

HALIFAX REGIONAL MUNICIPALITY

NORTH WEST COMMUNITY COUNCIL MINUTES AUGUST 29, 2002

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

ALSO PRESENT: Sharon Bond, Regional Coordinator, Subdivision/Development
Kevin Warner, Development Officer
Sandra Shute, Assistant Municipal Clerk

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A meeting is scheduled for September 3, 2002.

4.1.5 Setback for Accessory Buildings on R-0 Lots in Sackville

No report.

4.1.6 Policy P-71 - Beaver Bank, Hammonds Plains and Upper Sackville MPS

No report.

4.1.7 Feasibility of Municipal Golf Course

No report.

4.1.8 Environmental Study of Sackville River

Community Council's recommendation to Regional Council was considered at Regional Council's meeting on August 20, 2002. A motion was passed requesting staff to prepare a report addressing the implications of conducting an environmental study of the Sackville River based upon correspondence received from Sackville Rivers Association and respond to the availability of funding for this study through the Harbour Cleanup Project. This item to remain on the Status Sheet until the report is received by Regional Council.

4.1.9 Fencing of Pathways

No report.

4.1.10 Integrated Vegetation Management

The Clerk advised that a presentation was expected to be made by Nova Scotia Power at the October meeting of North West Planning Advisory Committee.

4.1.11 Status Sheet - Time Frame for Items on Same

No report.

4.2 **Grade Alteration By-law**

With regard to Community Council's recommendation to Regional Council from the last meeting re Grade Alteration By-law, on August 20, 2002 Regional Council requested a report regarding the former Halifax County Soil Removal By-law and the means by which to enact a

By-law similar to the Bedford Grade Alteration By-law as a way to address issues of erosion into the Sackville River.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Appeal of Variance Refusal - Bedford Investments Limited, 1552 Bedford Highway, Bedford**

The Public Hearing for this Appeal was held on July 11, 2002. At that time, a motion was on the floor to uphold the decision of the Development Officer to refuse the variance; however, a subsequent motion was passed to defer a decision to the next meeting in order to obtain additional information from staff.

A Supplementary Report dated August 8, 2002 was before Community Council as requested.

Councillor Goucher stated that this was a site-specific application and he had received an opinion from the Municipal Solicitor that it would not be precedent setting because each application would be dealt with on its own merits. There would be a violation of the intent of the Municipal Planning Strategy; however, there were extenuating circumstances in this case.

Councillor Goucher then advised he would withdraw the motion on the floor from the last meeting, with the agreement of the seconder. Councillor Johns agreed, as seconder, to withdrawing the motion.

ORIGINAL MOTION WITHDRAWN.

Kevin Warner, Development Officer provided current drawings of the proposal and then provided an update on the request since the last meeting as follows:

- Bedford Investments did not want an adverse effect on the river and proposed to move the deck further down on the building to eliminate an encroachment on two existing clumps of hardwood trees. The deck would be between the two clumps of trees.
- Bedford Investments provided an undertaking in writing, as per a letter dated August 27, 2002 which was submitted.

Councillor Goucher then referred to the letter dated August 27, 2002 from Bedford Investments and read same. He requested clarification insofar as screening of the deck was concerned as he wanted to ensure there would not be debris going into the river.

Mr. Gary Hurst, Bedford Investments Limited advised the railing will be 42/43" high and there will be plexiglas installed above that to prevent debris going into the river.

Councillor Goucher pointed out that by approving a variance, the applicant would have full leverage. He wanted the proponents to know he was taking their undertakings at their word as there was nothing to fall back on legally.

MOVED by Councillor Goucher, seconded by Councillor Johns to receive the correspondence dated August 27, 2002 to form part of the record and to approve the variance as requested as per the plans and drawings submitted.

Councillor Johns stated it spoke highly of Bedford Investments Limited that they have gone through the process and he acknowledged that Bedford Investments Limited was giving its word on the work they would be carrying out. He acknowledged that concerns expressed regarding the oil tank were being looked after as part of the undertaking.

MOTION PUT AND PASSED.

8. **PUBLIC HEARINGS** - None

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Correspondence**

9.1.1 **Pyritic Slate Operation at Bedford Waterfront**

Councillor Goucher advised that further to the letter dated July 29, 2002 from Waterfront Development Corporation, Greater Homes has provided an undertaking that there will be an agreement between Greater Homes and the Waterfront Development Corporation by September 15, 2002 which means that the waterfront site will be available again for the legal disposal of pyritic slate.

9.1.2 **Lisle Lake Development**

Councillor Johns submitted an e-mail sent by Ann Merritt expressing concern re the new development at Lisle Lake with lots running to the water.

MOVED by Councillor Johns, seconded by Councillor Goucher to receive the correspondence and forward same to George McLellan, CAO as Councillor Johns has had discussion with Mr. McLellan with regard to the Springfield Lake designation and water study and because Lisle Lake is directly fed by Springfield Lake, as this highlights the need for the study. MOTION PUT AND PASSED.

10. **REPORTS**

10.1 **Appointment to North West Transit Advisory Committee**

MOVED by Councillor Johns, seconded by Councillor Goucher that Ronald A. McKinnon be appointed to North West Transit Advisory Committee representing District 20. MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Springfield Lake Beach - Boat Launch**

Councillor Johns explained that directly adjacent to Springfield Lake Beach is a boat launch. He outlined safety concerns with regard to the proximity of the boat launch to the swimming area.

MOVED by Councillor Johns, seconded by Councillor Goucher to forward the concern to Karen MacTavish, Director, Parks and Recreation outlining the concerns and ask for a report regarding solutions, bearing in mind that HRM owns two other pieces of property on Springfield Lake which could be developed into a boat launch. MOTION PUT AND PASSED.

12.2 **Sackville River Floodplain - Bedford MPS Amendment**

Councillor Goucher advised that staff indicated that the intent of some of the environmental policies related to floodplain protection in the Bedford Plan and Land Use By-law such as E-10 have not been properly carried out in the Generalized Future Land Use and Zoning maps. As a result, for example, it was not possible to consider the deck at 1552 Bedford Highway by way of Development Agreement. He provided a map of the area in question to illustrate the area involved - from the lower portion of the river up to the Superstore area.

MOVED by Councillor Goucher, seconded by Councillor Johns to request staff to prepare a report that would provide recommendations on the necessary amendments to the Bedford Plan and Land Use By-law to properly carry out the intent of the environmental policies related to floodplain protection. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

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

- Having asked for an update on the 60 acres at Second Lake, Deputy Mayor Harvey advised that since HRM revoked its interest, staff indicated to the province that they would be waiting to hear what the province will do.
- He asked for an update on shopping carts. It was agreed that the Clerk would follow up as to the current status.
- He asked the status of Policy P-71 and was told that there was nothing to report at this time.

Mr. Don Lowther, Bedford Waters Advisory Committee raised the following points:

- He indicated the road was being constructed now down as far as the brook for Sandy Lake Beach but he did not see a silt fence. Councillor Goucher agreed to follow up.
- Regarding a proposed municipal golf course, he expected to shortly receive information from British Columbia on a similar project there.

15. **NEXT MEETING DATE**

The September 26, 2002 meeting is cancelled. Should there be any urgent items in the near future, consideration will be given to holding a meeting in September, on a date to be agreed upon, and at the call of the Chair. The next regular meeting will be held on October 24, 2002.

16. **ADJOURNMENT**

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

Sandra M. Shute
Assistant Municipal Clerk