

# **HALIFAX REGIONAL MUNICIPALITY**

---

## **NORTH WEST COMMUNITY COUNCIL MARCH 27, 2002 MINUTES**

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

**STAFF:** Mr. Kurt Pyle, Planner  
Mr. Angus Schaffenburg, Planner  
Mr. Paul Morgan, Planner  
Ms. Thea Langille-Hanna, Planner  
Mr. Andrew Whittemore, Planner

---

**TABLE OF CONTENTS**

1. CALL TO ORDER ..... 4

2. APPROVAL OF MINUTES - None ..... 4

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS  
AND DELETIONS ..... 4

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

5. MOTIONS OF RECONSIDERATION - None ..... 4

6. MOTIONS OF RESCISSION - None ..... 4

7. CONSIDERATION OF DEFERRED BUSINESS - None ..... 4

8. PUBLIC HEARINGS - None ..... 4

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS - None ..... 4

10. REPORTS ..... 4

    10.1 Project 00082 - Construction and Demolition (C&D) Waste Management  
        Strategy for HRM: Proposed Amendments to all Municipal Planning  
        Strategies and Land Use Bylaws ..... 4

    10.2 Case 00446 - Appointment of Area Advisory Committee - Brison  
        Developments Limited ..... 6

    10.3 Secondary Planning Strategy for the Community of Wentworth/Bedford  
        South ..... 7

    10.4 North West Planning Advisory Committee ..... 8

        10.4.1 Case 00403 - Application by Noel Fredericks to Amend the  
                Existing Development Agreement (DA-SA-09-90-19) at 1250  
                Sackville Drive to Permit the Expansion of the Used Car Lot  
                (PID#40766180) ..... 8

        10.4.2 Project 00106 - Sackville Drive Secondary Planning Strategy  
                and Land Use Bylaw ..... 8

10.5 Resignation from North West Transit Advisory Committee ..... 10

11. MOTIONS - None ..... 11

---

12.	ADDED ITEMS .....	11
12.1	Range Park - Renaming of Baseball Fields - Councillor Goucher .....	11
12.2	Fencing of Pathways - Councillor Johns .....	12
13.	NOTICE OF MOTIONS - None .....	12
14.	PUBLIC PARTICIPATION .....	12
15.	MEETING DATES .....	13
16.	ADJOURNMENT .....	14

**1. CALL TO ORDER**

Deputy Mayor Harvey called the meeting to order at 7:05 p.m.

**2. APPROVAL OF MINUTES - None**

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

The following items were added to the agenda:

Range Park - Renaming of Baseball Fields - Councillor Goucher  
Fencing of Pathways - Councillor Johns

**MOVED by Councillor Goucher, seconded by Councillor Johns that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**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**

No correspondence submitted, petitions served or delegations heard.

**10. REPORTS**

**10.1 Project 00082 - Construction and Demolition (C&D) Waste Management Strategy for HRM: Proposed Amendments to all Municipal Planning Strategies and Land Use Bylaws**

- A staff report dated March 21, 2002 submitted by Paul Dunphy, Director of Planning and Development Services was before Community Council for consideration.

Mr. Kurt Pyle addressed Community Council and provided a brief overview of the background to these amendments. He went on to briefly review the Discussion section of the March 27, 2002 report. Mr. Pyle noted, using a map of the area, that key to tonight's discussion is that in the Lucasville area, transfer facilities would be permitted in only the mixed use zone while disposal and processing facilities would be permitted only in the Resources Zone. In Sackville C& D facilities would be permitted in industrial designations only and in Bedford in industrial areas only. Mr. Pyle further indicated that all of the locations indicated on the map might not be suitable for C&D facilities in light of the restrictions set out in the siting criteria (i.e. Kearney Lake Road sites).

Mr. Pyle clarified for Councillor Johns the areas on the map in which C&D facilities could be located and also assured him that location of any C&D facility would involve a public process.

Councillor Johns stated, for the record, that any of his residents located in the area of the former Sackville landfill site would be very concerned if they believed a C& D site were going to be located in that area. He indicated that the people of the area believe the 'dump' is closed and, although a C&D facility is different, the sentiment is that they have done their part in terms of handling waste in HRM.

