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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Council Chambers at 2750 Dutch Village Road. The Chair welcomed those present to the first meeting of this new Community Council.

2. **APPROVAL OF RULES OF PROCEDURE**

MOVED by Councillor Adams, seconded by Councillor Meade to approve the Rules of Procedure for Western Region Community Council as presented. MOTION PUT AND PASSED.

3. **APPROVAL OF MINUTES**

3.1 **Special Council Session - April 3, 2001**

MOVED by Councillor Meade, seconded by Councillor Adams to approve the Minutes of Special Council Session held on April 3, 2001 as circulated. MOTION PUT AND PASSED.

3.2 **Peninsula and Western Region Community Council - February 28, 2001**

MOVED by Councillor Meade, seconded by Councillor Adams to approve the Minutes of Peninsula and Western Region Community Council for meeting held on February 28, 2001. MOTION PUT AND PASSED.

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

Added Items: Appointments to Halifax/Halifax County Watershed Advisory Board

Councillor Rankin: Sidewalk - St. Margaret's Bay Road
Sidewalk - Mountain Maple to Tiger Maple
Water and Sewage Connection - 2088 St. Margaret's Bay Road
Signalization - Hammonds Plains Road/Lucasville Road
RCMP - Tantallon
Paving Rural Roads
Access to Nine Mile River
Storage Lanes - Parkdale and into Greenwood Heights
Integrated Golf Course Community between 103 and Highway 3

MOVED by Councillor Adams, seconded by Councillor Meade to approve the Order of Business as amended. MOTION PUT AND PASSED.

5. **BUSINESS ARISING OUT OF THE MINUTES** - None
6. **MOTIONS OF RECONSIDERATION** - None
7. **MOTIONS OF RESCISSION** - None
8. **CONSIDERATION OF DEFERRED BUSINESS** - None
9. **PUBLIC HEARINGS**
- 9.1 **Case 00238 - Application to Rezone a 46 Acre Parcel of Land in Timberlea from R-1 to CDD and to Enter into a Development Agreement for Commercial/Residential Development**

A Staff Report dated March 23, 2001 was before Community Council. Mitch Dickey, Planner provided an overview of the application with the aid of overheads. He advised that staff was recommending approval of the application. The portion to be considered this evening would be the rezoning of the lands shown on Map 2 of the Staff Report and, upon the expiration of the appeal period or any appeal concerning the rezoning, Community Council would then consider the Development Agreement to permit a commercial/residential development.

Mr. Dickey advised that there were changes to the proposed Development Agreement, which had been agreed to by the applicant and which staff was recommending be incorporated into the Development Agreement. He outlined the proposed changes. These changes are:

- Revised 2.7.2 Primary signage in Phases A, B and C shall be limited to one double-faced ground sign per lot. The ground signs in Phase A and for the strip mall in Phase B may not exceed a height of 18', with a maximum advertising area of 88 sq. ft. per face. Other ground signs in Phases B and C may not exceed 15' in height and 25 sq. ft. in area per face, per lot. Each ground sign may also include an integrated signboard to accommodate changeable lettering, which shall not exceed 12 sq. ft. in area per face (maximum of two faces). Minor modifications in the number and size of the signs may be approved by the Development Officer provided that the intent of this Agreement is satisfied.
- Revised 2.7.4 Fascia wall signs may be provided on each face of a building at the rate of one sq. ft. of sign area per lineal foot of wall, except on the Building in Phase A, where fascia signs shall be permitted as generally shown on Schedule "C".

- New 2.9.5 Notwithstanding 2.9.3 and 2.9.4, no screening of service areas and infrastructure located behind the grocery store is required, other than the 20' green buffer as shown on Schedule H1.
- Revised 3.5 Upon assumption of the developer's obligations under this Agreement and any subdivision agreement entered pursuant to this Agreement (with respect to all or a portion of the lands) by successors in title to the developer, the Municipality agrees to release the developer of its obligations with respect to that portion of the lands, the title to which it has transferred.

The Chair then called for speakers in favour of the application.

