

NORTH WEST COMMUNITY COUNCIL

MINUTES

OCTOBER 23, 1997

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

ALSO PRESENT: Thea Langille-Hanna, Planner
Andrew Whittemore, Planner
Sandra Shute, Assistant Municipal Clerk

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1. **INVOCATION**

The meeting was called to order at 7:00 p.m. with an Invocation at Brookside Junior High School, 2239 Prospect Road.

2. **APPROVAL OF MINUTES**

MOVED by Councillors Mitchell and Kelly to approve the Minutes of meeting held on September 25, 1997 as circulated. MOTION PUT AND PASSED.

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

Additions: Correspondence dated October 14, 1997 from Mary Ann Lordly re a Civic Address for her cottage at Five Island Lake

Membership - North West Transit Advisory Committee - Councillor Mitchell
Installation of Hidden Driveway Sign - Councillor Rankin
Correspondence from Gertrude Parker School - Councillor Harvey
Truck Traffic - Hammonds Plains Corridor - Councillor Kelly

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

4. **BUSINESS ARISING OUT OF THE MINUTES** - None

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **File No. ZA-FEN-07-95 - Request by Remo Pizzo to amend the R-1 (Single Unit Dwelling) Zone development standards for the Land Use By-law for Hammonds Plains, Upper Sackville, Beaver Bank (Planning Districts 15, 18 and 19) Plan Area**

A decision on this application was deferred from the September 25 and October 9, 1997 meetings.

Councillor Kelly stated this has been an issue of substance in the community and, at this time, there was debate as to whether or not to proceed with water and sewer as proposed

as support was required from the area. The more homes there were would mean that the cost would be spread further across the board.

MOVED by Councillors Kelly and Rankin to support staff's 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 Districts 15, 18 and 19) Plan Area to 6000 sq. ft. lots with 60' of frontage in instances where both water and sewer services are available. MOTION PUT AND PASSED 4-1.

7.2 **Approval of Area Advisory Committee Member for Plan Review for Districts 15, 18 and 19**

MOVED by Councillors Barnet and Kelly that Colleen Fisher from the community of Upper Sackville be appointed to the Area Advisory Committee for the Plan Review for Districts 15, 18 and 19. MOTION PUT AND PASSED.

8. **PUBLIC HEARINGS** - None

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None

10. **REPORTS**

10.1 **Application No. 7511 - Request by Stewart Dow to Discharge Lot 11 and a Portion of Lot 6-B from the Indian Lake Golf Course Development Agreement**

A Staff Report dated September 19, 1997 together with a Memorandum dated October 2, 1997 on behalf of North West Planning Advisory Committee was before Community Council. The recommendation from Planning Advisory Committee was for approval of the application.

Thea Langille-Hanna, Planner provided an overview of the Staff Report and advised that the application was considered a non-substantial amendment and did not require a Public Hearing.

The Chair advised he understood that residents within 500' had the opportunity to speak if they wished. He asked if the residents within 500' had been notified by letter to which Ms. Langille-Hanna replied yes. The Chair then called for speakers who wished to speak on the application. There were no speakers for or against the application.

MOVED by Councillors Mitchell and Rankin to approve the partial discharge agreement for the Indian Lake Golf Course attached to the Staff Report dated September 19, 1997 to allow the discharge of Lot 11 and portion of Lot 6-B (shown

as Parcel B) from the Indian Lake Golf Course Development Agreement. This would allow the owner to create a new residential lot and increase the area of Lot 6-B in accordance with the existing zoning. Further, to require that the amending agreement shall be signed within 120 days, or any extension or discharge thereof by Council upon the request of the applicant, from the date of final approval by Council; otherwise, this approval will be void and obligations arising hereunder shall be at an end. **MOTION PUT AND PASSED.**

10.2 **APPOINTMENTS/RE-APPOINTMENTS TO NORTH WEST PLANNING ADVISORY COMMITTEE**

MOVED by Councillors Kelly and Mitchell to re-appoint Aileen McCormick, Theresa Scratch and Ann Merritt to North West Planning Advisory Committee for a two-year term ending October 31, 1999. Further to appoint Dave Gordon as a representative from District 22, to replace Betty Stacey, for a two-year term ending October 31, 1999. **MOTION PUT AND PASSED.**

Councillor Kelly confirmed that he did not wish to make any appointments for District 21 until the Staff Report requested is available.

