

**NORTH WEST COMMUNITY COUNCIL**

**MINUTES**

**JULY 11, 2002**

THOSE PRESENT: Deputy Mayor Robert P. Harvey, Chair  
Councillor Len Goucher  
Councillor Brad Johns

ALSO PRESENT: Barry Allen, Municipal Solicitor  
Wayne Legere, Coordinator, Public Works & Transportation  
Kevin Warner, Development Officer  
Rosemary MacNeil, Development Officer  
Andrew Bone, Planner  
Sandra Shute, Assistant Municipal Clerk

**TABLE OF CONTENTS**

1. Call to Order ..... 4

2. Approval of Minutes

    2.1 Regular Meeting - May 23, 2002 ..... 4

    2.2 Special Council Session - June 18, 2002 ..... 4

3. Approval of the Order of Business and Approval of Additions and Deletions .. 4

4. Business Arising Out of the Minutes

    4.1 Status Sheet Items

        4.1.1 Setback for Accessory Buildings ..... 4

        4.1.2 Planning Staff - Sackville ..... 4

        4.1.3 Policy P-71, Beaver Bank MPS ..... 5

        4.1.4 Second Access for Lakeview Avenue ..... 5

        4.1.5 Pathway - Riverside Drive ..... 5

        4.1.6 Municipal Golf Course ..... 5

        4.1.7 Environmental Study of Sackville River ..... 5

        4.1.8 Silt in Little Sackville River ..... 5

        4.1.9 Fencing of Pathways ..... 6

        4.1.10 Integrated Vegetation Management ..... 6

        4.1.11 Mapping and Responsibility for Roads ..... 6

        4.1.12 CN Rail Trains at Kinsac ..... 7

        4.1.13 Abandoned Shopping Carts ..... 7

        4.1.14 Mobile Home Park - District 19 ..... 7

        4.1.15 Status Sheet Items - Time Frame ..... 7

5. Motions of Reconsideration - None ..... 7

6. Motions of Rescission - None ..... 7

7. Consideration of Deferred Business - None ..... 7

8. Public Hearings

    8.1 Public Hearings

---

8.1.1	Case 00474 - Land Use By-law Amendments - Shipping Containers .....	8
8.2	Variance Hearings	
8.2.1	Appeal of the Refusal of a Variance - VAR 020221 - 1552 Bedford Highway .....	9
9.	Correspondence, Petitions and Delegations - None .....	13
10.	Reports	
10.1	North West Planning Advisory Committee	
10.1.1	Resignation from Committee .....	13
10.1.2	Replacement of Member on Committee .....	13
10.1.3	Case 00471 - Bedford Municipal Planning Strategy and Land Use By-law Amendment - 14 Doyle Street .....	13
10.2	North West Transit Advisory Committee	
10.2	Resignation from Committee .....	14
10.3	Planning Matter - Municipal Government Act .....	14
11.	Motions - None .....	15
12.	Added Items	
12.1	Reopening of Pyritic Slate Acceptance Facility .....	15
12.2	Outdoor Display Courts .....	15
13.	Notices of Motion - None .....	15
14.	Public Participation .....	16
15.	Next Meeting Date .....	16
16.	Adjournment .....	16

1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. at the Upper Sackville Recreation Facility, 2476 Sackville Drive, Upper Sackville.

2. **APPROVAL OF MINUTES**

2.1 **Regular Meeting - May 23, 2002**

**MOVED by Councillor Goucher, seconded by Councillor Johns to approve the Minutes of Regular Meeting held on May 23, 2002 as circulated. MOTION PUT AND PASSED.**

2.2 **Special Council Session - June 18, 2002**

**MOVED by Councillor Johns, seconded by Councillor Goucher to approve the Minutes of Special Council Session held on June 18, 2002 as circulated. MOTION PUT AND PASSED.**

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

Added Items:            Report from Bedford Waters Advisory Committee re Reopening of  
                                 Pyritic Slate Acceptance Facility  
                                 Outdoor Display Courts - Councillor Johns

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

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

4.1 **Status Sheet Items**

4.1.1 **Setback for Accessory Buildings**

No report.

4.1.2 **Planning Staff - Sackville**

The Clerk was requested to follow up with staff regarding a meeting date.

4.1.3 Policy P-71 - Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy

Councillor Johns indicated that he had talked to George McLellan, Chief Administrative Officer and Mr. McLellan indicated at that time that this would be going forward. He requested that a follow up be sent to Mr. McLellan in this regard.