Ms. Margot Cantwell, EDM Consultants, representing the developer, advised the applicant was looking to move a portion of the 40 acres of commercial property, under the overall plan, up to the interchange. A commercial development at the interchange would handle traffic better and was better located to feed off the highway. The remaining commercial portion at Highway 3 will be just a small strip mall. The developer will be providing furnishings for the park. Water pressure on Parkdale will be better. Storm water will be ponded to help relieve flooding problems. The developer will be building a mound at the highway.

Ms. Cantwell then presented a scale model of the property to provide further information on the proposed development.

Mr. Glen Boone, Real Estate Planner, Sobeys Properties advised that Sobeys has looked at the development as part of the community. When the Public Meeting was held, Sobeys became aware of some of the issues in the community. At a future meeting, Sobeys' concept plan was well received. Sobeys has a new building concept which makes its buildings more attractive architecturally. Sobeys is doing more landscaping to make the properties more attractive from a green perspective and improving storm water management.

The Chair then called three times for speakers in opposition. There were none.

There was no correspondence received with regard to this application.

MOVED by Councillor Meade, seconded by Councillor Adams to:

- 1. Approve the rezoning of lands as shown on Map 2 of the Staff Report dated March 23, 2001 from R-1 (Single Unit Dwelling) zone to CDD (Comprehensive Development District);**
- 2. Upon the expiration of the appeal period or any appeal concerning the rezoning, approve the Development Agreement (Attachment 3 to the Staff Report dated March 23, 2001) including the recommended revisions (a revised**

- Section 2.7.2, a revised Section 2.7.4, a new Section 2.9.5 and a revised Section 3.5) to permit a commercial/residential development; and**
- 3. Require the amended agreement be signed within 120 days or any extension thereof granted by Community Council on request of the applicant from the date of final approval by Council and any other bodies as necessary whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

10. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None
11. **REPORTS**
 - 11.1 **Case 00208 - Request for Amendments to the Municipal Planning Strategy and Land Use By-Law for Planning District 4 to Permit Conversion of the Former Northland Fisheries at 1030 Terence Bay Road (PID No. 00384834 and No. 40501124) Terence Bay, to a Visitor and Recreation Centre, by Development Agreement**

A Staff Report dated April 5, 2001 was before Community Council. Maya Ray, Planner provided an overview of the application. She advised that at this point in the process, staff was requesting that Community Council forward recommendations to Regional Council.

Councillor Meade asked for clarification on the 750 sq. ft. service building and maximum height. In response, Ms. Ray advised that it was maximum floor area; conceivably, there could be a first and second level but the square footage could be no more than 750 sq. ft.

Councillor Rankin stated he understood that a notice had been sent out to members of the public advising of this meeting and advising that anyone who wished to speak at Community Council regarding this issue should contact the Clerk. At this point, there was only one person who had expressed an interest to speak - Ms. Trina Coxworthy.

Community Council having agreed to allow speakers, the Chair asked if Ms. Coxworthy was present and would she still like to speak. In response, Ms. Coxworthy advised she was not prepared to speak at this time.

Councillor Rankin advised there would be an opportunity to speak at the Public Hearing or, alternatively, members of the public could forward comments to the Planner.

MOVED by Councillor Meade, seconded by Councillor Adams that Community Council recommend to Regional Council that:

- 1. Regional Council give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Planning District 4, attached as Appendix A to the Staff Report dated April 5, 2001, and schedule a Public Hearing for May 22, 2001.**
- 2. Regional Council and Western Region Community Council move Notice of Motion to consider approval of the proposed Development Agreement, attached as Appendix B to the Staff Report dated April 5, 2001, and schedule a joint Public Hearing for May 22, 2001.**
- 3. Regional Council approve the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Planning District 4, attached as Appendix A to the Staff Report dated April 5, 2001, to permit conversion of the former Northland Fisheries at 1030 Terence Bay Road (PID No. 00384834 and No. 40501124) to commercial, community and resource related uses which are supportive of the tourist industry and the surrounding community, by Development Agreement.**

MOTION PUT AND PASSED.

