

MARINE DRIVE, VALLEY & CANAL
COMMUNITY COUNCIL
MINUTES
SEPTEMBER 23, 1998

The Clubhouse
East Chezzetcook

PRESENT: Councillor David Hendsbee, Chair
Councillor Bill Dooks
Councillor Gordon R. Snow

STAFF: Mr. Kurt Pyle, Planner
Mr. Kevin Warner, Development Officer
Mr. Henry Black, Development Technician
Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order at 7:00 p.m. with an invocation.

2. APPROVAL OF MINUTES

MOVED by Councillors Snow and Dooks that the minutes of June 24, 1998 be approved as circulated. MOTION PUT AND PASSED.

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

Additions

Councillor Snow requested Study re: Sidewalk Construction Miller Lake Road, Fall River be added.

Councillor Dooks requested the following items:

1. Foundation Certification - Development Services
2. Provincial Sprinkler Regulations
3. Real Estate - McPhee House
4. Greater Halifax Partnership

Deletions

Councillor Snow requested Water System take over by Water Commission be deleted from the agenda.

Information Items

1. Terms of Reference, Halifax County/Halifax Mainland Watershed Advisory Board

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS

8. PUBLIC HEARINGS

8.1 File No. MVS-04-98-17 - Appeal of Minor Variance for lot 21 Lockview Road in Fall River

Mr. Henry Black, Development Technician, presented the staff report.

Councillor Snow referenced the drawings and received clarification that it is a serviced lot and before a permit can be issued, a plot plan has to be completed by a surveyor. He stated when the plot plan is completed, if the measurements are different from those on the submitted drawing, the measurements on the surveyed plan will be the ones used for permitting.

In response to Councillor Hendsbee, Mr. Black stated there is no indication of bank erosion and the property is not identified as being in a flood plain. He further clarified that sewer services are available to the property.

Speakers for or against the granting of the Minor Variance

Mr. John Davies, 427 Lockview Road, speaking against the granting of the Minor Variance, stated each spring the water level rises and expressed concern with erosion. He referenced the schematic drawings and expressed concern with the size of the dwelling and its setbacks. He expressed concern with the separation distances between his dwelling and the proposed dwelling.

It was clarified that the property could be developed as of right.

Mr. David Dwyer, 175 West Petpeswick Road, stated there are guidelines for developments on watersheds and suggested the builder be provided with a copy of those guidelines.

Mr. Mark Lusher, property owner, stated the development permit was granted after several plan changes had been made to adhere to the setback by-law. He stated he is not trying to build an oversized structure on the lot and the proposal will meet the criteria for Minor Variances. He stated he is aware that if he cannot stay within the guidelines he will have to reapply for a new development permit, with new setbacks, etc. He stated he did not feel the fact that his house would be close to the neighbours as the basis for an appeal.

On question from Councillor Hendsbee, Mr. Lusher advised it would be a two storey home on a slab.

MOVED by Councillors Snow and Dooks that the public hearing close. MOTION PUT AND PASSED.

MOVED by Councillors Snow and Dooks that decision be deferred to October 7, 1998 to enable an opportunity for the members of the Community Council to conduct a site visit. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence from Betty Ann Aaboe-Milligan

MOVED by Councillors Snow and Dooks that the resignation of Ms. Betty Ann Aaboe-Milligan from the Marine Drive, Valley and Canal Planning Advisory Committee be accepted and a letter of thanks be sent on behalf of the Community Council. MOTION PUT AND PASSED.

10. REPORTS

10.1 Tamarac Drive - Fall River

Councillor Snow advised this matter had been addressed.

10.2 Case 00020 - Proposed Cellular Antenna and Accessory Shelter on Lakeview Service Road in Fall River

Mr. Kurt Pyle, Planner, presented the staff report.

MOVED by Councillors Snow and Dooks that the Marine Drive, Valley and Canal Community Council support the proposal by Rogers Cantel Inc to locate cellular antennas and support shelter on Lakeview Service Road in Fall River as illustrated on Map 1, Page 5 of the staff report dated September 9, 1998. MOTION PUT AND PASSED.

10.3 Pilot Pet Parks

Councillor Snow stated he was recommending the present leash law remain in effect in District 2.

Councillor Dooks stated he was not recommending any areas in District 1.

Councillor Hendsbee stated he would be recommending future park developments set

aside a portion of property to be designated for this purpose.

10.4 Councillor Snow

10.4.1 Speed Limit - Grand Lake

MOVED by Councillors Snow and Dooks that a letter be sent to the Department of Transportation seeking a lowering of the speed limit from 70km/hr to 60km/hr in the community of Grand Lake. MOTION PUT AND PASSED.

10.5 Councillor Dooks

10.5.1 HRM Development Permits for Mobile Canteens

Councillor Dooks advised mobile canteens have to apply for a permit on a yearly basis. He stated he does not feel it is necessary for an application to be filled out yearly but perhaps a one time or multi year permitting system could be put in place.

MOVED by Councillors Dooks and Snow that an amendment be made to the appropriate by-law to enable the owners of mobile canteens to apply for a multi year permit rather than yearly. MOTION PUT AND PASSED.

10.5.2 Land Regulations, Mooseland

Councillor Dooks advised he has been in contact with Real Estate to address a situation in Mooseland regarding a land purchase. He stated he was asking Real Estate to expedite that process so that the land can be purchased with a view to the establishment of a recreational use in the community.

MOVED by Councillors Dooks and Snow that Real Estate Department expedite this matter. MOTION PUT AND PASSED.

10.5.3 Firehall, Mooseland

Councillor Dooks advised he had made a request a number of years ago for the fire hall in Mooseland to be turned over to the community association of Mooseland to bring the ownership of the hall back under the jurisdiction of the community.