4.1.4 Second Access for Lakeview Avenue

An Information Report dated July 3, 2002 was before Community Council.

**MOVED by Councillor Johns, seconded by Councillor Goucher to receive the report and table. MOTION PUT AND PASSED.**

4.1.5 Pathway - Riverside Drive

An Information Report dated June 27, 2002 was before Community Council. Parks and Open Spaces staff have reconsidered and have now agreed to close off the path in question.

4.1.6 Municipal Golf Course

No report.

4.1.7 Environmental Study for Sackville River

A recommendation was sent to Paul Dunphy that the environmental study for the Sackville River be included in the next budget for 2003/04. Since it was unknown whether or not the study would be included, it was agreed to send this item on to Regional Council with the same recommendation.

4.1.8 Silt in Little Sackville River

An Information Report dated June 27, 2002 entitled "Regulation and By-laws with Respect to Erosion and Sediment Control" was before Community Council.

Councillor Goucher acknowledged that staff was in the process of developing a Grade Alteration By-law that would be broader and more encompassing for Halifax/Dartmouth at this time. He was concerned that lots over one acre are exempt from the Grade Alteration By-law presently in existence. It is a gaping hole and where a lot of the problem is coming from now.

Deputy Mayor Harvey pointed out that the Information Report indicates that the Topsoil Removal By-law applies to all lots greater than one acre.

Councillor Goucher suggested that, because the Bedford Grade Alteration By-law does achieve that, the other two Councillors might be interested in trying to achieve the same with the Grade Alteration By-law presently in effect in the former County.

**MOVED by Councillor Johns, seconded by Councillor Goucher to recommend that Regional Council consider changing the application for Grade Alteration for the former Halifax County to include all residential development. MOTION PUT AND PASSED.**

#### 4.1.9 Fencing of Pathways

No report.

#### 4.1.10 Integrated Vegetation Management

A follow up will be sent to North West Planning Advisory Committee as to the status.

#### 4.1.11 Mapping and Responsibility for Roads

An Information Report dated July 2, 2002 was before Community Council. Wayne Legere, Coordinator, Public Works and Transportation Services was in attendance and provided an overview of the report.

Councillor Johns advised that Regional Council has started to purchase property for the Upper Sackville connector road. There is also the Beaver Bank ByPass with a long section of road running parallel with the existing Wilson Lake Road owned by one landowner. The Councillor encouraged staff to look at the purchase of that land, approximately 64 acres, because the adjacent subdivision is looking at expanding in the area.

**MOVED by Councillor Johns, seconded by Councillor Goucher to reinforce with staff that there is a need to purchase the property at a reasonable price for the Beaver Bank ByPass in the interests of protecting the corridor. MOTION PUT AND PASSED.**

Councillor Goucher asked that staff provide Community Council with information on who is responsible for a particular section of road throughout the Community Council area - HRM or the province.

In response, Mr. Legere advised that Regional Council gave direction in May to negotiate with the province to try to clear up some of the discrepancies with road ownership. It was

expected to come back to Regional Council in September. Unfortunately, the status quo will remain for the upcoming winter. He agreed to provide the requested information.

#### 4.1.12 CN Rail Trains at Kinsac

Mr. Legere advised that the Mayor held a meeting with representatives of CN and Transport Canada at which time this issue was raised. He explained the difficulties being experienced dealing with CN. Transport Canada has agreed to get back to the Municipality regarding this issue.

Councillor Johns asked if the public should contact Transport Canada and express their concerns to them. In response, Mr. Legere advised he would provide Councillor Johns with the name of the contact person at Transport Canada so that the Councillor could give the name to the residents. This can come off the Status Sheet.

#### 4.1.13 Abandoned Shopping Carts

A report dated June 10, 2002 went forward to Regional Council on July 2, 2002. This item can come off the Status Sheet with the understanding that staff will be dealing with urban and suburban areas of HRM.

#### 4.1.14 Mobile Home Park - District 19

Councillor Johns indicated that at a public meeting held regarding a rate increase for Woodbine Park, he was able to obtain information at that time. This matter can come off the Status Sheet.