Mr. Pyle went on to stress that the amendments to the MPSs and LUBs were HRM wide in order to achieve a balanced situation.

After a further brief questioning, it was **MOVED by Councillor Johns, seconded by Councillor Goucher that North West Community Council recommend that Halifax Regional Council:**

- (i) move First Reading and schedule a public hearing to consider proposed amendments to MPSs and LUBs within the jurisdiction of North West Community Council;**
- (ii) approve amendments to the Municipal Planning Strategies and Land Use By-laws within the jurisdiction of North West Community Council, as outlined in Attachments II to XI, inclusive, of the March 21, 2002 staff report, to implement HRM's C&D Waste Management Strategy; and**
- (iii) amend HRM's C&D License By-law (L-200) as outlined in Attachment XII of the March 21, 2002 staff report (amendments are shown in italics and underlined) .**

**MOTION PUT AND PASSED UNANIMOUSLY.**

---

**10.2 Case 00446 - Appointment of Area Advisory Committee - Brison Developments Limited**

- A confidential staff report dated March 25, 2002 submitted by Paul Dunphy, Director of Planning and Development Services was circulated to members of Council. Also distributed was a confidential memorandum from Angus E. Schaffenburg dated March 25, 2002 to which was attached the submissions received from interested individuals.

Councillor Goucher addressed Community Council indicating that establishment of an Area Advisory Committee for the Brison Development was required under the Municipal Planning Strategy. Basically, the purpose of the Committee is to sit down with the developer and HRM staff to discuss and document a development they believe to be compatible with the Community.

Referring to the listing of persons interested in serving on this committee, Councillor Goucher indicated that the two names identified as representing the Bedford Waters Advisory Committee would serve in an alternate situation. He went on to request the concurrence of the Community Council to have one additional community representative serve on the Committee, ***to which Community Council agreed.***

Mr. Schaffenburg indicated that the Membership section of the Terms of Reference as contained in Attachment A of the March 25, 2002 staff report would require amendment.

**MOVED by Councillor Goucher, seconded by Councillor Johns that the North West Community Council appoint the following individuals to the Brison Development's Area Advisory Committee:**

**Community Representatives**

**Hugh MacPherson  
Lynne B. Isnor  
Walter Regan  
Maggie Stevenson**

**Bedford Waters Advisory Committee Representative**

**Cedric Pilkington or Rick Hattin**

---

**North West Planning Advisory Committee**

**Tony Edwards**

**Bedford Shaman Wilderness Initiative**

**Shirley Jerram**

**and further that the Membership section of the Terms of Reference for the Area Advisory Committee on the Brison Development be amended to include one additional Community representative.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.3 Secondary Planning Strategy for the Community of Wentworth/Bedford South**

- A report from Mr. Don Lowther, Chair, Bedford Waters Advisory Committee dated March 15, 2002 was before Community Council for consideration. A report from the North West Planning Advisory Committee submitted by Gail Harnish, Admin\PAC Coordinator dated February 25, 2002 was also before Community Council. A staff report dated March 20, 2002 submitted by Mr. Paul Dunphy, Director, Planning and Development Services was distributed to members of Community Council at this evening's meeting.

Mr. Paul Morgan addressed the matter noting the intent this evening was to table the three reports before Community Council. He went on to indicate that a special meeting was proposed for Thursday, April 4, 2002 beginning at 7:00 p.m. to fully consider this matter.

Mr. Morgan provided the following highlights of the process to date for Community Council's information:

- Process commenced in 1998
- A number of developers wanted to develop the lands in question
- Staff believed these lands were appropriate for development, but did not want a piecemeal development
- Staff has some concerns regarding the infrastructure needs of the area and how these would be phased in and how they would be paid for
- Rationale and Objectives for the study were developed
- Public participation process implemented

- 
- Clayton Developments signed a Purchase and Sale Agreement for a portion of the lands in question, consequently, there were revisions to the Community Concept Plan
  - Another round of public participation ensued including review by the PAC and BWAC
  - Draft policy and LUB amendments prepared
  - A financial plan re infrastructure requirements/funding is pending

Mr. Morgan noted that a more detailed review of the plan would be provided at the upcoming special meeting to be held on April 4, 2002.

