

MARINE DRIVE, VALLEY AND CANAL  
COMMUNITY COUNCIL  
MINUTES  
February 21, 2007

PRESENT:                   Councillor David Hendsbee, Chair  
                                  Councillor Steve Streach  
                                  Councillor Krista Snow

STAFF:                     Mr. Randolph Kinghorn, Municipal Solicitor  
                                  Ms. Julia Horncastle, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER .....	04
2.	APPROVAL OF MINUTES - August 23, October 26 (Joint Meeting with North West), November 2 (Joint Meeting with Harbour East), November 28, 2006 and January 30, 2007 .....	04
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	04
4.	BUSINESS ARISING OUT OF THE MINUTES .....	04
5.	MOTIONS OF RECONSIDERATION - NONE	
6.	MOTIONS OF RESCISSION - NONE .....	04
7.	CONSIDERATION OF DEFERRED BUSINESS	
7.1	Approval of Development Officer's Decision to Refuse an Application for a Variance at 8376 Highway 7, Musq. Harbour ..... (Deferred from March 9, 2006)	04
8.	PUBLIC HEARINGS	
8.1	Case 00774: Development Agreement, Enfield .....	05
8.2	Case 00872: Foodland Store Expansion, 22579 Highway #7, Sheet Harbour .....	06
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
9.1	Correspondence - None .....	06
9.2	Petitions .....	07
10.	REPORTS	
10.1	Request to Name New Recreation Centre in Fall River for Former Councillor Gordon Snow .....	07
10.2	Case 00426 - Toad's Cycle Works, 30 Lake Major Road .....	07
10.3	Case 00978 - Non-substantive amendment - 14 Lake Major Road, Westphal .....	07
11.	MOTIONS - NONE .....	08

12.	ADDED ITEMS .....	08
13.	NOTICES OF MOTION .....	08
14.	PUBLIC PARTICIPATION .....	08
15.	NEXT MEETING .....	09
16.	ADJOURNMENT .....	09

**1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Lions Centre, Sheet Harbour.

**2. APPROVAL OF MINUTES**

**MOVED by Councillor Snow, seconded by Councillor Streach, that the minutes of August 23, October 26 (Joint Meeting with North West), November 2 (Joint Meeting with Harbour East), November 28, 2006 and January 30, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

- 12.1 Apartment Building - Planning Districts 14 & 17 (Shubenacadie Lakes)
- 12.2 Case 00958 - 550 Beaver Bank Road
- 12.3 Councillor Streach - Request for Funding Sheet Harbour Lions Club

**MOVED by Councillor Streach, seconded by Councillor Snow, 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**

**7.1 Approval of Development Officer's Decision to Refuse an Application for a Variance at 8376 Highway #7, Musquodoboit Harbour**

- This item was deferred from March 9, 2006.
- A supplementary staff report dated February 12, 2007, on the above noted, was before Council.

**MOVED by Councillor Streach, seconded by Councillor Snow, that the Marine Drive, Valley and Canal Community Council dismiss the Variance appeal. MOTION PUT AND**

**PASSED UNANIMOUSLY.**

**8. PUBLIC HEARINGS**

**8.1 Case 00774: Development Agreement, Enfield**

- A report dated November 23, 2006, on the above noted, was before Council.

Mr. Andrew Bone, Planner, presented the report to Council.

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

**Mr. Stephen Hilchey**, stated the buffer zone is questionable and expressed concern that the property owner may clear cut stating he would prefer to see a buffer along the entire property line. He further expressed concern that runoff from the hill may have a detrimental effect on his property noting, when the property was wooded this was not an issue. Mr. Hilchey expressed concern that there is difficulty in distinguishing between private and commercial trails and this development may depreciate the value of his property as a result.

**Mr. Karen Gilligan**, property owner, commented they would be permitted to have horses by right.

**Mr. John Gilligan**, property owner, stated he has purchased a culvert to address the water problem and if it becomes an ongoing problem, he will find a solution.

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

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

**MOVED by Councillor Snow, seconded by Councillor Streach, that Marine Drive, Valley and Canal Community Council:**

- 1. Approve the development agreement as set out in Attachment "A" of the November 23, 2006 staff report to permit the establishment of a commercial recreation use (equestrian facility).**
- 2. Require that the development agreement be signed and registered within 120**

days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council or any other bodies as necessary, whichever is later, otherwise this approval will be void and obligations arising hereunder shall be at an end.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2            Case 00872: Foodland Store Expansion, 22579 Highway #7, Sheet Harbour**

- A report dated November 7, 2006, on the above noted, was before Council.