#### 4.1.15 Status Sheet Items - Time Frame

Nothing forthcoming.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

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

8. **PUBLIC HEARINGS**

8.1 **Public Hearings**

8.1.1 **Case 00474 - Land Use By-law Amendments - Shipping Containers**

The following items were before Community Council:

- Memorandum from Andrew Bone, Planner dated June 18, 2002
- Memorandum dated June 7, 2002 from North West Planning Advisory Committee
- Staff Report dated May 22, 2002

Andrew Bone, Planner provided an overview of the application with the aid of overheads, including the revisions made when the matter was given First Reading on June 18, 2002 for both the Bedford and Sackville Land Use By-laws. He advised that with regard to Attachment 2 of the Memorandum dated June 18, 2002 regarding Sackville, Section 3 re 4.11A(a) should not include the words "or commercial". These words were included in error.

Councillor Johns asked what would happen with people who have these shipping containers now if the amendments pass. In response, Mr. Bone advised that if the shipping containers are placed legally, then they are grandfathered and become a non-conforming structure. It is likely that most of them have been placed without permits and, therefore, they will be illegal.

Councillor Johns asked if there will be a review of other areas as well. In response, Mr. Bone advised there are plans to review all urban/suburban areas, including areas where changes are being made now, because further modifications might be required.

The Chair then called three times for speakers for or against the application. There were none.

**MOVED by Councillor Goucher, seconded by Councillor Johns to close the Public Hearing. MOTION PUT AND PASSED.**

**MOVED by Councillor Johns, seconded by Councillor Goucher to approve the amendments to the Land Use By-law for Sackville as shown in Attachment 2 to the Memorandum dated June 18, 2002 with an amendment that the words "or commercial" should be deleted from Section 3, 4.11A (a) of Attachment 2. MOTION PUT AND PASSED.**

**MOVED by Councillor Goucher, seconded by Councillor Johns to approve the amendments to the Land Use By-law for Bedford as shown in Attachment 1 to the Memorandum dated June 18, 2002. MOTION PUT AND PASSED.**

## 8.2 Variance Hearings

### 8.2.1 Appeal of the Refusal of a Variance - VAR 020221 - 1552 Bedford Highway

A Staff Report dated July 3, 2002 was before Community Council in this regard. Kevin Warner, Development Officer provided the following information to Community Council:

- The applicant applied for a permit to place a deck at the rear of the property - Sunnyside. The existing building is situated 17' from the edge of the Sackville River and it was proposed to extend the deck off the second floor 10' leaving 7'.
- Under the Bedford Land Use By-law, the commercial zone requires 100' from a watercourse and anything closer would require a Development Agreement with regard to any structure. A structure does include a deck.
- Under the Municipal Government Act, a variance may not be granted if it violates the intent of the Land Use By-law. The Variance application was not approved because it violates the intent.

Councillor Goucher stated that the Land Use By-law indicates that a Development Agreement might be possible through the provisions of Policy E-8. E-8 was very specific and does not allow any commercial development to infringe on the 50' zone. There would have to be grounds to proceed with a Development Agreement.

Deputy Mayor Harvey stated that notification of appeal was sent to assessed property owners within 30 meters of the property in question. He called for public input at this time.

Mr. Gary Hurst, spokesman for Bedford Investments, the applicant raised the following points:

- He questioned how the proposed 40' x 10' patio, 7' from the Sackville River and 10' from the ground violates the intent of the Land Use By-law. The Development Officer should have granted the variance because it does not violate the intent.
- To determine the intent, the existing development in the neighbourhood should be considered. Some of it is unattractive and insensitive to the environment of the Sackville River. The By-law was passed to protect the watercourse from unattractive development, not to prevent a patio from being built for the purposes of allowing people to enjoy the river in an attractive setting.
- He referred to the interest in the river by the Sackville Rivers Association. The proposed patio would require no structure on the ground and no excavation of the ground because it is cantilevered from the existing structure. There would be zero impact on runoff.
- He quoted the objectives of the Sackville Rivers Association.
- He referred to the record of permits for permitted development in the area. There have been precedents of permits and development re Section 21(b) after 1991. He submitted pictures.
- On August 5, 1993 a permit was issued to construct the Irving Gas Station and Convenience Store at 1524 Bedford Highway with a retaining wall parking lot

virtually abutting the river. The storage tanks and parking lot are all within 65' of the river.

