

HALIFAX REGIONAL MUNICIPALITY

NORTH WEST COMMUNITY COUNCIL

MINUTES

SEPTEMBER 25, 1997

THOSE PRESENT: Councillor Harvey, Chairman
Councillor Kelly
Councillor Mitchell
Councillor Barnett
Councillor Rankin

ALSO PRESENT: Andrew Whittemore, Planner
Maureen Ryan, Planner
Barry Allen, Solicitor
Lynne Le Boutillier, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order at 6:10 p.m. with an Invocation at the Charles Fenerty Room, Sackville Library, 636 Sackville Drive, Lower Sackville.

2. APPROVAL OF MINUTES – September 11, 1997

MOVED BY Councillors Kelly and Barnet to approve the Minutes of September 11, 1997, as circulated. MOTION PUT AND PASSED.

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

Added Items: Correspondence dated September 23, 1997 from Judith Hare, Chief Executive Officer, Halifax Regional Library – Request to name Children's Department after Dustin Eisan.

Information Report – Prohibition of Motorized Craft on Lakes
Listing of Lakes

Councillor Barnet: Request for Crosswalk – Intersection of Spinner Cres. and Stokil Drive
Letter to the Department of Housing and Municipal Affairs
Related to acquisition of lots on Boxwood Crescent

Councillor Kelly: Capital Budget/District Capital

Councillor Rankin: Request for Traffic Exit Sign, Exit 2 and Exit 4, Route 3
Status of Interchange Connector on the 103

MOVED by Councillors Barnet and Rankin to approve the Order of Business as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF MINUTES – None

5. MOTIONS OF RECONSIDERATION – None

6. MOTIONS OF RESCISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 **APPOINTMENT OF AN AREA ADVISORY COMMITTEE FOR THE COMPREHENSIVE TRANSPORTATION STUDY FOR SACKVILLE**

A Staff Report dated August 21, 1997 was before Community Council. This item had been deferred from both the August 28 and September 11, 1997 meetings.

Councillor Barnett brought forward the names of David Borden for Middle Sackville and Rick McCulloch for Upper Sackville.

Councillor Kelly questioned how the lack of representation from Beaver Bank will be addressed. The Chair indicated that Delphis Roy will fulfill dual roles, representing the PAC and the Beaver Bank area. The Chairman also referred to a vacancy for Fall River. It is proposed that Gordon Sears represent both Fall River and the RDA.

MOVED by Councillor Barnett and Kelly that David Borden, Middle Sackville and Rick McCulloch, Upper Sackville be appointed to the Sackville Transportation Study Area Advisory Committee and Dephis Roy fulfill a dual role representing the PAC and the Beaverbank area. Similarly, Gordon Sears fulfil a dual role representing Fall River and the RDA. MOTION PUT AND PASSED.

8.0 **PUBLIC HEARING**

8.1 **FILE NO. ZA-FEN-07-95 – Application by Remo Pizzo to amend the Land Use By-law for Planning Districts 15, 18 & 19 in order to Permit a minimum size of 6000 sq. ft. within the R-1 (Single Unit Dwelling) Zone where both central water and sewer services are Available**

A Staff Report dated July 25, 1997 together with a Memorandum dated August 28, 1997 and a Memorandum dated September 10, 1997 on behalf of Planning Advisory Committee was before Community Council.

Andrew Whittemore, Planner, Central Region provided an overview of the Staff Report dated September 10, 1997 which contained a recommendation to amend the R-1 (Single Unit Dwelling) Zone development standards for the Land Use By-law for the Hammonds Plains, Upper Sackville, Beaver Bank (Planning District 15, 18 & 19) plan area to 6000 square foot lots with 60' of frontage in instances where both water and sewer services are available. Planning Advisory Committee was recommending support for staff's recommendation.