Contingent upon the approval by Regional Council of the above Municipal Planning Strategy and Land Use By-law amendments and the approval or deemed approval of said amendments by the Minister, Western Region Community Council will consider, at its next meeting:

- (a) Approval of the proposed Development Agreement, attached as Appendix B to the Staff Report dated April 5, 2001, to permit conversion of the former Northland Fisheries at 1030 Terence Bay Road, Terence Bay, to commercial, community and resource related uses which are supportive of the tourist industry and the surrounding community.
 - (b) Giving the applicant one hundred and twenty (120) days to sign the Development Agreement from the date of approval by the Community Council, or the date of any other approvals required to sign the agreement as the case may be, unless any extension thereof is granted by the Community Council at the request of the applicant, otherwise, this approval will be void and obligations arising hereunder shall be at an end.
12. **MOTIONS** - None

13. **ADDED ITEMS**

13.1 **Appointments to Halifax/Halifax County Watershed Advisory Board**

MOVED by Councillor Meade, seconded by Councillor Adams that Don Mason and Mark Leaman be appointed to the Halifax/Halifax County Watershed Advisory Board for a period ending November, 2003. MOTION PUT AND PASSED.

13.2 **Sidewalk - St. Margaret's Bay Road**

Councillor Rankin referred to the uncompleted sidewalk on St. Margaret's Bay Road which, according to the 1995 Transportation Study for Timberlea, should be complete all along St. Margaret's Bay Road.

MOVED by Councillor Meade, seconded by Councillor Adams to request that the sidewalk be completed no later than when school commences in 2002. MOTION PUT AND PASSED.

13.3 **Sidewalk - Mountain Maple - Timberlea**

Councillor Rankin referred to a request from residents regarding the possible construction of a sidewalk for children using Mountain Maple to access a pathway to the school and the proposal for a one-way section of Mountain Maple.

MOVED by Councillor Meade, seconded by Councillor Adams to request Traffic Services to consider the feasibility of constructing a sidewalk and designating that portion of Mountain Maple as a one-way street. MOTION PUT AND PASSED.

13.4 **Water and Sewage Connection - 2088 St. Margaret's Bay Road**

Councillor Rankin outlined concerns with this location, resulting in the following motion:

MOVED by Councillor Meade, seconded by Councillor Adams to request that staff be requested to look into the feasibility of connecting 2088 St. Margaret's Bay Road to water and sewer. MOTION PUT AND PASSED.

13.5 **Signalization - Hammonds Plains Road/Lucasville Road**

Councillor Rankin advised that Traffic Authority has written a letter to the province asking that it cost share for installation of traffic signals at the above location. He requested that a letter

be written to Barry Barnet, MLA for the area, requesting that he impress upon the Minister of Transportation the importance of having signalization at this location.

13.6 **RCMP - Tantallon Detachment**

Councillor Rankin expressed concern that the whole Tantallon area is treated as rural whereas Sackville and Cole Harbour are considered suburban but parts of Tantallon are suburban. There was an issue of equity and he wanted to see an increase in the number of officers accordingly at the Tantallon Detachment.

Councillor Adams indicated he was a member of the Police Commission. The Police Commission recommended to Regional Council that four members be approved for all detachments, but not necessarily Tantallon.

MOVED by Councillor Adams, seconded by Councillor Meade that the Police Commission be advised of Community Council's concerns re population ratios and request that the Tantallon Detachment be brought more in line with the ratios enjoyed by the other suburban areas. MOTION PUT AND PASSED.

It was agreed that a copy of the correspondence would be sent to Superintendent Ferguson, RCMP and George McLellan, Deputy Chief Administrative Officer.

13.7 **Paving Rural Roads**

Councillor Rankin referred to the service exchange that took place prior to amalgamation and the subsequent agreement between HRM and Department of Transportation to exchange additional roads. Regional Council wants to take back its own roads because the province was not continuing to pave them.

MOVED by Councillor Meade, seconded by Councillor Adams that Mayor Kelly be advised that Community Council feels it is important to reach an agreement with Department of Transportation for the summer. MOTION PUT AND PASSED.

