

**NORTH WEST COMMUNITY COUNCIL
MINUTES
January 25, 2007**

PRESENT: Councillor Brad Johns, Chair
Councillor Robert Harvey
Councillor Gary Martin

STAFF: Ms. Karen Brown, Solicitor
Ms. Sheilagh Edmonds, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	4
2.	APPROVAL OF MINUTES	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	4
4.	BUSINESS ARISING OUT OF THE MINUTES	4
4.1	STATUS SHEET ITEMS	4
4.1.1	Pinehill Street Stormwater Drainage	4
4.1.2	Storm Drain Issue - Cavalier Drive	5
4.1.3	Shopping Cart Bylaw Report	5
4.1.4	Judy Avenue Pathway	5
4.1.5	Union Street Flooding	5
4.1.6	Policy P-71, Beaver Bank, Hammonds Plains and Upper Sackville MPS	5
5.	MOTIONS OF RECONSIDERATION	
6.	MOTIONS OF RESCISSION	5
7.	CONSIDERATION OF DEFERRED BUSINESS	5
8.	HEARINGS:	
8.1	Public Hearings	5
8.1.1	Case 00835: Amendment to two Development Agreements on Shaffleburg Run - Bedford	5
8.1.2	Case 00948: Amendment to Mill Cove Plaza Development Agreement - Bedford	6
8.2	Variance Hearings	9
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	9
9.1	Correspondence	9
9.1.1	Resignation from Bedford Waters Advisory Board - Mr. Anthony Reeder	9
9.2	Petitions	9
9.3	Presentations:	
9.3.1	Commonwealth Games - Mr. Wayne MacPhee and Mr. Bruce DeVenne	9
10.	REPORTS	10
10.1	Staff Reports	10
10.1.1	Case 00690: Amendment to the Bedford Municipal Planning Strategy and Land Use By-law for Phase II of Crestview CCDD (First Reading and schedule Joint Public Hearing with Regional Council	10
10.2	North West Transit Advisory Committee	10

10.2.1	Land Acquisition for Wilson Lake Area Park and Ride	10
10.2.2	Notification of Proposed Metro Transit Service/Budget Cuts . .	10
10.2.3	Direct Transit Service to the Cobequid Community Health Centre via Route 88 (Northgate	11
11.	<u>ADDED ITEMS</u>	11
11.1	Building Communities Fund - District 20 - Councillor Harvey	11
11.2	Staff Report on Accessory Building Setbacks (Sept. 28/06 NWCC) - Councillor Johns	11
11.3	In Camera Recommendations - Citizen Appointments to Boards and Committees (North West Planning Advisory Committee and Bedford Waters Advisory Board)	12
12.	NOTICES OF MOTION	12
13.	PUBLIC PARTICIPATION	12
14.	NEXT REGULAR MEETING DATE	13
15.	ADJOURNMENT	13

1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. in the Fenerty Room, 636 Sackville Drive.

2. APPROVAL OF MINUTES

MOVED by Councillor Martin, seconded by Councillor Harvey that the minutes of the regular meeting of September 28, 2006 and the special meeting of January 9, 2007 be approved. MOTION PUT AND PASSED.

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

Additions:

- 11.1 Building Communities Fund - District 20 - Councillor Harvey
- 11.2 Staff Report on Accessory Building Setbacks (Sept. 28/06 NWCC) - Councillor Johns
- 11.3 In Camera Recommendations - Citizen Appointments to Boards and Committees

4. BUSINESS ARISING OUT OF THE MINUTES:

4.1 STATUS SHEET ITEMS:

4.1.1 Pinehill Street Stormwater Drainage

Councillor Harvey advised that the situation of erosion is getting worse, adding that the guardrail has fallen into the ravine. He asked the Legislative Assistant to follow up with staff on this issue, pointing out that the worse part is on the National Radiator side of the street. This item is to remain on the Status Sheet.

4.1.2 Storm Drain Issue - Cavalier Drive

No update. To remain on Status Sheet.

4.1.3 Shopping Cart Bylaw Report

No update. To remain on Status Sheet.

4.1.4 Judy Avenue Pathway

No update. To remain on Status Sheet.

4.1.5 Union Street Flooding

Councillor Martin noted he and the Mayor recently met with staff, and that a report will be coming back on the berm. This item is to remain on the Status Sheet.

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

Ms. Thea Langille-Hanna, Supervisor, Planning Applications, advised that an information report would be submitted for the next meeting. This item is to remain on the Status Sheet.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS- NONE

8. HEARINGS

8.1 Public Hearings:

8.1.1 Case 00835: Amendment to two Development Agreements on Shaffleburg Run - Bedford

Notice of motion for this matter was given at a meeting of North West Community Council held on January 9, 2007.

A staff report dated November 20, 2006 was before Community Council for its consideration.