Councillor Kelly referred to Mr. Roy, who serves on the Planning Advisory Committee, appearing to own land in the area. Mr. Whittemore indicated that he believed Mr. Roy owns part of the MU-1 zoned lands not the R-1 zoned lands. This amendment does not apply to the MU-1 lands. He pointed out on the map the area.

With respect to the current lots that are in the area of 100 ft. or more, if a person owns a lot size of 120 ft. or less and wished to subdivide, Councillor Kelly asked if there is a new standard to be brought about that it must be the 60 foot standard. He outlined what happened in this regard with the former Town of Bedford. In response, Mr. Whittemore explained that in the Subdivision By-law there is a provision that would allow the subdivision of two parcels of land to decrease by 10%, so a 60' lot, could potentially, if it is two parcels of land could go down to 50', but only two pieces of land.

The Chairman questioned whether the capacity allocated to the area contemplated the proposed density. Mr. Whittemore indicated that the capacity was estimated on 50 additional acres, or the rough equivalent of the 127 infill lots which equal 46 acres. What is being proposed is under the amount allocated.

Councillor Kelly asked if the schools will be able to handle the additional demand. He referred to the present overcrowding situation. He wondered if this has been looked at in conjunction with the overall MPS for the area. In terms of the amendment, Mr. Whittemore did not think this has been looked into. Subsequently, Councillor Kelly questioned whether this should be part of the process. Staff noted that with as-of-right development they could have had an additional 107 lots. With the proposed amendments, they can achieve an additional 27 lots, which probably would not be significant.

Speakers in Favour

Barry Zwicker, who represented Mr. Pizzo, thought staff had covered the issues fairly well and would hold off making comment until the end.

Speakers in Opposition

Mary Godwin indicated she was not necessarily opposed but wondered why this was not being dealt with as a spot development. She was concerned that a precedent might be set. She lived beside a vacant lot, serviced by sewer and water and she did not like the idea of houses being built on 60' frontage lots.

The Chair noted that Baker Drive was in a different plan area. In Ms. Godwin's area, 60' x 100' lots are permitted as of right in the R-1 zone. She was assured

that the amendment will affect only 27 potential lots and it only applies to this area because of the Service Boundary.

In closing, Mary Godwin indicated she did not feel that the development of 27 homes was insignificant as this could translate into fifty additional school age children attending already overtaxed schools.

Pauline Brooks, Beaverbank sought clarification that the only area directly affected would be Beaverbank. The Chairman confirmed her understanding. She reflected on her experience having lived in the area for 23 years and having children go through the school system. She stressed the schools are already overcrowded. Student teacher ratios are better in Sackville and Bedford. She felt that development of these additional 27 lots would be detrimental to education. She felt that the children who graduate from the school system in this area are rated negatively, compared to students from city schools, when applying to universities.

Mrs. Pittman, Boutilier's Point, Head of St. Margaret's Bay, District 23 expressed concern about taking too much water out of Pockwock. Staff assured her that in order to amend the Service Boundary further, a lengthy public process is required, at which time these concerns would be addressed and the public would have an opportunity for input. Mr. Whittemore noted that this is a phased process over 10 years. The development will be gradual and the impact is not expected to be significant.

Mr. Ron Musler, a resident of Beaverbank for approximately 3 years stated he chose Beaverbank because of its spaciousness. He lives on a street within the service area and at the end of his road there are 68 acres for sale which is zoned R-1. He anticipates if developed, more than 27 lots could be developed. He speculated the developer would offer to put in sewer and water at no cost to the municipality. All the developer would require is a hook up to the water line. As a result there could be a lot more overcrowding of schools and roads. He referred to the Beaverbank Road having only one exit. He felt the proposal would open up the area for further development and more overcrowding. He would like to see developers assure Council and the taxpayers that they are prepared to widen the roads, provide schools, etc. He encouraged the Councillors to say no to the proposed amendment so that their rural living might be maintained.

