

**NORTH WEST COMMUNITY COUNCIL  
MINUTES  
March 25, 2010**

PRESENT: Councillor Robert Harvey, Chair  
Councillor Tim Outhit, Vice Chair  
Deputy Mayor Brad Johns

REGRETS: Councillor Barry Dalrymple  
Councillor Peter Lund

STAFF: Mr. Joshua Judah, Municipal Solicitor  
Ms. Krista Tidgwell, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 7:02 p.m. at the Basinview Drive Community School Cafeteria, 273 Basinview Drive, Bedford.

**2. APPROVAL OF MINUTES - February 25, 2010**

**MOVED by Deputy Mayor Johns, seconded by Councillor Outhit, that the minutes of February 25, 2010, be approved, as presented. 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 Terms of Reference Adjustment

**MOVED by Councillor Outhit, seconded by Deputy Mayor 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**

**4.1.1 Waterstone Neighbourhood Association - Margeson Drive**

- An Information Report dated March 12, 2010 was before the Community Council.
- Letter from Nick Antoff, Chair of the Waterstone Neighbourhood Association, dated March 24, 2010 was distributed to the Community Council.

Deputy Mayor Johns requested the correspondence from Mr. Antoff be forwarded to staff for comments and report back at the next meeting. Item to remain on Status Sheet.

**4.1.2 Sunridge and Twinbrooks Subdivisions Sidewalk Area Rate**

No update received, item to remain on Status Sheet.

**4.1.3 Burning Bylaw**

Don Day, Divisional Chief, Fire and Emergency Services, noted that a new Burning

Bylaw has been prepared and a staff presentation will be given at Regional Council. Once Council has reviewed the presentation, it will go before the Community Council. Item to remain on Status Sheet.

#### **4.1.4 Sackville Drive Signage**

- An Information Report dated March 4, 2010 was before the Community Council.

The Chair requested a copy of the March 4, 2010 Information Report be forwarded to the Sackville Drive Association and requested staff contact the Association to arrange a meeting to discuss available options under the existing Bylaw.

#### **4.1.5 Allocation from Sackville Landfill Fund**

Item completed, removed from Status Sheet.

#### **4.1.6 Extend Water Service Area to Fenerty Road, Springfield Lakes**

No update received, item to remain on Status Sheet.

#### **4.1.7 Pine Hill Brook Updates**

No update received, item to remain on Status Sheet.

#### **4.1.8 Legacy Court Playground**

No update received, item to remain on Status Sheet.

### **5. MOTIONS OF RECONSIDERATION - NONE**

### **6. MOTIONS OF RESCISSION - NONE**

### **7. CONSIDERATION OF DEFERRED BUSINESS - NONE**

### **8. HEARINGS**

#### **8.1 Public Hearings - None**

#### **8.2 Variance Hearings**

##### **8.2.1 Appeal of the refusal of Variance #15926 - 4 Alder Crescent, Sackville**

- A staff report dated March 8, 2010 was before the Community Council.

Councillor Harvey reviewed the variance hearing process.

Mr. Trevor Creaser, Development Officer, Community Development, provided an overview of the staff report to the Community Council.

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.

**Rod Gillis, Sackville**, distributed a handout to the Community Council. The handout consists of the following:

- a copy of Mr. Gillis' Variance Application;
- a copy of the letter from Trevor Creaser, Development Officer, dated March 10, 2010, distributed to residents within the 30 metre boundary area;
- a photograph rendition of what the proposed additions on Mr. Gillis' home will look like upon completion;
- signatures from neighbours within the 30 metre boundary area indicating they have no objection to Mr. Gillis' variance;
- a blueprint of the Mr. Gillis' property with the measurements of his home with the additions; and
- various photographs of Mr. Gillis' home/property and surrounding properties within the neighbourhood and surrounding area

Mr. Gillis advised that he is requesting an additional 18 inches beyond the 3 feet of his variance. He commented that the drawing attached to Mr. Creaser's March 10, 2010 letter is inaccurate. The drawing identifies the property as being 20 feet from the property line to the curb and 15 feet from the proposed additions to the property line; however, when he measured the area the property is 21.4 feet to the curb and 16.4 1/4 feet to the property line. He commented that he does not want his house to look the same as all the other homes in the neighbourhood but has put thought into making sure it fits the area. In regard to the photograph numbered as 15, this is a home Mr. Gillis can see from his house and it is less than 10 feet from Riverside Drive. Photographs numbered from 16 to 18 are all similar properties on Riverside Drive. Photograph 19 is a home that is less than 17 feet from the curb. Mr. Gillis noted there are properties in the area that he would not want his property to resemble.