After a brief discussion and questioning of staff, it was **MOVED by Councillor Goucher, seconded by Councillor Johns that this matter be tabled and that a special meeting be scheduled for Thursday, April 4, 2002 beginning at 7:00 p.m. at the Basinview Drive Community School to further consider the matter.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.4 North West Planning Advisory Committee**

##### **10.4.1 Case 00403 - Application by Noel Fredericks to Amend the Existing Development Agreement (DA-SA-09-90-19) at 1250 Sackville Drive to Permit the Expansion of the Used Car Lot (PID#40766180)**

- A report from the North West Planning Advisory Committee submitted by Gail Harnish, Admin/PAC Coordinator dated February 14, 2002 was before Community Council for consideration.

**MOVED by Councillor Johns, seconded by Councillor Goucher that North West Community Council give Notice of Motion to consider approval of an amending agreement and schedule a public hearing for April 25, 2002 to consider the matter. MOTION PUT AND PASSED UNANIMOUSLY.**

##### **10.4.2 Project 00106 - Sackville Drive Secondary Planning Strategy and Land Use Bylaw**

- A report from the North West Planning Advisory Committee submitted by Gail Harnish, Admin/PAC Coordinator dated March 19, 2002 was before Community Council for consideration. Distributed at the meeting was a document entitled "Sackville Secondary Planning Strategy, March 27, 2002" and a memorandum submitted by Thea Langille-Hanna, Planner and Andrew Whittemore, Planner dated March 25, 2002. In addition the following correspondence was submitted:

- 
- Correspondence dated March 26, 2002 from Dennis and Ruth Baxter re Proposed Planning Strategy and Proposed Sackville Drive re-zoning
  - Correspondence dated March 12, 2002 from Evan and Donna Morgan re Low Density Thoroughfare Zone, OD (Outdoor Display) Cour Zone

Mr. Andrew Whittemore addressed Community Council and briefly reviewed the background to the development of the Sackville Drive Secondary Planning Strategy and Land Use Bylaw.

Ms. Thea Langille-Hanna, Planner, referring to the March 25, 2002, advised that in response to the March 19, 2002 report from the North West Planning Advisory Committee staff had met with four property owners. As a result of those meetings staff is recommending the following changes to the Plan:

- That one area within the Pedestrian Retail Designation is transitional in nature. Policy PR-5, as recommended by staff, would permit the properties between 412 and 476 Sackville Drive (primarily car related uses) would allow these properties to expand to abutting properties by of development agreement
- Recognizing that two property owners are either in the process of selling their property for use as an outdoor display court or acquiring development permits, the following properties be pre-zoned Outdoor Display Court (ODC) zone:
  - < 257 Sackville Drive
  - < 284 Sackville Drive
  - < 344 Sackville Drive

Referring to the correspondence distributed at tonight's meeting, Ms. Langille-Hanna indicated that staff had not had an opportunity to review this correspondence, but would and provide information for the public hearing.

Ms. Langille-Hanna noted that the Sackville Drive Secondary Planning Strategy, as distributed this evening, is in draft form and legal staff have completed their review. The Sackville Drive Land Use Bylaw portion is still undergoing legal review which will be complete prior to advertising for the public hearing. Part 6 and Part 7 of the Sackville Drive Land Use Bylaw are under final review by HRM staff.

In response to a question from Councillor Johns regarding property owner notification, Ms. Langille-Hanna indicated that notification had been sent to all property owners in the stated area and within 200 feet of that area. She indicated that in all 1200 letters of notification had been mailed. Ms. Langille-Hanna indicated that if the Councillor was

---

aware of a property owner who has not received notification, she would be pleased to take the name and ensure proper notification is provided.

