

**NORTH WEST COMMUNITY COUNCIL  
MINUTES**

**February 25, 2010**

**PRESENT:** Councillor Robert Harvey, Chair  
Deputy Mayor Brad Johns  
Councillor Tim Outhit, Vice Chair  
Councillor Barry Dalrymple  
Councillor Peter Lund

**REGRETS:** None

**STAFF:** Ms. Karen Brown, Municipal Solicitor  
Ms. Krista Tidgwell, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 6:33 p.m. at the Sackville Heights Community Centre, Silver & Gold Room, 45 Connolly Road, Lr. Sackville.

Councillor Harvey welcomed the Governance and District Boundary Review Committee members, as well as, welcomed Councillor Lund to his first North West Community Council meeting.

**2. APPROVAL OF MINUTES - January 28, 2010 & February 2, 2010**

**MOVED by Deputy Mayor Johns, seconded by Councillor Dalrymple, that the minutes of January 28, 2010 and February 2, 2010, be approved, as presented. MOTION PUT AND PASSED.**

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

Additions:

9.1 Deputy Mayor Johns - Area Rate for Implementing a Sidewalk within the Sunset Ridge and Twinbrooks Subdivisions

**MOVED by Councillor Outhit, seconded by Councillor Dalrymple, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.**

**4. HEARINGS**

**4.1 Public Hearings**

**4.1.1 Case 01285: Development Agreement - 96 Pockwock Road**

- A staff report dated January 19, 2010 was before the Community Council.
- An email dated February 25, 2010 from Anne Marie Evans, 11 Pockwock Road, in favour of the Development Agreement application, was presented to the Community Council.

Councillor Harvey reviewed the public hearing procedures.

Miles Agar, Planner 1, Community Development, delivered the presentation to permit a dog kennel at 96 Pockwock Road.

In response to questions raised by Councillor Lund, Mr. Agar advised that the dogs must be inside after 7 p.m. and are only allowed back outside for supervised bathroom breaks. In regard to noise control, the Animal Control Bylaw indicates that barking which exceeds more than 20 minutes will be considered an infraction. Mr. Agar further noted that the Development Agreement requires that the outdoor pens be directly connected to the kennel's building so that the dogs can move from the outside to the inside within a confined area.

Councillor Harvey opened the public hearing, calling three times for any speakers for or against the matter to come forward at this time.

**Christie Mulcahy, 103 Pockwock Road**, expressed concern regarding the number of dogs. She indicated that at a previous meeting, a comment was made that the applicant would not receive approval to have 40 dogs. Ms. Mulcahy further expressed concern regarding the hours of operation during the weekend, noting that the noise from the dogs could be an issue for residents who are late sleepers.

**Ross Evans, 11 Pockwock Road**, noted that the noise from the dogs would not bother him as much as the noise coming from the present truck traffic. He indicated that the business is a suitable location and that he supports the proposal.

**Joyce Evans, 11 Pockwock Road**, also indicate that she is supported Sharon Pelley's business and commented that Ms. Pelley is an industrious hardworking individual. She also agreed that her family will never hear dogs due to the noise from the traffic and does not foresee any problems with having the kennel within the area.

**Sharon Pelley, applicant**, noted that there will be large dog doors, in which the dogs can go between the kennel and the outdoor pens. There will be a ratio of one attendant for every eight dogs and the kennel will never be left unattended. The daycare will be open from 7 a.m. to 7 p.m. Ms. Pelley indicated that there may be some boarded dogs. She noted that the boarded dogs would probably be taken to her home. Ms. Pelley further indicated that she owns both properties on either side of the development, 116 and 88 Pockwock Road. In regard to the weekend hours, there will be an attendant with the dogs from 7 a.m. to 7 p.m. The main reasons dogs bark is usually due to confinement, boredom or when they are playing. Having one attendant for every eight dogs is a way to address the noise control as well as for safety reasons. Ms. Pelley commented that at the present time she does not plan to be open on Saturdays and Sundays. In regard to having 40 dogs at the kennel, this number will be rotating and she does not anticipate having 40 dogs at one time; however, attendants will be onsite to meet the ratio.