Mr. Creaser advised that he received a telephone call from the homeowner of 24 Balsam Circle, Lower Sackville, who indicated that they are in favour of 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 Outhit, that the variance hearing be closed. MOTION PUT AND PASSED.**

It was noted that no residents within the 30 metre boundary area had indicated they were opposed to the variance.

Councillor Harvey stepped down as Chair to address the matter and Councillor Outhit assumed the Chair.

**MOVED by Councillor Harvey, seconded by Deputy Mayor Johns, that the North West Community Council overturn the decision of the Development Officer and approve the variance.**

Deputy Mayor Johns commented that Community Council has the ability to overturn staff's recommendation, noting that staff are bound by regulations to present the facts and forward a proposed recommendation based on their review. The Community Council thanked Mr. Creaser for his work on this matter.

**MOTION PUT AND PASSED.**

Councillor Harvey assumed the Chair and Councillor Outhit took his seat.

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

### **9.1 Correspondence - None**

### **9.2 Petitions**

#### **9.2.1 Hammonds Plains Children's Centre**

**Mr. Lutz Kottz, Hammonds Plains**, submitted a petition on behalf of the Hammonds Plains Children's Centre, with 50 signatures requesting that North West Community Council:

1. Extend the 70 km/h zone, which starts just 500 metres east from the corner of Hammonds Plains Road and Yankeetown Road, to include the corner as well as the children's playground, for the safety of the children and parents; and
2. That a sign "Yankeetown Road" be erected coming from Bedford to give enough time to slow down to make the left turn into Yankeetown Road since this has been the cause for several major accidents.

**MOVED by Deputy Mayor Johns, seconded by Councillor Outhit, that North West Community Council accept the petition submitted by Lutz Kottz and refer it to staff for a report.**

The Chair noted that the Community Council could accept the petition from Mr. Kottz, as to Councillor Lund was not in attendance to present the petition.

**MOTION PUT AND PASSED.**

### **9.3 Presentations - None**

**10. REPORTS**

**10.1 STAFF REPORTS**

**10.1.1 Case 01323: MPS and LUB Amendments - Sackville/Sackville Drive**

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

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

- 1. Give First Reading to the proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-law and the Sackville Drive Secondary Planning Strategy and Land Use By-law as set out in Attachments A, B, C, and D of the staff report dated February 16, 2010, and schedule a public hearing; and**
- 2. Approve the proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-law and the Sackville Drive Secondary Planning Strategy and Land Use By-law as set out in Attachments A, B, C, and D of the staff report dated February 16, 2010.**

**MOTION PUT AND PASSED.**

**10.2 MEMBERS OF COUNCIL - NONE**

**11. ADDED ITEMS**

**11.1 In Camera - 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 Deputy Mayor Johns, that the North West Community Council appoint Alan Barnhil of District 20 to the North West Transit Advisory Committee for a two year term to run from April 2010 to April 2012. MOTION PUT AND PASSED.**

**MOVED by Deputy Mayor Johns, seconded by Councillor Outhit, that the North West Community Council appoint Christina Parker of District 23 to the North West Transit Committee for a two year term to run from April 2010 to April 2012. MOTION PUT AND PASSED.**



**MOVED** by Deputy Mayor Johns, seconded by Councillor Outhit, that the North West Community Council appoint David Marrigan of District 23 to the North West Planning Advisory Committee for a two year term to run from April 2010 to April 2012. **MOTION PUT AND PASSED.**