**MOVED by Councillor Goucher, seconded by Councillor Johns that the North West Community Council recommends that Halifax Regional Council:**

- 3. Move First Reading and schedule a public hearing for May 7, 2002 to consider:**
  - a) the proposed Secondary Planning Strategy and Land Use By-law for Sackville Drive (Appendix A of the February 20, 2002 staff report);**
  - b) repealing the existing section of the Sackville Municipal Planning Strategy and Land Use By-law that pertain to the Commercial Corridor Designation of Sackville Drive (Appendix B of the February 20, 2002 staff report); and**
  - c) redesignating and rezoning lands within the Sackville Municipal Planning Strategy identified by Map 2 from Commercial Corridor Designation and Commercial Corridor (C-3) Zone to Urban Residential Designation and Multiple Dwelling (R-4) Zone.**
  
- 4. Approve:**
  - a) the proposed Secondary Planning Strategy and Land Use By-law for Sackville Drive (Appendix A of the February 20, 2002 staff report);**
  - b) repealing the existing sections of the Sackville Municipal Planning Strategy and Land use By-law that pertain to the Commercial Corridor Designation of Sackville Drive (Appendix B of the February 20, 2002 staff report);**
  - c) redesignating and rezoning lands within the Sackville Municipal Planning Strategy identified by Map 2 from Commercial Corridor Designation and Commercial Corridor (C-3) Zone to Urban Residential Designation and Multiple Dwelling (R-4)**

Councillor Goucher thanked staff and the Committee for their hard work over the past two years.

**MOTION PUT AND PASSED UNANIMOUSLY.**

---

### **10.5 Resignation from North West Transit Advisory Committee**

- A letter of resignation from Janice Bellefeuille to Mr. Philip Cox, Chairman, North West Transit Advisory Committee was before the Committee for consideration.

**MOVED by Councillor Johns, seconded by Councillor Goucher that the North West Community Council accept, with regret, the resignation of Janice Bellefeuille from the North West Transit Advisory Committee, and further that the Chair write to Ms. Bellefeuille on behalf of the Community Council expressing appreciation for Ms. Bellefeuille's work with the Committee.**

Deputy Mayor Harvey, expressing regret on Ms. Bellefeuille's resignation, noted that Ms. Bellefeuille had been an enthusiastic and valuable member of the Committee.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - None**

**12. ADDED ITEMS**

**12.1 Range Park - Renaming of Baseball Field - Councillor Goucher**

- This matter was added during the setting of the agenda. An e-mail dated March 27, 2002 addressed to Councillor Goucher from Diana McIntyre, Secretary for Bedford Minor Baseball was submitted by Councillor Goucher.

Councillor Goucher noted that the submitted e-mail contained a request from Ms. McIntyre, on behalf of the Executive of Bedford Minor Baseball, that the baseball field contained within Range Park which is presently named the Joan Lenihan field be renamed the Ken and Joan Lenihan field.

Councillor Goucher went on to relate that Joan Lenihan had been an enthusiastic supporter of minor baseball in Bedford before her death. Ken, her recently deceased husband, had been equally supportive of the sport. In light of the contribution Ken and Joan Lenihan made to minor baseball in Bedford, the Executive of Bedford Minor Baseball feel it would be appropriate to rename the Joan Lenihan field to the Ken and Joan Lenihan field.

**MOVED by Councillor Goucher, seconded by Councillor Johns that the North West Community Council recommend that the Joan Lenihan baseball field located in Range Park be renamed the Robert and Joan Lenihan field and that this recommendation be forwarded to the Chief Administrative Officer for action.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

---

## **12.2 Fencing of Pathways - Councillor Johns**

- This matter was added during the setting of the agenda.

Councillor Johns advised the concerns were rising among residents of Lower Sackville with regard to vandalism to homes which are located adjacent to pathways through wooded areas. Councillor Johns requested that staff prepare a report outlining how these pathways were handled in the past. In particular, Councillor Johns requested that staff report as to how these pathways had received fencing in the past. He asked that staff recommend the best method of achieving fencing for these pathways.

## **13. NOTICE OF MOTIONS** - None

## **14. PUBLIC PARTICIPATION**

**Mr. Jim O'Connor, Glow Productions**, addressed Community Council representing the a mobile sign companies of HRM and indicated that he and his colleagues had been working with HRM staff regarding changes to the Sign By-law. Mr. O'Connor outlined the issues to be resolved as contained in his written submission, a copy of which is is on file.