10.3 **RATIFICATION OF EXPENDITURES - LANDFILL FUNDS**

MOVED by Councillors Barnet and Kelly to ratify the expenditure of \$5,500 for Northwood Satellite Adult Day Program (Sackville) - Start Up Grant from the unallocated interest on the landfill funds. **MOTION PUT AND PASSED.**

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Request for Civic Address**

A letter dated October 14, 1997 from Mary Ann Lordly concerning a civic address was before Community Council.

MOVED by Councillors Rankin and Mitchell to request Department of Transportation and Public Works to install a street sign indicating Huck Finn Road where there is none existing now, in the location outlined in the letter. **MOTION PUT AND PASSED.**

12.2 **Membership - North West Transit Advisory Committee**

MOVED by Councillors Mitchell and Kelly to remove Gary McAvoy as a member of Transit Advisory Committee as he is unable to attend meetings due to a schedule conflict. MOTION PUT AND PASSED.

Councillor Mitchell indicated he would be seeking a replacement for Mr. McAvoy.

12.3 Installation of Hidden Driveway Sign

MOVED by Councillors Rankin and Kelly to request the installation of a hidden driveway sign at or near the northern point on Route 3 in Timberlea north of Royal Oaks Subdivision. MOTION PUT AND PASSED.

12.4 Gertrude Parker School

A letter dated October 10, 1997 from Mr. Hatcher, Principal, Gertrude Parker Elementary School relating to a request for various signs and crosswalk/crossing guards was before Community Council. He requested that the request be sent on to Glen Pellerin, Traffic and Planning, who is currently working on this issue.

MOVED by Councillors Barnet and Mitchell to proceed as requested. MOTION PUT AND PASSED.

12.5 Truck Traffic - Hammonds Plains Road

Councillor Kelly advised that he has received numerous complaints with respect to 18 wheelers coming from the container pier and looking for alternative routes and with the use of jake brakes. He asked that a Staff Report be prepared as to what are the current rules and truck routes, what are the options should Council wish to change the rules, how to handle the enforcement of current routes in place and charge where appropriate, how to handle the increase of traffic flow, the use of jake brakes and to basically deal with this nuisance.

It was agreed that both Regional Operations and Police Services should be contacted in this regard.

The Chairman pointed out that part of Hammonds Plains Road would be under the jurisdiction of the RCMP. In reply, Councillor Kelly agreed and suggested that Councillor Rankin might wish to comment on the upper portion but he knew there was considerable truck traffic on the lower portion. The road in question was from Sobeys at Mill Cove in Bedford to Sobeys on Highway 103.

Councillor Rankin agreed to extend the request to cover that portion of road up to Lucasville which would involve the RCMP and Department of Transportation and Public Works.

MOVED by Councillors Kelly and Rankin to proceed as requested by Community Council. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Walker Regan, Sackville Rivers Association raised the following points:

- C He expressed appreciation for the walkway bridge across the Sackville River in Bedford and advised he has received nothing but favourable comments.
- C He asked the status of a Topsoil By-law Enforcement Officer. In reply, the Chair advised that this was covered by the current environmental service with no particular individual to cover the Topsoil Removal By-law.
- C He asked if there was any progress with the missing signs over the Little Sackville River. In reply, the Chair advised he was not aware of any change.

