

WESTERN REGION COMMUNITY COUNCIL
MINUTES

MONDAY, FEBRUARY 27, 2012

PRESENT: Councillor Reg Rankin, Chair
Councillor Peter Lund, Vice-Chair
Councillor Steve Adams

STAFF: Mr. Paul Sampson, Planner
Ms. Dali Salih, Planner
Mr. Miles Agar, Planner
Mr. Kurt Pyle, Supervisor, Community Development
Mr. Martin Ward, Solicitor
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

Councillor Rankin, Chair, called the meeting to order at 7:03 p.m. In the Thomas Raddall Room of the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

2. APPROVAL OF MINUTES – January 24, 2012

Correction: Councillor Rankin is Chair and Councillor Lund is Vice-Chair.

MOVED by Councillor Adams seconded by Councillor Lund that the minutes of January 24, 2012, as amended, be approved. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Case 17249: Telecommunications Tower, Prospect Road, White's Lake
- 12.2 Councillor Adams – Request for staff report to Reduce Speed Limit on Village Road, Herring Cove
- 12.3 Councillor Lund – Request For Staff Report To Initiate Planning Process To Amend The Land Use By-Law For Planning Districts 1 And 3 To Appropriately Zone All Private Land Currently Zoned For Public Park Purposes
- 12.4 Councillor Adams – Road Construction – Hobson Lake Drive Project, Bayers Lake
- 12.5 Councillor Adams – Otter Lake Solid Waste Facility – Odour Complaints
- 12.6 Councillor Adams –Drysdale Bog Land Acquisition

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

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.1 Status Sheet Updates

Councillor Lund noted that the Terms of Reference for the St. Margaret's Bay Coastal Planning Advisory Committee is expected for the April meeting.

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – NONE

8. HEARINGS

8.1 Public Hearings

8.1.1 Case 16862: Rezoning 1578 St. Margaret's Bay Road, Lakeside

A copy of the December 6, 2011 staff report was before Community Council.

Ms. Dali Salih, Planner, presented the report. She then responded to questions of clarification from Members of the Community Council.

Councillor Rankin, Chair, explained the process then opened the public hearing calling for any speakers for or against the proposal to come forward at this time.

Councillor Rankin gave the third call for speakers, hearing none; it was **MOVED by Councillor Adams, seconded by Councillor Lund that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Lund, seconded by Councillor Adams that the Western Region Community Council approve the proposed rezoning of 1578 St. Margaret's Bay Road, Lakeside, from the CDD (Comprehensive Development District) Zone to the R-1 (Single Dwelling Unit) Zone, as provided in Attachment A of the December 6, 2011 report. MOTION PUT AND PASSED.

8.1.2 Case 16095 – Development Agreement – French Village Station Road Townhouses, Upper Tantallon

The following documents were before the Community Council:

- The November 18, 2011 staff report
- Halifax Watershed Advisory Board Report dated March 17, 2011.

Mr. Miles Agar, Planner, presented the staff report. He then responded to questions of clarification from Members of the Community Council.

Councillor Rankin, Chair, explained the process then opened the public hearing calling for any speakers for or against the proposal to come forward at this time.

Jacqueline Farrell, Representative for Applicant Village Station Homes, provided an overview of the proposed development advising that it would be a low density development of ten units on 2.65 acres as there appears to be a demand for this type of housing in the area. Construction is intended to be of the highest standards as well as energy efficient and environmentally friendly with a low carbon footprint through the use of heat pumps and low flow fixtures. The development architecture will be consistent with the area. The development will be located within walking distance to many amenities and backing on HRM's Rails to Trails. The development company is locally owned/operated and uses local businesses in its developments within HRM. Ms. Farrell advised that she would respond to questions at the end of the public hearing.

Councillor Rankin gave the third call for speakers; hearing none, it was **MOVED by Councillor Adams, seconded by Councillor Lund that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Lund, seconded by Councillor Adams that the Western Region Community Council:

1. **Approve the proposed development agreement, presented as Attachment A to the November 18, 2011 staff report, and;**
2. **Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**
3. **Require that the development agreement include the requirement for washed crusher dust to be used for the pathways versus regular crusher dust due to watercourses in the area, and; that the exterior cladding of the buildings shall not include metal or vinyl with the exception of soffits and facia.**

In response to a question by Councillor Rankin, Mr. Miles Agar, Planner, explained that proposed Recommendation 3, as put forward by Councillor Lund, had been discussed with the developer earlier that day. The proposed recommendation was not considered a substantive amendment.

Ms. Jacqueline Farrell, Representative for Applicant, advised that the proposed Recommendation 3, to use washed crusher dust and to exclude metal or vinyl cladding on the exterior of the building with the exception of soffits and facia, was acceptable to the developer.

Upon consultation with the Solicitor in attendance, Mr. Martin Ward, Councillor Rankin called upon members of the public who wished to comment on proposed Recommendation 3 to come forward at this time.

Mr. Kurt Pyle, Supervisor, Community Development, responded to a question by Councillor Rankin explaining that if the changes were minor in nature and the developer agrees, the proposed amendment may be considered. The process, if the proposed amendment were a substantive amendment, would be to hold another public hearing in order to advertise the proposed substantive amendments.

Councillor Rankin gave the third call for speakers on proposed Recommendation 3, hearing none; it was **MOVED by Councillor Adams, seconded by Councillor Lund that public comment on proposed Recommendation 3 be closed. MOTION PUT AND PASSED.**

A vote was then taken on the main motion as follows:

MOVED by Councillor Lund, seconded by Councillor Adams that the Western Region Community Council:

1. **Approve the proposed development agreement, presented as Attachment A to the November 18, 2011 staff report, and;**
2. **Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**
3. **Require that the development agreement include the requirement for washed crusher dust to be used for the pathways versus regular crusher dust due to watercourses in the area, and; that the exterior cladding of the buildings shall not include metal or vinyl with the exception of soffits and facia.**

MOTION PUT AND PASSED.