A report from the North West Planning Advisory Committee, dated December 11, 2006 was submitted.

Correspondence via e-mail was submitted by John and Tanya Coyle of 36 Shaffleburg Run, Bedford in support of the application.

Ms. Thea Langille-Hanna, Supervisor, Planning Applications, outlined the application by Redden Brothers to amend the Union Street and Brison Development Agreements to enable a reconfiguration of the Agreements boundaries and permit townhouses and semi-detached dwellings on Shaffleburg Run, Bedford.

The Chair then reviewed the rules of procedure for public hearings and opened the hearing for anyone wanting to speak either in favour or in opposition to the application.

The Chair called three times for anyone wanting to speak. There being none, it was **MOVED by Councillor Harvey, seconded by Councillor Martin that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Martin, seconded by Councillor Harvey that North West Community Council:

1. **Approve the amending development agreements as set out in Attachment A of the November 20, 2006 staff report; and**
2. **Require the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval of said agreement by Council and any other bodies as necessary, whichever is later, including applicable appeal periods; otherwise this approval shall be void and any obligations arising hereunder shall be at an end.**

MOTION CARRIED.

8.1.2 Case 00948: Amendment to Mill Cove Plaza Development Agreement - Bedford

Notice of Motion for this item was given at a meeting of North West Community Council held on January 9, 2007.

A staff report dated December 14, 2006 was before Community Council for its consideration.

A report from the North West Planning Advisory Committee dated January 4, 2007 was submitted.

A report dated November 9, 2006 from the Bedford Waters Advisory Board was submitted.

Ms. Thea Langille-Hanna, Supervisor, Planning Applications outlined the request by Sobeys Leased Properties Limited to amend the Mill Cove Plaza Development Agreement to replace the required office space with a retail gas bar (fast fuel)/Needs Convenience store and associated gas pumps with a canopy, as contained in the December 14, 2006 staff report.

Staff responded to questions from Community Council.

The Chair reviewed the rules of procedure and opened the public hearing to anyone wanting to speak either in favour or in opposition to the proposal.

Mr. Walter Regan, Sackville, addressed Community Council and noted the following concerns:

- C the proponent should be required to construct a sidewalk along the Bedford Highway, in front of their facility;
- C a sidewalk should be built alongside the bridge that is presently there, as it is a dangerous place to walk;
- C a walkway should be built under the railway tracks so the public will have access to the waterfront;
- C tree planting on the site;
- C the bond for the site should be higher
- C would like to see the architecture of the proposal match the historical buildings of Bedford rather than some of the 'corporate' colours.

Ms. Dorothy Griffen advised that she was disappointed because she would like to see a full-service station as well as self-service. She explained that there is only one full-service station in the Bedford area, and that there were many people like herself who had difficulty in pumping their own gas and require a full-service station.

Councillor Harvey questioned whether Community Council would have the ability through the development agreement to require a full service station. In response, Ms. Langille-Hanna advised that this would be beyond Community Council's ability to control.

Mr. Bob Kerr, Bedford, expressed concern about environmental sensitivity of the area in question, noting that there is already a gas station in the vicinity. Mr. Kerr also pointed out that a railway is close by; there is a sewage treatment plant; two taverns; a pizza parlour; theatres, and Sobeys. Mr. Kerr noted that this proposal, if approved, means that there will be an additional two holes in the ground containing a lot of petrochemicals. He suggested that staff have not considered the whole picture once all the environmental risks are taken into account. Mr. Kerr also expressed concern about the increase in traffic that will be generated. In summary, Mr. Kerr indicated that he opposed the application and felt that the cumulative risks involved make this unnecessary.

Mr. Bruce DeVenne referred to a comment by an earlier speaker regarding full-service stations and advised that, if the Provincial Government has some involvement in licensing gas stations, perhaps the Municipality may want to follow up on this because there are regulations pertaining to handicapped gas pumps.

A resident of the area addressed Community Council and noted that there was a gas bar, convenience store, and eateries in the area, and questioned the necessity of this proposal.

The Chair called three times for anyone else wishing to speak. There being none, the applicant indicated he wished to address points that were raised. Mr. Glen Boome addressed Community Council and advised that he and Mr. Dave Wallace were in attendance this evening representing Sobeys.

Mr. Boome noted that they have been working with staff since last spring, and that the application has gone through a public information meeting and to the Bedford Waters Advisory Board. With regard to the points raised, Mr. Boome provided the following clarification:

- C the sidewalks along the Bedford Highway and the bridge are in the Municipal right-of-way, therefore, this is outside of their control. If they are asked as part of the development agreement to cost-share, they are agreeable to reasonable "offsite infrastructure" (i.e. sidewalk).
- C have concern that the sidewalk, on their side of the street does not go anywhere - - this would pose a risk not only for the applicant but also for HRM.
- C access to the waterfront is also something out of their control because it would involve crossing a CN railway line. It would be a difficult discussion, but one they would like to be party to.
- C tree planting - as noted at the Planning Advisory Committee meeting, they intend to plant trees; and when it comes to the permit process, HRM staff will

- be thorough when it comes to the landscape plan, which is part of the development agreement.
- C bond - they agree to pay what HRM requires.
- C architecture - did commit to putting architectural treatments around the building so it is not a flat structure.
- C full service station - will pursue this issue by considering polling customers within the food store.