Ms. Mary Lynn Saturley advised that last January PROBE held a public meeting where the public expressed concern that the Regional Development Agency was pursuing the development of a recycling park in an area called Western Common. PROBE advised there was no support for the development of such a park and, as a result, the LDA passed a motion that the RDA should no longer pursue this. The LDA has continued to investigate this and made representation to the Municipality in the context that there is no public support. She requested that Councillors Rankin and Mitchell go back to the RDA and advise that there is no public support.

Councillor Mitchell, in reply, advised that he would ask for a copy of the report that would have been received by the RDA and request an update.

Councillor Rankin as well, replied that he would have Ms. Saturley's comments forwarded to the Western Region Needs Assessment Committee, which was the committee that would mandate under Regional Council. He was not a member of RDA or LDA but was satisfied there was no focus whatsoever on recycling aspirations in that area; however, if the intent was that the possibility should be excluded, that could also be conveyed to them. The terms of the study have yet to be determined and it would be a major study when it takes place. Inasmuch as this was prompted by the RDA and LDA, he said they may be

well advised to vet the final draft of the Terms of Reference for the study through the LDA, where they could revisit what commitments they have made in the past.

Ms. Saturley said that what she was asking for was help in ensuring the concerns of the community are filtered through.

Councillor Rankin said he took Ms. Saturley's point.

Ms. Sandy Staziolous asked if there has been any type of study on the existing environmental situation at the Otter Lake landfill site so that in the future the Community Monitoring Committee would have a base line from which to evaluate the changes that will occur, or are not occurring, especially with respect to the runoff into Nine Mile River.

In reply, Councillor Rankin advised that it was part of submissions to Department of Environment pursuant to obtaining a permit to build. There would subsequently be a permit to operate. The proponents have to submit base line data that is satisfactory to Department of Environment to measure against.

Ms. Staziolous asked if it would be possible to get a copy. In response, Councillor Rankin said he did not think there would be a problem but would take it to the Community Monitoring Committee and ask the Committee to provide assurance of base line data and get back to Ms. Staziolous with a reply.

Ms. Staziolous said she understood there was building taking place already. Councillor Rankin said, in reply, it was the mandate of the Community Monitoring Committee to measure performance against the base line and publish Newsletters from time to time on the performance of the proponent. Ms. Staziolous then asked for copies of the Newsletters to which Councillor Rankin agreed to check with the Committee as to when they would be published.

Ms. Staziolous asked if the Community Monitoring Committee was an interim committee to which Councillor Rankin replied it was a formal committee recognized by Council. While it was interim, it was interim in time.

Ms. Staziolous referred to appointment of PROBE members to the Community Monitoring Committee, advised that two names had been put forward for appointment from PROBE. She said she did not want to see appointments from PROBE two years from now when it was too late to do anything about what was happening at the present time. She felt that PROBE members should be appointed immediately.

Councillor Rankin provided information on the contract with Mirror and the fact that the committee was included in the contract with the representation stated. The contract was approved by Council. He understood the Mayor has requested membership from PROBE

and acknowledged the letter sent from PROBE which was dealt with at Solid Waste/Resource Advisory Committee. Pursuant to the contract, the committee would be broadened at the time of operation where the base line would certainly be used, when it was relevant. The interim committee would have the enabling authority to oversee even the construction of the facility and any amendments to the design work. PROBE representation would be considered at the first opportunity but that does not preclude other nominations coming forward for the broadened committee that would be in place for January 1, 1999. There would be community representation in any event and someone from PROBE could be on the committee, but wearing several hats but would be members of the community. He pointed out that the community would be HRM wide at that time.

Ms. Staziolous stated that PROBE was willing to work in conjunction with the others and PROBE would not put forward a name of someone from PROBE who would try to fight and turn everything around. The biggest concern was the two-year construction period during which time damage could result to the environment which would cause extra costs. PROBE cared. She acknowledged the contract but asked if it was written in stone that someone from PROBE could not join the committee at this point in time and participate as any other member.

