added that precedents have already been set in this area he sees no reason not to grant approval.

Debbie Price, Bedford

Ms. Price spoke in support of the application. Ms. Price advised that she supported this proposal because the applicant has done everything possible to meet the requirements and that it will maintain a wonderful old house. She expressed some concern about the amount of pressure from the neighbourhood in determining the size of the structure, pointing out that it is difficult to build something worthwhile that is only 1500 sq. ft. in size. She indicated that such limitations will impact the value of the home.

Wendy Hayes-Walsh, Bedford

Ms. Hayes-Walsh spoke in opposition to the application advising that it is not compatible with the Shore Drive area, and will not preserve the community identity.

Barry Mason, Bedford

Mr. Mason spoke in opposition to the application. In his remarks he advised that he was speaking not only for himself, but for his in-laws who also own a property in the immediate area, but could not be here this evening. Mr. Mason advised that he believed this proposal was essentially the same as the previous one the applicant brought forward in 1998 except for a change in the driveway access. He noted that the change to the driveway will directly affect his sister and brother-in-law. Mr. Mason advised that he differed with staff's comment that the Utility and Review Board would have supported either decision made by Community Council, adding that the Utility and Review Board's decision was that it agreed with Council's decision to reject the proposal. Mr. Mason indicated that if Community Council were to approve this application, it would be appealed.

Tom Innes, Bedford

Mr. Innes spoke in support of the application. In his remarks, Mr. Innes indicated that he believed the previous decision was a political decision and that the application should not have been turned down. He advised that the applicant meets all the requirements, and added that, if the amount of people who showed up at tonight's meeting, showed up

in 1998, this meeting would not be happening.

Eric Strassy

Mr. Strassy spoke in support of the application. He advised that he grew up in the area and noted that the property was always well maintained, and he believed the proposal would be great contribution to community.

'Gentleman', Bedford

Agentleman addressed Council and advised that he was a 37 year resident of Bedford and he fully supported this proposal.

Ernie Porter, Bedford

Mr. Porter spoke in opposition to the application. In his remarks he commended staff on their conduct in dealing with the residents which may be affected by this application, should it be approved. He indicated he was opposed to the development based on the impact it will have on the neighbourhood. Mr. Porter advised that he moved to the neighbourhood 15 years ago and, since this, the trend has been towards diminishing the wonderful nature of the area.

Richard Olsen, Bedford

Mr. Olsen spoke in support of the application. He indicated he was a resident of the area for many years and over that time almost all of the lots in the area have changed. He added that the area is unique because it is not a 'cookie cutter', and he saw this application as something good for the neighbourhood.

Jean Bird, Bedford

Ms. Bird spoke in support of the proposal. She advised that she was 50-year resident of Bedford, and spent 41 of those years on Shore Drive. Ms. Bird indicated that she subdivided her property 18 years ago, and at that time she took care to situate the house so that it would not interfere with her's as well as her neighbour's privacy. She advised that to deny this application would be discriminatory.

Bob Rudderham, Bedford

Mr. Rudderham spoke in opposition to the proposal advising that he wanted to preserve the integrity of the neighbourhood. Mr. Rudderham made reference to several water main breaks in the area and suggested that the infrastructure was not adequate to support additional connections.

Craig Stanfield

Mr. Stanfield advised he was representing his mother who lives within the area in question, but was unable to be present this evening. Mr. Stanfield spoke in opposition to the proposal citing concerns over privacy and the destruction of hardwood trees. He noted that his mother had expressed the same concerns when the application was heard in 1998.

Al Walsh, Bedford

Mr. Walsh spoke in opposition to the application. He noted that he was a resident of the area and opposed the proposal because of the impact on the uniqueness and charm of the area.

Shirley Jerram, Bedford

Ms. Jerram spoke in support of the application. She advised that she has lived in Bedford for 35 years, and that she supported this application and believed the applicant's previous proposal should have been approved at that time.

