

WESTERN REGION COMMUNITY COUNCIL
MINUTES

June 25, 2007

PRESENT: Councillor Stephen D. Adams, Chair
Councillor Reg Rankin
Councillor Gary Meade

STAFF: Mr. Paul Morgan, Planner
Mr. Luc Ouellet, Planner
Mr. Martin Ward, Solicitor
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. in the Thomas Raddall Room of the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

2. APPROVAL OF MINUTES - June 5, 2007 Special Meeting

MOVED by Councillor Meade, seconded by Councillor Rankin, that the minutes of June 5, 2007 Special Meeting be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

- Additions:**
- 10.2.1 Eisenhower Ballfield Netting - Councillor Meade
 - 12.1 Status of Terrence Bay Road Paving - Councillor Rankin
 - 12.2 Scott's Road, East Dover - Councillor Rankin
 - 12.3 High Speed Internet Service, East Dover - Councillor Rankin

MOVED BY Councillor Rankin, seconded by Councillor Meade that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.1 Status Sheet Items

4.1 HRM Issues

4.1.1 Water Service Boundary, St. George Blvd., Kingswood

No information received. To remain on Status Sheet.

4.1.2 Rezoning - Westwood Subdivision from MU to RI

No information received. To remain on Status Sheet.

4.2 Provincial Issues - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARINGS

8.1 Case 01012: Land Use By-Law Amendment for 1060 Old Sambro Road, Harrietsfield.

- A staff report dated May 10, 2007 was before the Community Council.

Mr. Luc Ouellet, Planner, presented the report.

Councillor Adams explained the guidelines for public hearings. He explained that the guidelines will apply to all three public hearings on this evening's agenda. Councillor Adams then opened the public hearing calling for any speakers for or against the proposal.

Public Hearing Speakers:

Colin Keating, Old Sambro Road

Advised that he resides across from the property in question and has previously expressed his concerns to Councillor Adams. He is in support of the proposal.

Vera Keating, Old Sambro Road

Advised that she lives across from the stable (property) and is in support of the proposal.

Councillor Adams gave the third and final call for speakers. Hearing none, it was **MOVED BY Councillor Meade, seconded by Councillor Rankin that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Meade, seconded by Councillor Rankin that the Western Region Community Council approve the amendments to Appendix "C" of the Land Use By-Law for Planning District 5 (Chebucto Peninsula), provided in Attachment "B" of the staff report dated May 10, 2007, to allow an existing stable and trail ride business at 1060 Old Sambro Road.

Councillor Adams noted that the concerns raised by the Keatings (drainage and run-off) will be addressed by the Department of Transportation & Public Works and the

Department of Environment & Labour as well as concerns in regard to the mobile home.

MOTION PUT AND PASSED.

8.2 Case 00890: Development Agreement - Camp in Sambro Head

- A staff report dated May 22, 2007 was before the Community Council.

Mr. Luc Ouellet, Planner, presented the report.

Councillor Adams opened the public hearing calling for any speakers for or against the proposal to come forward at this time.

Public Hearing Speakers:

Sarah Merrick, Eastern Passage

Advised that she is the Youth Leader for the Eastern Passage Baptist Church. She recommended approval of the proposal. The current campsite is small and the proposal will enable an expansion of the Ministry. The proposal will also help increase tourism to the area as parents travelling to Bayside will most likely take the scenic route, do "tourism things" and have a meal in the area.

Councillor Adams gave the third and final call for speakers. Hearing none, it was **MOVED BY Councillor Meade, seconded by Councillor Rankin that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Rankin, seconded by Councillor Meade that the Western Region Community Council:

- 1. Approve the development agreement, as contained in Attachment "A" of the staff report dated May 22, 2007.**
- 2. Require that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be null and void and obligations arising hereunder shall be at an end.**

Councillor Rankin noted that there may be an intention to relocate the monument from Bayside Camp (Fader Road). He requested that there be consultation with community members prior to any action being taken in regard to the monument.

MOTION PUT AND PASSED.

8.3 Case 01040: Amending Agreement - Westgate Community, Timberlea

- A staff report dated May 28, 2007 was before Community Council.