Councillor Rankin replied that the contract was a legal document and the request from PROBE came after. The first opportunity would be the broadened committee after January 1, 1999.

Ms. Staziolous said she was asking that the Community Monitoring Committee watch the building process the whole way along as she was concerned that if something happened to the environment during construction, the landfill might not be able to open.

Councillor Rankin requested that the concerns expressed be forwarded on and that a reply to her comments and concerns be provided.

Ms. Staziolous further stated that when names were put forward for membership, PROBE put forward hers and Mary Lynn Saturley's name; however, both were rejected. She believed the rejection was because they were PROBE representatives. In reply, Councillor Rankin advised that he and the Mayor would do what they can to have people from the community, who are also members of PROBE, on the permanent committee but all representatives would be community representatives, with no special status given to any interest group other than the community at large.

Councillor Mitchell added that rejection may have been because of points as the appointments were made by the point system.

Councillor Barnet pointed out that Regional Council appointed the committee and it would be Regional Council who would appoint the final committee as well. This discussion lies with Regional Council, not Community Council.

Councillor Rankin said he would put his best efforts forward, if it was felt to be helpful to the process, of inviting them to speak at the next meeting of the Community Monitoring Committee, probably within the next two to three weeks.

Mr. Wayne MacPhee raised the following points:

- C He asked the cost of the foot bridge over the Sackville River in Bedford, bearing in mind the cost of Beck's Brook in Cole Harbour. In reply, Councillor Kelly advised the cost was approximately \$60,000 which included not only the bridge but the work required adjacent to it.
- C He asked the project cost of the soccer field in Upper Sackville. In reply, Councillor Barnet advised that different alternatives were being considered at this time but the most it would cost was \$5-600,000, depending on the type of surface.

There followed discussion on the pros and cons of synthetic fields, particularly with regard to maximum use of fields.

- C He asked if there would be a deficit in the budget this fiscal year that would have to be carried forward. He was told that the budget was on track.
- C He expressed concern re hidden costs for recreational facilities which would not reflect the true recovery cost. An example would be telephones. The Chair explained that it depended on accounting procedures but understood that a report was being brought forward in the near future regarding recovery costs and accounting for them. The Clerk was requested to check with the Commissioner of Community Services as to a time frame for the receipt of the report.
- C He asked why the issue of an Auditor General has not been taken to Regional Council for discussion. In reply, Councillor Kelly advised that the Audit Committee has not come back with a report as yet. Mr. MacPhee stressed the importance, in his opinion, of an Auditor General to keep a check on the budget. He asked Community Council to consider reintroducing this matter to Regional Council. The Chair pointed out that Regional Council decided to first do an audit of the operation of HRM which has turned into a service review and which is just beginning. He felt that Regional Council has focused on that rather than the on-going independent audit. After the service review, it might be possible for an independent audit process. Mr. MacPhee said he could not understand why a decision has not been made on the Auditor General; it would not disrupt the process but would protect the

taxpayers. Councillor Rankin said the question of an Auditor General was worthy of debate but was not a minor decision. At this time, there was a considerable amount of money committed to service review and service review was an element of what the Auditor General would do - examine value for money. Mr. MacPhee then asked for a preliminary estimate of the cost of an Auditor General. It was agreed to request a preliminary estimate of the cost of an Auditor General, in addition to the external audit, from the Commissioner of Corporate Services.

Ms. Aileen McCormick expressed concern that school children were coming to the door selling items to raise funds with no identification. She had contacted school representatives but nothing has been done and she asked if Community Council could write a letter in this regard pointing out safety issues. It was agreed to write a letter to the School Board in this regard.

15. **NEXT MEETING** - Thursday, November 13, 1997
(Annual Meeting and Election of Chairman)
636 Sackville Drive, Lower Sackville

16. **ADJOURNMENT**

On a motion from Councillor Mitchell, the meeting adjourned at 8:20 p.m.

Sandra M. Shute
Assistant Municipal Clerk