Linda Winham, Bedford

Ms. Winham spoke in support of the application. She advised that she did not support the previous application, however this time she was in support of the proposal, and noted that the change to the driveway made a great difference to her. Ms. Winham, referring to the comments expressed this evening, pointed out that it appears the older residents support the proposal and the newer residents to the area were opposed.

Andrew Boyne, Bedford

Mr. Boyne advised that he was the son of the applicant, Nancy Boyne and requested Community Council's favourable consideration of this application. In his remarks, Mr. Boyne advised that this process began for them almost a year ago, and they feel strongly that they have prepared a proposal which meets and in some cases exceeds aspects pertaining to the integrity and character of the neighbourhood.

Jane Porter, Bedford

Ms. Porter spoke in opposition to the application. She advised that 'as-of-right' it doesn't meet the requirements, and that, previously, this type of development was deemed as providing an unfavourable character for neighbourhood. Ms. Porter added that nothing has substantially changed since the previous proposal, and she still opposed the proposal.

The Chair then called three times if there were any further speakers, and there were none.

MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey the public hearing be closed. MOTION PUT AND PASSED.

Deputy Mayor Goucher addressed the issue and advised that he places great emphasis on the public process and noted that the recommendation of the North West Planning Advisory Committee was to submit no decision but that the members were concerned the intent of the Policy is not being met by allowing for the development of homes on flag lots. He indicated that given the overwhelming support for this application expressed this evening and in submitted letters, he was prepared to move a motion of approval for this matter.

MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey that North West Community Council

- 1. Approve the proposed development agreement to permit the construction of a single unit dwelling on a flag lot as attached in Attachment D of January 20, 2005 staff report, and;**
- 2. Require that the agreement be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Harvey advised that as long as he has been on Community Council this is the only time he could recall dealing with a flag lot application from Bedford. He added that this is the only flag lot that has come before Community Council to be considered by contract. Councillor Harvey went on to note that this application meets and exceeds the minimum requirements somewhat more than the application in 1998. He explained that, at that time, he had concerns about the preservation of the character and integrity of residential neighbourhoods and he still has these concerns. Councillor Harvey went on to point out that this time the application has considerable more community support than was witnessed in 1998 and concluded by noting that if Bedford did not want infilling by flag lots, there has been seven years since 1998 to amend the Municipal Planning Strategy and to take the ability out, and this has not been done. Councillor Harvey advised that he supported the motion.

MOTION PUT AND PASSED.

MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey that the issue of the Municipal Planning Strategy for Bedford and the issue of flag lots be referred to staff and the North West Planning Advisory Committee for review.

MOTION PUT AND PASSED.

At 8:35 p.m. Community Council recessed.

At 8:43 p.m. Community Council reconvened with the same members present.

8.2 Variance Hearings

8.2.1 Appeal of Variance Approval - 550 Springfield Lake Road, Middle Sackville

Mr. Kevin Warner, Development Officer, addressed Community Council and reviewed his

decision to grant approval for a variance at 550 Springfield Lake Road, Middle Sackville, to permit a setback from Springfield Lake of 42 feet for a dwelling and 34 feet for a deck, and to request a reduction in the front yard setback from 20 feet to 15 feet. Mr. Warner advised that under the Municipal Government Act, a property owner served notice of the granted variance may appeal the Development Officer's decision. He advised that two people have submitted appeals.

On a point of procedure the Chair advised that this hearing was different from a public hearing in that only the appellants and the applicant were permitted to speak.

Deputy Mayor Goucher noted the appeal letter from Mr. Faulkner references a boathouse and he asked staff to clarify if the boathouse enters into this appeal.

Mr. Warner advised that the original letter that went to the neighbours had an incorrect plan attached to it which misled people in showing that the house was sitting almost on top of the lake. Mr. Warner expressed sincere apology for this error and added that, since this, staff ensured the appellants received the correct drawing. He further clarified that the boathouse does not form part of this application.