Mr. Shayne Vipond, Planner, presented the report to Council.

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

**Mr. George Hillier**, spoke in favour of the proposal noting there was a concern with drainage from this property which crossed the roadway onto his and other properties.

A resident also expressed concern with the drainage problem noting there is damage to his property currently as a result of this.

**Mr. Thompson**, Sobeys, noted they are aware of the problem and the applicant intends to clean out the ditch and replace the culverts. He advised they will ensure the drainage problem is minimized and brought to DOT standards.

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

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

**MOVED by Councillor Streach, seconded by Councillor Snow, that Marine Drive, Valley and Canal Community Council:**

- 1. Approve the development agreement as detailed in Attachment A of the November 7, 2006 staff report.**
- 2. Require that the development agreement be signed and registered within 120**

days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council or any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise this approval will be void and obligations arising hereunder shall be at an end.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**10. REPORTS**

**10.1 Request to Name New Recreation Centre in Fall River for Former Councillor Gordon Snow**

Councillor Snow declared a conflict on this matter.

**MOVED by Councillor Streach, seconded by Councillor Hendsbee, that Marine Drive, Valley and Canal Community Council recommend that Regional Council approve the naming of the New Fall River Recreation Centre for Former Councillor Gordon Snow. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 Case 00426 - Toad's Cycle Works, 30 Lake Major Road**

- A report dated January 18, 2007, on the above noted, was before Council.

**MOVED by Councillor Snow, seconded by Councillor Streach, that Marine Drive, Valley and Canal Community Council give first reading to the proposed amendments to the North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston Land Use By-Law as provided in Attachment A of the January 18, 2007 staff report and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.3 Case 00978 - Non-substantive amendment - 14 Lake Major Road, Westphal**

- A report dated January 16, 2007, on the above noted, was before Council.

**MOVED by Councillor Streach, seconded by Councillor Snow, that Marine Drive, Valley and Canal Community Council:**

1. **By resolution, approve the non-substantive amendment to the 14 Lake Major Road, Westphal, development agreement to enable an increase of the approved square footage of the existing building and revise the approved parking plan as detailed in the amending agreement appended as Attachment "A" of the January 16, 2007 report.**
2. **Require that the amending development agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

11. **MOTIONS - NONE**

12. **ADDED ITEMS**

12.1 **Apartment Buildings - Planning Districts 14 & 17 (Shubenacadie Lakes) Plan Area**

- A report dated February 8, 2007, on the above noted, was before Council.

**MOVED by Councillor Streach, seconded by Councillor Snow, that Marine Drive, Valley and Canal Community Council direct that staff consider the matter of apartment buildings in the Shubenacadie Lakes Plan Area through the visioning process and then through the Community Planning process. MOTION PUT AND PASSED UNANIMOUSLY.**

12.2 **Case 00958 - Rezoning - 550 Beaver Bank Road**

- A report dated February 7, 2007, on the above noted, was before Council.

**MOVED by Councillor Snow, seconded by Councillor Streach, that Marine Drive, Valley and Canal Community Council give first reading to the proposed rezoning of 550 Beaver Bank Road from R-6 (Rural Residential) Zone to R-1 (Single Family Dwelling) Zone and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.**



**12.3            Councillor Streach - Request for Funding Sheet Harbour Lions Club**

**MOVED** by Councillor Streach, seconded by Councillor Snow, that a request for funding by the Sheet Harbour Lions Club to assist with the purchase of a bus be referred to staff for consideration in the 2007/08 capital budget. **MOTION PUT AND PASSED UNANIMOUSLY.**

**13.            NOTICES OF MOTION - NONE**

**14.            PUBLIC PARTICIPATION**

Mr. George Child, Vice President, Sheet Harbour Chamber of Commerce, welcomed the Community Council and noted upcoming community events.

Mr. Art MacKenzie welcomed the Community Council and suggested Regional Council consider taking their sessions into some of the communities throughout HRM.

Community Council agreed to forward the request on to the Mayor and Municipal Clerk to consider the possibility of holding Regional Council sessions in different locations throughout the Municipality.

**15.            NEXT MEETING**

The next meeting is scheduled for Thursday, March 8, 2007.

**16.            ADJOURNMENT**

The meeting was adjourned at 8:15 p.m.

Julia Horncastle  
Legislative Assistant