- The Cellar Restaurant, 1516 Bedford Highway has constructed a 12' parking area and retaining wall measured from the river's edge.
- The Sun Tower, 1550 Bedford Highway is within 26' of the river.
- The Superstore is a sea of asphalt within 21' of the river eliminating the natural habitat of the river in the most commercially aggressive way. He acknowledged there was a Development Agreement for this.
- Cascades Spa built a patio next to the river when the municipal strike was on and HRM never had them remove it.
- He referred to the Canadian Charter of Rights and Freedoms, particularly the decision of the Queens Bench of New Brunswick regarding the City of Fredericton By-law regarding smoking restrictions. He believed Bedford Investments has a remedy under Section 15(1) of the Canadian Charter of Rights and Freedoms. He quoted from same, with the position that the Irving Gas Station was granted a permit, the Cellar Restaurant paving proceeded without a permit and without recourse, the Cascades Spa built their patio without a permit and without recourse and the Superstore paving by Development Agreement all were treated one way and Bedford Investments was being treated another - which was discriminatory.
- Many meetings have taken place since the application was submitted approximately a year ago. In his opinion, many staff feel the patio will be a positive addition. A month ago, Bedford Investments was told it would have to obtain a Development Agreement, a long process, or succeed in the appeal.
- He submitted a Petition with 732 names in favour of the patio.

Ms. Sarkis stated she has been employed by the Riverside Pub since it opened. Customers have been asking for the patio.

Mr. Walter Regan, Sackville Rivers Association asked for comment regarding the other locations that Mr. Hurst referred to.

Councillor Goucher advised it was originally believed that because the Spa is beyond the six month period, there is no available recourse for HRM. He requested input from the solicitor. He acknowledged it is the same type of patio that Bedford Investments wanted to build but the Cascades Spa was built illegally.

Mr. Barry Allen, Municipal Solicitor advised that Legal Services will be looking into the matter to see if it is still possible to take action and have the patio removed at Cascades Spa.

With regard to the Irving Gas Station and Cellar parking lot, Councillor Goucher indicated that he could not comment on either of them. He pointed out that the Sun Tower was built prior to the current planning document. With regard to the Superstore Development

Agreement, it went through massive public consultation. Superstore did not take the construction of the parking lot lightly.

Mr. Regan asked if the supports for the patio would be out of the vertical floodplain. Councillor Goucher could not comment on this issue nor did staff provide comment.

Councillor Goucher asked for input from the solicitor regarding the comments about discrimination. In response, Mr. Allen advised that usually the Courts look at the law itself, which in this case would be the law which permits a minor variance and whether that would violate the Charter, not necessarily the uneven application.

Councillor Goucher asked if the Sackville Rivers Association has taken a positive stance towards Mr. Hurst's comments regarding intent. In response, Mr. Hurst advised he studied their By-laws, objectives and Minutes but did not contact them.

Councillor Goucher advised that he brought this matter up at the Bedford Waters Advisory Committee meeting seeking their input and advice. Bedford Waters Advisory Committee discussed the application and was not in favour of the deck proceeding.

Councillor Johns asked Mr. Hurst what would happen on the deck and what were the hours proposed. In response, Mr. Hurst advised the deck would be available weather permitting when the Pub is open. He quoted the hours it was open. It would be a seating area which just happens to overlook the river.

Councillor Johns asked how close the proposed patio would be to a residence. In response, Mr. Warner advised the closest residence would be the far side of the Superstore parking lot.

Councillor Goucher then raised the following points with regarding to the planning perspective:

- The one thing paramount in all MPS deliberations was the fact that the residents wanted to ensure that the watercourses are protected.
- If Community Council grants a variance for this deck, he believed it would open a floodgate for applications, not only for decks but for other reasons to invade the non-disturbance zone created in the document.
- He acknowledged the fact that Cascades Spa was done without permit and this will be investigated.
- He then made the following motion:

**MOVED by Councillor Goucher to uphold the decision of the Development Officer to refuse the variance.**

Councillor Johns indicated he would second the motion for discussion purposes.

**Seconded by Councillor Johns.**

Councillor Johns indicated he had concerns that Cascades Spa went ahead and did something without even applying for a variance and HRM allowed it to stay and no one has acted upon it. He stressed the need to enforce the By-laws in place. When they are not enforced, it ends up in a situation such as this. If HRM had made Cascades Spa remove the deck, he would not have a problem denying the appeal. There was also the Irving Gas Station and Cellar Restaurant, the status of which was unknown at this time. He pointed out that Sunnyside is further away from the watercourse than Cascades Spa. He suggested that if the appeal is allowed, the applicant could consider closing the patio portion a little earlier taking into account the neighbours. At this time, for these reasons, he was having trouble supporting the motion on the floor.

Councillor Goucher stated that enforcement is one issue but violation is another. The violation will be acted on, if it can be. It was fine to say that one or two things have been done wrong, but he questioned why allow another, all violating the intent. It was up to the Councillors to reinforce the public document.