Mr. Warner responded to further questions from Community Council.

Mr. Wayne Faulkner addressed Community Council and advised that he has lived on Springfield Lake for 27 years. In his remarks he expressed concern over the two different drawings staff sent out. He pointed out that there were two other property owners that received the initial letter and, had they been aware of the different drawing, they may have appealed, but didn't, and therefore they can not speak against this proposal. Mr. Faulkner also expressed concern about the boathouse.

Mr. Faulkner also referred to staff's comment that a precedent for a similar variance approval has already been set. He pointed out that each case should be based on its own merits. Mr. Faulkner advised that he was opposed to this variance because it will impact on his privacy and view of the lake. He indicated that he built his home 50 ft. from the lake as required in the guidelines and he believes the applicant should be required to do so.

Mr. Marchand addressed Community Council and outlined his reasons for appealing this application. In beginning his presentation he questioned why it took staff two months to send them the correct plan, and he noted that Mr. Faulkner had given him a copy, and that he never actually received the revised plan from staff.

At this point, the Chair requested clarification with regard to the fact that the initial letter of notification was sent with the incorrect plan.

Mr. Warner pointed out that the letter gave the correct descriptions with respect to pertinent information on the variance. He noted that all the required information was in

the letter, it was simply that the plan accompanying it did not provide the correct graphic representation.

The Chair pointed out that he had three additional people contact him, advising that they would have appealed the application if they had received the correct drawing.

In response, the Municipal Solicitor advised that if Community Council wanted to allow those individuals to speak this evening, Council has the discretion to hear them if they wish.

Mr. Marchard then continued with his remarks. He advised that he has lived on Springfield Lake for 11 years and is concerned about his view plane with this variance. He noted that if approved, he will lose 16 ft. of his view of the beach. Mr. Marchand indicated that he was in the home construction business and suggested that the plans for the house is too big for the lot. Mr. Marchand also pointed out that it appears the house is 5 ft. inside a 20 ft. wide utility service easement and it was his understanding a foundation could not be placed inside an easement. Mr. Marchand made reference to the similar variance that staff referred to and noted that this property owner was required to remove his front deck and take 2 ft. off his garage in order to be granted a variance, adding that this was a substantial change to his plans.

The Chair noted that two of the individuals who contacted him concerning their desire to appeal this variance if they had been aware of the correct drawing were in attendance. He advised that they could speak to this matter if they wished to do so.

Mr. Ralph MacDonald addressed Council and expressed concern about his view of the lake being impeded with this variance.

Mr. Gerry England indicated that when he requested a minor variance for his property, staff requested certain changes, i.e. he had to remove the front verandah and reduce the back right corner. He suggested that, in looking at the plan of the property in question, changes could be made which would accommodate everyone's concerns.

Mr. Herb Bottomley addressed Community Council, advising that he was the applicant. Mr. Bottomley indicated that it has been his dream to build in this area for some time. He noted that he purchased the lot from Mr. Faulkner and suggested that the opposition to his application was personal because of his refusal to sell the lot back to Mr. Faulkner who requested a buy back within a year of purchasing it from him. He noted that since he declined the offer to resell he has received numerous phone calls about selling his lot, and he has received complaints about minor issues pertaining to the lot. Mr. Bottomley advised that he believed this was all designed to get him to sell. He further noted that even though the boathouse is irrelevant to his application, when the original letter went out with the first drawing, both appellants agreed in writing they would drop the appeal if he did not build the boathouse. Mr. Bottomley concluded by advising that this matter has become quite stressful and needed to be resolved tonight.

Mr. Warner responded to questions from Community Council.

In response to a question by Councillor Harvey, Mr. Warner advised that he believed the proposed building could be re-configured to fit on the lot.

Councillor Johns asked Councillor Harvey to assume the Chair so he could speak to this matter.

