

**NORTH WEST COMMUNITY COUNCIL
MINUTES**

February 26, 2009

PRESENT: Councillor Robert Harvey, Chair
Councillor Brad Johns
Councillor Tim Outhit

STAFF: Ms. Karen Brown, Solicitor
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. in the Millwood High School Cafeteria, 141 Millwood Drive, Sackville.

2. APPROVAL OF MINUTES - January 22, 2009

MOVED BY Councillor Johns, seconded by Councillor Outhit that the minutes of January 22, 2009, as presented, be approved. MOTION PUT AND PASSED.

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

- Additions:**
- 11.1 In Camera - Personnel Matter - Citizen Appointments to Boards and Committees.
 - 11.2 Information Item - Community Champion Awards Halifax Mainland North Volunteer Recognition Committee
 - 11.3 Contribution to Lakeshore Curling Club for the National Wheelchair Curling Championships - Councillor Harvey
 - 11.4 Imagine Our Schools - Councillor Johns

MOVED BY Councillor Outhit, seconded by Councillor Johns that the order of business, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Items - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RECISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. HEARINGS

8.1 Public Hearing

8.1.1 Case 01195 - Rezoning of 92 Beaver Bank Road, Sackville

- A report dated January 9, 2009 was before the Community Council.

Mr. Miles Agar, Planner, presented the report. The report may be viewed online at www.halifax.ca/commcoun/nwcc/documents/Case01195.pdf

Councillor Bob Harvey, Chair, reviewed the public hearing procedures; then opened the public hearing calling for any speakers for or against the proposal to come forward at this time.

Councillor Harvey gave the third and final call for speakers; hearing none, it was **MOVED BY Councillor Johns, seconded by Councillor Outhit that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Johns, seconded by Councillor Outhit that the North West Community Council approve the rezoning of 92 Beaver Bank Road from R-1 (Single Unit Residential) Zone to P-2 (Community Facility) Zone as illustrated in Attachment "D" of the staff report dated December 9, 2008. MOTION PUT AND PASSED.

8.1.2 Case 01193 - Bedford Land Use By-Law Amendment

- A report dated January 9, 2009 was before the Community Council.

Mr. Miles Agar, Planner, presented the report. The report may be viewed online at www.halifax.ca/commcoun/nwcc/documents/Case01193.pdf.

Councillor Bob Harvey, Chair, reviewed the public hearing procedures; then opened the public hearing calling for any speakers for or against the proposal to come forward at this time.

Councillor Harvey gave the third and final call for speakers; hearing none, it was **MOVED BY Councillor Johns, seconded by Councillor Outhit that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Outhit, seconded by Councillor Johns that the North West Community Council approve the proposed amendment to the Bedford Land Use By-Law as outlined in Attachment "B" of the report dated January 9, 2009, to rezone PID#'s 00418145, 00418178, 400454678, 40648404, 40054579, 00417873, 00417881 and 41055534 (Civic 337, 341, 343, 345, 353 and 357 Kearney Lake Road and Civic 36 to 54 Gem Lane) from BWCDD (Bedford West Comprehensive Development District) Zone to RR (Residential Reserve) Zone as shown in the revised Schedule "A". MOTION PUT AND PASSED.

MOVED BY Councillor Outhit, seconded by Councillor Johns that the North West Community Council request that staff investigate the options and process required to amend the land use regulations for 345 and 343 Kearney Lake Road in Bedford to reflect the institutional use of 345 Kearney Lake Road. MOTION PUT AND PASSED.

8.1.3 Case 01147 - Twin Brooks Development Agreement

- A report dated January 9, 2009 was before the Community Council.
- An e-mail dated February 15, 2009 from Mr. Gordon Given was before the Community Council.

Ms. Leticia Smillie, Planner, presented the report. The report may be viewed online at www.halifax.ca/commcoun/nwcc/documents/Case01147.pdf.

