

**WESTERN REGION COMMUNITY COUNCIL**

**MINUTES**

**JULY 14, 2003**

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

ALSO PRESENT: Karen Brown, Municipal Solicitor  
Paul Sampson, Planner  
Sandra Shute, Legislative Assistant

**TABLE OF CONTENTS**

1.	Call to Order .....	3
2.	Approval of Minutes - June 23, 2003 .....	3
3.	Approval of the Order of Business and Approval of Additions and Deletions ....	3
4.	Business Arising Out of the Minutes	
4.1	Status Sheet Items	
4.1.1	Proposed Amendments re Maximum Square Footage of Accessory Buildings for Districts 1 and 3 Plan, St. Margarets .....	3
4.1.2	Rezoning of HRM Lands - Moores Lakes Area .....	3
4.1.3	Pinedale Park Subdivision, Prospect Bay Road re Wells .....	3
5.	Motions of Reconsideration - None .....	3
6.	Motions of Rescission - None .....	3
7.	Consideration of Deferred Business - None .....	3
8.	Public Hearings	
8.1	Case 00536 - Trinity Way and Housekeeping Amendments for Westgate Community, Timberlea .....	4
9.	Correspondence, Petitions and Delegations - None .....	7
10.	Reports - None .....	7
11.	Motions - None .....	7
12.	Added Items - None .....	7
13.	Notices of Motion - None .....	7
14.	Public Participation .....	7
15.	Next Meeting Date .....	7
16.	Adjournment .....	7

1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

2. **APPROVAL OF MINUTES - JUNE 23, 2003**

**MOVED by Councillor Adams, seconded by Councillor Meade to approve the Minutes of meeting held on June 23, 2003 as circulated. MOTION PUT AND PASSED.**

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

The Agenda was adopted as presented.

4. **BUSINESS ARISING OUT OF THE MINUTES**

4.1 **Status Sheet Items**

4.1.1 Proposed Amendments re Maximum Square Footage of Accessory Buildings for Districts 1 and 3 Plan, St. Margarets

The proposed amendments have been assigned to a Planner.

4.1.2 Rezoning of HRM Lands - Moores Lakes Area

The proposed rezoning has been assigned to a Planner. A Public Information Meeting is expected to be held in the Fall.

4.1.3 Pinedale Park Subdivision, Prospect Bay Road re Wells

This is in the hands of the Water Commission.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

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

8. **PUBLIC HEARINGS**

8.1 **Case 00536 - Trinity Way and Housekeeping Amendments for Westgate Community, Timberlea**

A Staff Report dated June 17, 2003 was before Community Council. Paul Sampson, Planner provided an overview of the application with the aid of overheads. During his presentation, Mr. Sampson advised that a change in the wording of a clause in the draft Development Agreement has been proposed. He referred to page 7 of the Staff Report, (2) and advised that the proposed change was from "A minimum of two side-by-side parking spaces shall be required on each lot." to "Parking spaces shall be located side by side on abutting lots on either side of the lot line." Mr. Sampson explained that the intent of the clause was to allow driveways on the cul-de-sac to be clustered to allow for more on-street parking. The current Development Agreement already requires two parking spaces per lot. The current clause would require the driveways side by side but the intent was to cluster them on the lot line so that they would be located along the lot line, together. Whether or not there will be eleven dwellings, will be confirmed at the subdivision stage.

Councillor Rankin asked how the stormwater management emission would differ from normal practice. In response, Mr. Sampson stated that the proposal is to have an easement to take the water off Highway 3 onto the other side of Trinity Way and into the lake. Details would be worked out at the subdivision stage.

The Chair then called for speakers for or against the application.

Ms. Margot Cantwell, EDM Consultants provided information with the aid of overheads as follows:

- The reason for the amendment to the proposal regarding parking spaces is to maximize the on-street parking with respect to the church.
- The C-2 zone is one of the most aggressive commercial zones and would allow a wide variety of commercial uses. At the time of the last Development Agreement, a number of people came forward asking to have Trinity Way included in the Development Agreement but it was not possible at the time.
- A number of concerns were expressed at the Public Information Meeting about the number of lots and the kind of housing that would be built. She provided overheads showing development on 40' lots in other areas such as Beechville, Halifax Peninsula, Glenbourne and the differences between same. Some homes on 40' lots could be beautiful. Small houses need to be proportionate to the lot, with a variety of housing styles and landscaping to soften the edge.
- Three story homes are not allowed in the Development Agreement.
- Bigger lots are not necessarily better as far as attractiveness and quality are concerned.

Mr. Doug MacDonald, 37 Trinity Way stated that when you drive down the street, one side will look very different from the other. He also indicated that he thought there would be problems with the culvert holding up and there will be water problems.