Councillor Johns advised that he has been on the site a couple of times and with regard to this particular proposal, he is concerned about the closeness to the lake. He noted that none of the other homes in the area are within 50 ft. of the lake. Councillor Johns also noted that there was some soil run-off into the lake. Councillor Johns indicated that when he weighs out an issue like this, an important part of his decision is based on the opinions of the current residents of the area, particularly long term residents. He indicated he could not support the Development Officer's decision in this case.

MOVED by Councillor Johns, seconded by Deputy Mayor Goucher that North West Community Council overturn the decision of the Development Officer, thereby refusing the variance.

Deputy Mayor Goucher noted that as far as he could determine, the proposed house would not fit on the lot in any configuration without a variance being required.

MOTION PUT AND PASSED.

Councillor Johns took the Chair, with Councillor Harvey assuming his usual seat.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS:

9.1 Correspondence

The Chair noted a letter dated March 7, 2005 from Mr. John Carnaghan was submitted advising of his resignation from the North West Planning Advisory Committee.

9.2 Petitions - None

9.3 Presentations - None

The Chair noted that at next month's meeting a representative of the Springfield Lake Watch Committee has put in a request to make a presentation.

10. REPORTS:

10.1 Councillors:

10.1.1 Deputy Mayor Len Goucher: Appointment to North West

Planning Advisory Committee - Mr. Joel Matheson

MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey that North West Community Council appoint Mr. Joel Matheson to the North West Planning Advisory Committee as representative of District 21. MOTION PUT AND PASSED.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 Appointments to Bedford Tree Committee

This item was added to the agenda at the request of Deputy Mayor Goucher.

Deputy Mayor Goucher advised that he had three names to put forward for appointment to the Bedford Tree Committee. He pointed out that one of the names is an HRM employee, however in consultation with Dan English, Deputy Chief Administrative Officer, Mr. English is confident there is no conflict with this individual serving on the Committee while being employed by HRM.

MOVED by Deputy Mayor Goucher, seconded by Councillor Harvey that North West Community Council recommend the following appointments to the Bedford Tree Committee: Mr. Bob Kerr; Mr. Stan Kochanoff; and Mr. Wayne Legere. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION:**

Ed Grace - Mr. Grace indicated that he was disappointed that staff don't intend to act soon with regard to Policy P 71, adding that he believes it should be made into a bylaw presently as it now stands or if this is not possible, have it put in the Stormwater Management Act as it is now worded.

Don Lowther - Mr. Lowther advised of a meeting he attended this morning with officials from Department of Fisheries and Oceans regarding Moirs Pond and fish ladders. He explained that after approximately three years of discussion, DFO officials seem to be leaning away from the idea of fish ladders over the dams.

Walter Regan - Mr. Regan advised that he sent a letter to the Chair of Community Council regarding a bridge over the Little Sackville River and he questioned if Community Council had an opportunity to review it. Councillor Johns advised that he provided a response to Mr. Regan, however, he was not aware that individual letters were not sent to the other Councillors. Mr. Regan advised that he would provide copies to Deputy

Mayor Goucher and Councillor Harvey.

Mr. Regan questioned if the Streetscape Traffic Report has been made available to the public.

In response, Councillor Harvey advised that it has not come forward in a public format as yet. He asked the Legislative Assistant to follow up on the traffic aspects of the Secondary Planning Strategy for Sackville Drive as to its status and when it will come forward.

Mr. Regan noted that the Sackville Rivers Association has applied for a grant from HRM, and he requested Community Council's support in this regard.

Mr. Regan indicated that he supported fish ladders over the dams at Papermill Lake, Quarry Lake, and Kearney Lake dams.

15. NEXT MEETING DATE

The Chair advised that the next regular meeting is scheduled for April 28, 2005.

16. ADJOURNMENT

The meeting adjourned at 9:40 p.m.

Sheilagh Edmonds
Legislative Assistant