

MARINE DRIVE, VALLEY AND CANAL  
COMMUNITY COUNCIL  
MINUTES  
May 30, 2007

PRESENT: Councillor David Hendsbee, Chair  
Councillor Krista Snow

REGRETS: Councillor Steve Streach

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

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**1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

**2. APPROVAL OF MINUTES - February 21 and March 27, 2007**

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the minutes of February 21 and March 8 & 27, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the Order of Business be approved. 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**

**8. HEARINGS**

**8.1 PUBLIC HEARINGS**

**8.1.1 Case 00958 - Rezoning - 550 Beaver Bank Road**

- A report dated February 7, 2007, on the above noted, was before Council.

Ms. Leticia Smillie, Planner, presented the report to Council.

Councillor Hendsbee called for those wishing to speak either in favour of or in opposition to the rezoning.

**Mr. Carl Corkum**, Beaver Bank, stated he is not against the rezoning but is concerned with the number of cars that may be accessing the Beaver Bank Road from the subdivision. He advised there is an "S" turn in the road which causes traffic problems in the winter and this development may result in more problems.

**Mr. Ron Moakler**, Beaver Bank, stated the Beaver Bank Bypass is needed to address traffic concerns and suggested developments that impact the Beaver Bank Road be required to put money towards the construction of the Bypass. He stated alignment of the road should be looked at as there is a concern with access by emergency vehicles. He stated he had similar concerns with the next application as well.

**Mr. Greg Seymour** expressed concern with the location of the access to the subdivision noting it is on a blind corner and dangerous for high volume access onto the Beaver Bank Road. He stated he had similar concerns with the next application as well.

**Ms. Kate Green**, representing the developer, advised the newer development results in a lower density with less cars overall. She advised access will have to maintain or provide adequate safe stopping siting distance. She stated the change to R-1 zoning will be better.

**Mr. Barrett**, Beaver Bank, stated access to the development should be at a ninety degree angle.

Councillor Hendsbee called three times for any additional speakers. Hearing none, the following motion was placed.

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Marine, Drive, Valley and Canal Community Council approve the rezoning of 550 Beaver Bank Road from R-6 (Rural Residential) Zone to R-1 (Single Family Dwelling) Zone as illustrated in Attachment "E" of the February 7, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **8.1.2 Case 00919 - Rezoning a Portion of 439 Beaver Bank Road**

- A report dated March 13, 2007, on the above noted, was before Council.

Ms. Leticia Smillie, Planner, presented the report to Council.

Councillor Hendsbee called for those wishing to speak either in favour of or in opposition to the rezoning.

**Mr. Dave McSweeney** expressed concern with traffic impacts.

**A resident** of Beaver Bank Road noted there are eighty proposed traffic stalls which may result in a traffic issue and most of the area is now residential development.

**Mr. Gary Skinner** stated there are currently traffic concerns as there are school children in the area. With this additional traffic there will be concerns with the possibility of a child being hit by a vehicle.

Councillor Hendsbee called three times for any additional speakers. Hearing none, the following motion was placed.

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Marine Drive, Valley and Canal Community Council approve the rezoning of 439 Beaver Bank Road from MU-1 (Mixed Use 1) Zone to C-4 (Highway Commercial) Zone as provided in Attachment "A" of the March 13, 2007 staff report. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that staff provide a report with regards to a Capital Cost Contribution being placed on all future development on and off the Beaver Bank Road for the building of Margenson Drive, formerly known as the Beaver Bank Bypass, and the traffic controls and device at the Beaver Bank Road and the Beaver Bank/Windsor Junction Crossroad. The Capital Cost Contribution to be determined in conjunction with staff and the allocation of the Capital Cost Contribution be determined by need in consultation with community council. MOTION PUT AND PASSED UNANIMOUSLY.**

## **8.2 VARIANCE HEARINGS**

### **8.2.1 Variance Appeal at 8690 Highway 7, Smith's Settlement**

- A report dated May 23, 2007, on the above noted, was before Council.

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

Councillor Hendsbee called for those wishing to speak either in favour of or in opposition to the variance appeal. The Councillor noted for the record that there was no one present to speak on behalf of the variance.

Mr. Bill Lawrence, property owner, advised that he had never been provided with the information that the variance could be denied. He noted he had not been advised by his contractor that the stop work orders had been issued. He stated he felt the structure would enhance the look of his property and serve as a way to secure his belongings.

Councillor Hendsbee expressed concern that the stop work order had been ignored.  
**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Community Council approve the variance request. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **8.2.2 Appeal of Refusal of Variance - 19 Spruce Grove Court, Beaver Bank**

- A report dated April 17, 2007, on the above noted, was before Council.

Mr. Trevor Creasor, Development Officer, presented the report to Council.

Councillor Hendsbee called for those wishing to speak either in favour of or in opposition to the variance appeal. The Councillor noted for the record that there was no one present to speak on behalf of the variance.

Mr. Leslie Rice, property owner, advised he was advised that he did not require a building permit nor was he advised of the twenty foot setback requirement. He noted his property is on a cul-de-sac.

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Community Council approve the variance request. MOTION PUT AND PASSED UNANIMOUSLY.**

### **9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

#### **9.1 Correspondence**

Correspondence was received from Mr. Adam Conrod regarding a number of issues under the Community Council jurisdiction. The correspondence will be forwarded to staff.

#### **9.2 Petitions - None**

### **10. REPORTS**

#### **10.1 Street Renaming - Vista Lane - Gaetz Brook**

- A report dated May 17, 2007, on the above noted, was before Council.

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Marine Drive, Valley and Canal Community Council approve the change in street name from Vista Lane to Carissa Court. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.2 Street Renaming - Old West Jeddore Road - Head of Jeddore**

- A report dated May 17, 2007, on the above noted, was before Council.

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that Marine Drive, Valley and Canal Community Council approve the change in street name from Old West Jeddore Road and Maskell Court to Schooner Landing. MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS - NONE**

**13. NOTICES OF MOTION - NONE**

**14. PUBLIC PARTICIPATION**

A property owner expressed concern as to whether she would receive notification of a stop work order other than the placement on the building as she will not be living in HRM until her home is completed. She suggested perhaps there be follow up with a property owner in addition to the posting of the order on the property.

A resident expressed concern with the traffic at the school and asked if something could be done to address the problem.

**MOVED by Councillor Snow, seconded by Councillor Hendsbee, that staff investigate the possibility of installing traffic calming measures at the intersection of Monarch and Beaver Bank Road and at the intersection of Majestic and Monarch by the school. MOTION PUT AND PASSED UNANIMOUSLY.**

**15. NEXT MEETING**

The next meeting is scheduled for Wednesday, June 27, 2007.

**16. ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.

Julia Horncastle  
Legislative Assistant