Councillor Harvey gave the third and final call for speakers; there being no further

speakers, it was **MOVED** by Deputy Major Johns, seconded by Councillor Lund, that the public hearing be closed. **MOTION PUT AND PASSED.**

**MOVED** by Councillor Lund, seconded by Councillor Dalrymple, that North West Community Council:

1. **Approve the proposed Development Agreement and set out in Attachment A of the staff report dated January 19, 2010 to permit a kennel at 96 Pockwock Road, Hammonds Plains; and**
2. **Require the agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED.**

Councillor Harvey advised that the correspondence submitted by Anne Marie Evans will be entered as part of the public hearing record.

#### **4.2 Variance Hearings**

##### **4.2.1 Appeal of the refusal of Variance #15695 - 317 Shore Drive, Bedford**

- A staff report dated February 15, 2010 was before the Community Council.
- A letter from Mr. James R. O'Hagan dated February 24, 2010 was presented to the Community Council.
- A copy of the presentation submitted by Mr. Roland Leenes, architect for the appellant, was circulated to the Community Council.

Councillor Harvey reviewed the variance hearing procedures.

Mr. Trevor Creaser, Development Officer, provided an overview of the staff report to the Community Council. He noted that along with the garage proposal, the proposed work on the dwelling will also include renovations and an addition to the rear building, which will conform to the requirements of the Land Use Bylaw.

In response to a question raised by Councillor Dalrymple regarding the distances between the properties, Mr. Creaser noted that given the age of the dwelling, there would have been no requirements at the time. Mr. Creaser spoke with the homeowner of 325 Shore Drive and was informed that years ago the dwelling was an old carriage house,

which was later converted to a home. The home owner further indicated that when Shore Drive was first developed, there may have been changes made to the street's right-of-way or the alignment.

In response to a question raised by Deputy Mayor Johns, Mr. Creaser confirmed that the proposed garage would extend beyond the door of the house located at 325 Shore Drive.

Councillor Harvey called for the appellant and any property owners within the thirty metre boundary to come forward if they wish to speak for or against the variance.

**Roland Leenes, architect for the appellants**, indicated that the appellants could not be present for the hearing and noted that they are anticipating starting renovations in August 2010. Mr. Leenes delivered a presentation to the Community Council. During the presentation, Mr. Leenes noted that the garage will be in line with the existing porch and is set back well behind the property located at 325 Shore Drive. There is a dwelling on the other side of the appellants' property, which will be demolished as part of the renovation. With the removal of the dwelling, the set back of the property will increase from five feet to thirteen feet. The neighbourhood is part of Old Bedford and close to the Yacht Club between the railroad track and the Bedford Basin. There are very few original buildings and the majority is in-fill with homes five to six feet apart. Closer to the water, there is an area of old cottages which are right on the property line with zero clearance for side yards. The garage addition will not be visible from the north approach over Shore Drive and will have minimal impact from Shore Drive's southern approach. Mr. Leenes commented that non-conforming side yards are typical for the area. The appellants are concluding that this garage proposal maintains the intent of the Land Use Bylaw and the proposal is reasonable under the circumstances.

Councillor Outhit asked whether consideration was given to build the garage on the side of the property where the dwelling will be torn down. Mr. Leenes indicated that the side yard is only 13 feet and noted that the side yard on the opposite side is larger.

Councillor Lund asked whether consideration was given, as an alternative, to put the garage in behind the house and access it from Shipyard Road. Mr. Leenes indicated that there is a stone wall along Shipyard Road and the property is quite steep, which would not be very effective.

Councillor Harvey confirmed that the Community Council is in receipt of a letter from Mr. James R. O'Hagan of 325 Shore Drive, indicating that he is opposed to the variance.

