

**NORTH WEST COMMUNITY COUNCIL**

**MINUTES**

**JANUARY 22, 1998**

THOSE PRESENT:       Councillor Barnet, Chair  
                          Councillor Kelly  
                          Councillor Harvey  
                          Councillor Mitchell  
                          Deputy Mayor Rankin

ALSO PRESENT:        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 in Unit 202, Mezzanine Level, Sunnyside Mall, Bedford.

2. **APPROVAL OF MINUTES - JANUARY 8, 1998**

**MOVED by Councillor Mitchell and Deputy Mayor Rankin to approve the Minutes of meeting held on January 8, 1998 as circulated. MOTION PUT AND PASSED.**

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

Added Items:            Report from Committee of the Whole re Captain John Gorham Boulevard  
                             Request for Staff Analysis and Review of Street Lighting Conditions - Beaver Bank - Councillor Barnet  
                             Request from Soccer Community for North West Community Council to have an Advisory Committee re Recreation

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

4. **BUSINESS ARISING FROM THE MINUTES**

4.1 **Capital Projects - Allocation of Funds to Community Council**

Committee of the Whole, having met to consider proposed Capital Projects for the five Districts within the North West area, recommended to Community Council that Community Council recommend to Regional Council approval of the proposed Capital Projects as follows:

District 19 - \$43,500  
District 20 - \$43,000  
District 21 - \$43,370  
District 22 - \$43,000  
District 23 - \$43,000

**MOVED by Councillors Mitchell and Kelly to accept the recommendation of Committee of the Whole and forward same to Regional Council. MOTION PUT AND PASSED.**

4.2 **Resignation from North West Planning Advisory Committee**

A letter of clarification was received from Anne Marie Kelly, who had indicated she was resigning as Chair of North West Planning Advisory Committee. Clarification was to the effect that Ms. Kelly's intent was to resign both as Chair and a member of the Committee.

**MOVED by Councillors Kelly and Harvey to accept the resignation. MOTION PUT AND PASSED.**

A letter of appreciation will be sent to Ms. Kelly as per the direction from Community Council at the last meeting.

In reply to the Clerk's question as to whether or not a replacement should be sought at this time, it was agreed to wait until the report regarding the status of PACs is received, which was expected in February.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

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

8. **PUBLIC HEARINGS** - None

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

10. **REPORTS**

10.1 **Blasting Concerns, Hammonds Plains - Vernon Kynock Property**

A Staff Report dated January 7, 1998 was before Community Council indicating staff's position as to why there were no prosecutions.

**MOVED by Councillor Kelly and Deputy Mayor Rankin to accept the report since staff has clarified the areas of contention, the province is pursuing one charge and it is in the province's hands at this time. MOTION PUT AND PASSED.**

10.2 **Appointment to Membership Selection Committee**

**MOVED by Councillors Kelly and Mitchell to accept the recommendation of Committee of the Whole and appoint Deputy Mayor Rankin as North West**

**Community Council's representative on the Membership Selection Committee.  
MOTION PUT AND PASSED.**

**10.3 Request for Update - Walkway Construction - Judy Avenue to Sackville Drive**

Councillor Barnet requested that a Staff Report and update be requested on the acquisition of land and construction of a walkway between Judy Avenue and Sackville Drive where there currently exists a walkway that does not belong to HRM, which is over a sewer easement, is unpaved and is creating problems in the winter.

**MOVED by Councillors Harvey and Kelly that the report be requested. MOTION PUT AND PASSED.**

11. **MOTIONS** - None

12. **ADDED ITEMS**

**12.1 Report from Committee of the Whole re Captain John Gorham Boulevard**

A report dated January 22, 1998 from Committee of the Whole, including an attachment of a letter dated January 19, 1998 from Department of Transportation requesting reconsideration of Community Council's choice of Captain John Gorham Boulevard and asking for submission of a new name for the road, was before Community Council.

Prior to dealing with the report, the Chair provided background information ranging from the request by Department of Transportation, the process of selecting a name and the subsequent recommendation up to the situation as it stands, including the present controversy over the name and the request from Department of Transportation to reconsider. He read the letter from Department of Transportation dated January 19, 1998 in this regard. He then outlined the contacts made to members of Community Council.