The Chair sought identification of the 68 acres. Staff assured those present that this area was not within the Service Boundary. Mr. Musler nevertheless contended, that should a developer offer to put in roads, water and sewers at no cost to the municipality in exchange for hookup to the water main, he doubted Council would say no. He proposed it would be best if the developer, Remo

Pizzo restricted the request for change only to the area he owns.

The Chair noted that the area containing the 68 acres falls outside the Service Boundary and would require the agreement of full Council to be changed. The applicant's land is within the Service Boundary and will not set a precedent for the 68 acres. It would require a lengthy process to change the Service Boundary itself. The present process has been ongoing for two years.

The Chairman reiterated that the proposed amendment would only affect seven of the 50 acres within the Service Boundary. He referred to how this very tight boundary was initially established. It would require a major policy change to amend the Service Boundary and there are limits to capacity for extra acreage.

Glen McLare referred to the fact that his home has 183 ft. frontage and thus he would be able to create one more lot. He suspected that far more than 27 extra lots could be created. He did not feel servicing has kept pace with development, particularly transportation to and from Beaverbank.

Rebuttal by Applicant

Earlier in the meeting the applicant's spokesperson had chosen to utilize the rebuttal time versus the time set aside for speakers in favour.

Mr. Zwicker referred to earlier comments that 27 lots could be translated into 50 more children attending local schools. His calculations indicated that 16.2 children can be expected to attend school. He referred to the formula used for single family homes being 0.6. He reiterated earlier comments that the amendment is restricted to an area inside the existing serviceable boundary and zoned R-1.

Reference was made to the provision in the By-law which permits the creation of lots with 60' frontage. It allows a 10% reduction on one of the lots when you subdivide. In order to take advantage of this provision, you need 114' minimum frontage to allow you to create one lot at 60' and one at 54', which represents a 10% reduction from the 60' frontage requirement. Secondly, he referred to the individual who had the 183' frontage. He noted that under the present standard this individual could sub-divide his lot now.

Mr. Zwicker also dealt with the question why the amendment can't be made site specific. He noted that two years ago the original application was to make the amendment site specific. In reality, there are no policies in the strategy which allow for a site specific zone or site specific development agreement to allow for this standard to be applied to only Mr. Pizzo's land. The only way it could be

done was to modify the By-law and the R-1 zone standard to reflect both levels of service.

Another concern was whether Council would refuse a request for the provision of water, if a developer proposed to construct services at no expense to the municipality. Mr. Zwicker assured those present that such refusals happen everyday. The serviceable boundary set is a very hard line and every developer in the area is now offering to put in services at their expense and can't get approval. A very formal procedure would have to be followed to expand the boundary which would deal with such aspects as schooling, etc. In closing, he recommended to Council that they approve staff's recommendation.

Councillor Kelly sought clarification from the proponent. The proponent had stated that there is no provision for contract development in the MPS process. Mr. Zwicker confirmed there are no policies in the Planning Strategy that would allow these kinds of standards to be applied to a piece of land zoned R-1. Through contract development, it could not be done.

Secondly, Councillor Kelly questioned what the capacity for Beaverbank was for now and in the foreseeable future with the expanded plan. Mr. Whittemore referred to capacity allocated being based on 50 acres x 17 persons per acre. There are 525 existing houses.

Mr. Zwicker noted that the capacity allocated based on 17 persons per acre is available. There is more capacity allocated than will be utilized if every potential subdivision, as a result of the amendment, took place.

Councillor Kelly sought information on the actual plant capacity at this time, with the expansion that the plant just went through. Mr. Zwicker noted that this is part of the overall Sackville Servicing Study. There has been no recommended change to the allocation or recommendation to change the boundary to bring any additional lands in. There is surplus capacity relative to 17 persons per acre in the total land area inside the Beaverbank Servicing Boundary.

**MOVED by Councillors Barnet and Mitchell to close the Public Hearing.
MOTION PUT AND PASSED UNANIMOUSLY.**

Decision by Council

Before proceeding, Councillor Barnet questioned the Chair as to whether any correspondence has been received in relation to the Public Hearing. The Clerk indicated she was not aware of any.

