

HALIFAX REGIONAL MUNICIPALITY

**NORTH WEST COMMUNITY COUNCIL
MINUTES
September 27, 2007**

PRESENT: Councillor Brad Johns, Chair
Councillor Robert Harvey

ABSENT: Councillor Gary Martin

STAFF: Mr. Randolph Kinghorn, Solicitor
Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:12 p.m. in the Cafeteria of the Basinview Community School, Bedford.

2. APPROVAL OF MINUTES

MOVED by Councillor Harvey, seconded by Councillor Johns that the minutes of July 5, 2007 and August 9, 2007 be approved. MOTION PUT AND PASSED.

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

Additions:

- 11.1 Correspondence from the Sackville Community Development Association
- 11.2 North West Planning Advisory Committee - Appointment
- 11.3 Information Report dated September 14, 2007 RE: Amendment to the Sackville Drive Secondary Planning Strategy and Land Use By-law - Pedestrian Retail (PR) Zone

4. BUSINESS ARISING OUT OF THE MINUTES:

4.1 STATUS SHEET ITEMS:

4.1.1 Pinehill Street Stormwater Drainage

No update. This item is to remain on the Status Sheet.

4.1.2 Storm Drain Issue - Cavalier Drive

No update. This item is to remain on the Status Sheet.

4.1.3 Judy Avenue Pathway

No update. This item is to remain on the Status Sheet.

4.1.4 Union Street Flooding

No update. This item is to remain on the Status Sheet.

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

No update. 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 01038: Bedford Land Use By-law Amendment - Veterinary Clinics

First Reading of this matter was given at a meeting of North West Community Council held on August 9, 2007.

A report dated August 1, 2007 from the Chair of the North West Planning Advisory Committee was submitted.

A staff report dated July 10, 2007 was before Community Council for its consideration.

Ms. Leticia Smillie, Planner 1, addressed Community Council and explained that this public hearing was a result of a request to staff by North West Community Council on May 24, 2007 to initiate the process to permit veterinary clinics as a permitted use within the General Business District (CGB) and Light Industrial (LI) Zones of the Bedford Land Use By-law (LUB). In her remarks, Ms. Smillie advised that staff was recommending the inclusion of veterinary clinics in the CGB zone as it is a reasonable use and is compatible with the current permitted uses of the zone.

There were no questions of Community Council.

The Chair reviewed the rules of procedure for public hearings and opened the hearing.

The Chair called three times for anyone wishing to speak; there being none it was **MOVED by Councillor Harvey, seconded by Councillor Johns that the public hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council approve the proposed amendments to the Bedford Land Use By-law to allow veterinary clinics in the CGB (General Business District) Zone, as shown in Attachment "A" of the July 10, 2007 staff report. MOTION PUT AND PASSED.

8.2 Variance Hearings:

8.2.1 Fence Permit Application #85496 - 190 Skyridge Avenue, Lower Sackville

A staff report dated July 17, 2007 was submitted.

Mr. Jim Holt, Supervisor, Permits and Inspections, Eastern Region addressed Community Council and reviewed the report outlining the permit application by Joseph Sinclair to construct a fence in excess of 6.5 feet, at 190 Skyridge Avenue, Lower Sackville. In his presentation, Mr. Holt advised that the application is to construct a fence eight feet in height between Civic #'s 190 and 186 Skyridge Avenue, and that the fence will be an extension of an existing fence that currently runs from the rear of the dwelling and encompasses the entire rear yard. He added that the applicant wishes to construct the fence for privacy purposes as well as for protection of vehicles from recreational activities on the driveway at the adjacent property.

Councillor Harvey noted that the fence appears to extend out from the setback of the house.

Mr. Bernard McCarthy, 186 Skyridge Avenue addressed Community Council and expressed concern about his ability to back out of his driveway given the blind spot that will be created with the proposed fence as it is indicated in the diagram.

Mr. Holt responded to questions from Community Council.

In response to a question by Councillor Harvey, Mr. Holt advised that the fence is proposed to be 6 feet back from the road.

The Chair called three time for anyone else who received written notice of this application who wished to speak; there being none, it was **MOVED by Councillor Harvey, seconded by Councillor Johns that the Hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council approve Permit Application #85496 for a fence in excess of 6.5 feet at 190 Skyridge Avenue, Lower Sackville as far as the front right corner of Civic #190 Skyridge Avenue. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence:

9.1.1 Letter (via e-mail) from Rob Anderson, dated September 15, 2007 RE: Traffic Issues

E-mail correspondence dated September 15, 2007 from Mr. Rob Anderson, Middle Sackville was submitted.

For the information of those in attendance, the Chair advised that the correspondence was in regard to the traffic congestion along Sackville Drive, resulting from the Lively Subdivision Sewer and Water project, and provides reasons to support the work being carried out in the evening as well as the daytime. The Chair noted that since this letter was submitted to Community Council, nighttime construction has commenced.

MOVED by Councillor Harvey, seconded by Councillor Johns that the letter be received and tabled. MOTION PUT AND PASSED.

9.2 Petitions: None

9.3 Presentations: None

10. REPORTS:

10.1 Staff Reports:

10.1.1 Bedford Watershed Advisory Board - Amendment to Quorum

A report dated September 18, 2007 from the Legislative Assistant was submitted.