Councillor Harvey called three times for any further speakers; there being no further

speakers, it was **MOVED by Deputy Mayor Johns, seconded by Councillor Dalrymple, that the variance hearing be closed. MOTION PUT AND PASSED.**

**MOVED by Deputy Mayor Johns, seconded by Councillor Dalrymple, that the North West Community Council uphold the decision of the Development Officer to refuse the request for variance. MOTION PUT AND PASSED.**

## **5. CONSIDERATION OF DEFERRED BUSINESS**

### **5.1 Julian B. Young, Waterstone Neighbourhood Association re: Proposed Connector Road - Margeson Drive (Presentation)**

- A letter from Mr. Julian B. Young, Chair, Waterstone Neighbourhood Association, dated January 21, 2010 was before the Community Council.
- A copy of the presentation entitled "Waterstone Neighbourhood Association Margeson Drive" dated February 25, 2010 was distributed to the Community Council.

Mr. Julian B. Young, Chair of the Waterstone Neighbourhood Association, delivered a presentation to the Community Council, noting that the Waterstone Neighbourhood Association was established in 2004 and its mandate is to represent the interest of the neighbourhood. The Association is located off of the Lucasville Road and there is approximately 160 households within the neighbourhood at present.

Mr. Young indicated that the Margeson Drive road was on the original development plans, which dates back more than 25 years. The road will connect the Highway 101 interchange, cut through the Waterstone community and connect to the Lucasville Road. The road will also be linked with Glen Arbour, Maplewood and White Hills subdivisions. Most of the Waterstone residents were not aware of the proposed Margeson Drive road until the Association raised the matter with them in 2005. As progress is being made to the interchange, the Association has ramped up its efforts to make sure the community understand the positive and negative benefits they will receive from the development of Margeson Drive. The Association has met several times with HRM staff to understand what the issues are and how the road will be built in regard to design. The Association developed an information bulletin that was distributed to every household within the Waterstone community and held an open house. HRM staff was present at the open house to assist with questions.

The Association conducted a community survey to receive the community's input. A majority of residents indicated that they are being well informed. Nearly half of the Waterstone community indicated they were not happy about the road; however, most did not specify that they wanted the Association to oppose the road. The community



instructed the Association to work with HRM staff and Councillors to minimize the negative impacts the road will have on the community and review how best to maximize the positive aspects. There is an option to do a phased construction, where HRM would build the first section of the road from the Highway 101 interchange to Stonewick Cross and the developer would then build the second portion of the road from Stonewick Cross out on to Lucasville Road. The Waterstone community has raised concerns regarding the potential risks of short-cutting, safety, noise, traffic and light pollution with a phased construction.

The Association recommends building the entire road in one single phase, where HRM can work with the developer on a time table or build the road at the developer's cost. The proposed alignment of the road is that Margeson Drive will link to Cranley Road. Most of the homes on Cranley Road are positioned close to the road with open front yards and the Association feels that Cranley Road is unsuitable for the proposed volume of traffic. There is a risk of turning Margeson Drive, a residential street, into a collector road. HRM should give consideration to shift the alignment of the Margeson Drive westward to the adjacent powerline route, which would move the traffic away from the residential street and bring it out onto Lucasville Road and avoid the direct impact on the residents on Cranley Street.

The Association requests that when the road is built, there should be truck restrictions put in place, as well as, enforcement. The road will need to be designed with effective noise and light pollution strategies. The volume of traffic is unsafe for pedestrians to travel up and down the road. The community recently received funding to put in a boardwalk and upgrade the park that is next to the McCabe Lake. Residents are presently able to access the lake on foot. The community expressed concerns regarding school buses stopping on a steep incline near the Stonewick Cross intersection. The community further expressed concern with vehicles stopping at the intersection during the winter months and not being able to get up the hill. The community would like to see warning and roadway signs in place to slow down traffic as vehicles approach the Stonewick Cross intersection. They also feel that Margeson Drive, where it intersects with Stonewick Cross, needs to be engineered to address the steepness of the hill.