Councillor Barnet referred to the potential of school overcrowding. Reference was made to the applicant's contention that the map used by the School Board would only allow for 13/16 additional children over the number there as of right. He contended that one can't only consider the 13/16 additional children but there would be a total of 134 infilled lots and what kind of cumulative effect this would have on the entire community in relation to school.

He referred to the other issues raised and indicated he desired to defer consideration of this application until the next meeting, so he had some time to think about the issues, as well as to discuss with the schools in the area what their current situations are and further investigate the total infill lot potential.

MOVED by Councillor Barnet and Kelly that a decision be deferred until the next meeting, October 11, 1997. MOTION PUT AND PASSED.

9.0 CORRESPONDENCE, PETITIONS AND DELEGATIONS

**9.1 PROPOSAL RE DISASTER RESPONSE PLANNING –
COBEQUID MULTI-SERVICE CENTRE – KATHY ALLISON,
SAFETY/EMERGENCY RESPONSE COORDINATOR**

Council was in receipt of a letter dated September 15, 1997 from Kathy Allison, Manager, Materials and Environmental Services; Safety/Emergency Response Co-ordinator. The proposal, contained in the letter, calls for the supply and installation of a gate access in the chain link fence facing the exit ramp from Highway 101 and Sackville Drive to improve access and egress for emergency vehicles. Support was being sought from Community Council, when this proposal was forwarded to the Minister of Transportation.

The Chair indicated that he is in receipt of a number of pieces of correspondence in support of this proposal. Reference was made to Sgt. Ray Russell, Lower Sackville Detachment, RCMP; Barry Manuel, EMO Coordinator, HRM; John Holm, MLA Sackville/Cobequid and District Chief Eric Sheppard, Halifax Regional Fire and Emergency Service letters.

Referring to congestion in the area, Councillor Kelly questioned if measures are being taken to address this problem in the long term. Ms. Allison indicated this aspect will be looked into further and a report will be submitted in due course.

Councillor Rankin felt that Mr. Manuel, HRM's EMO Coordinator, should take the above noted correspondence into consideration and prepare a report, so it can be dealt with sooner at the EMO.

MOVED by Councillor Barnet and Kelly to send Community Council's endorsement of the proposal along with the package of correspondence to the Minister of Transportation, The Honourable Don Downe and copy to the EMO Committee. It be requested that it be put on the EMO agenda and they consider endorsing. MOTION PUT AND PASSED.

10. REPORTS

10.1 RE-APPOINTMENTS TO NORTH WEST PLANNING ADVISORY COMMITTEE

The members were in receipt of letters from Aileen McCormick, Theresa Scratch and Ann Merritt indicating that it was their intention to reapply for appointment to the North West Community Planning Advisory Committee.

The Chair suggested that these reappointments be deferred until the October 23rd meeting, at least the ones outside Bedford. Councillor Kelly made reference to a report going to Regional Council on the make up of the PAC. The Chairman confirmed that this should take place in the next three or four weeks.

MOVED by Councillors Mitchell and Rankin that the item be deferred to the October 23rd agenda. MOTION PUT AND PASSED.

10.2 AMENDMENTS TO THE FORMER HALIFAX COUNTY SUBDIVISION BY-LAW AND MUNICIPAL PLANNING STRATEGY FOR BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE (PLANNING DISTRICTS 15, 18 AND 19) TO INCLUDE THE COMMUNITY OF HAMMONDS PLAINS WITHIN A WATER SERVICE DISTRICT

The Chair made reference to the two reports related to the above noted issue circulated with the agenda package. The first report is dated September 15, 1997 and the supplementary report was dated September 19, 1997. The Chair read the recommendations contained in the September 15, 1997 report that "The North West PAC recommended that North West Community Council recommend to Regional Council acceptance of staff's recommendation to amend Schedule "L" of the Subdivision By-law for the former Halifax County Municipality as shown on Maps 1 and 2 attached to the memorandum dated August 1, 1997 and to amend the Municipal Planning Strategy for Planning Districts 15, 18 & 19 as outlined in Appendices "A" and "B" of the supplementary report dated June 25, 1997.