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council amend the Terms of Reference for the Bedford Watershed Advisory Board to establish quorum as follows:

- **A quorum for the Board having an even number of members is one-half of all the members thereof.**
- **A quorum for the Board having an uneven number of members is a majority of the members thereof.**

MOTION PUT AND PASSED.

10.2 North West Planning Advisory Committee Report:

10.2.1 Case 00928: Development Agreement - 199 Rocky Lake Drive, Bedford

A report dated September 6, 2007 from the Chair of the North West Planning Advisory Committee was submitted.

A staff report dated August 13, 2007 was submitted.

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council give Notice of Motion to consider the proposed development agreement, enclosed as Attachment "A" of the August 13, 2007 staff report to enable the creation of a flag lot at 199 Rocky Lake Road (PID 00416073), Bedford, and schedule a public hearing for October 25, 2007. MOTION PUT AND PASSED.

10.2.2 Case 01035: Amendment to Mill Cove Plaza Development Agreement, Bedford

A report dated September 19, 2007 from the Chair of the North West Planning Advisory Committee was submitted.

A staff report dated August 21, 2007 was submitted.

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council give Notice of Motion to consider the amending development agreement set out in Attachment A of the August 21, 2007 staff report and schedule a public hearing for October 25, 2007. MOTION PUT AND PASSED.

11. ADDED ITEMS

11.1 Correspondence from the Sackville Community Development Association

Correspondence dated September 24, 2007 from Mr. Gordon E. Morgan, President of the Sackville Community Development Association was submitted.

In reference to the correspondence, Councillor Harvey advised that the Association has written a letter stating that they believe the Eddie LeBlanc ball field in Sackville is

underutilized and questioned if it, as well as other underutilized ball fields in HRM could be used for other sports such as football and rugby.

MOVED by Councillor Johns, seconded by Councillor Harvey that the letter dated September 24, 2007 from the Sackville Community Development Association be forwarded to staff for response. MOTION PUT AND PASSED.

The solicitor retired from the meeting.

At 7:34 p.m. Community Council recessed.

At 7:37 p.m. Community Council reconvened.

11.2 North West Planning Advisory Committee - Appointment

This item was discussed at an earlier In Camera session and was now before Community Council for ratification.

MOVED by Councillor Harvey, seconded by Councillor Johns that North West Community Council appoint Mr. Caylum Evong to the North West Planning Advisory Committee, replacing Mr. David Grace as the District 20 representative. MOTION PUT AND PASSED.

11.3 Information Report dated September 14, 2007 RE: Amendment to the Sackville Drive Secondary Planning Strategy and Land Use By-law - Pedestrian Retail (PR) Zone

An information report dated September 14, 2007 RE: Amendment to the Sackville Drive Secondary Planning Strategy and Land Use By-law - Pedestrian Retail (PR) Zone was submitted.

In reference to the report, Councillor Harvey noted that staff are not recommending an amendment process for the Sackville Drive Secondary Planning Strategy, but an alternative is to carry out a comprehensive review as part of the visioning exercise, which the next step in the Regional Plan process.

MOVED by Councillor Harvey, seconded by Councillor Johns that staff report back to Community Council on the process for the Community Visioning exercise and when the program could begin for Sackville. MOTION PUT AND PASSED.

12. NOTICES OF MOTION: None

13. PUBLIC PARTICIPATION

The following persons spoke during public participation:

Mr. Walter Regan, Sackville Rivers Association.

Mr. Regan address Community Council in regard to the following points:

- requested Community Council's support at budget time for funding for HRM trails.
- commended HRM on carrying out watershed studies, but noted that the funding was not at a level to carry out satisfactory studies.

The Chair advised that Mr. Regan's concern about the watershed studies would be forwarded to staff for comment.

Mr. Nick Antoft, Waterstone Neighbourhood Association.

Mr. Antoft brought forward the following concerns, to which Community Council responded:

- a section of the Old Sackville Road, between the Beaver Bank Extension and Lucasville, by the cemetery has been ruined due to large machinery, and he questioned what the intention was in regard to repairs
- he questioned if traffic counts/surveys pertaining to Hammonds Plains Road and Kearney Lake Road were available to the public.
- he asked for an update on the issue of developers dumping fill on parkland

Ms. Gina Byrne, representing the Sackville Drive Business Association.

Ms. Byrne read a prepared statement expressing the Association's disappointment with the staff suggestion (Information Report) of not making any changes to the Pedestrian Retail zone, and she questioned when the Community Visioning program will commence.

The Chair advised that he did not know when the program would start, and suggested that when it does, it would be beneficial if the Association got involved.

Councillor Harvey encouraged Ms. Byrne to submit her presentation to HRM Planning staff.

Mr. Terris Pangiotakos

Mr. Pangiotakos addressed Community Council advising that he owns a business on Sackville Drive. In his comments, he expressed concern regarding the Pedestrian Retail zone and the negative impact this has on business development due to the requirement of the Development Agreement process for any building over 5,000 square feet.

14. NEXT REGULAR MEETING DATE: October 25, 2007

15. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

The following information was submitted:

An Information Report dated August 9, 2007 RE: Ice Cream Stands as Temporary Commercial Uses - Sackville Drive was submitted.