The following written submissions were received prior to the public hearing for Case 01040:

- An e-mail dated June 10, 2007 from Mr. Wayne Rogers opposed to the development.
- An e-mail dated June 25, 2007 from Mr. Christopher LeDrew in favour of the development.

Mr. Paul Morgan, Planner, presented the report.

Public Hearing Speakers:

Glen Dexter, Head of St. Margaret's Bay / Tantallon

- Advised he is one of the Principles of Developer - Nine Mile River Investments Ltd. (NMRIL)
- Explained that the current permit for the Nine Mile River Sewage Treatment Plant (STP) is 1 million gallons per day. The current sewage treatment flowing through the STP today is very close to that limit.
- An anticipated expansion to 2 million gallons per day was denied by the provincial Department of Environment and Labour due to concerns with the adverse impacts on the (Nine Mile) river during the summer and early autumn when flows in the river are at their lowest.
- NMRIL has worked closely over the last two years with HRM and the province (Department of Environment and Labour) to find a solution to prevent additional sewage from entering the Nine Mile River. The solution was to divert part of the Timberlea/Lakeside/Beechville area sewage to the Halifax Sewage Treatment Plant. Therefore, no additional sewage effluent will go into the Nine Mile River. The development should not threaten the river.
- Irrigation and water for the golf course during the dry season will be from the sewage plant effluent (secondary treatment) via an irrigation (treatment) pond. This will reduce by half, the effluent to the Nine Mile River. The Watershed Advisory Board reviewed this plan and gave the designers a standing ovation. The province and Consultants also agreed to this irrigation plan.
- The Nine Mile River Investment Ltd. shares the Community's concerns for the Nine Mile River and this development will not adversely affect the river, in fact it should help improve the quality of the river.
- Regional Council has reviewed this proposal, twice; once for approval in principle approximately one year ago and secondly for more detailed approval on May 29th.

Roseanne Coats

- Expressed concern with the term “when necessary” in regard to the sewage treatment plant expansion adding that it is necessary now.

Mr. Paul Morgan responded that the Nine Mile River Sewage Treatment Plant is currently still below the license capacity. HRM will have to have very careful timing so that by the time capacity is reached, a diversion will occur to keep the plant at or below its capacity. The province will not provide further subdivision approval unless the sewage plant capacity issue is addressed.

Rick Swain, Prospect Bay

- Requested clarification on whether part of the development will be using the Nine Mile River STP in Timberlea and how many houses it would take to reach capacity.
- Advised that he frequently paddles the Nine Mile River. There is not much head water capacity to dilute sewage effluent.
- Using effluent for irrigating the golf course and reducing effluent to the river during the summer months is an excellent idea.
- He inquired if there were any guarantee that HRM would not try to override the province’s suggestion in regard to capacity at that STP.

Mr. Paul Morgan, Planner, responded that the province would refuse to grant subdivision approval if the capacity issue has not been addressed. He confirmed that part of the development will use the Nine Mile River Sewage Treatment Plant and that the plant will remain open with a 1 million gallons per day capacity. Other subdivisions had received previous approval and they will also be able to hook into the Nine Mile River STP. Mr. Dexter added that his development could develop up to another 190 homes prior to capacity being reached.

Alan Hennigar

- Inquired if there would be an odour from the effluent treatment pond and where it would be located.

Mr. Dexter responded that the treatment pond was designed by Engineers and there should be no odour. The pond area would be located near the Timberlea Village Parkway and tucked in behind Highway # 3 with a buffer any existing residential areas. Future plans include the sale of lots bordering the treatment pond. He added that secondary treatment effluent is very clean.

Richard Balin, Timberlea Village

- Requested clarification on the actual number of dwelling units, 900 or 3200 units and whether they would be single family dwelling units or apartments.

Mr. Paul Morgan, Planner, responded that Westgate will be a large community with a mix

of apartments, townhouses and single family homes and will include a town centre, office campus and commercial area. 3200 units were previously approved by Council, 900 units was the “trigger” for when the expansion would be required for the STP.

Councillor Rankin added that the 900 dwelling units was the number referenced in regard to the control HRM thought they should have before the expansion of the treatment plant. The province then reduced that number to 190.

Lisa Mullin, Shad Bay

- Inquired if the wastewater diversion Plan “B” has kicked in yet considering the STP is nearing capacity and it will not take long for the additional 190 homes to be built.