Secondly, the North West PAC further recommended that North West

Community Council recommend to Regional Council that when appropriate supporting documentation and a supplementary report is made available, the 1600' gap area on Pockwock Road between Norman Boulevard and English Corner be included in a Water Service District Boundary.

Ms. Ryan, referring to the Supplementary Report, noted that the North West Planning Advisory Committee, in a motion at its September 3, 1997 meeting, moved to include the above noted lands in the Water Service District Boundary, if documentation is received to confirm that there are water quality problems in this area. Since the meeting, the Department of Environment has confirmed that 33% of the wells tested in the subject area have coliform bacteria problems. Also the Halifax Regional Water Commission has advised that future connection of a transmission main from English Corner to Norman Blvd. would enhance the overall reliability and flow characteristics of the proposed water distribution system to the Hammonds Plains and Upper Hammonds Plains communities.

Ms. Ryan read the recommendations contained in the Supplementary report and indicated that if the motion were to approve the recommendations of staff in the Supplementary Report, it would approve the entire area.

Ms. Ryan went on to say that in the June 25th staff report, the proposed water service district boundary would begin from the end of the current water service district boundary at Pockwock Road, Hammonds Plain Road Intersection, better known to the community as English Corner. It would begin there, extend all the way along Pockwock Road, include Anderson Road, Anderson Ct. and Norman Blvd.

Moved by Councillors Rankin and Mitchell to at least move forward these first two phases.

Ms. MacDonald expressed concern that Maplewood on the Lake isn't being considered.

Ms. Ryan referred to the fact that under the current policy for extension of water service boundaries, one of the criteria is are there any existing water quality and/or quantity problems within the area. A planning amendment was initiated in 1994 to consider including the Maplewood on the Lakes area within the Water Service District Boundary. No documentation has been received to date confirming that there are existing water quality problems in that area, although the staff report and the process is still open on that and staff is meeting with Regional Operations and the Water Commission next week to discuss a possible strategy for getting the necessary information, to consider including it.

Susan MacDonald referred to a letter dated May 29, 1997 to Councillor Rankin with regard to coliform problems in the subdivision itself. Copy was forwarded to Sandra Shute. It was faxed September 17, 1997. Several people in the subdivision have resubmitted their letters to the Councillors.

Ms. Ryan explained that there are letters of testimony and there are qualified confirmation that there are existing water quality problems. It is the policy to seek input from the NS. Dept. of Environment for confirmation of water quality problems.

Councillor Rankin noted that Community Council and Regional Council had asked the Minister of the Environment, May 20th, by resolution, to get on with a study of Maplewood on the Lakes to substantiate the problem. They are the authority recognized to carry out the tests. Apparently, they are not about to commence this testing. The NWCC sent another letter last meeting encouraging the Minister to assist Community Council in documenting the problems so NWCC can have documentation to move forward with including Maplewood. He understood that staff, in the meantime, are doing their best to bring forward documentation, as well. Anything the Department of Environment could do would be very helpful. He suggested that more discussion of this topic is likely to take place at the Public Hearing.

MOTION PUT AND PASSED.

**PRESENTATION OF CERTIFICATE OF APPRECIATION TO JIM CULLEN
FOR 20 YEARS SERVICE AS CHAIRMAN OF THE OLD TIME FIDDLING
CONTEST.**

Councillor Barnett presented the certificate of appreciation to Mr. Jim Cullen.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **CORRESPONDENCE DATED SEPTEMBER 23, 1997 FROM JUDITH
HARE, CHIEF EXECUTIVE OFFICER, HALIFAX REGIONAL LIBRARY –
REQUEST TO NAME CHILDREN’S DEPARTMENT AFTER DUSTIN
EISAN**

In Ms. Hare’s letter, reference is made to the fact that it is not the practice of the Board to name departments after individuals.