Councillor Barnet advised that with regard to the request from Department of Transportation to reconsider, Committee of the Whole made the following recommendation to North West Community Council, at its meeting held on January 20, 1998:

THAT, AFTER RECONSIDERATION, THE NEW CONNECTOR WILL NOT BE NAMED CAPTAIN JOHN GORHAM BOULEVARD BUT THAT DUKE STREET AND GLENDALE AVENUE MEET AT THE MIDDLE OF THE OVERPASS OVER HIGHWAY 102, WITH THE NEW SECTION OF THE ROAD ON EACH SIDE RETAINING THE DUKE STREET/GLENDALE AVENUE DESIGNATION RESPECTIVELY. FURTHER, THAT THE STATUS QUO REMAIN WITH REGARD TO THE RENUMBERING OF

## THE CURRENT STREETS.

Councillor Barnet said he expected that this recommendation would likely satisfy Department of Transportation, the business interests in the area and those who have concerns with the name "Captain John Gorham Boulevard".

The Chair asked if Community Council would agree to Public Participation on this item at this time. It was agreed.

### Public Participation on Captain John Gorham Boulevard

John Tillman, Metropolitan Avenue, Lower Sackville referred to Community Council's Invocation wherein a portion consisted of "courageous in the face of difficulty". With that in mind, he stated that Dan Paul's version was a false representation of facts and he wanted to advise Community Council what John Gorham did and who he was. He read a passage from an original book written by an early historian and advised what Capt. John Gorham had accomplished.

Mr. Tillman went on to say that he was not afraid of Dan Paul, natives or special interest groups and if Mr. Paul had a legitimate claim, it would be a different story but Mr. Paul had no fact behind his claim to force a Council and a community to change the name. He was aware that Community Council members were getting calls to stay the course and people he talked to also agreed. He asked Community Council to live up to the "courageousness in the face of difficulty", stay the course and they would be surprised and send a strong, clear message. He pointed out that the letter from Department of Transportation did not say that the name had to be changed.

Tony Edwards, Bedford said he had opposed the name on another basis but, having read and heard some of the media, he felt Department of Transportation should be heavily condemned for running scared and should show some courage. He added that when John Gorham died in England, he was there with the purpose of trying to arrange a peaceful settlement of what was going on in Nova Scotia.

Ms. Rosemary Godin, 24 Baker Drive, Lower Sackville advised she had spoken to Dan Paul who indicated he was not just speaking for himself but for a culture. There were only four names that they found offensive - Cornwallis, Amherst, Lawrence and Gorham. In her opinion, if the road had to be renamed, she was suggesting Andrea King's Way or a variation thereof and explained her reasons for the suggestion. She also suggested names of other women in the community and provided a written submission in this respect.

Ms. Maureen Bartlett asked if the province planned on going around Nova Scotia and change names of roads since a lot of them were named for ancestors. She suggested that

the only way to go about it might be to rename the roads as "Politically Correct 1", Politically Correct 2" and so on because someone would be bound to find fault with a new name.

Ms. Theresa Scratch referred to the Gorham descendants and whether or not the whole truth would ever be known in the newspapers. She asked if anyone was going to acknowledge that by changing the name, there would be an admission that Gorham was the murderer some claim him to be.

Mr. Edwards suggested that further information and research could be obtained from the University of Michigan at Ann Arbor.

Mr. Tillman requested that the issue be put on hold so that more research and public input could be obtained.

The Chair pointed out that the selection of a name was a motion of Community Council and questioned whether or not there would have to be a Notice of Rescission. This would mean that no decision could be made tonight.

**MOVED by Councillors Kelly and Mitchell to bring the Notice of Rescission forward for the next meeting.**

The original motion passed was:

MOVED by Councillors Kelly and Barnet to accept the recommendation of Committee of the Whole and advise Department of Transportation that the new controlled access highway - Bedford/Sackville should be named "Capt. John Gorham Boulevard".

Councillor Harvey said he felt the recommendation for consideration tonight separated the historical from the political so that Community Council could deal with the political aspect tonight and the historical discussion could continue as long as people wanted to discuss it. Over the last few days, he had come to feel that there was no desire to have the road become a road of controversy and attract that kind of attention to the community, deserved or not and, as well, it would bring a certainty to the businesses along the road as to what their address is. He had also heard from a member of the Gorham family who indicated they did not want the family name to become an object of continued controversy publicly although they were not ashamed of their ancestor. He stated, however, that if there was a procedural question that could be challenged, it would mean waiting until February 12.