Mr. Morgan responded that CBCL has been hired to work on the feasibility of this project and provide cost estimates. He added that HRM has not been standing still on this issue. A lot of work has already been done with more detailed design work underway.

Gordon Hamlin, Timberlea

- Congratulated Mr. Dexter for his patience over the last six years with the bureaucratic shuffle.
- He has been waiting six years for the golf course in Timberlea and is 100% in support of the project.

Mike Lamplugh, White’s Lake

- Advised that he would be presenting comments prepared by Ms. Beth McGee, Chair, Five Bridges Wilderness Heritage Trust (FBWHT) on behalf of the Five Bridges Wilderness Heritage Trust.
- A copy of the written submission is on file in the Municipal Clerk’s Office.
- The two main concerns outlined in Ms. McGee’s comments are: 1. Stormwater treatment and disposal, 2. Clarification on the wording in the Notice of Public Hearing which states that the amending agreement would allow ten years to complete the development without further review by Community Council.
- The FBWHT are pleased with the 100 foot (30 metre) buffer along the Nine Mile River and that additional sewage effluent will not be added to the Nine Mile River.

Councillor Rankin requested that the concerns raised during the public hearing, by the Five Bridges Wilderness Heritage Trust in regard to stormwater, be referred to the recently formed Wilderness Common Advisory Committee.

Mr. Morgan explained that he had informed Ms. McGee that some of the water would be going into the Otter Lake/Prospect River System. A small portion near the new

interchange naturally flows into Otter Lake. Any attempt to try and divert that to the Nine Mile River System would violate provincial/municipal regulations which prohibits transferring water from one watershed to another. There will be two levels of treatment before the water reaches Otter Lake. EDM Ltd. were the Consultants for the applicant whose forte is environmental design. Quite a bit of treatment is expected to be done prior to the stormwater being released into the Nine Mile River system.

Councillor Rankin commented that specifications for this development pre-date the Regional Plan. He complimented staff and the Developer as the 30 metre buffer from the river course exceeds the 20 metre buffer required by the Regional Plan.

Councillor Adams gave the third and final call for speakers. Hearing none, it was **MOVED BY Councillor Meade, seconded by Councillor Rankin that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Rankin, seconded by Councillor Meade that the Western Region Community Council:

1. **Approve the amending agreement, presented as Attachment "A" to the staff report dated May 28, 2007; and**
2. **Require the amending agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval of said agreement by Council and any other bodies as necessary, whichever is later, including applicable appeal periods; otherwise this approval shall be null and void and any obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS - NONE**

10. **REPORTS**

10.1 **STAFF REPORTS - NONE**

10.2 **MEMBERS OF COUNCIL**

10.2.1 **Eisenhauer Ballfield Netting**

MOVED BY Councillor Meade, seconded by Councillor Rankin that the Western Region Community Council approve the allocation of \$15,000 from the Hammonds Plains Common Area Rate for the Eisenhauer Ballfield Netting. MOTION PUT AND PASSED.

11. **MOTIONS - NONE**

12. ADDED ITEMS

12.1 Status Of Terrence Bay Paving

MOVED BY Councillor Rankin, seconded by Councillor Meade that the Western Region Community Council request an update from the provincial Department of Transportation and Public Works in regard to the status of paving for Terrence Bay Road. MOTION PUT AND PASSED.

12.2 Scott's Road, East Dover

MOVED BY Councillor Rankin, seconded by Councillor Meade that the Western Region Community Council request a letter be sent to the provincial Department of Public Works, copy to MLA Judy Streach, regarding the extremely poor condition of Scott's Bay Road and what their intention is to rectify this issue. MOTION PUT AND PASSED.

12.3 High Speed Internet, East Dover

MOVED BY Councillor Rankin, seconded by Councillor Meade that the Western Region Community Council request a status update on the funding/timeline for East Dover to receive high speed internet service. MOTION PUT AND PASSED.

13. NOTICES OF MOTIONS - NONE

14. PUBLIC PARTICIPATION

No members of the public came forward at this time.

15. NEXT MEETING - August 27, 2007

16. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

Chris Newson
Legislative Assistant