The community visioning process has identified active transportation as a priority. The community is requesting that Margeson Drive be built to encourage active transportation with bike lanes across the entire length of the road, not just HRM portions. The community also believes there is merit in exploring a multi-use non-motorized trails.

Mr. Young commented that the designation of Margeson Drive seems to differentiate between a minor and major collector road.

**MOVED by Deputy Mayor Johns, seconded by Councillor Lund, that North West Community Council request a staff report in response to correspondence submitted in regard to Item 5.1 - Waterstone Neighbourhood Association re: Proposed Connector Road - Margeson Drive. MOTION PUT AND PASSED.**

## **6. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

### **6.1 Correspondence - None**

### **6.2 Petitions - None**

Councillor Harvey called upon Mayor Peter Kelly, Chair of the Governance and Boundary Review Committee, to assume the Chair to address Item 6.3.1. Councillor Harvey stepped down as Chair at 7:38 p.m.

### **6.3 Presentations**

#### **6.3.1 Governance and District Boundary Review Committee - Phase 1 Consultation**

- A handout entitled HRM's Governance & District Boundary Review Process was distributed to the members of the Community Council.

Mayor Peter Kelly, Chair, Governance and Boundary Review Committee, welcomed those in attendance and provided a brief background in regard to the Governance and Boundary Review initiative.

The following members of the Governance and Boundary Review Committee were also in attendance: Councillors, Tim Outhit, Barry Dalrymple, Jerry Blumenthal, Linda Mosher and Gloria McCluskey. Regrets had been received from Councillor Reg Rankin and Mr. Wayne Anstey, Deputy Chief Administrative Officer, Operations. Members of staff supporting the Committee and also in attendance were: Ms. Cathy Mellett, Acting Municipal Clerk, Mr. Paul Morgan, Planner, Ms. Sara Knight, Solicitor and Ms. Linda Grant, Administrative Clerk Assistant.

Ms. Cathy Mellett, Acting Municipal Clerk, commenced the presentation outlining the following questions for consideration by residents of HRM as part of Phase 1 of the review process:

- the size of electoral districts
- the role of Councillor
- the powers and size of Community Council and Regional Council

- how Council can best work to serve the citizens of HRM

Mayor Kelly then called for members of the public to come forward with comments/questions.

**Ross Evans, Hammonds Plains**, commented that the number of districts should stay as status quo. He expressed concern that should the size of Council decrease, there would be a need to hire further support staff, which would decrease the opportunity for additional savings.

**Doug Colmer, Bedford**, commented that HRM currently has one Councillor for every approximately 18,000 electors. He expressed concern with Council reducing to 15 Councillors, which would be one Councillor for every approximately 27,000 electors.

**Tom Mardison, Beaver Bank/Kinsac**, asked if Council were to be reduced, whether there would be a definite savings that could be registered and measured.

**Robert Wilde, Lower Sackville**, asked why de-amalgamation was not included as an option.

**Nick Antoft, Lower Sackville**, commented that the Community Council is a reflection of how Municipal politics is supposed to work. Community Councils give residents an opportunity to discuss various issues within their district. He indicated that he does not have the ability to participate in Provincial meetings, nor would he want to. He expressed concern with decreasing the size of Council and whether residents would still have the ability to participate during Community Council meetings. He further expressed that the current system is working and other than doing renovations to the City Hall building, increasing the number of constituents a councillor represents marginally is not a big problem. Mr. Antoft noted that there are some Councillors that are currently sitting on multiple Community Councils, which seems to be a better arrangement because those Councillors would have an understanding of issues for other districts. He commented that the number of Councillors should stay as status quo. He suggested that Community Councils should be given more powers, to decrease time spent discussing matters that would apply to individual communities at the Regional Council level.

