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1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. in the Gordon R. Snow Community Centre Multi Purpose Room, 1359 Fall River Road, Fall River.

2. APPROVAL OF MINUTES

MOVED by Councillor Dalrymple, seconded by Councillor Streach that the minutes of the May 25, 2011 be approved, as presented. MOTION PUT AND PASSED.

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

A submission was received from Kenneth and Paulette Allen, Appellants, dated August 3, 2011 withdrawing their appeal for Case 16817 - variance at 3 Harbourview Inn Loop, Salmon River Bridge.

It was noted that due to a scheduling conflict, Ujamaa's presentation would be rescheduled to a later date.

Deletions:

8.2.1 Variance Hearing - Appeal of the Development Officer's decision to approve an application for a variance at 3 Harbourview Inn Loop, Salmon River Bridge

9.3.1 Presentation - Ujamaa re: Sustainability of the African Nova Scotian Community Strategy

MOVED by Councillor Streach, seconded by Councillor Dalrymple that the Order of Business be approved, as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 STATUS SHEET REVIEW

A copy of the Marine Drive, Valley and Canal Community Council's Status Sheet was before the Community Council for review.

4.1.1 River Road

No update, item to remain on the Status Sheet.

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – NONE

8. HEARINGS

8.1 Public Hearing

8.1.1 Case 16875: Rezoning for Mixed Use Building – 4316 Highway 2, Wellington

A staff report dated June 6, 2011 was before the Community Council.

A submission from Cathy and Leo Thibodeau dated July 28, 2011 was circulated to the Community Council.

Ms. Jacqueline Belisle, Planner, Community Development, delivered a presentation to the Community Council respecting the application of Genivar for the lands of Paula Decker and Mike McClung located at 4316 Highway 2, Wellington. It was noted that a subdivision is also proposed for this project; however, it can proceed as-of-right and is not required prior to a decision for rezoning.

Staff responded to a question of clarification respecting the signage requirement. The following was noted:

- Under the Land Use By-law buildings are permitted to have one ground sign; the sign shall not exceed 32 square feet of area or be greater than 25 feet in height in a C-2 zone
- A facial wall sign is permitted provided it does not exceed ten percent (10%) of the wall to which it is affixed or two square feet per linear foot of wall, whichever is greater
- Mobile signs and planter box signs are permitted under temporary signage

Councillor Hendsbee reviewed the public hearing procedures and opened the public hearing, calling for any speakers for or against the matter to come forward at this time.

Ms. Lois Miller, Fletchers Lake, spoke in favour of Case 16875, noting that she is a customer of the bakery. Ms. Miller indicated that she agrees with the Municipal Planning Strategy (MPS) principles that the community should be encouraging a cluster of businesses and a village atmosphere, and commented that the proposal meets those aspects. In response to a question of clarification raised by Ms. Miller, staff confirmed that under the MPS structure, as commercial projects come forward, applications would be made for rezoning. Ms. Miller questioned whether a new owner could change the usage without going through another rezoning application. Staff provided an overview of the permitted uses for a C-2 zone, clarifying that once rezoning is established a new owner could change the usage; however, it would still have to meet the requirements under the Land Use By-law.

Ms. Theresa Piorkowski, Planner with Genivar and representative of applicants, commented that the applicant, Ms. Decker, is well known and respected in the community. Ms. Decker has operated her bakery for at least 15 years. The rezoning would allow Ms. Decker to expand her venue to service more customers. Ms. Decker is also proposing a coffee shop. The building reflects the village atmosphere, is small in scale and blends in with the rest of the community. Ms. Piorkowski indicated that the proposal would be a great opportunity for the community.

Mr. Bill Warren, Wellington, spoke in favour of Case 16875, commenting that the bakery has been part of the community for a long time and the smells coming from the bakery are nice. Mr. Warren further indicated that he would like to see more commercial opportunities for the community and Wellington area. He hoped to be able to go to the coffee shop and would encourage the community to use it as a gathering place.

Mr. William James Flemming, Wellington, spoke in favour of development, commenting that he is a customer.

Councillor Hendsbee gave the third and final call for speakers; there being no further speakers, it was **MOVED by Councillor Streach, seconded by Councillor Dalrymple that the public hearing be closed. MOTION PUT AND PASSED.**

Councillor Hendsbee referenced the correspondence received from Cathy and Leo Thibodeau dated July 28, 2011, in favour of the application to rezone a portion of 4316 Highway 2, Wellington.

MOVED by Councillor Dalrymple, seconded by Councillor Streach that Marine Drive, Valley and Canal Community Council approve the rezoning of 4316 Highway 2, Wellington from R-1A (Single Unit Dwelling Zone) to C-2 (Community Commercial Zone), as identified in Attachment A of the staff report dated June 6, 2011.

Councillor Dalrymple spoke in support of Case 016875, echoing similar comments made by members of the community:

- The community has trust and respect for the applicants; Ms. Decker and Mr. McClung are members of the community and have always supported the community
- The bakery is a gathering place for the community even without the coffee shop
- The building fits within the village centre and the community
- The coffee shop would be a wonderful addition to the community
- The addition of the coffee shop would create a few more jobs in the community

MOTION PUT AND PASSED.

8.2 Variance Hearing

8.2.1 Appeal of the Development Officer's decision to approve an application for a variance at 3 Harbourview Inn Loop, Salmon River Bridge

This matter was deleted from the agenda during the approval of the Order of Business.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

9.1.1 Steve Doucette, Inspector Specialist, Department of Environment, dated July 27, 2011 re: Watercourse Determination: 91 Glasgow Road, East Preston HRM, PID 41179037

Correspondence was received from Steven Doucette, Inspector Specialist, Department of Environment dated July 27, 2011 respecting the watercourse determination for 91 Glasgow Road, East Preston.

The Community Council accepted the correspondence and agreed to forward a copy to Mr. C. Brian Mintus, applicant; Mr. Christopher Smith, resident of 103 Glasgow Road; and HRM staff for their information.

9.2 Petitions – None

9.3 Presentations

9.3.1 Ujamaa re: Sustainability of the African Nova Scotian Community Strategy

This matter was deleted during the approval of the Order of Business.

10. REPORTS

10.1 Staff Report

10.1.1 Give First Reading – Case 16753: Development Agreement - Home Hardware, Sheet Harbour

A staff report dated July 13, 2011 was before the Community Council.

MOVED by Councillor Streach, seconded by Councillor Dalrymple that Marine Drive, Valley and Canal Community Council Give First Reading to consider the proposed development agreement, as set out in Attachment A of the staff report dated July 13, 2011, and schedule a Public Hearing.

MOTION PUT AND PASSED.

Public Hearing date scheduled for September 28, 2011 and will be held in District 1.

- 11. **MOTIONS – NONE**
- 12. **ADDED ITEMS – NONE**
- 13. **NOTICES OF MOTION – NONE**

14. **PUBLIC PARTICIPATION**

No members of the public came forward at this time.

- 15. **NEXT MEETING DATE – September 28, 2011**

16. **ADJOURNMENT**

The meeting adjourned at 7:24 p.m.

Krista Vining
Legislative Assistant

INFORMATION ITEMS – NONE