

WESTERN REGION COMMUNITY COUNCIL
MINUTES

January 26, 2009

PRESENT: Councillor Reg Rankin, Chair
Councillor Peter Lund

REGRETS: Councillor Stephen D. Adams

STAFF: Mr. Martin Ward, Solicitor
Ms. Melody Campbell, Legislative Assistant

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1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

MOVED BY Councillor Lund, seconded by Councillor Rankin, that the minutes of November 24, 2008 be approved. MOTION PUT AND PASSED.

MOVED BY Councillor Lund, seconded by Councillor Rankin, that the minutes of January 13, 2009 be approved. MOTION PUT AND PASSED.

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

Addition:

- 12.1 Councillor Rankin - Request restriction of trucks' engine 'jake' brakes on an area of St. Margarets Bay Road - Beechville Estates to the Lakeside Industrial Park Entrance
- 12.2 Councillor Lund - Request staff report on rules and regulations on home occupations for accessory buildings - Planning Districts 1, 3 and 18

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

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. HEARINGS

8.1 Variance #14949 - 1264 St. Margarets Bay Road

- A staff report dated January 12, 2009 was before Council.

Ms. Connie Sexton, Development Technician, presented the report to Council.

Councillor Rankin called for any speakers to come forward to speak to the Variance.

Mr. Fred Pope, the appellant, advised Council his concern is the setbacks, adding that

without a variance, the 5000 square feet of land would be useless. Mr. Pope distributed information to Council providing information on the history of the land. He advised Council that Nova Craft were supportive of his plan. He advised the intent for the land is industrial, as the water and sewer would not support any other type of use. He provided Council with a letter from the Johnson family, 1262 St. Margarets Bay Road, and Rosborough Boats Limited (Nova Craft Limited), adjacent owners, supporting the variance request.

In response to a query by Councillor Lund, Mr. Pope stated that 1264 St. Margarets Bay Road was built prior to 1986. He added that when it was built, it predated the Land Use By-law. Mr. Pope purchased the site in October 2007. He stated that in November 2007 when he acquired 1268, he was not aware of the regulations in place. He now understands the rules, and is going through the proper channels to request the variance for 1264 St. Margarets Bay Road.

Councillor Lund noted that when Mr. Pope purchased the land he was aware the risks involved.

Mr. Vernon Johnson, addressed Council, advising that Mr. Pole keeps a neat, clean property and has made upgrades to the community.

Mr. Pope, readdressed Council by stating that he would not let the community down and the area will continue to improve. He expressed his gratitude for the opportunity to present his case.

Councillor Rankin called three times for any further speakers on the variance. Upon the third and final call being given for any further speakers, and hearing none, it was **MOVED BY Councillor Lund, seconded by Councillor Rankin that the Variance Appeal Hearing be closed. MOTION PUT AND PASSED.**

Councillor Rankin advised that staff had done well in this application. He added that the he would like time to reflect and make a decision, as more information had been provided during the variance hearing.

MOVED BY Councillor Lund, seconded by Councillor Rankin, that Western Region Community Council defer the decision of Variance #14949 - 1264 St. Margarets Bay Road until the February 23, 2009 meeting. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS - NONE

10. REPORTS

10.1 Case 01177: Rezoning of 862 Prospect Road, Goodwood

- A staff report dated December 11, 2008 was before Council.

Mr. Brian White, Planner I, presented the report to Council.

MOVED BY Councillor Lund, seconded by Councillor Rankin, that Western Region

Community Council recommend that Regional Council Give First Reading of the proposed rezoning and schedule a public hearing.

MOTION PUT AND PASSED.

10.2 2009 Western Region Community Council Meeting Dates

MOVED BY Councillor Rankin, seconded by Councillor Lund, that the 2009 meeting schedule be approved. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Councillor Rankin - Request restriction of trucks' engine 'jake' brakes on an area of St. Margarets Bay Road

MOVED BY Councillor Rankin, seconded by Councillor Lund that the Western Region Community Council send a letter to the Minister of Transportation & Infrastructure Renewal, the Honourable Brooke Taylor, requesting a restriction of trucks' engine 'jake' brakes after 6:00 p.m. from Beechville Estates, 1254 St. Margarets Bay Road, to the Lakeside Industrial Park entrance. MOTION PUT AND PASSED.

12.2 Councillor Lund - Request staff report on rules and regulations on occupations for accessory buildings - Planning District 1, 3 and 18

MOVED BY Councillor Lund, seconded by Councillor Rankin that Western Region Community Council request a staff report providing information on the rules and regulations as it pertains to home occupations in accessory buildings in Planning Districts 1, 3 and 18 for R1 and R1a with a comparison to regulations in other districts throughout HRM. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION - NONE

Ms. Catherine, Pelrine, Timberlea, informed Council that she contacted the HRM call centre on three occasions regarding a pothole in her area, she advised Council it was more of a sinkhole. She received a Reference No. 3349 on her first contact. She was also given the number of Mr. Joe Taylor from HRM and was told to call him. She tried to contact Mr. Taylor on four different occasions and his voice mail indicated his mailbox was full. She also contacted the Mayor's office regarding her issue and was told it would be dealt with. Her first contact with HRM regarding this issue was on September 23rd and the pothole has not been addressed.

15. NEXT MEETING

Next regularly scheduled meeting will be on Monday, February 23, 2009 at 7:00 p.m.

16. ADJOURNMENT

The meeting adjourned at 8:13 p.m.

Melody Campbell
Legislative Assistant