Councillor Johns pointed out that times change and sometimes you have to adjust. His concern was that the Cascades Spa violation has been known and what is to stop the applicant from doing the exact same thing that Cascades Spa did. He asked if staff had the ability to have the patio removed.

In response, Mr. Warner advised that it would be only within the law. When staff became aware of the Cascades Spa deck, the six month period had gone by where you could charge someone. Staff will look into this again and if there are avenues, they will be taken. Cascades Spa did apply for a permit but there was a municipal strike that summer. Even though the deck has been there for about three years, staff was under the assumption there was nothing they could do.

**MOVED by Councillor Johns, seconded by Councillor Goucher to defer a decision to the next meeting in order to obtain additional information from staff: 1) what can be done about Cascades Spa; 2) obtain clarification on the status of the Irving Gas Station and Cellar Restaurant and whether or not they are in violation.**

When Councillor Goucher expressed concern regarding time frame for the applicant, it was agreed that, if necessary, a Special Council Session could be held to deal with this one issue.

**MOTION PUT AND PASSED.**

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

10. **REPORTS**

10.1 **North West Planning Advisory Committee**

10.1.1 **Resignation from Committee**

A letter of resignation was submitted from Dr. David Perrier from Planning Advisory Committee representing District 20.

**MOVED by Councillor Johns, seconded by Councillor Goucher to accept the resignation of David Perrier with regret. MOTION PUT AND PASSED.**

10.1.2 **Replacement of Member on Committee**

A Memorandum dated June 6, 2002 was before Community Council recommending that Community Council begin the advertising process to replace Terry Churney as a member of the Committee due to non-attendance.

**MOVED by Councillor Goucher, seconded by Councillor Johns to remove Terry Churney as a member of North West Planning Advisory Committee for District 20. MOTION PUT AND PASSED.**

10.1.3 **Case 00471 - Bedford Municipal Planning Strategy and Land Use By-law Amendment - 14 Doyle Street**

A Staff Report dated June 19, 2002 was before Community Council along with a Memorandum dated July 4, 2002 recommending approval. Andrew Bone, Planner provided a revised Map 2.

**MOVED by Councillor Goucher, seconded by Councillor Johns to recommend that Regional Council:**

1. **Give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment 3 of the Supplementary Report dated June 19, 2002 and schedule a Public Hearing for August 20, 2002;**
2. **Approve the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as contained in Attachment 3 of the Supplementary Report dated June 19, 2002.**

**MOTION PUT AND PASSED.**

## 10.2 **North West Transit Advisory Committee**

### 10.2.1 Resignation from Committee

A letter of resignation from Michael Cormier from North West Transit Advisory Committee was before Community Council.

**MOVED by Councillor Johns, seconded by Councillor Goucher to accept the resignation of Michael Cormier with regret. MOTION PUT AND PASSED.**

With regard to the vacancies above for both North West Planning Advisory Committee and North West Transit Advisory Committee, Community Council requested that an advertisement be placed in the newspaper as soon as possible.

## 10.3 **Planning Matter - Municipal Government Act**

Councillor Goucher explained that in April he requested clarification on a planning issue but would again request that staff provide information on whether or not there is anything in the Municipal Government Act that forces or requires the Municipality to undertake new contracts or amended contracts with parties where HRM currently has outstanding breaches of current contracts.

In response, Mr. Allen advised that in the case of the same development, there was nothing in the Municipal Government Act because development applications are judged against policies in the Plan. There are usually no policies in a plan that say there can be a refusal because of a violation of an existing agreement.

Councillor Goucher indicated it appeared that over the next few years there could be very intense development throughout HRM and he suggested it might be beneficial to ask the province to consider a change in the Municipal Government Act to allow this. He asked the municipal solicitor if this would be a positive thing to do.

In response, Mr. Allen advised that if there is a major problem and it relates directly to a proposed amendment, it may make sense to ask for an amendment to the Act to specifically allow a Municipality to turn down a Development Agreement or an amendment to a Development Agreement if a developer is in violation. It is always a question of fact as to whether or not a developer is in violation.

**MOVED by Councillor Goucher, seconded by Councillor Johns to request that Regional Council consider requesting an amendment to the Municipal Government Act with regard to specifically allowing a Municipality to turn down a Development Agreement or an amendment to a Development Agreement if a developer is in violation. MOTION PUT AND PASSED.**

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Reopening of Pyritic Slate Acceptance Facility**

A recommendation was before Community Council dated July 11, 2002 from Bedford Waters Advisory Committee relative to the above.

