

HALIFAX REGIONAL MUNICIPALITY

MARINE DRIVE, VALLEY AND CANAL COMMUNITY COUNCIL MINUTES April 1, 2010

PRESENT: Councillor David Hendsbee, Chair
Councillor Barry Dalrymple, Vice Chair
Councillor Steve Streach

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 6:58 p.m. at the Lake Echo Community Centre, 3468 Highway 7, Lake Echo.

2. APPROVAL OF MINUTES - February 24, 2010 and March 10, 2010

It was noted that the minutes of March 10, 2010 will be reviewed/approved at the next Community Council meeting.

MOVED by Councillor Streach, seconded by Councillor Dalrymple, that the minutes of February 24, 2010, be approved, as presented. MOTION PUT AND PASSED.

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

MOVED by Councillor Dalrymple, seconded by Councillor Streach, that the Order of Business, be approved, as presented. MOTION PUT AND PASSED

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 STATUS SHEET REVIEW

4.1.1 Private Roads

4.1.2 Case 01276 - Pet Care Facilities and Kennels, Lawrencetown

4.1.3 Lockview High School Football Field

4.1.4 Cameron Park

4.1.5 Willie's Walk

4.1.6 Stan Nelson Trail

4.1.7 Beaver Bank Road

4.1.8 Civic Addressing

4.1.9 Land Donation Process - Non-denominational cemetery, Fall River

4.1.10 Capital Transportation Authority and Provincial Road Transfer

No updates, items 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

8.1.1 Case 15782: Rezoning - 2875 Highway 7, Lake Echo, NS

- A staff report dated February 10, 2010 was before the Community Council.

Councillor Hendsbee reviewed the public hearing procedures.

Joseph Driscoll, Planner 2, Community Development, delivered the presentation regarding the application to rezone the property located at 2875 Highway 7, Lake Echo, to the Community Council. The following points were noted:

- the applicants also own the property behind the Busy Bee Daycare
- the Municipal Planning Strategy provides the ability to rezone the proposed property from an R-1 (Residential Single Unit Dwelling) Zone to C-1 (Community Commercial) Zone, within the Lake Echo designation for the purpose of allowing community commercial use
- the subject property meets all C-1 zoning requirements, with the exception that it will not meet the rear yard set back requirements by several feet; however, a clause in the Land Use By-law will allow the rezoning because the day care is an existing building; if the applicants ever wanted to encroach further into the adjacent yard, they would have to apply for a variance

In response to a question raised by Councillor Streach, Mr. Driscoll advised that the restricted development requires a Development Agreement for any other use than a Day Care facility.

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

Crystal Bellefontaine, applicant, advised that she and her husband own the Busy Bee Day Care. She indicated that they had encountered some problems last year when they applied for a building permit to expand the day care. It is a small expansion of two additional rooms, which includes a bathroom. She commented that the day care will be expanding upwards and not outwards. The day care has been in the community for many years and she and her husband took over running of the day care from her mother-in-law. The day care has passed through generations, as her mother-in-law, herself and sister-in-law have all run the day care. Her own children are at the day care, as well as, many other children within the community. If she is not able to expand

to accommodate the growing community, she will have to start turning away families. She noted that many families are presently on a waiting list. She is always trying to meet the needs of the community and improve the day care. The day care has been in the community for over 35 years. The existing building was built in 1985 with very minimal upgrades throughout the years.

Mike Gaudreau, 10 Linda Lane, Lake Echo, commented that the Citizens for Responsible Development in Lake Echo supports the rezoning application of the property. Mr. Gaudreau thanked Stephen and Crystal Bellefontaine for carrying on the legacy of Mrs. "B" of the Busy Bee Day Care. He further commented that their contribution is greatly appreciated by the families within the community. He noted that it is applications such as Mr. and Mrs. Bellefontaine's that will lead to more vibrant and positive developments within Lake Echo.

Stephen Vickery, 2902, Highway #7, Lake Echo, indicated that he lives next door to the Busy Bee Day Care. He requested clarification that the property being rezoned is only the property on which the day care stands and not the property to the rear.

Mr. Driscoll advised that rezoning application is for the front property, the Busy Bee Day Care. He further indicated that should the applicants choose to change the zoning on the back property, they would have go through the same applicant process of which residents within the area would be notified.

Stephen Bellefontaine, applicant, advised that the only changes to property are upgrades to the day care and that they have no intentions of rezoning the back property. He indicated that the roof will be removed and an upper level will be built. The upper level will be less than 100 square feet and include a large play area and bathroom to accommodate ten additional children that are presently on the waiting list. He commented that his mother started the Busy Bee Day Care in 1974, which has cared for approximately 4,000 children over the years. Since 1974, the Busy Bee Day Care has had five centers throughout the community, there are presently three, and has employed over 400 people.

Corinna Murrant, 98 Bumpy Lane, Lake Echo, noted that she has two children that attend the Busy Bee Day Care. She commented that the addition to the day care would be a great benefit to community. There are many young families within the community and expanding the facility would be a positive step.

Councillor Hendsbee gave the third and final call for speakers; there being no further speakers, it was **MOVED by Councillor Streach, seconded by Councillor Dalrymple, that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Streach, seconded by Councillor Dalrymple, that Marine Drive, Valley and Canal Community Council approve the proposed rezoning of 2875 Highway 7 in Lake Echo from R-1 (Residential Single Unit Dwelling) Zone to C-1 (Community Commercial) Zone as shown in Attachment A of the staff report dated February 10, 2010.

Councillor Streach commented that there was a good show of support and noted that it is important to hear from the members of the community.

Councillor Hendsbee thanked Mrs. Bellefontaine for her patience and commented that he is in support of the rezoning. He further commented that Mrs. "B" is a role model and stellar citizen within the community and thanked her for her contribution to the community.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

10. REPORTS

10.1 Case 15784 - Development Agreement to permit an Addition to an Existing Commercial building, Musquodoboit Harbour

- A staff report dated March 4, 2010 was before the Community Council.

MOVED by Councillor Streach, seconded by Councillor Dalrymple, that Marine Drive, Valley and Canal Community Council give Notice of Motion to consider the proposed development agreement as set out in Attachment A of the staff report dated March 4, 2010 and schedule a public hearing.

The Chair requested the Clerk confirm the public hearing date with Councillor Streach.

MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS - NONE

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

No members of the public came forward at this time.

15. NEXT MEETING DATE - April 28, 2010 (Location to be determined at a later date)

16. ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Krista Tidgwell
Legislative Assistant

INFORMATION ITEMS
April 1, 2010

None.