

WESTERN REGION COMMUNITY COUNCIL

MINUTES

NOVEMBER 26, 2001

THOSE PRESENT: Councillor Reg Rankin, Chair
Councillor Gary Meade
Councillor Stephen D. Adams

ALSO PRESENT: Paul Morgan, Planner
Ernie Brennan, Parks and Recreation
Sandra Shute, Assistant Municipal Clerk

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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, Halifax.

2. **APPROVAL OF MINUTES**

2.1 **Regular Meeting - October 22, 2001**

MOVED by Councillor Meade, seconded by Councillor Adams that the Minutes of meeting held on October 22, 2001 be adopted as circulated. MOTION PUT AND PASSED.

2.2 **Special Council Session - October 2, 2001**

MOVED by Councillor Meade, seconded by Councillor Adams that the Minutes of Special Council Session held on October 2, 2001 be adopted as circulated. MOTION PUT AND PASSED.

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

Added Items: Councillor Meade - Information Items 2, 3 and 6 to the Agenda
 Councillor Meade - Deletion of Items from Status Sheet
 Pilot Boat in Herring Cove - Councillor Adams
 Status of Twinning of Highway 103 - Councillor Rankin
 Request from the Association for Women's Residential Facilities and
 Adsum House for a Waiver of the Application Fee for a
 Development Agreement

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

4. **BUSINESS ARISING FROM THE MINUTES** - None

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Case 00329 - Request to Amend the Glen Arbour Development Agreement to Allow a Restricted Access Design**

The Public Hearing for this matter was held and closed at the October 22, 2001 meeting.

MOVED by Councillor Rankin, seconded by Councillor Adams to defer this matter, based on discussions with staff, until the January meeting of Community Council. MOTION PUT AND PASSED.

8. **PUBLIC HEARINGS** - None

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None

10. **REPORTS**

10.1 **Re-appointments to Halifax/Halifax County Watershed Advisory Board**

MOVED by Councillor Adams, seconded by Councillor Meade to re-appoint Ross Evans for District 22 and Jim Holmes for District 23 to Halifax/Halifax County Watershed Advisory Board for a three year term ending November, 2004. MOTION PUT AND PASSED.

10.2 **Case 00173 - Rezoning Application - Rosewood Avenue in Timberlea**

A Staff Report dated November 16, 2001 was before Community Council recommending that Community Council give First Reading and hold a Public Hearing and, subsequently, approve the application.

Paul Morgan, Planner advised that Planning Staff had put forward a recommendation for approval; however, Halifax/Halifax County Watershed Advisory Board had recommended rejection. As well, the report contained copies of letters from residents in the area who did not support the application. Pertinent Policies indicate that the floodplain designation is to remain structurally undeveloped wherever possible. Community Council could, therefore, reject the application at this time without a full Public Hearing. Community Council could still reject the application after hearing from the public but cannot approve it without a Public Hearing.

Councillor Meade asked how long Mitre Construction has owned the land in question. In response, Mr. Morgan advised they would have bought it with full knowledge of the floodplain zone or should have known about it.

MOVED by Councillor Adams, seconded by Councillor Meade not to proceed with a Public Hearing and, therefore, to reject the application to rezone the lands illustrated on Attachment II of the Staff Report dated November 16, 2001 from R-2 (Two Unit Dwelling) Zone and P-4 (Conservation) Zone to R-1 (Single Unit Dwelling) Zone.

Councillor Rankin stated that the reasons for rejection should go on record. These are:

- C Concerns with conservation.
- C Habitat and retention of water.
- C Surcharge of sewage which would lead to odours. No specific plan to have backup for power outages.

MOTION PUT AND PASSED.

Councillor Meade asked if it would be possible for Mitre Construction, if developing in other subdivisions, to donate the 5% required with the lands in question as it would appear they will be unable to do anything with the lands.

In response, Mr. Morgan said that would be up to the Development Officer, on the advice of Parks and Recreation, to decide whether or not to accept these lands. He had already checked with Park and Recreation to see if it would be worthwhile for the Municipality to buy the lands and Park and Recreation responded no.

It was agreed to ask appropriate staff to keep this in mind for future consideration.

10.3 Department of Transportation - Cleanup After Accidents

Councillor Meade explained that there are times when cleanup after an accident does not take place because Department of Transportation does not know that an accident has occurred.

MOVED by Councillor Meade, seconded by Councillor Adams that both RCMP and Regional Police be requested to advise Department of Transportation when cleanup is necessary after accidents. MOTION PUT AND PASSED.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Designation of Backlands Related to Herring Cove/Ketch Harbour and the Surrounding Area as Conservation**

Information Item No. 2 was brought over to the main Agenda, which was a letter dated November 7, 2001 from the Office of the Premier regarding support for the above. It was pointed out that if an area is designated Conservation, a fair number of restrictions go along with it. This has also been brought up at Regional Council at which time there was a request put forward for a report regarding the implications.

12.2 Tax Structure Information provided from New City of Hamilton

Information Item No. 3 was brought over to the main Agenda, which was provision of information from the New City of Hamilton re their tax structure as it pertains to rural areas after amalgamation.