**MOVED by Councillor Goucher, seconded by Councillor Johns to pass on the recommendation to the Waterfront Development Association with a copy to the Minister of Environment for Nova Scotia. MOTION PUT AND PASSED.**

12.2 **Outdoor Display Courts**

Councillor Johns referred to an earlier Information Report received on banning outdoor display courts. At that time, no action was taken.

**MOVED by Councillor Johns, seconded by Councillor Goucher to request staff to initiate the process to look at the restriction for outdoor display courts from Millwood Drive up to the County line in Sackville and from Millwood Drive/Stokil Drive up to the County line in Beaver Bank. MOTION PUT AND PASSED.**

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Eric Fraser, 328 Beaverbank Road referred to his attendance at an earlier meeting regarding the issue of hunting on his property and to the response received from the Municipal Solicitor. He again expressed his concern about people hunting on his property and indicated that he was asking for a No Hunting By-law so that there would be a by-law for the RCMP and/or Department of Natural Resources to enforce. If a By-law were enacted, then carrying a firearm would then become an offence.

Considerable discussion took place on this issue. Barry Allen, Municipal Solicitor indicated that the problem is in catching people violating the law. It does not matter what the law is - you have to be able to enforce it. With regard to carrying a firearm, regulating of firearms is a criminal matter. There are rules that apply to Mr. Fraser's property - hunting within a certain distance from a residence, no hunting on a railway track. If there is another law saying you cannot hunt in the same places, there is still the problem of catching them, no matter what the law is.

Councillor Johns noted that behind Mr. Fraser's property are acres of woods. When you think of Lower Sackville, you think of a more urban type of area.

Mr. Allen indicated that the former City of Halifax had an old by-law that provided that you could not discharge a firearm within the City limits. This was put in place because people were hunting in the Spryfield area. He noted that you have to see someone shoot the gun. Typically, you hear the gun go off and then look around, could assume that a certain person shot the gun but would not have proof.

Councillor Johns stated he assumed the problem existed prior to Mr. Fraser purchasing the property. The Councillor suggested that the problem may take care of itself as the area starts to build up. Mr. Fraser's house was quite far back from the road and he was making improvements to his property. People in the area were used to not seeing anyone on the property but Mr. Fraser was more visible. The Councillor stated that education and awareness was important and indicated it might be worthwhile to include something in the Beaver Bank Bulletin encouraging people not to hunt near residences.

Mr. Allen noted that the problem was more akin to a rural area. Department of Natural Resources has rules regarding discharging a firearm within a certain distance from a house. Unless you ban hunting in rural areas, there is a problem.

It was subsequently agreed that Mr. Allen would check the by-law from the former City of Halifax and advise for the next meeting as to whether or not something similar could be put in place.

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

- He asked the status of completion of the sidewalk for Millwood Drive. Councillor Johns agreed to check and let Mr. Regan know because Mr. Regan indicated that a portion was supposed to have been completed by the developer.
- He questioned if Sackville was going to be included with regard to the shopping cart issue. In response, Deputy Mayor Harvey advised he understood it was to cover the urban/suburban area of HRM.
- He asked the status of the Unsightly Premises By-law. In response, Councillor Goucher advised it has been approved by the province. It is now possible to go on site of a property under development and remedy the situation.
- He requested a copy of the Storm Water Management Plan for Bedford West when it is available.
- He asked the status of fixing up the dams for fish passage. In response, Councillor Goucher advised this is linked with the Moirs Pond infill, which is still unresolved. He provided information on the temporary permitting of the dams which is being looked into by Department of Environment.

- He asked the status of the 60 acres in Sackville. In response, Deputy Mayor Harvey advised that the lands in question are for the most part First Lake watershed, which the province sees as a separate issue. This is now the subject of discussion between provincial and municipal staff.
- He referred to the proposed Brison Development in Bedford and made comments pertaining to same: 1) the status of a letter from the Mi'Kmaq to Mayor Kelly; 2) a proposed off and on ramp to Jacks Lake versus purchase of the property outright to protect it; 3) the possibility that there could be more petroglyphs in the unexplored portion of bedrock and 4) the possibility of an oversight Committee to protect the petroglyphs.

15. **NEXT MEETING DATE**

Thursday, August 29, 2002

16. **ADJOURNMENT**

On a motion from Councillor Johns, the meeting adjourned at 9:30 p.m.

Sandra M. Shute  
Assistant Municipal Clerk