**Ross Evans, Hammonds Plains**, commented that the District Boundary Review Committee should keep in mind the areas that are growing the fastest and suggested that Council adjust the numbers to allow for those increases. He agreed that Community Councils could be given more powers. Mr. Evans noted that the number of constituents will increase even if Council keeps the status quo; however, that type of increase is reasonable. He expressed concern that residents have already lost a great

amount of representation when HRM amalgamated.

**Walter Regan, Sackville**, thanked the Governance and District Boundary Review Committee for seeking the public's input. He requested a third Councillor for Sackville and noted that Sackville is currently the third largest community in the Province and should have more representation. He further agreed that the duties and responsibilities of the North West Community Council should be expanded. He suggested aligning the Halifax Regional School Board with HRM as a sub-committee to assist with containing costs. He expressed concern with information in the news suggesting that Council is discussing the option to cease funding for trails. He suggested that HRM increase the trails budget \$5 million per year and noted that building trails is a way to give back to the community. Mr. Regan advised that he is very impressed with the way HRM is paying down the debt and suggested increasing property taxes, which would assist with paying down HRM's debt faster and having more funds available to assist with needs within the community.

**Wayne Desmond, North Preston**, expressed concern that the visible minorities are decreasing and the communities of interest are currently divided. He expressed concern with the black community not receiving effective representation and noted that there are communication issues within his district. Mr. Desmond provided an example regarding the expansion of bridge on Lake Major Road, which will hinder the traffic one way coming into the community of Preston, and indicated that the Rate Payers Association has not been advised of this problem from the local Councillor. He asked, in terms of a community of interest, whether or not an allowance would be made based on communities of interest and the demographics for each community. He commented that the resources are very limited in the Preston area and there is a fair amount of out migration. He noted that conformity is not going to work and indicated that Council needs to appreciate the diversity as it exists in HRM. Allowances have to be made in terms of looking at diversity in all of its aspects. He further expressed concern that if the current districts do not have the proper resources and are not being effectively represented, decreasing Council to 15 Councillors will not help with the black community. He suggested an increase to the wages of Councillors or the School Board and further indicated that residents have no opportunity to provide their input regarding the decisions being made for HRM.

**Anne Merritt, Middle Sackville**, asked whether the Committee gave any consideration to a different structure for Council. She provided an example for the Halton Region of Ontario and indicated that each area has their own councillor and Regional Council is made up of a different group of representatives. She commented that she is not advocating that this would be a good option but noted that residents want to feel that they are being represented. She expressed concern with giving councillors a larger group of constituents and residents feel as though that Councillors will only represent

the area they live in. She suggested having system of Community Councils that would give residents the representation they are looking for and have a representative from each Community Council that would sit on the Regional Council. This would cut down on the numbers at the Regional level but every area would still be fully represented. She indicated that she would like to see this option worked out on paper.

**Valery Gillis, Middle Sackville**, noted that she agrees with Ms. Merritt. She indicated that her concept of Council is what she sees on television, which is not always favourable. She indicated that the Council is very parochial and Councillors are trying their best but whether that has an impact with the camera being on them and issues being brought forward that are pertinent to their district. She suggested that residents could speak to their elected representatives and have one representative from the Community Council that would take residents' concerns to Regional Council. She expressed concern with the way Council is functioning and noted that it is very dysfunctional.

**Wayne MacPhee, Sackville**, noted that Regional Council should be reduced to 12 Councillors with one Mayor, which would have approximately 35,000 constituents per district. He expressed concern with HRM being over governed compared to other jurisdictions of similar size. He noted that HRM does have support staff and asked how many personnel are currently assisting the Councillors. He indicated that by reducing the size of Council, HRM would be in line with most of the other provinces of similar size. Regional Council's 2004 report suggests that HRM is overstaffed. Mr. MacPhee requested clarification as to when Councillors' wages are increased and by what amount. He commented that reducing the size of Council would not save a tremendous amount of money. Mr. MacPhee requested information regarding Councillors' salaries. He noted that Councillors make approximately \$71,000 per year and if this wage is increased yearly, it would be important for residents to know the Councillor's wages to ensure they are receiving the best value for the wages. He suggested having information regarding Councillors' wages available for future meetings. Mr. MacPhee raised concern regarding a potential conflict of interest and asked whether Council should be making the decision on the size of Council. Councillors should not be making decisions that affect their jobs. Information provided to residents is misleading and suggests that Council will be making the final decision regarding Council's size. The information should reflect that Council will be making the recommendation.