MOVED by Councillors Dooks and Snow that fire services be requested to initiate the process of transferring the Mooseland Fire Hall over to the Mooseland Community Association. MOTION PUT AND PASSED.

10.5.4 Playground Apparatus, Moser River

MOVED by Councillors Dooks and Snow that Recreation Department be requested to provide a piece of surplus playground apparatus in the community of Moser River. MOTION PUT AND PASSED.

10.5.5. Park Land, Mushaboom

Councillor Dooks stated the community had been promised that HRM would consider the establishment of a ballfield on recreation property.

MOVED by Councillors Dooks and Snow that Real Estate Facilities complete necessary to expedite the establishment of the ball field. MOTION PUT AND PASSED.

10.5.6 Park Land, Ostrea Lake

Councillor Dooks advised Mr. Frankie McPhee had donated a piece of property, located next to the fire department, to establish a park in Ostrea Lake. The Councillor advised the process was not taken to completion.

MOVED by Councillors Dooks and Snow that this process be completed. MOTION PUT AND PASSED.

10.5.7 Traffic Study, Musquodoboit Harbour

MOVED by Councillors Dooks and Snow that the Traffic Authority be requested to carry out a study from the new exit of the #107 down to the Green Bridge. MOTION PUT AND PASSED.

He stated the community is concerned with public safety, children coming from the high schools, improper driveways and turn off points to the commercial area. The Councillor advised it is a very busy intersection with commercial development in that location. He stated people are walking on road shoulders. There was also concern expressed that there may be trucks from the Gypsum mine using this road to haul ore to Dartmouth and Sheet Harbour.

The Councillor advised there had been a crosswalk sign in place which has since been removed stating this sign needs to be reestablished. He stated there are no established entrance and egress points from the businesses. He advised he is asking for an immediate study so that the community can make recommendations to the ratepayers

association and to the Department of Transportation. He stated, for the record, he has great concern for the safety of the children who walk along that road as they are leaving the high school and walking along the pavement.

The Councillor requested the study take into consideration, vehicular traffic flows, pedestrian crossing patterns and access and egress to the commercial businesses.

10.5.8 Parks & Recreation, Musquodoboit Harbour

Councillor Dooks advised Mary Beth Wright has done an excellent job in the office in Musquodoboit Harbour. He requested a letter be sent to Dan English commending her and her work in Musquodoboit Harbour.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Study re: Sidewalk Construction Miller Lake Road, Fall River - Councillor Snow

MOVED by Councillors Snow and Dooks a study be requested of regional operations on the cost of sidewalk construction Miller Lake Road, Fall River. MOTION PUT AND PASSED.

12.2 Foundation Certification - Councillor Dooks

Councillor dooks requested development services investigate the possibility of foundation installers being certified or licensed.

12.3 Provincial Sprinkler Regulations - Councillor Dooks

Councillor Dooks advised many buildings in the Musquodoboit Valley are larger than 5,000 square feet, and under the building code, it is necessary install a sprinkler system in these buildings. He stated many people in this area build barns and large buildings that would be over this size and, under provincial law, are required to install sprinklers in their barns. He advised the cost to install one of these systems is \$125,000. The Councillor advised sprinkler systems have to run off high pressures water and is better designed to fit the urban setting noting, there are many rural areas that do not have sewer or water services requiring the owner of the building to provide a pumping station. He stated he would like to request provincial legislation be amended to exempt people who live in rural areas on the requirement to have water sprinklers in barns or buildings over 5,000 square feet. He

stated there is a need for a review of this process.

12.4 McPhee House - Councillor Dooks

Councillor Dooks advised he has been in contact with Real Estate with a view to turning the McPhee House in Sheet Harbour over from the community association to the Municipality. He stated he would ask for a meeting to be arranged between the Board of Trade of Sheet Harbour and Mr. Peter Bigelow with the intent of turning that facility over to the HRM.

12.5 Greater Halifax Partnership - Councillor Dooks

Councillor Dooks advised the town of Sheet Harbour is experiencing growth and the Board of Trade plays a very active part by focusing on community initiatives and lobbying for industry to bring resource into the community. He stated the community growth is such that there is need for a full time position under the auspices of the Board of Trade to prepare the community to meet the future by encouraging industry to work to develop the community. He stated it is his understanding that the Partnership has been mandated to provide this type of opportunity to all of HRM. The Councillor requested a letter to go to Dr. Mike Macdonald asking him to provide funding to provide one full time staff position in the community of Sheet Harbour to focus on the development of that community as was mandated at the onset of the HRM.

Councillor Hendsbee stated Sheet Harbour should have a higher focus and attention with regards to delivery services and personnel as well as promotion.

Councillor Dooks stated there has been little support in promoting the Port of Sheet Harbour.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. David Dwyer advised the wharf in Petpeswick is in excellent shape and is used for recreation purposes by the children of the community. He suggested the Community Council request HRM obtain ownership of the wharf.

MOVED by Councillors Dooks and Snow that a letter be written to the Department of Public Works regarding the possible divestiture of the wharf and having it transferred to the ownership of the municipality to complement the recreation uses in the community. MOTION PUT AND PASSED.

15. ITEMS FOR NEXT AGENDA

16. NEXT MEETING

The next meeting is scheduled for October 7, 1998 at 7:00 p.m. in Goffs. Further it was agreed that the November and December meetings be held on the first Wednesday of those months (November 4, 1998 and December 2, 1998).

17. ADJOURNMENT

**MOVED by Councillors Snow and Dooks that the meeting be adjourned at 8:55 p.m.
MOTION PUT AND PASSED.**

Julia Horncastle
Assistant Municipal Clerk