

MARINE DRIVE, VALLEY AND CANAL
COMMUNITY COUNCIL
MINUTES
March 8, 2006

PRESENT: Councillor David Hendsbee, Chair
 Councillor Steve Streach
 Councillor Krista Snow

STAFF: Mr. Randy Kinghorn, Municipal Solicitor
 Ms. Julia Horncastle, Legislative Assistant

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16. ADJOURNMENT 06

1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Centre By The Sea, Jeddore.

2. **APPROVAL OF MINUTES - January 18, 2006**

MOVED by Councillor Snow, seconded by Councillor Streach, that the minutes of January 18, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

12.1 Civic Addressing

Councillor Streach requested this item be addressed following Item #7.

MOVED by Councillor Snow, seconded by Councillor Streach, that the Order of Business be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

4. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

12.1 **Civic Addressing**

Ms. Donna Davis, Civic Addressing, addressed Council advising street naming has been completed in this area and staff are now in the process of erecting community signs. She noted they are now in the final phase of the project and will be starting the process in the urban areas. Ms. Davis noted some of the problems encountered in the rural areas and introduced Mr. Phil Porter, Paramedic, who recounted some of the instances where problems have been encountered where loss of life may have been prevented.

Councillor Streach noted there is a problem with the renaming of the Old West Jeddore

Road and invited members of the public to bring forward their concerns.

Mr. Mike Zelman, Old West Jeddore Road, advised they had not been consulted regarding a name change for the road. He noted there is a cul-de-sac at the end of the road which is called Maskell Court and notification had been received by the residents of the Old West Jeddore Road advising hence forth they would go by the name Maskell Court. He stated the road has a long established name in the community and the residents on the road do not want the name change. He stated the residents on the road do not feel that they have been dealt with reasonably and fairly.

Ms. Shirley Anderson, Old West Jeddore Road, noted they had asked the Councillor to look into the situation and the deadline to agree to a new name had passed on August 17th.

Mr. Chris Garrett, Old West Jeddore Road, stated the residents had discussed the matter and, if the name has to be changed, they would like the new name to be "Old Dirt Road".

Ms. Davis advised the process in renaming a street is that if there is another road at the end of a street then they look at the question does it appear to drive continuously for emergency response purposes. If no, then that second road could have another name.

MOVED by Councillor Streach, seconded by Councillor Snow, that this issue be referred to staff for a report asking for reconsideration of the cutoff date provided to the residents of the road and reconsideration be given to the renaming of the road to a name 51% of the residents can buy into.

Councillor Streach advised this motion is asking staff to reconsider and provide an opportunity for the residents to work on a solution. He noted that private roads can be renamed as well and this motion would provide an opportunity for everyone to find a solution that they can all agree on.

Councillor Hendsbee stated that in instances where a reasonable solution can't be found then the decision should go to the area councillor or the community council responsible for that area.

In response to Councillor Streach, Councillor Hendsbee suggested community council wait until the report comes forward before making a recommendation to Regional Council on the matter.

MOTION PUT AND PASSED UNANIMOUSLY.

8. HEARINGS

8.1 VARIANCE APPEALS

8.1.1 Appeal of Development Officer's decision to refuse an application for a Variance at 17810 Highway 7, Popes Harbour

- A report dated February 27, 2006, on the above noted, was before Council.

Mr. Sean Audas, Development Officer, presented the report to Council.

In response to Councillor Snow, Mr. Audas advised the right of way was on the adjacent property belonging to a Mr. Jackson.

Mr. Barry Gerard, property owner, advised that the property was not properly surveyed prior to the locating of the building and an iron pipe was used as the property line pin. He advised he completed the building when HRM staff was on strike and has now found out that he needs a variance to obtain an occupancy permit. He advised he did not know the right of way was not a part of his property and as a result the building was placed with zero clearance at the lot line.

In response to Councillor Snow, Mr. Gerard advised he had a permit for the building when it was originally built and at that time the iron pipe had been used as the pin and he was not aware there was a right of way.

Mr. Richard Day expressed concern that the right of way is gated noting he has asked for it to be removed.

Mr. Gerard clarified that he had put the gate in place to keep people from going to where he stored his boats. He noted although the easement is on the Jackson property the gate is never locked.

In response to Councillor Streach, Mr. Kinghorn, Municipal Solicitor noted that if Mr. Jackson is aware the gate is on his property and has not removed it then community council has no jurisdiction to request the gate be removed. Concerns would be addressed through the owner of the right of way, Mr. Jackson.

Councillor Hendsbee noted the building being considered for the variance does not cross a property line. The Councillor noted correspondence had been received from the Jackson's solicitor advising they were opposed to the granting of the variance.

There being no other speakers in attendance living within 30 metres of the property, the following motion was placed.

MOVED by Councillor Streach, seconded by Councillor Snow, that Marine Drive, Valley and Canal Community Council overturn the decision of the Development Officer and grant the appeal. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

10. REPORTS - NONE

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Civic Addressing

This item was addressed earlier in the meeting. (See page 3)

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Randy Carter, Highway #7, expressed his opinion with respect to HRM's permitting process relative to private development.

Mr. Sid Prest, Mooseland, commended community council on bringing for coming into the communities to address community matters.

15. NEXT MEETING

The next meeting is scheduled for March 9, 2006.

16. ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

Julia Horncastle
Legislative Assistant