**Mavis Taylor, Middle Sackville**, noted that she does not feel HRM should de-amalgamate but HRM should finish the process of amalgamation. She expressed confusion that there are different rules for different areas of HRM based on preexisting 1996 boundaries. She agreed that there seems to be a conflict of interest and even though Regional Council does not make the final decision, Council is putting the recommendation based on information collected by the Committee. She expressed

concern with the video presentation and indicated that the video does not provide enough detail for residents to respond to what size Council should be. The video has a fair amount of propoganda and potential scare tactics. She expressed concern with having to phone her Councillor to have the snow removed from her area. If the districts expand, residents will not be able to get in contact with their Councillor. The Committee is asking residents to assist with finding a solution to a problem that residents should not be responsible to solve. She commented that there is no elected official that is unbiased and the video was in the form of a commercial and commercials are propoganda.

**Paul Hyland, Chair of District Boundary Review Committee for 2003/2004,** commented that this is a difficult process for Council to go through. He noted that the process is not just for HRM, it is part of the Utility and Review Board's mandate, and is province wide. He recommended that Council determine the number of districts first and stay committed to that number. He noted that during the 2003/2004 boundary review, the Committee had a commitment from Council; however, once the decision was finalized, Council thought they had the mandate to proceed with the division of the boundaries. Mr. Hyland noted that discussions around boundaries is when Council will see more community interest and wished the Committee and Council well during this process.

**Wayne MacPhee, Lower Sackville,** recommended keeping the status quo. He expressed concerns with more powers being given to the Community Councils and indicated that certain Councillors can be intimidating. He thanked Councillors McCluskey and Outhit for their efforts during the Dartmouth Terminal and the Bedford Library discussions. He indicated that Council is overspending and that has to stop. Mr. MacPhee expressed concern with HRM's deficit and indicated that Council should not increase taxes but rather lower them.

Mayor Kelly gave the third call for any further speakers, hearing none, he closed the public portion of the meeting. He thanked all members of the public for their comments.

Councillor Harvey resumed the Chair at 8:29 p.m. and the Community Council took a brief recess. The Community Council reconvened at 8:38 p.m.

- 7. BUSINESS ARISING OUT OF THE MINUTES**
- 7.1 STATUS SHEET ITEMS**
- 7.1.1 Burning By-Law**
- 7.1.2 Akerley Boulevard Sidewalk Funding**
- 7.1.3 Sackville Drive Signage Issue**
- 7.1.4 Allocation from Sackville Landfill Fund**

**7.1.5 Extend Water Service Area to Fenerty Road, Springfield Lakes**

**7.1.6 Pine Hill Brook Updates**

**7.1.7 Glen Glendale Avenue/Duke Street Sidewalk**

**7.1.8 Legacy Court Playground**

The Chair indicated that there was no updates to the following items and these would remain on the Status Sheet.

**8. REPORTS**

**8.1 STAFF REPORTS**

**8.1.1 Case 15826: Non-Substantive Amendment - Bedford Waterfront Development**

- A report from the North West Planning Advisory Committee dated February 4, 2010 was before the Community Council.