Councillor Kelly advised that if Community Council as a whole agreed, then the rules could be suspended.

Deputy Mayor Rankin referred to the media coverage on this issue and subsequently advised that he would support whatever Councillor Harvey wanted to do but acknowledged this was not an easy issue.

Councillor Mitchell also expressed support for Councillor Harvey.

Councillor Barnet acknowledged that this was a complex matter which encompassed the native issue, the business community, those in favour of keeping the Gorham name. What offended him the most, however, was the fact as a result of discussion in the community by Mr. Paul and others, when it was decided that the name was no longer suitable, Department of Transportation requested that Community Council reconsider the name. The number of days that went by from when Department of Transportation got their first call to when they sent the letter was only five or six. Whereas, when Community Council sends many letters regarding the quality of service, current issues, health and safety of the people who live and work in the area and drive on the roads, Department of Transportation does not act in a few short days like it did with this issue, which means absolutely nothing to most people and does nothing to save anyone's life. It proved that Department of Transportation had the ability to make decisions quickly if they wanted.

Councillor Barnet went on to acknowledge that there would be controversy if the name stays but it would last for a period of time; however, he was concerned about the business interests, least concerned with what name goes there and offended with the breakneck speed by Department of Transportation in this matter.

Councillor Kelly said he has also received calls from the business community who had asked for reconsideration. He pointed out there has been a John Gorham Lane in Bedford for about seven years with no debate.

**MOVED by Councillors Kelly and Harvey to suspend the Rules of Order.**

On a call for the question, the Chair voted against the motion; therefore, because it would have to be a unanimous vote, the matter would have to be dealt with on February 12.

**MOTION DEFEATED.**

Councillor Kelly requested that the business interests be advised that the issue is on hold until February 12.

The Chair referred to treatment by editorial cartoonists on this issue, which he found offensive and provided further information on same.

**12.2 Request for Staff Analysis and Review of Street Lighting Conditions -**

### **Beaver Bank**

Councillor Barnet advised he had received a request from a resident of the Beaver Bank area for consideration of a review and improvement to the street lighting conditions in Beaver Bank. He referred to the recent fatality in the community and outlined the information received from the resident as to the state of the lighting at this time. The request was for staff to go out and review the street lighting situation along Beaverbank Road in light of the recent accident and in light of the number of close calls.

**MOVED by Councillors Kelly and Mitchell to request that staff carry out a review of the lighting situation along Beaverbank Road. MOTION PUT AND PASSED.**

### **12.3 Request from Soccer Community for an Advisory Committee on Recreation**

Councillor Barnet provided background information on the request from the Scotia District Soccer Association that Community Council consider developing an advisory committee to advise with respect to outside fields - a committee with baseball, softball, soccer, football and rugby interests to advise on such issues as policing, field maintenance, scheduling and help in any aspect with respect to their sports collectively. He asked Community Council to consider this request.

Councillor Harvey said that certainly the matter of policing was an important matter. He outlined his concerns in this regard.

Councillor Kelly advised he also supported the idea, particularly with regard to policing but suggested, because school fields were also used, a representative from the School Board could be considered as part of the process.

**MOVED by Councillors Harvey and Kelly to establish a North West Recreation Advisory Committee and request staff to develop the Terms of Reference and possible make up of the committee, which will include a School Board representative, a liaison Councillor and staff liaison. Further, that this committee will be a Sub-Committee of Community Council.**

Councillor Mitchell also spoke in support of the motion.

Mr. Wayne MacPhee, having requested permission to speak, provided information on the difference between recreational and competitive soccer and requested that consideration be given to this when the committee is set up.

**MOTION PUT AND PASSED.**

It was agreed that once the draft Terms of Reference are available, a Committee of the Whole meeting could be held to review them with staff. If members of Community Council had concerns or issues regarding the establishment of the committee or its mandate, they should speak to the appropriate staff person. It was suggested that Jim Naugler was the person to contact.

#### 12.4 **Information Items**

Councillor Harvey made several requests with regard to copies of Information Items being sent to members of the public. The Clerk agreed to do so.

With regard to the letter from Department of Transportation re Safety Concerns on Route 333 - Goodwood/Hatchet Lake/Brookside, Councillor Mitchell advised he would be referring the letter to the Homeowners Associations in the area for comment and would advise Community Council in due course.