The Chair noted that recommendations from the Bedford Waters Advisory Board and from the North West Planning Advisory Committee are in favour of the application.

Councillor Martin indicated that he was supportive of this application. He added that the public hearing has dealt with the many questions that were raised, and he noted that the application has been reviewed by the Waters Advisory Board and the Planning Advisory Committee. Councillor Martin advised that he has heard from only two people who were not in favour of this application, one of which was Mr. Kerr. The Councillor added that people have indicated they wanted different things in regard to this application, like a full-service station, and some have talked about a kiosk. Further to this, he asked that Sobey's go back and look at when the original agreement was done and see if there was any discussion concerning a kiosk.

MOVED by Councillor Martin, seconded by Councillor Harvey that North West Community Council:

1. **Approve the development agreement for Fast Fuel and Convenience Store as set out in Attachment A of the December 14, 2006 staff report; and**
2. **Require the agreement be signed and delivered within 120 days, or any extension thereof granted by North West Community Council on request of the applicant, from the date of final approval of said agreement by North West Community Council and any other bodies as necessary, whichever is later, including any appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

8.2 Variance Hearings: None

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence:

9.1.1 Resignation from Bedford Waters Advisory Board - Mr. Anthony Reeder

Correspondence dated January 9, 2007 sent via e-mail from Mr. Anthony Reeder was submitted.

MOVED by Councillor Martin, seconded by Councillor Harvey that North West Community Council accept Mr. Reeder's resignation from the Bedford Waters

Advisory Board. MOTION PUT AND PASSED.

The Chair asked the Legislative Assistant to forward a letter of appreciation to Mr. Reeder for his time and efforts in working with the Board.

9.2 Petitions: None

9.3 Presentations:

9.3.1 Commonwealth Games - Mr. Wayne MacPhee and Mr. Bruce DeVenne

Mr. Wayne MacPhee and Mr. Bruce DeVenne gave presentations regarding the Commonwealth Games bid.

In his presentation, Mr. DeVenne expressed concern over the cost of the Games, citing research he carried out on other countries who hosted similar events. Mr. DeVenne suggested that there will be no legacy of sports for the community and that the only legacy will be one of debt. He advised that if the Municipality put research into the cost and benefits of the Games, it would then find that it would want to get out of the Bid.

Mr. Wayne MacPhee read and submitted his presentation concerning the affordability of the 2014 Commonwealth Games. In his remarks, Mr. MacPhee noted that the Federal Government has indicated they will provide \$400 million for the Games but will not cover any cost overruns. In addition to this, he pointed out that, with the current state of Provincial Government finances, the Commonwealth Games will be a drain on taxes, and this is a concern as the Baby Boomer generation gets older and the Province's health care has more demands placed on it. Mr. MacPhee advised that it was time the organizers showed everyone the real costs associated with hosting the Commonwealth Games.

10. REPORTS:

10.1 Staff Reports:

10.1.1 Case 00690: Amendment to the Bedford Municipal Planning Strategy and Land Use By-law for Phase II of Crestview CCDD (First Reading and schedule Joint Public Hearing with Regional Council)

A staff report dated November 20, 2006 was submitted.

A report dated December 11, 2006 from the North West Planning Advisory Committee was submitted.

A report dated September 13, 2006 from the Bedford Waters Advisory Board was submitted.

MOVED by Councillor Martin, seconded by Councillor Harvey that North West

Community Council:

- 1. Recommend that Regional Council give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law as provided in Attachment A to A-3, of the November 20, 2006 staff report and schedule a joint public hearing with North West Community Council;**
- 2. Give Notice of Motion to consider the proposed development agreement and discharging the existing development agreement as provided in Attachment B and Attachment B-1 of the November 20, 2006 staff report and schedule a joint public hearing with Regional Council.**

MOTION PUT AND PASSED.

10.2 North West Transit Advisory Committee:

10.2.1 Land Acquisition for Wilson Lake Area Park and Ride

A report dated November 10, 2006 from the North West Transit Advisory Committee was submitted.

An extract of the North West Transit Advisory Committee minutes of October 18, 2006 regarding this matter was submitted.

MOVED by Councillor Harvey, seconded by Councillor Martin that North West Community Council accept the report and forward it to staff for comment and report back. MOTION PUT AND PASSED.