#### **11.2 Terms of Reference Adjustment**

**MOVED** by Deputy Mayor Johns, seconded Councillor Outhit, that North West Community Council revise the Terms and Reference of the North West Transit Advisory Committee and the North West Planning Advisory Committee to provide that representation be reduced to two through attrition for Districts 19, 20 and 21 and that one representative each from Districts 2 and 23 be appointed to the Committees. **MOTION PUT AND PASSED.**

#### **12. NOTICES OF MOTION - NONE**

#### **13. PUBLIC PARTICIPATION**

**Gina Byrne, Sillwater Lake**, asked if the Community Council would be advertising or publicly informing residents within Districts 2 and 23 that they are able to attend North West Community Council meetings. She commented that many residents may not be aware that portions of those Districts have been included under North West Community Council.

Councillor Harvey advised that an advertisement was sent out recently seeking new applications to sit on various HRM Committees. The joining of the portions of Districts 2 and 23 to the North West Community Council became official in January of 2010 and Councillors Lund and Dalrymple have been spreading the word to their constituents within their Districts.

Deputy Mayor Johns clarified that certain planning areas of Districts 2 and 23 remain within their regular Community Councils and only portions of those Districts have been included under the North West Community Council. Councillors Lund and Dalrymple presently sit on the Western Region Community Council and the Marine Drive, Valley and Canal Community Council respectively, as well as, the North West Community Council. He further noted that planning matters for District 1 will still continue through the Marine Drive, Valley and Community Council.

Ms. Byrne expressed concern that many of the Hammonds Plains residents are feeling left out of issues such as policies and procedures, road planning, public participation and the 25 year Regional Plan. She commented that it would be in the best interest of the North West Community Council to include the residents of the Hammonds Plains planning district and get them involved in the public participation. Many residents within

that area are presently fighting road and safety issues and are in the process of forming a business improvement district and chamber of commerce to assist with being included in HRM's future plans.

Deputy Mayor Johns indicated that there was also an article in the Bedford/Sackville Weekly in January of 2010, which covers most of the Hammonds Plains area, regarding Councillors Lund and Dalrymple joining the North West Community Council. He commented that the North West Community Council offers public participation at the end of the meetings and anticipates that residents of Districts 2 and 23 will start attending the meetings.

Ms. Byrne extended the Community Council an invitation to the Hammonds Plains Neighbourhood Association's April 8<sup>th</sup> meeting at 7 p.m. at the Corner Stone Children's Centre.

**Ross Evans, Pockwock Road**, presented a list of signatures in support of the Hammonds Plains Children's Centre's petition submitted by Mr. Lutz Kottz earlier in the meeting. Councillor Harvey noted that the signatures would be attached to the petition. Mr. Evans advised that he has requested an engineering plan for the Pockwock Road intersection, noting that it has not been received at this time. He provided an example of a motorist cutting off pedestrians in the crosswalk. The RCMP have advised that they are unable to enforce motorist from cutting off pedestrians in the crosswalk because it is not adequately painted and there is no warning sign. The RCMP have a request in to repaint the crosswalk; however, Mr. Evans noted that he does not want the crosswalk in its present location.

The crosswalk is on the westside of the light post making it difficult for snow removal and he suggested putting it on the opposite side of the light post. The intersection by Pockwock Road was designed in 1999 to slow down the traffic turning onto the Pockwock Road. He further expressed concern that motorists are failing to stop at the red light at the intersection, making it difficult for him to get out of his driveway. He requested a warring light be installed to warn motorist of the crosswalk on Pockwock Road. Mr. Evans had requested the crosswalk sign be turned a bit so motorist could see the count down time; however, staff advised that the sign is for the pedestrians crossing. Staff also advised that an overhead light could not be installed because there must be more than four lanes. Mr. Evans requested a no right hand turn on red sign, as well as, an illuminated crosswalk at the intersection.

Deputy Mayor Johns requested the Legislative Assistant email staff of Traffic Services to arrange a site visit with Mr. Evans.