**MOVED by Councillor Outhit, seconded by Deputy Mayor Johns, that the North West Community Council:**

- 1. Approved the proposed Amendment Agreement, set out in Attachment A of the report dated January 8, 2010, for Site 3.2 of the Bedford Waterfront lands;**
- 2. Require the proposed Amending Agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and any obligations arising hereunder shall be at an end; and**
- 3. Upon expiration of the appeal period for the proposed Amending Agreement, approve the building elevations contained in Map 2 of the report dated January 8, 2010, as being consistent with the intent of the development agreement, as set out in the Existing Agreement.**

**MOTION PUT AND PASSED.**

**8.2 MEMBERS OF COUNCIL - NONE**

**9. ADDED ITEMS**

**9.1 Deputy Mayor Johns - Area Rate for Implementing a Sidewalk within the Sunset Ridge and Twinbrooks Subdivisions**

**MOVED by Deputy Mayor Johns, seconded by Councillor Lund, that North West Community Council direct staff to begin the process of implementing a sidewalk area rate, beginning in the 2010/2011 budget year, on newly created units, constructed after February 25, 2010 that are within the Sunset Ridge and Twinbrooks subdivisions and that the funds generated from the area rate be applied to the construction of concrete curb, sidewalk and storm water along the section of Sackville Drive between Lucasville Road and Margeson Drive.**

Deputy Mayor Johns provided an update to the Community Council. The following was noted:

- there are no residents presently living within the Sunset Ridge and Twinbrooks subdivisions; there is an opportunity for a combined 800 units
- both subdivisions feed out onto Sackville Drive and Sunset Ridge will also feed out onto Margeson Drive
- there is no concrete curb, sidewalk or gutter in the area; the curb presently stops at the Lucasville Road
- having a curb in place would, in effect, put an area rate directly onto the lots that are created; the residents who create the traffic will be funding the concrete curb, gutter and sidewalk extension between Lucasville Road and Margeson Drive

In response to a question raised by Councillor Lund, Deputy Mayor Johns indicated that the Sunset Ridge development was done through a Development Agreement and is a variety of mixed housing types. The area has been designated for two apartment units with 60 units each, single family homes, town houses and semi-detached homes.

Councillor Outhit commented that it is unfortunate that this was not done through a Capital Cost Contribution (CCC) approach or some sort of development cost to the developer. He further noted that it is unfortunate that the home owners are responsible to pay for the extension of the curb, gutter and sidewalk as opposed to the developers.

Deputy Mayor Johns advised that this option would indirectly put the cost back onto the units that will be adding to the traffic. Most people that will move into the area will want



sidewalks in place. It is a good alternative prior to people moving into the subdivisions.

**MOTION PUT AND PASSED.**

**10. NOTICES OF MOTION - NONE**

**11. PUBLIC PARTICIPATION**

**Stephen Thompson, Sackville**, asked whether the access to Sunset Ridge would be coming in off of Margeson Drive or Sackville Drive.

Deputy Mayor Johns advised that there are two ways to access Sunset Ridge. One entrance is already in place, which is directly across the street from the old golf course. The construction is a phased development, which means the developer is only allowed to move forward to a certain point onto Sackville Drive and cannot continue until Margeson Drive is completed. The second access point to Sunset Ridge will be on Margeson Drive.

Mr. Thompson asked whether traffic control will be addressed. Deputy Mayor Johns noted that this issue was addressed when the Development Agreement was approved approximately four years ago.

**Walter Regan, Sackville Rivers Association**, encouraged Council to increase the allowance for trails to \$5 million per year and requested an update regarding the Topsoil Removal Bylaw. The Chair advised that the Topsoil Bylaw is making its way to Council.

Mr. Regan requested an update regarding the purchase of the three properties he had previously asked about during the February Community Council meeting. The Chair noted that Riverside Drive Development Agreement has been extended another three years and he has not received an update regarding the other two properties.

**Valerie Gillis, Sackville**, asked whether the developers are responsible to pay a development fee and what percentage is received by HRM.

The Chair noted that there is a development fee, as well as, permits for which the developer is responsible. He noted that Regional Council is reviewing the possibility of increasing those fees. With large scale developments, where there are capital costs contributions for major pieces of infrastructure, the fee would be a significant amount of money.

**Mavis Taylor, Sackville**, asked why the Deputy Mayor has a mobile sign that is

illegally parked across from the Irving on the Sackville Drive.