Ms. Smillie explained a correction had been made to the recommendation outlined on the

staff report dated December 12, 2008 as a decision regarding the development agreement cannot be made until the rezoning matter has been decided and completion of the fourteen day appeal period. Following the appeal period, and any appeals that may be brought forward, a decision may be made on the development agreement.

Councillor Bob Harvey, Chair, reviewed the public hearing procedures; then opened the public hearing calling for any speakers for or against the proposal to come forward at this time.

Public Hearing:

Gordon Given, Sackville

Mr. Given noted that he was not against the development but had concerns in regard to the sewer capacity/flow and traffic impact on Sackville Drive. In response to the traffic matter, Ms. Smillie advised that negotiations were underway in regard to traffic lights and a left turning lane into the subdivision.

Mr. Bergman, Area Resident

Mr. Bergman expressed concern with the following:

- HRM's development process - indicating that the process should be the same across the municipality noting that a similar development was rejected in Dartmouth.
- The proposed development would be an expansion of Millwood, not a separate development. Millwood is a small community and if the development were approved Millwood would increase by an additional 194 homes.
- There is not sufficient infrastructure nor school capacity for this development. Students may have to be bused which would place more buses on the roads.
- People will shortcut through the area from other areas such as Beaver Bank to access the new interchange.
- Storm drains were built for a 1 in 5 year storm which was not sufficient. The water will drain into the Sackville River with increased drainage concerns once concrete is placed. The water level of the Sackville River rises to bridge level at the Bedford Place Mall and the possibility of the baseball field being flooded increases.
- The development would affect Halifax as well as the residents would commute to downtown. Bayers Road is already being considered for widening due to traffic.
- He noted that most developments show a master plan including where the roads would be located but there have only been little bits here and there for this development.

Walter Regan, Sackville Rivers Association

Mr. Regan advised that he was not in support of the rezoning. He suggested the following:

- There should be an HRM retention buffer next to the brook with public access.
- A moratorium on development until the sewer problems are addressed as raw sewer flows into the Sackville River, and homes, after each major rain event.
- Oil grid separators should be installed.
- A \$10,000 lot bond to prevent sedimentation runoff as sedimentation problems in the Little Sackville River have become very difficult.
- A \$50,000 lot bond for charges to cover infrastructure.
- That HRM acquire the lake next to the community lake which will be part of a Regional Park as they are all part of the head water that flows into the Sackville

River.

- That there be stormwater treatment and retention onsite as runoff from hard surfaces is causing the Little Sackville River to dry up more and more.

Gerry Sweet, Area Resident

In response to Mr. Sweet's concern with sewer capacity off Rafting Drive, staff responded that the sewer capacity issue had been reviewed and it was determined that there was sufficient capacity for this development. The Millwood Trunk Sewer will require an upgrade to ensure capacity; additional work will be done offsite and incorporated into the design.

Lochie Jarvis, Trundle Crescent

Mr. Jarvis noted that he has been an eighteen year resident of Millwood and moved there for his retirement as it was a quiet area with a golf course. It is no longer quiet and the golf course is gone. The area will be opened up with an enormous increase in traffic. He expressed concern that people would shortcut to the new interchange increasing the traffic even more. He expressed disappointment that instead of there being no exiting on Rafting Drive there are now three new streets being built.

Charlie Wombat, Area Resident

Mr. Wombat noted that the proposed homes would exit onto Sackville Drive not Millwood and the two subdivisions would be separated by a river. He expressed concern with existing issues such as traffic, schools, water that have to be addressed prior to further development.

Bryce Read

In response to Mr. Read's concerns, the Community Council responded as follows:

- Significant tree cutting has taken place for the Highway 101 interchange.
- The education component would be "as required" with the first school most likely to be an Elementary School. The Halifax Regional School Board has advised that both the Junior and Senior High Schools in the area have capacity to accommodate this development.
- Sidewalks are planned for this development.
- Parkland planning requested a neighbourhood park with site improvements including structures onsite.