10.2.2 Notification of Proposed Metro Transit Service/Budget Cuts

A report dated November 10, 2006 from the North West Transit Advisory Committee was submitted.

An extract of the North West Transit Advisory Committee minutes of October 18, 2006 regarding this matter was submitted.

MOVED by Councillor Harvey, seconded by Councillor Martin that North West Community Council accept the report and forward it to staff for comment and report back. MOTION PUT AND PASSED.

10.2.3 Direct Transit Service to the Cobequid Community Health Centre via Route 88 (Northgate)

A report dated November 10, 2006 from the North West Transit Advisory Committee was submitted.

An extract of the North West Transit Advisory Committee minutes of October 18, 2006 and November 15, 2006 regarding this matter was submitted.

Councillor Johns noted that he has been trying to get in contact with Paul Benoit in regard to this matter. The Councillor added that the Committee is not sure if the issue is with Metro Transit or with the Cobequid Centre; and the Committee would like staff to look at whether there is an opportunity to take the Northgate bus into Cobequid Centre.

MOVED by Councillor Harvey, seconded by Councillor Martin that North West Community Council accept the report and forward it to staff and the Cobequid Community Health Centre for their consideration. MOTION PUT AND PASSED.

11. ADDED ITEMS:

11.1 Building Communities Fund - District 20 - Councillor Harvey

This item was added to the agenda at the request of Councillor Harvey.

MOVED by Councillor Harvey, seconded by Councillor Martin that North West Community Council approve the allocation of funds from the District 20 Building Communities Fund as follows:

- C \$10,000 to the proposed Hallmark Avenue Tot Lot.
- C re-allocate the balance of funds in the Walker Avenue Account (Building Communities Fund) to the Hallmark Avenue Tot Lot.

MOTION PUT AND PASSED.

11.2 Staff Report on Accessory Building Setbacks (Sept. 28/06 NWCC) - Councillor Johns

Councillor Johns advised that an information report pertaining to this matter had been submitted at North West Community Council's last meeting, therefore, it can be removed from the Status Sheet.

11.3 In Camera Recommendations - Citizen Appointments to Boards and Committees (North West Planning Advisory Committee and Bedford Waters Advisory Board)

The following items were addressed at an earlier In Camera session and were now before Council for ratification:

MOVED by Councillor Harvey, seconded by Councillor Martin that Mr. Walter Regan and Ms. Ann Merritt be reappointed to the North West Planning Advisory Committee, with terms to expire January 31, 2009. MOTION PUT AND PASSED.

MOVED by Councillor Martin, seconded by Councillor Harvey that Mr. Don McIver be appointed to the Bedford Waters Advisory Board for a term to expire November 30, 2010. MOTION PUT AND PASSED.

12. NOTICES OF MOTION- None

13. PUBLIC PARTICIPATION

The following persons addressed Community Council:

Mr. Al Walker, Sackville. Mr. Walker expressed concern about the property destruction he has seen around the Municipality by the contractors HRM has hired to clear snow. He questioned who was responsible to pay for the repairs and who, at HRM, is responsible to oversee the contractors repairing the destroyed property.

In response, Councillor Martin advised that Mr. Dennis Huck would be the appropriate HRM staff person to contact for a response.

The Chair noted that he was in receipt of a January 9, 2007 staff report which he could provide and discuss with Mr. Walker.

Mr. Bruce DeVenne noted that the Federal Government is cutting back on transfer payments and that the Province has indicated that this would result in tax increases and cut backs. He questioned how the Province could afford the Commonwealth Games, which may cost \$1 billion, if it cannot afford to lose \$78 million dollars.

Mr. Wayne MacPhee asked what the percentage increase in councillors salaries was in the 2007/08 budget.

Councillor Harvey responded that a couple of years ago a stipend scale was adopted which provided for 2.5 percent increase per year.

Mr. Walter Regan asked if there was landscaping and oil and grit separators planned for the bus stops at Walmart.

In response, the Chair advised that there was discussion about placing trees. He added that some of the highway is owned by the Province, and HRM has to work out some issues with the Province in regard to provincially-owned right-of-ways.

Councillor Harvey added that it was his understanding, when the parking lot was extended that additional landscaping to the original parking lot was supposed to be part of the contract.

The Chair suggested that this question be forwarded to staff for response.

Mr. Regan questioned if there has been any movement in regard to a bridge over the Little Sackville River on Sackville Drive.

Councillor Harvey responded that this would be a major capital budget project, adding that he recommended it again this year in capital budget submissions. He also advised that he raised this issue with the Sackville Drive Business Association.

Mr. Regan asked for Community Council's support in the upcoming budget deliberations

for trails, adding that he hoped to see the budget maintained and increased to \$3 million for all 22 groups.

14. NEXT REGULAR MEETING DATE - Thursday, February 22, 2007

15. ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Sheilagh Edmonds
Legislative Assistant