

MARINE DRIVE, VALLEY AND CANAL
COMMUNITY COUNCIL
MINUTES
August 10, 2005

PRESENT: Councillor David Hendsbee, Chair
Councillor Krista Snow

REGRETS: Councillor Steve Streach

STAFF: Mr. Wayne Anstey, Municipal Solicitor
Ms. Julia Horncastle, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. in the LWF Fire Hall, 843 Fall River Road, Fall River.

2. APPROVAL OF MINUTES - May 25 and July 5, 2005

MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the minutes of May 25 and July 5, 2005, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

13.1 Halifax Watershed Advisory Board - Amendment to Terms of Reference

13.2 Councillor Hendsbee - Needs Assessment to Cherry Brook and Lake Loon

MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

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 00768 - Rezoning Application - Lot 4, Old Guysborough Road

- A report dated June 8, 2005, on the above noted, was before Council.

Ms. Thea Langille-Hanna, with the aid fo overheads, presented the staff report.

Councillor Hendsbee called for those wishing to speak either in favour of or in opposition to the proposed rezoning.

Mr. Mark Steele, Copperhead Road, stated the market may change traffic patterns in the area. He stated he was not opposed to the market but was concerned with type of service may be developed on this property if the market does not survive. He stated he would like to see the property retain the residential designation.

Mr. Frank Steele, Highway#2, spoke in favour of the market but would also like to see the property remain R-1. He questioned whether there were existing properties where the market could be located. He also expressed concern that the access would be onto a secondary highway.

Mr. John Gilligan spoke in favour of the proposed rezoning. He stated he owns three businesses and was unable to find commercial property in the area as there are only a few pieces of property that are zoned commercial in the Fall River area.

Ms. Elaine Coakley spoke in opposition to the proposed rezoning stating she does not want to live next door to a business which will be open seven days a week..

A resident of Brook Street spoke in support of the application as there is a need to provide opportunities to small businesses in order for a community to grow. He stated the property is in a good location for access and safety. He noted the community is growing and this type of business should be encouraged to provide a balance in the community.

Ms Karen Gilligan spoke in support of the proposed rezoning and feels any traffic generated by the business will not affect the people in the area.

Mr. Jamie Steele expressed concern with the future use of the property if the business does not succeed. He noted that many of the people speaking in support do not live next door to the property. He stated he would prefer the property remain residential.

In response to Councillor Hendsbee, Mr. Anstey, Municipal Solicitor, advised an application has been made and Community Council has to make its decision on the basis of the application before them.

Mr. Hume spoke in favour of the rezoning noting the site is clean and well maintained.

Councillor Hendsbee called three time for any additional speakers. Hearing none, the following motion was placed.

MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

DECISION OF COUNCIL

MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Marine Drive, Valley and Canal Community Council approve the rezoning of Lot 4, PID #41031691, Old Guysborough Road from R-1b (Suburban Residential) Zone to C-2 (Community Commercial) Zone. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 VARIANCE HEARINGS

8.2.1 Appeal of the Development Officers decision to refuse an application for a Variance at 30 Stella Drive, Head of Chezzetcook

- A report dated August 3, 2005, on the above noted, was before Council.

Mr. Sean Audas, Development Officer, presented the staff report.

In response to Councillor Snow, Mr. Audas advised there was currently a ditch at the location.

Mr. Gerard Dugas, property owner, advised his proposal was for a two bay car wash which he would like to be able to take to the property line. He would like to be able to expand the car wash so that it can be used year round. He stated he has contacted all the surrounding neighbours and they have no objections to the proposed variance.

No other speakers other the appellant present to speak.

MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Marine Drive, Valley and Canal Community Council overturn the decision of the Development Officer and grant the appeal. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

10. REPORTS - NONE

11. **MEMBERS OF COUNCIL**

12. **MOTIONS - NONE**

13. **ADDED ITEMS**

13.1 **Halifax Watershed Advisory Board - Amendment to Terms of Reference**

- A report from the Halifax Watershed Advisory Board, dated August 8, 2005, on the above noted, was before Council.

MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Community Council approve the revised Terms of Reference of the Halifax Watershed Advisory Board as outlined in Attachment A of the report dated August 8, 2005. MOTION PUT AND PASSED UNANIMOUSLY.

13.2 **Councillor Hendsbee - Needs Assessment for Cherry Brook and Lake Loon**

MOVED by Councillor Hendsbee, seconded by Councillor Snow, that a staff report be requested regarding a recreational needs assessment for the Cherry Brook/Lake Loon area. MOTION PUT AND PASSED UNANIMOUSLY.

14. **NOTICES OF MOTION - NONE**

15. **PUBLIC PARTICIPATION - NONE**

16. **NEXT MEETING**

To be determined.

17. **ADJOURNMENT**

The meeting adjourned at 8:30 p.m.

Julia Horncastle
Legislative Assistant

