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**1. CALL TO ORDER**

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

**2. APPROVAL OF MINUTES**

**2.1 Regular Meeting - November 24, 2003**

**MOVED by Councillor Adams, seconded by Councillor Meade to approve the Minutes of meeting held on November 24, 2003 as circulated. MOTION PUT AND PASSED.**

**2.2 Special Council Session - December 16, 2003**

**MOVED by Councillor Adams, seconded by Councillor Meade to approve the Minutes of Special Council Session held on December 16, 2003 as circulated. MOTION PUT AND PASSED.**

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

Additions:

- 12.1 Lands adjacent to CNR / 2999 St. Margaret's Bay Road
- 12.2 Consolidation of Fire Stations 60 & 61 and 62 & 63
- 12.3 RCMP/Police
- 12.4 Brookside Subdivision
- 12.5 Western Commons
- 12.6 New Paving Projects

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

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

**4.1 Status Sheet Items**

**4.4.1 1001 Prospect Road**

Councillor Adams advised staff has met with the property owner. This issue to be removed from the Status Sheet.

No further information to report on remaining status sheet items.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

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

8. **PUBLIC HEARINGS**

8.1 Case 00616: Amendments to the St. Margaret's Bay Land Use By-Law -  
Tourist Attractions

A staff report dated December 5, 2003 was before the Community Council

Ms. Jaime Smith, Planner, presented the report.

Councillor Reg Rankin, opened the public hearing calling for any speakers for or against the proposal.

**Public Speakers:**

**George Pike, Anchors Gate Bed & Breakfast, 4281 St. Margaret's Bay Road**

Nova Scotia Department of Tourism does not enforce its regulations. There were twice as many illegal B&B's than legal operating in Bayside last year.

this proposal will allow anyone to erect or upgrade an existing building for tourist accommodation up to one building per lot. In theory you could have 25% of the houses in Bayside renting out an extra building on their lot for tourist accommodation.

Ms. Jaimie Smith clarified when a tourist accommodation permit is applied for, all requirements of the Land Use By-Law must be met. In the majority of cases you are only permitted to have one dwelling per lot. This proposal does not mean there will be a number of secondary dwellings appearing as this is not permitted under the Land Use By-Laws.

Does this mean that in order to erect or upgrade an existing building, the owner will not be able to hook into their present septic system or water supply?

Ms. Smith advised that in order to construct a second dwelling on the lot, the owner would have to go through a development agreement process. The process would require the applicant to meet the requirements of the Nova Scotia Department of Environment and Labour for septic and wells. The owner would also have to meet requirements for Land Use By-Law and the Department of Transportation and Public Works for access. This would be a public process including a public hearing.

Illegal operation of tourist accommodations are the greatest competition, not other hotels/inns. Five B&B owners have been asking the Nova Scotia Department of Tourism to shut down the illegal operations but nothing is being done.

Councillor Rankin, gave third and final call for speakers for or against this proposal. Hearing no further speakers, **the public hearing was closed.**

Councillor Meade explained this proposal is being brought in to deal with illegal operations. He added from 1996 - 2003 the Nova Scotia Department of Tourism gave approval for these operations but the owners never approached HRM regarding the zoning. Councillor Meade suggested residents also speak with their MLA, Bill Estabrooks.

**MOVED BY Councillor Meade, seconded by Councillor Adams that Western Region Community Council:**

- 1. Approve the proposed amendments to the Planning Districts 1 & 3 (St. Margarets Bay) Land Use By-Law as shown in Attachment "B".**

**MOTION PUT AND PASSED UNANIMOUSLY.**

- 8.2 Case 00618: Development Agreement - 4165 Prospect Road (or 11 Osprey Drive), Shad Bay**

A staff report dated December 5, 2003 was before Community Council.

Ms. Jaime Smith, Planner, presented the report.

Councillor Reg Rankin, opened the public hearing calling for any speakers for or against the proposal.

Councillor Meade referred to a letter written by Mr. Gordon Totten and Ms. Patrice Duggan, dated January 10, 2004, regarding the condition of The Rusty Anchor and asked if it were possible to include in the recommendation that this property be upgraded.

Ms. Jaimie Smith advised the proposed structure was the issue before Community Council this evening. She added there is a section in the staff report that refers to maintenance of the overall site and prior to the applicant receiving a permit the applicant would have to have everything up to standard.

**Public Speakers:**

**Mr. Jack Mitchell, St. Margaret's Bay**

I am in support of proposal as he has known Mr. Gaudet for over 33 years and has known him to be a very active volunteer in the community. The hotel will also be great for the community.

**Mr. George Pike, owner of Anchors Gate B&B**

I am in support of proposal. Even though we will be competitors I offer my support and welcome.

**Ms. Paula Yanch, neighbour of Mr. Giles Gaudet**

I support Mr. Gaudet and the project.

**Mr. Wayne Hatcher, 2025 Prospect Road, Hatchet Lake**

I am in support of proposal. Mr. Giles Gaudet is an inspiration to all of us and is a gentleman who is always there to help others. I offer my support to Mr. Gaudet for his hotel.

Councillor Rankin, gave third and final call for speakers for or against this proposal. Hearing no further speakers, **the public hearing was closed.**

**MOVED BY Councillor Meade, seconded by Councillor Adams that Western Region Community Council:**

- 1. Approve the Development Agreement, (Attachment "A"), to permit a sixteen unit motel at 4165 Prospect Road, Shad Bay; and,**
- 2. Require that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

- 9.1 Correspondence - None
- 9.2 Petitions - None

9.3 Delegations - Chebucto Head Lighthouse Society, Dr. Lise Chapman

A copy of the PowerPoint presentation was before Community Council.