Responding to concerns from Councillor Goucher regarding the lack of conformity with the existing By-law, Mr. O'Connor cited enforcement as critical to the success of the By-law.

Ms. Langille-Hanna advised that it was her understanding the appropriate funding for enforcement was a key component of the proposed changes.

After a further discussion it was **MOVED by Councillor Johns, seconded by Councillor Goucher that, prior to this matter receiving First Reading at Regional Council, the matter be discussed at a Committee of the Whole Council and further that the By-law also be referred to the North West Planning Advisory Committee for comment. MOTION PUT AND PASSED UNANIMOUSLY.**

**Mr. Steve Goucher** addressed Community Council noting that enforcement as it relates to signage has been an issue for a number of years. Mr. Goucher went on to note that the key issues with regard to signage are public safety and clutter. He went on to suggest that third party signs should no longer be permitted.

Mr. Goucher suggested that if the appropriate level of enforcement was in place, illegal signage would not exist. Mr. Goucher indicated that he and his colleagues were proposing an appropriate setback to ensure public safety and appropriate separations to reduce clutter.

---

In response to a question from Councillor Johns regarding fines, Mr. Pyle indicated that he did not have the specifics with regard to fines. However, staff is aware that enforcement and fines significant enough to discourage the placement of illegal signs are issues.

Deputy Mayor Harvey addressed the matter noting that the key issues appeared to be public safety, clutter and enforcement. He went on to note that Council has instructed staff to come forward with a consistent Bylaw for HRM which addresses these issues.

**Mr. Walter Regan, Sackville Rivers Association**, thanked the Community Council for moving the Sackville Streetscape forward and commended staff on their hard work.

In response to a question from Mr. Regan regarding the possibility of HRM taking Minister Christie up on his offer with regard to the 60 acres in the Second Lake area, Deputy Mayor Harvey indicated that staff is engaged in look at the possibilities and once that information is available a meeting will be held with Minister Christie. The Deputy Mayor indicated that hopefully that meeting will be held within the next few weeks.

The Deputy Mayor further indicated, in response to a question from Mr. Regan, that he was not aware of an update regarding Mr Regan's request to use the Watershed lands in the plans for the Sackville River Watershed.

Noting that capital/operating funding for HRM trails were not at the level expected, Mr. Regan asked if there was any way of increasing that funding.

Deputy Mayor Harvey indicated that the Capital/Operating Budget for 2002-2003 has been approved and unless increased funding is available within that approved budget, no further monies will be allocated.

In response to a question from Mr. Regan regarding the status of Paper Mill Lake Dam, Councillor Goucher advised that a meeting had been recently been held with Ministers Tibbo and Christie. He indicated that although there was no resolution to the matter, the meeting provided an opportunity for an exchange of issues. Councillor Goucher went on to note that a petition, containing 2000 names, is circulating. The petition is in essence against any in filling of Moir's Pond.

Councillor Goucher noted that the dam has continued to deteriorate. The Province has a temporary permit (one year) in place with regard to the dam and must report quarterly with regard to the condition of the dam. A report must be filed with the Department of Transport at the end of the one year period regarding the safety of the Dam and how they intend upon repairing the dam. If that report is not forthcoming, the Department of Transport can order the dam dismantled and the land reclaimed. In essence the lake

---

will disappear. Councillor Goucher indicated that loss of the lake is a very remote possibility.

Referring to the in filling of Moir's Pond, Councillor Goucher indicated that information is pending regarding the wildlife habitat and the migrating bird issue.

**15. MEETING DATES**

A special meeting of the North West Community Council will be held on Thursday, April 4, 2002 to consider the Draft Secondary Planning Strategy for the Community of Wentworth/Bedford South. The meeting will begin at 7:00 p.m. and be held at Basinview Drive Community School.

The next regular meeting of the North West Community Council will be held on Thursday, April 25, 2002 beginning at 7:00 p.m. at the Lions Den, Bedford.

**16. ADJOURNMENT**

The meeting adjourned at 8:35 p.m.