Deputy Mayor Johns advised that the sign is owned by HRM and noted that an application was completed to allow for that sign to be placed on Sackville Drive. The Chair further commented that the sign is advertising non-profit community events.

Ms. Taylor requested a status update regarding the construction of Margeson Drive and the Highway 101 interchange. Deputy Mayor Johns indicated that the project for Margeson Drive is presently being headed up by the Province. Although HRM is contributing one third of the cost to construct the road as well as the overpass, the Province is the lead on the construction. The time frame for completion is September/October 2010. Deputy Mayor Johns noted that he has spoken with a representative at the Province who provided him with an update that everything is on schedule.

Deputy Mayor Johns provided further clarification in regard to directions to get onto the Old Sackville Road and Highway 101 from Margeson Drive. He noted that Victory Lane will become dead end road.

**Wayne MacPhee, Sackville**, commented that the Municipal Charter has had certain rules and regulations in regard to attendance of Council and Committee of the Whole meetings. He raised concern regarding a media release indicating a Councillor has missed 16 meetings and asked what action has been taken by Regional Council to address this, whether the Councillor is in violation and if they can be fined.

The Chair advised that the Councillor cannot be fined. The Councillor would have to miss three meetings in a row, unless excused by Council for the absence. Regional Council has the authority to grant permission to the Councillor for their absences.

Mr. MacPhee commented that the number of meetings missed is very excessive. The Chair clarified that the 16 meetings were not in a row. Deputy Mayor Johns further clarified that there are other factors that require a Councillor to be away from Council meetings. He noted that there maybe other related meetings, such as public information meetings, that would require a Councillor to miss a Council meeting. If the Councillor is unable to attend a Council meeting, regrets would be provided prior to the meeting.

Mr. MacPhee expressed concern regarding the financial impact on residents when a Councillor missed meetings. He commented that all financial municipal decisions are made at Regional Council and excuses should not be given for missing 16 meeting. He commented that the media release indicated the Councillor in question has a business and expressed concern with the Councillor's business taking priority and interfering

with Council duties. Mr. MacPhee commented that all members of Council should be present when decisions are being made that impact HRM residents. He asked whether there is a record of the reasons for each missed meeting.

Deputy Mayor Johns clarified that a number of the meetings missed was a combination of Committee of the Whole (COW) meetings, as well as, Regional Council meetings. COW meetings, although there is discussion and debate, decisions are not made at this level, they are brought to Regional Council to be ratified. Under the present HRM Charter there is a requirement to attend Regional Council meetings; however, there is no requirement to attend COW meetings. The majority of missed meetings recorded by the media were COW meetings and not Regional Council meetings.

**Tom Margenson, Chair of the Beaver Bank Kinsac Community Centre**, noted that it has been six months since the loss of the Community Centre. The community is asking for additional space to reconfigure the floor plan, which will increase the cost. Mr. Margenson thanked the North West Community Council for their support and upcoming support within the community as they proceed to Council to start the process of rebuilding the Community Centre.

The Chair thanked Mr. Margenson for his leadership within the community. Councillor Dalrymple further commented that the Monte Carlo Night at the Sackville Heights Community Centre was a sold out and successful event.

**Jackie Casulay, Sackville Heights Community Centre Coordinator**, indicated that the Community Centre's Monte Carlo Night raised \$4,150.00.

**12. NEXT MEETING DATE - March 3, 2010 (if required)  
- March 25, 2010 (regular)**

It was noted that the March 3, 2010 meeting is not required because the Community Council was able to discuss all matters on the February 25, 2010 agenda. The next regular meeting will be held on March 25, 2010 with the location to be announced.

**13. ADJOURNMENT**

The meeting was adjourned at 9:02 p.m.

Krista Tidgwell  
Legislative Assistant

**INFORMATION ITEMS**  
**February 25, 2010**

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1. Approved 2010 Meeting Schedule