The Chairman indicated he was disappointed with the response and noted that this meeting is being held in a room named after Charles Fenerty. He felt the request had been fair and reasonable. He would like to ask the Library Board to reconsider the original request.

MOVED by Councillors Barnet and Kelly that the Library Board be asked to reconsider the request to name the Children's Department after Dustin Eisan. MOTION PUT AND PASSED.

12.2 INFORMATION REPORT – PROHIBITION OF MOTORIZED CRAFT ON LAKES – LIST OF LAKES

The Councillors were in receipt of an information report dated September 18, 1997 in response to a request made at their October 10, 1996 meeting. A list of lakes used for swimming purposes was included in the second part of the motion. Part one of the motion had been dealt with previously. The report listed five lakes in the NWCC area staffed during July and August.

Councillor Kelly sought a list of unstaffed lakes in the area and he recommended that the information report be sent to the various Waters Advisory Committees for their input.

Councillor Mitchell referred to problems being encountered on salt water in the area of St. Margaret's Bay. Apparently the Federal Government is embarking on a study and intends to formulate a policy. Councillor Mitchell suggested the HRM may be able to share this policy, and perhaps add to it.

Councillor Barnet noted that there is a lot of discussion surrounding the subject of the prohibition of motorized craft on lakes. He felt it would be the wrong message, if residents felt the intention is to close lakes to boats.

12.3 CAPITAL BUDGET/DISTRICT CAPITAL

Councillor Kelly recalled that during last year's capital budget debate, Councillors indicated that they wanted to have some input into next years Capital Budget process and staff assured Council that they would. He felt that this has only partially taken place and it will be only two weeks before the document is typed and bound for presentation. He felt there is an internal struggle among Commissioners as to what they will allow or not allow as part of the process. He indicated he would like to see a memo go from Community Council to the CAO and all Commissioners asking them to seek input from the various Councillors (23 districts), so they will have input into the Capital Budget process.

Councillor Rankin indicated it would be his desire that subject be referred to Council for debate.

MOVED by Councillors Kelly and Barnet that the subject be referred to Regional Council for clarification of the capital budget process as to Council's instruction of last year to have the various Council members to have input from their districts. MOTION PUT AND PASSED.

12.4 ALLOCATION TO COMMUNITY COUNCILS

The Chair referred to the deadline of October 15, 1997 (subsequently it was determined to have been extended to October 22, 1997) for each Community Council to submit their projects to the Budget Coordinator. Since there is only one more meeting before the deadline, Councillor Harvey wondered how the Councillors wished this to be handled.

Councillor Mitchell suggested that it be requested that the deadline be extended.

MOVED by Councillors Mitchell and Rankin to go to Regional Council on Tuesday night, September 30th citing the lateness of time and the short time table to extend this part of the Capital Budget deadline to the end of October. MOTION PUT AND PASSED.

**12.5 REQUEST FOR CROSSWALK AT INTERSECTION OF SPINNER
CRESCENT AND STOKIL DRIVE**

Councillor Barnet advised that he has received a request from Mr. Cox, 27 Spinner Crescent, through the Chair, to have painted crosswalks at the intersection of Spinner Crescent and Stokil Drive. He wished the request to be referred to the Traffic Authority for analysis to determine if crosswalks at this intersection would be appropriate. He recognized that they may have already looked at this location, but felt there was a definite need as the intersection is directly across from an elementary school.

MOVED by Councillors Barnet and Kelly that the request for the above noted crosswalk be directed to Mr. Silver, Traffic Authority to look at this location positively. MOTION PUT AND PASSED.