Mr. Evans indicated that he has been clearing the snow away from the light post at the crosswalk for many years and requested two years ago that HRM take on this responsibility. He commented that the Western Region Community Council indicated they would clear the snow. Mr. Evans had requested a letter two years ago from the

municipal solicitor, identifying whether HRM would accept liability for him clearing the snow but has never received a response. His lawyer has advised him to stop clearing the snow.

**Dorman Thomas Skinner, White Hills**, asked why the road that runs from the Pockwock Road to Stillwater Lake is being utilized as a controlled access highway section. The road is dangerous and there are problems with heavy truck traffic. He commented that controlled access highways are areas such as Akerley Boulevard, Wright Avenue and Cogswell Street and noted that his area is designated residential with a commercial atmosphere. He request the Community Council contact staff to identify whether the truck bylaws can be enforced. The speed has been reduced on the Hammonds Plains Road from 90 km/hr to 80 km/hr, which is still higher than most residential areas.

Ms. Byrne commented that there is signage at the end of the Karney Lake Road indicating the area is a non-truck route.

Mr. Skinner further commented that the Hammonds Plains Road has well over 20,000 vehicles travelling on it daily. It is difficult for residents within the neighbouring subdivisions to get in and out of their streets.

Deputy Mayor Johns advised that Mr. Skinner's concern is similar to a concern raised by Nick Antoff, Chair of the Waterstone Neighbourhood Association. He requested Mr. Skinner's concerns be forwarded to the RCMP and staff. He further requested this matter be added to the Status Sheet and indicated he would follow up with Mr. Antoff regarding this matter.

**Walter Regan, Sackville Rivers Association**, requested HRM budget \$5 million for trails. Councillor Harvey responded that \$5 million is not in the budget for trails.

Mr. Regan expressed concern with the Sackville River water turning brown during heavy rainstorms, silt being dispensed into the Bedford Basin and homes flooding on Union Street. He requested a status update on the Erosion Control Bylaw.

Councillor Harvey advised that the Bylaw with respect to grading and sodding is coming forward to Council; however, issues involving silt in the River are provincial issues. Staff is working with engineers to try to address flooding within the area.

Mr. Walker expressed concern with a brook near Pine Hill Drive, Sackville becoming a serious erosion site. Councillor Harvey advised that this issue is still on the Status Sheet and requested the Legislative Assistant contact staff for a status update on the Pine Hill Drive brook's design work.

**Joyce Evans, Pockwock Road**, read from a letter she submitted to the North West Community Council and signed by residents of the neighbourhood associations,

indicating they are in support of the Hammonds Plains Children's Centre's petition. She further requested that the Community Council and Traffic Authority support the petition and forward a positive recommendation to Regional Council. She commented that safety measurements should be implemented upon the completion of Margeson Drive.

**Christina Parker, District 23**, provided a letter signed by residents of the area identifying their support for the Hammonds Plains Children's Centre's petition. She also provided a copy of an information report regarding a request for speed limit reduction and traffic lights at Highland Park. She noted the letter has been corrected to include the controlled access portion of the Hammonds Plains Road and reduced the speed from 80 km/hr to 70 km/hr.

Councillor Harvey advised that the letters would be forwarded to staff for their review and comments, to be provided at the next meeting.

Mr. Skinner thanked Deputy Mayor Johns for passing a sign bylaw for the people with residential businesses. He requested the Community Council review the creation of home based businesses along the Hammonds Plans Road. Deputy Mayor Johns noted an option would be to review the possibility of rezoning to a C2 zone, similar to what was done in the Kingswood area. He suggested Mr. Skinner apply for a rezoning. Mr. Skinner commented that staff will not support the rezoning. He has spoken with Councillor Lund on this issue. Councillor Harvey indicated that a change in policy request would have to come through Councillor Lund. Deputy Mayor Johns agreed and suggested Mr. Skinner contact Councillor Lund to discuss this matter further.

**14. NEXT MEETING DATE - April 22, 2010**

**15. ADJOURNMENT**

The meeting was adjourned at 8:10 p.m.

Krista Tidgwell  
Legislative Assistant

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INFORMATION ITEMS - None