

NORTH WEST COMMUNITY COUNCIL

MINUTES

SEPTEMBER 13, 2001

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

ALSO PRESENT: Angus Schaffenburg, Planner
Andrew Bone, Planner
Sandra Shute, Assistant Municipal Clerk

Regrets: Councillor Brad Johns

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Charles Fenerty Room, Sackville Library, 636 Sackville Drive, Lower Sackville. A Moment of Silence was observed for the victims of terrorist attacks on Tuesday, September 11, 2001 in the United States.

Subsequently, Councillors Harvey and Goucher recounted the experiences and the positive reaction of the community served by North West Community Council as the community was called on to meet special challenges looking after stranded travellers. The Councillors expressed sincere thanks to Police and Firefighters, EMO staff and other HRM staff and to all those volunteers from the community for their acts of kindness.

2. **APPROVAL OF MINUTES**

2.1 **Regular Meeting - May 23, 2001**

MOVED by Councillor Goucher, seconded by Councillor Harvey to approve the Minutes of Regular meeting held on May 23, 2001 as circulated. MOTION PUT AND PASSED.

2.2 **Regular Meeting - July 12, 2001**

MOVED by Councillor Goucher, seconded by Councillor Harvey to approve the Minutes of Regular meeting held on July 12, 2001 as circulated. MOTION PUT AND PASSED.

2.3 **Special Council Session - June 5, 2001**

MOVED by Councillor Goucher, seconded by Councillor Harvey to approve the Minutes of Special Council Session held on June 5, 2001 as circulated. MOTION PUT AND PASSED.

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

Added Items: Paper Mill Lake Advisory Committee under Business Arising Out of the Minutes
10.1.1 - Membership Appointments to Bedford Waters Advisory Committee
Reallocation of Landfill Funds re Upper Sackville Recreation Facility

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

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

4.1 **Annual Review of Paper Mill Lake Advisory Committee**

Councillor Goucher advised that staff and the Committee had met to discuss the issues since the last Community Council meeting. He outlined the changes that had been agreed upon at that time.

Re 2.0 - Composition of the Committee - Would remain the same as the Terms of Reference currently.

Re 1.0 - Purpose (a) - Which starts out "primary purpose to" should be changed to "The Committee shall continue to work towards the preparation and promotion of an awareness program" with the rest to remain the same. Item (e) remains struck.

MOVED by Councillor Goucher, seconded by Councillor Harvey that the Terms of Reference for the Paper Mill Lake Advisory Committee be adopted as amended. MOTION PUT AND PASSED.

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 **Bedford Waters Advisory Committee**

10.1.1 **Jurisdictions**

A report dated July 26, 2001 was before Community Council from Bedford Waters Advisory Committee recommending that an investigation be made to change the boundaries for the responsibilities of the Halifax/Halifax County Watershed Advisory Board, Bedford Waters

Advisory Board and Dartmouth Lakes Advisory Board based on watersheds versus the old political boundaries.

Angus Schaffenburg, Planner provided background information on the request.

MOVED by Councillor Goucher, seconded by Councillor Harvey to request a Staff Report regarding the possibility of changing the boundaries for the responsibility of the waters advisory boards with the purpose to rationalize the boundaries through watersheds and new lines to be drawn rather than political boundaries or Districts. MOTION PUT AND PASSED.

10.1.2 **Appointments to Bedford Waters Advisory Committee**

MOVED by Councillor Goucher, seconded by Councillor Harvey to appoint the following persons to Bedford Waters Advisory Committee for the following terms:

Richard Hattin as a technical representative to be effective immediately with a term to expire November, 2003;

Dr. Don Fox as a technical representative to be effective immediately with a term to expire November, 2004;

Dr. S. Ray as a technical representative effective November, 2001 with a term to expire November, 2003.

With regard to Dr. Ray's appointment, however, should a vacancy come up prior to November, 2001, then Dr. Ray's appointment would take effect then.

MOTION PUT AND PASSED.

10.2 **North West Planning Advisory Committee**

10.2.1 **Case 00371 - Application by Frank Robinson to Rezone 799 Kearney Lake Road (PID #00645846) from RR (Residential Reserve) to SI (Institutional) in order to permit a private recreation facility (i.e. golf academy and driving range)**

A Staff Report dated August 21, 2001 together with a recommendation dated September 6, 2001 from North West Planning Advisory Committee was before Community Council.

MOVED by Councillor Goucher, seconded by Councillor Harvey to move First Reading to consider the rezoning and schedule the Public Hearing for October 25, 2001. MOTION PUT AND PASSED.