**12.6 DEPARTMENT OF HOUSING AND MUNICIPAL AFFAIRS – LOTS
BOXWOOD**

Councillor Barnet referred to a letter from the Department of Housing and

Municipal Affairs regarding lots 69, 70 and 71 on the corner of Boxwood Crescent and Tynes Court, Sackville, being conveyed to the Municipality for parkland, apparently as a result of a request May 12, 1997 from the Community Council. Concern was expressed that the three lots were being conveyed subject to them being credited to the "open space" requirements for future development. He noted that the lands in question are not suitable for home construction, as the lots have a soft bottom. He did not think the community would be well served to accept these lands under these conditions.

MOVED by Councillors Barnet and Kelly that the Community Council seek clarification regarding the intentions of the last paragraph of his correspondence. MOTION PUT AND PASSED.

12.7 TRAFFIC SIGN - ROUTE 3

Councillor Rankin referred to the heavy traffic being experienced on Route 3 to Beechville, Timberlea. Since there is an alternative route along Highway 103 for travel between Halifax and points south, consideration be given to designating the road between exit 2 and exit 4 for local truck traffic only, similar to the Hammonds Plains Road. With Council's concurrence, he asked that his request be forwarded to Mr. Silver.

MOVED by Councillors Rankin and Kelly that a request be forwarded to Mr. Silver to consider designating Route 3 between Exit 2 and Exit 4, for local truck traffic only. MOTION PUT AND PASSED.

12.8 STATUS OF INTERCHANGE CONNECTOR 103

Councillor Rankin felt there was a need to encourage the Federal Government to move on this project sooner than later, at least obtain some assurance that construction will commence this spring on the interchange and interconnector road. Some level of assurance has been given by the Deputy Minister of Municipal Affairs.

MOVED by Councillors Rankin and Mitchell that the Community Council encourage the Federal Government to commence the above noted project sooner than later. MOTION PUT AND PASSED.

12.9 BOUTILLIER'S POINT ROAD

Councillor Mitchell was in receipt of correspondence from residents of Boutillier's Point regarding problems associated with the road in this area, which falls under

the jurisdiction of the Department of Transportation. He desired to lend support to their concerns.

MOVED by Councillors Mitchell and Rankin that the Community Council lend support to the residents of Boutiliers Point in the endeavour to have the Department of Transportation deal with road problems. Copies of the correspondence to be sent to the family, their MLA and the Hon. Jim Barkhouse. MOTION PUT AND CARRIED.

13. **NOTICES OF MOTION** – None

14. **PUBLIC PARTICIPATION**

Ms. Berit Pittman questioned whether the diversion of Indian Lake is complete - Harmony Lake to Pockwock. She felt this will have a major impact on the water of her old District. The residents will be on wells for many years to come and the more water diverted to Pockwock, the less ground water they will have.

Referring to the subject of motorized craft, Ms. Pittman noted that no reference is made to soil erosion from motorized craft on fresh or salt water bodies. The impact on soil erosion is directly related to speed. She referred to a proposed policy for Quebec and recommended Council consider something similar.

Ms. Pittman referred to a survey being conducted by HRM on parkland and she felt it would be a pity if the wetland, referred to earlier in the meeting on Boxwood Crescent, was included in available parkland for the Sackville area.

Further, referring to the proposed limitation to local traffic on a portion of Highway No. 3, earlier discussed, for clarification, Ms. Pittman noted this would only apply to trucks.

At the previous meeting, Ms. Pittman noted that she posed questions regarding the area rate for the Hubbards Recreation Centre. Specifically, she questioned if a mistake had been made in assessing residents east of the Ingram River. She circulated a fax from the Finance Division indicating that Councillor Mitchell had, after discussions with the Division, concluded that the charges were correct.

Councillor Mitchell reviewed the complications associated with this matter and advised that staff has been instructed that if they receive calls from the taxpayers in the area in question, they be advised not to pay this area rate. In the event they do pay it, he will ensure that they receive a credit.