Jean Lacoïn, Trundle Crescent

Ms. Lacoïn inquired why there was a bulldozer tearing up ground near the first hole of the former golf course if the development has not yet been approved.

Kevin Marchand (Ramar) and Nick Pride, Speaking on behalf of the Applicant

Mr. Marchand and Mr. Pride provided the following comments:

- The project appeals to the intent of Regional Plan.
- The comprehensive type development strategy would provide the affordability and variety necessary to fill the current void in Sackville. The development fits in well with existing Sackville community and incorporates three existing housing styles.
- The project was proposed five years ago with the vision of multiple density housing; high density was removed from the development in order to stay in keeping with the existing community.
- The rezoning issue has been brought forward as the rear of the property had an

- existing R-1 zoning for single residential as of right.
- Over the next 2 to 3 years, upon approval, development design work will commence and then the implementation of infrastructure. There remains a great deal of negotiation to be done in regard to specific designs, sewer and water etc. keeping within the HRM design standards.
- There will be access out to Sackville Drive. The initial design did not include access to Sackville Drive, however; better access to Margesson Drive and the extensive intersection was necessary for the community. The cost of this change was over \$100,000 with no lot cost return for the developer.
- A 60m buffer along the brook would be very challenging; a 20' ownership to HRM along the brook could be offered.
- The bulldozer onsite was doing cleanup work on a manmade pond that was part of the former Golf course. This was the best time of year to do this type of work and authorization had been received.
- The Development Agreement includes a number of conditions such as stormwater and environmental concerns, traffic and design. A traffic impact study has been done to ensure issues were addressed. There will be a transition from single residential to duplexes to townhouses with design being key. Sidewalks will be included for safe walking.

Councillor Harvey gave the third and final call for speakers; hearing none, it was **MOVED BY Councillor Outhit, seconded by Councillor Johns that the public hearing be closed. MOTION PUT AND PASSED.**

Staff responded to questions of clarification from Community Council as follows:

- 10% of land is required for parkland, however, the parkland indicated is only 2.2% so there will be money in lieu.
- There are no bonds or lot grading required in regard to sedimentation control. This would be a Department of Environment matter.
- Ramar was 60% involved with the two previous phases and will be the primary builder for this phase. Dexter Construction was the road Contractor for the previous phases and plans are to continue working with them.
- The traffic impact study indicated that lights were not necessary at Sackville Drive and the new Interchange as traffic would be best dealt with through a left turning lane.
- The mailout for notification was expanded from the typical 500' to cover the Lively Subdivision and a good portion of Millwood.
- There will be some fencing around the retention pond located close to the parkland.

Councillor Johns clarified that the public hearing was held for both the rezoning and development agreement proposals, however; the decision on the development agreement would be deferred pending the expiration of the appeal period for the rezoning matter.

MOVED BY Councillor Johns, seconded by Councillor Outhit that the North West Community Council approve the rezoning from P-1 (Open Space) to CDD (Comprehensive Development District) Zone as illustrated in Attachment "A" of the staff report dated December 12, 2008. MOTION PUT AND PASSED.

MOVED BY Councillor Johns, seconded by Councillor Outhit that the North West

Community Council request a supplementary report on the Development Agreement illustrated in Attachment "B" of the staff report dated December 12, 2008 and addressing the following concerns raised during the public hearing:

- **parkland designation to be re-examined and consideration given to a tot lot near the townhouse section of the proposed development.**
- **the expanded notification area to be identified.**
- **reference to the policies and plans in place identifying District 19 as a growth area in the Regional Plan.**
- **update and time line on plans for a sidewalk along Sackville Drive.**
- **update and time line for the Margesson Drive / Highway 101 interchange completion.**

MOTION PUT AND PASSED.

8.2 Variance Hearings - NONE

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

9.1.1 Wal-mart Canada Corporation

- A letter dated January 16, 2009 was before the Community Council.