MOVED by Councillor Meade, seconded by Councillor Adams that the information from the New City of Hamilton be forwarded to Reg Ridgeley of Finance Department with the request that he provide a report on the differences between the rural tax and the suburban tax structure for the New City of Hamilton versus Halifax Regional Municipality. Further, that the report to be prepared be sent to the Tax Structure Committee. MOTION PUT AND PASSED.

12.3 Case 00395 - Application by Telus Mobility to Locate a Cellular Tower on HRM Lands

Information Item No. 6 was brought over to the main Agenda dealing with the above application which was an Information Report dated November 16, 2001. In attendance for this item were Paul Morgan, Planner, Ernie Brennan, Parks and Recreation and Kiersten Enemark, Telus Mobility.

Paul Morgan, Planner provided the following information:

- The questions raised at the last meeting were addressed in the Information Report dated November 16, 2001. Staff was satisfied that Regional Council could entertain a lease agreement.
- With the aid of a map, he provided information on the parcel of land that was now under consideration to the west of the interchange, between Highway 103 and Otter Lake Drive. Telus is satisfied that the proposed location will meet their needs.
- Lease agreement details are being finalized. Staff was looking for a recommendation in principle from Community Council.
- With regard to the commitment by Telus to help with improvements to the Wilderness Park, Parks and Recreation favoured a cash equivalent.

Ms. Kiersten Enemark, Telus Mobility raised the following points:

- The cash equivalent is based on their cost estimate and would be up to \$30,000.
- Telus is confident they have gone through the consultation process and the proposal is reflective of the interest and issues that have arisen.
- The proposed lease is for five years and can be extended for three further five-year periods.

Mr. Morgan pointed out that the \$30,000 is above and beyond the lease agreement. Regional Council could turn down the proposed lease; however, Telus needs coverage in the area and would seek other lands which could be privately owned.

Councillor Rankin stated that the \$30,000 should not be lost to General Revenue but should be used for improvements next summer. There are safety issues already on the 103 with cars parking and people walking into the recreation lands. Additionally, during the budget process, consideration should be given to including additional monies over and above the \$30,000.

Mr. Ernie Brennan, Parks and Recreation indicated he understood that the agreement is that the \$30,000 would be tied to the site.

Ms. Enemark confirmed that the proposed lease agreement specifies that the money is for the area in question.

MOVED by Councillor Meade, seconded by Councillor Adams:

1. That the proposed tower location, as presented at the November 26, 2001 session of Western Region Community Council, be supported in principle; and
2. That Parks and Recreation Services place priority in putting in place a Stewardship Committee for the Western Common in order to put a management plan in place.

MOTION PUT AND PASSED.

12.4 **Status Sheet Items**

With the agreement of Community Council, the following items will be deleted from the Status Sheet at the request of Councillor Meade:

Advisory Committee for Hubbards
Dockside Marina
Halifax County Crest disposition

12.5 **Pilot Boat in Herring Cove**

Councillor Adams provided information on the problems being experienced in Herring Cove at this time. The Councillor advised he has been in contact with Peter James, By-law Enforcement but would also like to have a letter sent to the Atlantic Pilotage Authority to see if there are alternatives to the current situation to keep the noise down and have consideration for the neighbours in the Herring Cove community.

MOVED by Councillor Adams, seconded by Councillor Meade that a letter be written to the Atlantic Pilotage Authority in this regard. MOTION PUT AND PASSED.

12.6 Status of Twinning of Highway 103

Councillor Rankin explained that when the twinning of Highway 103 was announced in 1995, it was considered a departmental priority by Department of Transportation. The twinning has stopped, however, at Exit 3 at the landfill. At the same time, he recognized the importance of twinning Highway 101.

MOVED by Councillor Rankin, seconded by Councillor Adams to send a letter to the Minister of Transportation in this regard requesting that he do all he can to restore funding for Highway 103 as intended in 1995. Further, to send a letter to Geoff Regan, MP requesting that he be mindful of previous priorities when considering future provincial/federal agreements, such as Highway 101. MOTION PUT AND PASSED.

12.7 Request from the Association for Women's Residential Facilities and Adsum House for a Waiver of the Application Fee for a Development Agreement

MOVED by Councillor Meade, seconded by Councillor Adams to waive the application fee for the Development Agreement with regard to the above application. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

Two members of the RCMP were in attendance. A general discussion took place on policing services in the area covered by Community Council. This included the staffing complement.

MOVED by Councillor Adams, seconded by Councillor Meade to recommend that the staffing ratio in the Tantallon area be adjusted to reflect a ratio consistent with other areas patrolled by the RCMP in Halifax Regional Municipality that are suburban in nature. MOTION PUT AND PASSED.

Subsequently, Councillor Meade advised that a new Citizens On Patrol office will be opening soon in Black Point.

15. **NEXT MEETING DATE**

Monday, January 28, 2002.

16. **ADJOURNMENT**

On a motion from Councillor Meade, the meeting adjourned at 8:00 p.m.

Sandra M. Shute
Assistant Municipal Clerk