Councillor Meade advised that Department of Transportation has indicated that there will be no money in the provincial budget this year for repaving Route 333. The province has no money for subdivision roads but there is money for high volume roads. It appears they do not consider Route 333 high volume yet this is the road to Peggy's Cove.

Councillor Adams also expressed concern that the provincial government does not have money for road repairs.

MOVED by Councillor Adams, seconded by Councillor Meade that Mayor Kelly also be advised of Community Council's concern regarding Route 333. MOTION PUT AND PASSED.

13.8 Access to Nine Mile River

Councillor Rankin expressed concern that because two key lots which allow access to Nine Mile River have been purchased, and one has been developed, safe access to Nine Mile River with boats and canoes has been reduced.

MOVED by Councillor Adams, seconded by Councillor Meade that Planning and Real Estate Departments be requested to look into an exchange for the lot not yet developed and be advised that time is of the essence. MOTION PUT AND PASSED.

13.9 Storage Lanes - Parkdale and into Greenwood Heights

MOVED by Councillor Meade, seconded by Councillor Adams that Community Council reinforce the need for storage lanes on Parkdale and into Greenwood Heights to Traffic Services. MOTION PUT AND PASSED.

13.10 Integrated Golf Course Community Between 103 and Highway 3

MOVED by Councillor Meade, seconded by Councillor Adams that, concerns having been brought forward that outstanding issues might delay construction this year, Community Council advise Dan English, Deputy Chief Administrative Officer that it shares the concerns brought forward and requests that staff do everything possible to resolve the outstanding issues in order to get the project started on or before September of this year. MOTION PUT AND PASSED.

14. NOTICES OF MOTION - None

15. PUBLIC PARTICIPATION

Mr. Murray Countway, a Baseball Coach for youth baseball in the Tantallon area, expressed concern with the condition of the baseball field at Tantallon Jr. High School. In his opinion, it was inadequate, inappropriate and appears to be unsafe to use. He advised that he has been involved in fund raising, and has raised approximately \$1,000, to upgrade the field but at least \$2,000 was required. He wanted to have the work done before baseball season starts.

Councillor Meade advised that he would contact Jim Naugler of Recreation Services to try to correct the situation.

Ms. Barbara Verge, Maplewood on the Lakes, asked for clarification as to why tipping fees were raised in March, information on the contract awarded for 20 years if there was the ability to raise fees, the alleged trucking of compost from New Era Farms to a location in Hammonds Plains, if HRM would be responsible for leachate at the Hammonds Plains location, the issue of bonding.

Councillor Rankin provided clarification to Ms. Verge, particularly with regard to Department of Environment's jurisdiction.

Mr. Vince Hubley, Seabright expressed concern with the condition of Route 333 and the fact that Department of Transportation does not plan to upgrade the road this year. He invited Community Council members to a meeting on April 30, 2001 at the White's Lake Legion at 7:00 p.m. The meeting will encompass a full discussion on tactics and strategies with regard to getting a commitment from the province for upgrading Route 333.

Ms. Joyce Evans, Hammonds Plains expressed concern that children in schools were not separating more waste items, particularly in the school cafeterias. She stated she would like to see some kind of education program for children in schools.

It was agreed to find out what is happening in schools at this time and what can be done to increase the opportunity for separation of waste.

Mr. Jack Mitchell, former Councillor for District 23, advised that with regard to Route 333, the Minister of Transportation advised last year that Route 333 was going to be repaired, and a portion repaved, this year. He said that something has to be done about this situation.

Secondly, Mr. Mitchell advised that he was still getting calls from residents, although he was not the Councillor for the District anymore. He asked for the opportunity to sit down with Councillor Meade to go over outstanding issues.

Councillor Meade agreed to meet with Mr. Mitchell.

MOVED by Councillor Meade, seconded by Councillor Adams that a letter be written to the MLA for the area regarding Route 333 to see if he can find some funding, particularly since the Minister of Transportation indicated last year that the road would be paved this year. MOTION PUT AND PASSED.

16. **NEXT MEETING DATE** - June 25, 2001

17. **ADJOURNMENT**

On a motion from Councillor Meade, the meeting adjourned at 8:35 p.m.

Sandra M. Shute
Assistant Municipal Clerk