Councillor Harvey noted that a response had been received from Wal-mart Canada in regard to a bus shelter. Councillor Outhit requested that staff respond to Wal-mart and provide the costing information. Councillor Johns noted that the information should also be forwarded to the North West Transit Advisory Committee as the issue originated with them.

9.2 Petitions - NONE

9.3 Presentations - NONE

2. REPORTS - NONE

3. ADDED ITEMS

11.1 In Camera Item: Personnel Matter - Citizen Appointments to Boards and Committees

This item was dealt with at an earlier In Camera meeting and was now before Community Council for ratification.

MOVED BY Councillor Outhit, seconded by Councillor Johns that the North West Community Council appoint the following citizens to the North West Planning Advisory Committee for a two year term to run from March 1, 2009 to March 31, 2011; Mr. David MacLean and Mr. John Zobaric. MOTION PUT AND PASSED.

11.2 Information Item - Community Champion Awards - Halifax Mainland North Volunteer Recognition Committee

Councillor Harvey accepted the information advertising the opportunity for citizens to nominate a volunteer for a Community Champion Award. No further action required.

Councillor Harvey left the chair at 8:12 p.m. Councillor Outhit, Vice-Chair, assumed the Chair at this time.

11.3 Lakeshore Curling Club

MOVED BY Councillor Harvey, seconded by Councillor Johns that the North West Community Council approve a contribution of \$2,000.00 from the balance of the Sackville Community Landfill fund to the Lakeshore Curling Club in support of the National Wheelchair Curling Championship. MOTION PUT AND PASSED.

Councillor Harvey resumed the chair at 8:15 p.m.

11.4 Imagine Our Schools

Councillor Johns expressed concern with comments he has been hearing at the *Imagine Our Schools* meetings. He explained that District 19 was designated a growth area in HRM's Regional Plan and is 1/3 of the way through a visioning process that will map out the community for the next twenty-five (25) years. The Consultant for the Imagine Our Schools project has been indicating that schools will be closed in District 19 over the next ten years as there will not be the population to support them. Councillor Johns advised that he was not in agreement with the proposals put forward by the Consultant and explained that an elementary school is needed in District 19. Councillor Johns requested that HRM Planning staff contact the Consultants of the Imagine Our Schools project to ensure they have the most accurate data in regard to the Regional Plan and growth areas.

Councillor Harvey noted that there would be two more public meetings on this issue to be held on April 7th at Ashley Jefferson School and May 13th at Sackville Heights Junior High School. He explained that he had attended the Imagine Our Schools meeting and learned that six of the ten schools in District 20 would be closed within the next five years.

Councillor Outhit advised that at the meeting he attended, it was announced that Fort Sackville School was in grave condition yet it was not on the list for repair/renovation in the next ten years.

Ms. Thea Langille, Supervisor, Planning Applications, advised that she had been in contact with the School Board and will contact them again in regard to the recent discussions.

MOVED BY Councillor Johns, seconded by Councillor Outhit that the North West Community Council send a letter to the Halifax Regional School Board expressing concern with the recommendations made by the Consultant for the Imagine Our Schools project in regard to school closures for Districts 19, 20 and 21. MOTION PUT AND PASSED.

12. NOTICES OF MOTION - NONE

13. PUBLIC PARTICIPATION

In response to an inquiry by Mr. Water Regan, Councillor Harvey requested that staff provide an update on the Lot Grading By-Law for the March meeting.

In response to Mr. Bryce Read's inquiry concerning turf soccer fields in Bedford, Councillor Outhit advised that he hoped the Rocky Lake group would continue their work to build a field house/soccer and basketball facility and that the new High School/French Immersion School would have soccer fields attached to them.

14. NEXT MEETING DATE - March 26, 2009

15. ADJOURNMENT

The meeting adjourned at 8:29 p.m.

Chris Newson
Legislative Assistant