With regard to the letter from MLA Bruce Holland re water quantity in the St. Margarets Bay and Tantallon area, Councillor Mitchell advised he has arranged a meeting with MLA Holland and hoped to have a report for the next meeting.

With regard to the Information Report regarding the watercourse - Bedford Place Mall and Union Street, Councillor Kelly requested that the Clerk ascertain when there will be a final resolution as staff indicated they would have to check with Department of Environment and would then report back to Community Council.

With regard to the letter from Kel-Ann Organics re snow removal for Bedford Place Mall, Councillor Kelly advised there was the question of noise aspects behind Bedford Place Mall. He understood from Mr. Pink that there would not be any plowing carried out behind Bedford Place Mall during the night; however, as early as the last storm, the residents indicated snowplows were out at 3:30 a.m. He requested that a further letter be written to Kel-Ann Organics and the Mall expressing displeasure with going against the agreement that there would only be plowing behind the Mall for passage of fire apparatus, until early in the morning.

With regard to the letter from Kel-Ann Organics, Councillor Barnet asked why Kel-Ann Organics would have written to the Water Commission. Councillor Kelly said he thought they meant Regional Operations.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Eric Fraser, 64 Union Street raised the following points:

- With regard to the snowplowing of Bedford Place Mall, he advised that since the parking lot was expanded last year, going along the back of the houses on Union Street, this was the area they were plowing at all hours of the night. Planning staff had been requested, through the MPS, that from now whenever there is something going on with a mall that abuts a residential zone, there should be some kind of sound barrier. The wooden fence along the back of the Mall did not extend through the expanded parking lot and residents were also experiencing a great deal of noise with shoppers and cars. The only recourse was to try to have it controlled.

In reply, Councillor Kelly advised that the commercial development was approved in 1974 by the former Halifax County. If the Mall was being built today, it would require buffering and would not be built to the same standards.

- With regard to the Information Report on the Watercourse - Bedford Place Mall, he advised he took exception to the fact that the report indicated that a storm sewer project had been initiated in 1995 when, in fact, there was no storm sewer system on Union Street except what was put in by the Reddens for their development. He provided further information in this regard and asked that something be done to alleviate the problem. He requested that a further report be prepared.

In reply, Councillor Kelly referred to his request earlier in the meeting to have the final information provided.

Ms. Shirley Towill, 71 Union Street raised the following points:

- She asked if it would be possible to get a legal opinion with respect to the responsibility for the maintenance and upkeep of the ditch behind Bedford Place Mall. By putting the chain link fence between her property and the ditch, the owners of the Mall were saying that the ditch was their property.
- With regard to snow removal on the Mall parking lot, Kel-Ann was plowing at 3:30 a.m. She had no problem with them plowing the main lot or emergency access but they could plow the expanded lot from 7 a.m. and have it done by the time the Mall opens. She suggested looking into whether or not the By-law is written properly.

Councillor Kelly, in reply, asked that with regard to the ditch, Legal staff be requested to provide input and, in terms of the Noise By-law, Legal staff should be requested to provide input on this question as well.

**MOVED by Councillors Kelly and Mitchell to request the reports as indicated.  
MOTION PUT AND PASSED.**

Mr. Wayne MacPhee raised the following points:

- He referred to the Staff Report dated January 10, 1998 re 1996-97 Budget Figures for HRM Aquatic Centres and Sackville Sports Stadium Operating Budget and asked why the Sackville Sports Stadium was being discriminated against. He provided information in support of his question.

In reply, Councillor Barnet advised that Community Services has indicated that major facilities, such as the Sackville Sports Stadium operate on a break-even basis and all other facilities will be treated separately. In his opinion, Sackville Sports Stadium should be treated the same as any other facility and he hoped this year, when the Operating Budget discussions take place, the issue will be addressed.

- He asked the status of the cost estimate for an Auditor General. It was agreed to check.
- He supported two meetings of Community Council per month.
- He asked for clarification with regard to a trip made by the Deputy Mayor to Mexico, which was provided.

Mr. Ron MacKinnon said that one of the goods things about Community Councils was the opportunity for the public to speak. You could not do that at Regional Council. He suggested a full night of public participation.

15. **NEXT MEETING** - Thursday, February 12, 1998  
Wallace Lucas Community Centre, Lucasville

16. **ADJOURNMENT**

On a motion from Councillor Harvey, the meeting adjourned at 8:45 p.m.

Sandra M. Shute  
Assistant Municipal Clerk

