

# HALIFAX REGIONAL MUNICIPALITY

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## MARINE DRIVE, VALLEY AND CANAL COMMUNITY COUNCIL SPECIAL MEETING MINUTES

September 25, 2012

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

REGRETS: Councillor Steve Streach

STAFF: Mr. Randolph Kinghorne, Municipal Solicitor  
Ms. Krista Vining, Legislative Assistant  
Mr. Ted Aubut, Legislative Assistant

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**1. CALL TO ORDER**

The special meeting was called to order 12:43 p.m. in the World Trade and Convention Centre Break Room, off of Room 100.

**2. APPROVAL OF THE MINUTES – NONE**

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

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

**4. REPORTS**

**4.1 Case 15969: Open Space Design Development Agreement – Windgate Drive, Windsor Junction (Notice of Motion)**

The following was before the Community Council:

- Extract of Marine Drive, Valley and Canal Community Council Minutes – July 25, 2012
- Staff supplementary report dated September 13, 2012
- Staff report dated May 2, 2012

Mr. Tyson Simms, Planner provided an overview of the September 13<sup>th</sup> staff supplementary report, addressing the Nova Scotia Department of Natural Resources concerns raised in their July 7, 2012 letter to the Community Council. Staff requested the Community Council proceed forward with giving Notice of Motion and to schedule a public hearing.

**MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee that Marine Drive, Valley and Canal Community Council Give Notice of Motion to consider the development agreement contained in Attachment A of the staff report dated May 2, 2012, to allow for a Classic Open Space Design development agreement off Windgate Drive, Windsor Junction, and schedule a public hearing. MOTION PUT AND PASSED.**

Public Hearing scheduled for October 24, 2012; location to be determined within District 2.

**4.2 Update - MPS & LUB Amendments to Planning Districts 14/17 for the proposed River-lakes Secondary Planning Strategy**

Ms. Maureen Ryan, Senior Planner gave an update on the Municipal Planning Strategy and Land Use By-law amendments to Planning Districts 14 and 17 for the proposed

River-lakes Secondary Planning Strategy; a copy of the presentation was later provided for the file. Ms. Ryan noted that following the September 6<sup>th</sup> meeting, it was brought to staff's attention that two recommendations made by the Fall River Vision Implementation Committee on May 5, 2011 were not carried forward in the proposed planning documents presented to Marine Drive, Valley and Canal Community Council on September 6, 2012:

- To zone all properties on the eastern side of Falls Run to a proposed Fall River Business Zone and not the Village Gateway Zone; and
- That the Fall River Business Zone be amended to require that the proposed 20,000 square foot commercial floor space limitation only be applied to Building Supply Outlets.

She clarified that in order to rectify this matter, staff recommends the Community Council rescind their motion of September 6, 2012 and put forward a new motion recommending the proposed changes in the planning documents, identified in the September 25, 2012 presentation.

Councillor Dalrymple noted that staff, HRM legal, the Clerk and the Fall River Vision Implementation Committee had all been advised of this information and direction being sought.

**MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee that Marine Drive, Valley and Canal Community Council suspend the Rules of Order to consider rescission of their September 6, 2012 motion respecting Item 10.1 - MPS & LUB Amendments to Planning Districts 14/17 for the proposed River-lakes Secondary Planning Strategy. MOTION PUT AND PASSED.**

**MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee that Marine Drive, Valley and Canal Community Council rescind their motion of September 6, 2012 recommending Halifax Regional Council that a date be set for a public hearing to consider adopting the River-lakes Secondary Planning Strategy and accompanying land use regulations under the Municipal Planning Strategy and Land Use By-Law for Planning Districts 14 and 17, as set forth in Attachment 2 – By-Law to Amend the Municipal Planning Strategy for Planning Districts 14 and 17; Attachment 3 – By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17 with an amendment to clause (a) Sections 14A.11, 14C.11, 14D.9, 14E.5 to replace the intervals of required landscaping from 19.6 feet (6 metres) to 15 feet (4.6 metres); and Attachment 4 – By-Law to Amend the Regional Municipal Planning Strategy for the Halifax Regional Municipality of the staff report dated August 20, 2012. MOTION PUT AND PASSED.**

**MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee that Marine Drive, Valley and Canal Community Council recommend that Halifax Regional Council Give First Reading and set a date for a public hearing to consider adopting the River-lakes Secondary Planning Strategy and accompanying land use regulations under the Municipal Planning Strategy and Land Use By-Law for**

**Planning Districts 14 and 17 as set forth in Attachment 2 (By-Law to Amend the Municipal Planning Strategy for Planning Districts 14 and 17) of the August 20, 2012 staff report; Revised Attachment 3 (By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17), as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012; and Attachment 4 (By-law to Amend the Regional Municipal Planning Strategy for the Halifax Regional Municipality) of the August 20, 2012 staff report, with a further amendment to Attachment 2 and Revised Attachment 3 as follows:**

- **Change the proposed VG (Village Gateway) Zone to a proposed FRB (Fall River Business) Zone of Revised Attachment 3, as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012;**
- **Replace the words “the main building” with the words “any building supply outlet” in Section 14E.3 of the proposed FRB (Fall River Business) Zone of Revised Attachment 3, as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012; and**
- **Insert the words “of building supply outlets” after the word “building size” in sentence 5 of the preamble to Policy RL-9 and replace the words “commercial buildings” with the words “building supply outlets” in clause (c) of Policy RL-9 of Attachment 2 of the Staff Report dated August 20, 2012.**

**MOTION PUT AND PASSED.**

Councillor Hendsbee suggested staff start the process to amend the Administrative Order to retitle the Land Use By-laws and Municipal Planning Strategies, to provide greater clarity, as many planning titles were now out of date.

In response to question raised, the Legislative Assistant confirmed that this matter is scheduled for first reading at Regional Council later today; however, based on the new motion passed by the Community Council, the Clerk’s Office would be seeking a deletion of this matter on Council’s agenda, to be brought back for their October 2<sup>nd</sup> session for first reading.

It was noted that Councillor Streach was unable to attend today’s special meeting due to a personal appointment but had provided his regrets.

**5. NEXT MEETING DATE – October 24, 2012**

**6. ADJOURNMENT**

The meeting adjourned at 12:55 p.m.

Krista Vining  
Legislative Assistant

INFORMATION ITEMS – NONE