8.2 Variance Appeal Hearings - NONE

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - NONE

9.2 Petitions - NONE

9.3 Delegations - NONE

10. REPORTS

10.1 STAFF

10.1.1 Case 17166: Telecommunications Tower, 105 Ketch Harbour Road, Herring Cove

The following documents were before the Community Council:

- The February 6, 2012 staff report
- Revised Attachment G – Public Information Minutes dated October 13, 2011.

Ms. Dali Salih, Planner, was in attendance to respond to questions of the Community Council if required.

MOVED by Councillor Adams, seconded by Councillor Lund that the Western Region Community Council forward a negative recommendation to Industry Canada in relation to the proposal by Bragg Communications Inc. (EastLink) to the proposed location of a new 61 metre self-supporting telecommunication tower at 105 Ketch Harbour Road, Herring Cove, as shown on Map 1 and Attachment A of the February 6, 2012 staff report. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 17249: Telecommunications Tower, Prospect Road, White's Lake

The February 2, 2012 staff report was before the Community Council.

Mr. Paul Sampson, Planner, was in attendance to respond to questions of the Community Council if required.

MOVED by Councillor Adams, seconded by Councillor Lund that the Western Region Community Council forward no objections to Industry Canada in relation to the proposal by Bragg Communications (EastLink) to place a 76.2 metre telecommunications tower, and associated equipment cabinets, to the east of 2780 Prospect Road, Whites Lake, on a 4 acre portion of the subject property (92 acre parcel, PID#00379594) as shown on Map 1 and Attachments A, B, and C of the February 2, 2012 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Adams – Request for Staff Report to Reduce Speed Limit on Village Road, Herring Cove

MOVED by Councillor Adams, seconded by Councillor Lund that the Western Region Community Council request a staff report on reducing the speed limit on Village Road, Herring Cove from 50 kmph to 40 kmph.

Councillor Adams explained that Village Road is a narrow, winding road with narrow shoulders and ditches that require residents to walk along the road edge. A concerned resident also noted that a resident in a wheelchair also uses this road as well as dog walkers/other pedestrians. The route is becoming used more frequently as a short cut to and from the local take out. Due to the design of the road (narrow and winding) it is requested that the speed limit be reduced to 40 kmph.

MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Councillor Lund – Request For Staff Report To Initiate Planning Process To Appropriately Zone All Private Land Currently Zoned For Public Park Purposes In Planning Districts 1 And 3

MOVED by Councillor Lund, seconded by Councillor Adams that the Western Region Community Council request a staff report to initiate the planning process to amend the Land Use By-Law for Planning Districts 1 and 3 to appropriately zone all private land currently zoned for public park purposes.

Councillor Lund explained that there are at least three properties zoned for public park purposes that have private dwellings on them and that the action requested is a housekeeping matter.

MOTION PUT AND PASSED.

12.4 Councillor Adams – Road Construction – Hobson Lake Drive Project, Bayers Lake

MOVED by Councillor Adams, seconded by Councillor Lund that the Western Region Community Council request that staff respond to the request for a blasting permit in order for the developer to move forward with road construction for the Hobson Lake Drive project in Bayers Lake. MOTION PUT AND PASSED.

Councillor Rankin requested that the matter be referred to Ms. Kelly Denty, Acting Manager, Development Approvals, Community & Recreation Services, to see what can be done in regard to the request for a blasting permit as no work can proceed until the blasting is done.

MOTION PUT AND PASSED.

12.5 Councillor Adams: Otter Lake – Odours

MOVED by Councillor Adams, seconded by Councillor Lund that the Western Region Community Council request that this matter be forwarded to Halifax Regional Council for resolution on the issue of the jurisdiction of the Otter Lake Community Monitoring Committee and the contract with HRM, and; that response be provided to questions raised in the December 19, 2011 letter from the Community Monitoring Committee to HRM's Chief Administrative Officer.

Copies of correspondence from the Otter Lake Community Monitoring Committee and HRM's Deputy Chief Administrative Officer were submitted at this time. The Community Council requested that the correspondence be included with the report to Halifax Regional Council. Councillors Adams and Rankin explained that the three members of the Western Region Community Council currently serve on the Community Monitoring Committee. There had been an unprecedented number of complaints in regard to odour during November and December that exceeded complaints for the last ten years. The Community Monitoring Committee is seeking response to what caused the odours and what action has been taken to rectify the situation.

MOTION PUT AND PASSED.

12.6 Councillor Adams – Land Acquisition/Exchange - Drysdale Bog

MOVED by Councillor Adams, seconded by Councillor Lund that the Western Region Community Council forward this matter to Halifax Regional Council requesting their support of the Western Region Community Council's request for consideration of a land exchange/acquisition with a local property owner in regard to the recently rezoned Drysdale Bog lands, and; that Halifax Regional Council request an update from staff to the August 22, 2011 request of the Western Region Community Council.

Councillor Rankin expressed concern that the Community Council has not received an update/response to their August 22, 2011 request on this matter, therefore; the next step is to move the matter to Regional Council.

MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Keith Ayling, Secretary of the Nova Scotia Trails Federation, expressed his support for the French Village Station Road development being located near the trails.

15. NEXT MEETING DATE – March 26, 2012

16. IN CAMERA – NONE

17. ADJOURNMENT

The meeting was adjourned at 8:02 p.m.

Chris Newson
Legislative Assistant

INFORMATION ITEMS - NONE