Bryce Reid, Millwood referred to the need for bus shelters in the Millwood Drive

area. Councillor Barnet advised that he had made a request through Metro Transit for a bus shelter at the intersection of Millwood Drive and Canting Drive and Rafting Drive. Staff assessed but did not feel such an installation was warranted. Due to cuts in the Transit budget neither of the two shelters for the district were installed but he will make the request again this year.

Mr. Reid referred to the difficulty both school and transit buses have turning from Highway 1 into Millwood. This is a very sharp corner and he proposed repainting of lines to direct traffic as far as possible to the right or a turning lane be made. Councillor Barnet assured Mr. Reid that staff is working on the problem. Lines are being painted and it is proposed that stop bars be pulled back, so that traffic at the intersection will stop further back thus leaving room for the buses to turn. He noted the problem relates to the fact that the intersection was not originally designed for traffic lights.

Referring to this same corner, Mr. Reid has been advised that the Housing Commission sold a commercial property and a residential lot to the same purchaser. He expressed concern that this residential lot may be changed to commercial. Councillor Barnet and Ms. Ryan assured Mr. Reid that no application has come through staff for a rezoning. There is no provision in the MPS to allow rezoning to Commercial.

Mr. Reid asked whether the design for Millwood Commons has been received. He noted that work was to commence on the project in June and the building season is now about over. He would like to have the designer and his supervisor attend the residents meeting, Monday at Millwood Elementary School. There are a couple of things proposed that the residents are not happy with and they wish discussed. The community wishes to have a say in the final plan. Up to now they have not met with the designer, just representatives of the Housing Commission and staff.

Councillor Barnet understood the design was completed just recently and reflected the majority opinion of the committee established to look at the development. If any changes were made by the designer, which the community feels inappropriate, changes can be made. He invited Mr. Reid to see the plans following this evening's meeting. Councillor Barnet will invite the designer to Monday's meeting.

Theresa Scratch referred to the deeding of the three lots on Boxwood Crescent to the HRM. She questioned if these lots had been solicited from the Housing Commission and being soft would they be usable. Councillor Barnett replied that neighbours in the vicinity of the lots had requested the land be deeded to HRM to be developed into a passive park/playground/tot lot. While the land would not be

suitable for construction of a structure, it could be used for these purposes. Councillor Barnet hoped that the land in question would be calculated to satisfy the parkland requirement for the Boxwood Crescent area, not be considered in the formula of the 5% parkland requirement for the whole community. The correspondence to be sent to the Minister of Housing and Municipal Affairs, is meant to clarify the situation.

Maureen Bartlett expressed concern that Public Hearings are not advertised in the Daily News. She had hoped to speak on the subject of the proposed smoking ban at Regional Council, but missed the opportunity as the newspaper she reads does not advertise HRM notices. She expressed the desire that public notices be placed in the Daily News.

Since she missed the public meeting, she had prepared a written submission for next Tuesday's Council meeting. Copies were provided to the Councillors in attendance and for the Mayor and balance of Regional Council. Of particular concern to her was the inclusion of 'home' in the list of locations in staff's report. Councillor Harvey indicated that he had asked for this point to be clarified and assured Ms. Bartlett that no reference to homes or private cars is contained in the proposed by-law.

Mr. Musler requested clarification as to the number of lots staff calculates being affected if the recommendation to amend the R-1 Zone development standards for the Land Use By-law for the Hammonds Plains, Upper Sackville, Beaverbank plan area to 6000 sq. ft. lots with 60' of frontage in instances where both water and sewer services are available.

Ms. Ryan noted that based on staff's studies, 127 lots could be created under the present standards, while the new standards would permit the creation of another 27, for a total of 134.

15. **NEXT MEETING** - Thursday, October 9, 1997 at 7:00 pm,
Sunnyside Mall, Bedford.

16. **ADJOURNMENT**

On motion of Councillor Rankin, the meeting adjourned at approximately 8:30 p.m.

Lynne Le Boutillier,
Assistant Municipal Clerk