Mr. Reg Rafuse, 49 Trinity Way asked for clarification on the drainage easement. Presently he has two buildings over the top of the drain. He asked what property does the easement go down.

Mr. Paul Sampson, Planner, in response, stated that there is a proposed easement in favour of the Municipality for stormwater drainage on the site owned by Nine Mile Investments. It would run from the new highway location and across the street. Where it would go after that was yet to be determined. The Development Agreement requires a detailed drainage design at the subdivision stage before any of the lots are created. The intent is to solve some of the current issues as well.

Mr. Gordon Cooper, 11 Trinity Way asked what protection was there for the homeowners on the other side of the street with regard to parking. There might be provision for cars to park on the new side but there was no guarantee that cars would park there.

In response, Mr. Sampson advised that Trinity Way is a public street like any other public street that allows parking. The proposed parking is for two parking spaces on each lot. For the most part, throughout HRM, the requirement is one space per dwelling. The proposal is over and above what is normally required.

Ms. Edna Shaw, member of Trinity United Church expressed concern that Trinity Way is a slanted road and, in the winter, if there are cars parked on the road and the road is slippery, it would be very difficult to get another car through because the car might slide. She asked if the road would be graded to help alleviate this problem.

Councillor Rankin asked if Ms. Shaw's concern would have any relevance to the proposal. In response, Mr. Sampson advised this could be brought up to Traffic Services. Since it appears it is an existing problem and parking is addressed in the Development Agreement, it would be a long term issue.

Councillor Rankin requested that the concerns re parking be referred to Traffic Authority by staff for some possible improvements, which would be separate from the Development Agreement.

The Chair then called three times for additional speakers for or against the application. There were none.

**MOVED by Councillor Adams, seconded by Councillor Meade to close the Public Hearing. MOTION PUT AND PASSED.**

Ms. Margot Cantwell provided the following information in rebuttal:

- Houses will be in the \$140-170,000 range. With minimum size restrictions, there could be 10 or 11 lots.
- Regarding the stormwater easement, this is the old area of the County where there are a number of private drains taking public water. There needs to be some mechanism put in place for these to be looked at. The objective is to not make the situation any worse than it is.

Councillor Rankin then noted there were two recommendations in the Staff Report, one for rezoning and then approval of a Development Agreement. He asked for clarification on how Community Council should proceed.

Mr. Sampson advised that Community Council would deal with the rezoning at this time. Should Community Council approve the rezoning, then upon completion of the appeal period, Community Council could choose to approve the Development Agreement at its next meeting. He pointed out that the Public Hearing has been closed on both the proposed rezoning and proposed Development Agreement.

**MOVED by Councillor Adams, seconded by Councillor Meade to approve the rezoning of the lands on Trinity Way (PID 40883431) from C-2 (General Business) to CDD (Comprehensive Development District) as shown on Map 2 of the Staff Report dated June 17, 2003. MOTION PUT AND PASSED.**

Councillor Rankin put forward the following requests:

1. With respect to the storm water management proposal, staff be requested to consult with, but not limited to, Mr. Reg Rafuse and Trinity United Church with regard to what is proposed before it is signed off.
2. With respect to traffic, he acknowledged it was not status quo but he could cite Governor's Glen with many more houses coming up the same side of the road and the same difficulty from time to time. The Trinity Way cul-de-sac has 20 homes but Governors Glen has well over a hundred.

Community Council members agreed to put forward the above requests to staff.

**MOVED by Councillor Adams, seconded by Councillor Meade to defer a decision regarding the proposed Development Agreement to the next meeting.**

Councillor Rankin then made the following points:

- The current zoning is commercial. The alternative could have been a number of uses under the commercial zoning including a garage, a recycling depot, a takeout. The residents would be looking at the back side of a commercial operation in their front yard and probably a lot more coverage of the lot in a commercial zone. Most people consider going to residential from commercial as favourable.
- With respect to the 40' lots, they can be made attractive. One of the problems with the community is what they have seen on similar size lots. He pointed out this was not low income housing. It would not impact negatively on the values of the housing there currently.
- The bonus to the church is that they now have a parking lot on a public road. Some of that would continue as the proponent has addressed some of the issues with parking off street.
- The proposal is fair and he recognized the market forces for more lots.

**MOTION PUT AND PASSED.**

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None
10. **REPORTS** - None
11. **MOTIONS** - None
12. **ADDED ITEMS** - None
13. **NOTICES OF MOTION** - None
14. **PUBLIC PARTICIPATION**

Ms. Margot Cantwell, EDM Consultants provided the Westgate golf course plans for perusal after the meeting. She advised that she expected a Fall start.

15. **NEXT MEETING** - August 25, 2003 if required; otherwise, September 22, 2003.

16. **ADJOURNMENT**

On a motion from Councillor Adams, the meeting adjourned at 7:55 p.m.

Sandra M. Shute

Legislative Assistant