10.2.2 Case 00334 - Request by North West Community Council to review rezoning existing subdivision lots at the end of Megan Crescent, Lakecrest Drive, Lylewood Drive and Birch Hill Court to R-1 from MU-2 and consider rezoning adjacent land to R-6 from MU-2

A Staff Report dated June 29, 2001 together with a recommendation dated September 6, 2001 from North West Planning Advisory Committee was before Community Council.

Councillor Harvey indicated that Councillor Johns requested this item be deferred. There might be a time frame still available for the Public Hearing to take place on October 25, 2001. He understood this matter would be on the Agenda for North West Planning Advisory Committee again in October.

MOVED by Councillor Goucher, seconded by Councillor Harvey to defer this matter at this time. MOTION PUT AND PASSED.

10.3 Case 00191 - Application to Rezone 30 Old Sackville Road, Lower Sackville

A Staff Report dated August 21, 2001 was before Community Council.

Mr. Angus Schaffenburg, Planner provided background information leading up to the instruction by Nova Scotia Utility and Review Board for North West Community Council to approve the rezoning.

MOVED by Councillor Goucher, seconded by Councillor Harvey that North West Community Council, as instructed by the Nova Scotia Utility and Review Board, approve the rezoning of 30 Old Sackville Road, Lower Sackville (PID 40010241) from R-1 (Single Unit Dwelling) Zone to C-3 (Commercial Corridor) Zone, as shown on Map 1 attached to the August 21, 2001 Staff Report.

Councillor Harvey indicated his reluctance to second the motion in this regard; however, the motion to approve was as instructed by the Nova Scotia Utility and Review Board. He noted the decision was not in accordance with the wish of the community.

MOTION PUT AND PASSED.

10.4 Sidewalk Tax for Sidewalk Clearing in District 19

MOVED by Councillor Goucher, seconded by Councillor Harvey to defer this item since Councillor Johns is not in attendance. MOTION PUT AND PASSED.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Reallocation of Landfill Funds re Upper Sackville Recreation Facility**

Councillor Harvey explained that funds are left over from four projects at the Upper Sackville Recreation Facility in the amount of \$26,805.63 in total. The idea is to consolidate the amounts into the \$26,805.63 and apply it to the extension of bleachers at the Sports Field in Upper Sackville.

MOVED by Councillor Goucher, seconded by Councillor Harvey that monies in the amount of \$26,805.63 be reallocated from four projects at the Upper Sackville Recreation Facility with leftover funds and applied to the extension of bleachers at the Sports Field in Upper Sackville. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

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

- With regard to the status of the hydrotechnical study of the Little Sackville River, Mr. Schaffenburg provided information on the process that will begin to consider amending both the MPS and Land Use By-law for Sackville to incorporate the necessary amendments. The public participation process will begin but the time frame is not known at this time.
- With regard to Mr. Regan's request for an update on the 60 acres at Second Lake, this is on-going.
- With regard to the watershed management study for the Sackville River, there is no recent information.
- With regard to the stormwater policy for Big Springfield Lake, Mr. Schaffenburg advised that it will be included in the overall watershed management study being done. Subsequently, Mr. Regan expressed his disagreement that this matter should not be included with something else and that the study should be done now.
- With regard to the lots under construction By-law, Councillor Goucher advised that it was being reviewed by the provincial government.

- With regard to fish passage over the dams and the number of dams on Kearney Lake, Councillor Goucher indicated there were actually five dams in the system. He provided information on the stormwater management study done by CBCL for Annapolis. The dams should form an integral part of this. There was some indication that Annapolis may look at fish ladders when conditions improve with the dams. Nothing will happen with the dams until Annapolis finds out if the municipal development boundary can be extended that way.

Councillor Goucher then brought up the whole issue of the dams and the provincial government's mandate to make sure those dams are safe. He asked what would happen on December 31, 2001 when the permits for those dams all expire and Annapolis might decide not to renew the permits. No one seems to know. He understood the province does not have jurisdiction to make them do anything. He suggested that Community Council could write a letter to the province asking for clarification.

MOVED by Councillor Goucher, seconded by Councillor Harvey that a letter be written to the Minister of Environment expressing these concerns and asking for clarification.

As a member of the public, Mr. Regan expressed concern that heritage is being lost one building at a time with the latest the house on Old Sackville Road. He asked if there was a way for HRM to purchase this property. In response, Councillor Harvey advised that staff had been asked to look at the possibility but they were not supportive in terms of future parkland acquisition. Now that the owner has the rezoning, he did not think there was a willing seller. The outbuildings have once again been offered to the Museum property but he did not know the response.

15. **NEXT MEETING DATE** - Thursday, October 25, 2001
Lions Den, LeBrun Centre, 36 Holland Road, Bedford

16. **ADJOURNMENT**

On a motion from Councillor Goucher, the meeting adjourned at 7:35 p.m.

Sandra M. Shute
Assistant Municipal Clerk