Dr. Lise Chapman, President of the Chebucto Head Lighthouse Society presented her report. A copy is on file in the Municipal Clerk's Office.

Councillor Adams asked Dr. Chapman what the Community Council could do to help the Chebucto Lighthouse Society achieve their goal. Dr. Chapman responded their main goal was to gain access in the long term. If the Province of Nova Scotia indicates they do not intend to take over the site then HRM's support would be requested in taking over the site and allowing the Chebucto Head Lighthouse Society to rent the building/site from HRM.

**MOVED BY Councillor Adams, seconded by Councillor Meade that Western Region Community Council request a staff report exploring the feasibility of HRM partnering with the Chebucto Head Lighthouse Society and the community in support of the Chebucto Head Lighthouse and its ongoing operation.**

Dr. Chapman added another issue is the road. Councillor Adams advised the road was the Department of Fisheries and Oceans road but they have divested themselves of any responsibility. He added he spoke with MLA Michelle Raymond who advised the road is outside the core so the Department of Transportation and Public Works (DOT) is responsible for its maintenance. Councillor Adams added work is still in progress as to how to have DOT undertake that small portion of road.

Councillor Adams added in other cases, such as the Government Wharf in Herring Cove, the breakwater in Herring Cove and the Government Wharf in Ketch Harbour, the provincial government usually has no interest in them once they are divested by the Federal Government. He suggested the site will probably come to HRM and the staff report will explore the feasibility of partnering with the community.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10. REPORTS**

10.1 Councillor Rankin

10.1.1 Request for funds from Hammonds Plains Common Area Rate for repair to the front door of the Lucasville Community Centre.

**MOVED BY Councillor Gary Meade, seconded by Councillor Steve Adams that up to \$1,000.00 from the Hammonds Plains Common Area Rate be donated, subject to**

appropriate documentation, to the Lucasville Community Centre for repairs to the front door. **MOTION PUT AND PASSED UNANIMOUSLY.**

- 10.1.2 Request for funds from Hammonds Plains Common Area Rate for "Senior's Spring Supper."

**MOVED BY Councillor Steve Adams, seconded by Councillor Gary Meade that \$600.00 be awarded from the Hammonds Plains Common Area Rate as a donation toward the First Baptist Church's Senior's Supper.**

Councillor Meade questioned if the Common Area Rate could be used for donations for a supper. He added if the request were for repairs to the doorstep to prevent falls, that would be okay. Councillor Rankin suggested an amendment as follows:

**Further, if the donation cannot be specifically used in support of the Senior's Supper, Community Council is recommending that \$600.00 be donated to the First Baptist Church without specification of use.**

**AMENDED MOTION PUT AND PASSED UNANIMOUSLY.**

11. **MOTIONS** - None

12. **ADDED ITEMS**

- 12.1 Lands adjacent to CNR / 2999 St. Margaret's Bay Road

**MOVED by Councillor Gary Meade, seconded by Councillor Steve Adams that lands adjacent to the CNR former right of way to the BLT Trails could be purchased at fair market value by HRM for a parking lot near the BLT Trail. Further, that this request be forwarded to Mr. Blair Blakeney for review. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED BY Councillor Steve Adams, seconded by Councillor Gary Meade that HRM's Traffic Authority investigate the acquisition of adjacent CNR lands for re-alignment of the sharp turn opposite 2999 St. Margaret's Bay Road. MOTION PUT AND PASSED UNANIMOUSLY.**

- 12.2 Consolidation of Fire Stations 60 & 61 and 62 & 63

**MOVED BY Councillor Steve Adams, seconded by Councillor Gary Meade that a staff report be prepared as soon as possible regarding the feasibility of consolidating Fire Stations 60 & 61 and 62 & 63 in District 18. Further, that staff:**

- 1. Identify funding for these consolidations**
- 2. Consider disposal of existing assets to aid in the financing**
- 3. Consider the ramifications of Bill C-45**
- 4. Consider the proposed service delivery standards**

**MOTION PUT AND PASSED UNANIMOUSLY.**

12.3 RCMP / Police

**MOVED BY Councillor Gary Meade, seconded by Councillor Steve Adams that the RCMP / Police re-establish the ATV patrol in the St. Margaret's Bay area . Further, that this resource be made available throughout all the districts of the Western Region Community Council. MOTION PUT AND PASSED UNANIMOUSLY.**

12.4 Brookside Subdivision

**MOVED BY Councillor Gary Meade, seconded by Councillor Steve Adams that staff visit Yeadon Green Park in the Brookside Subdivision to view the damage caused to the approximately 5 acres by Hurricane Juan and that it be included in the Hurricane Juan clean-up. MOTION PUT AND PASSED UNANIMOUSLY.**

12.5 Western Commons

**MOVED BY Councillor Gary Meade, seconded by Councillor Steve Adams that staff set-up a stewardship Committee as outlined in the EMD report of 1999. Further, that the process to determine who will sit on the Stewardship Committee be outlined in a report to be presented at Community Council. MOTION PUT AND PASSED UNANIMOUSLY.**

12.6 New Paving Projects

**MOVED BY Councillor Gary Meade, seconded by Councillor Steve Adams that Engineering Staff prioritize new paving projects by need and not by year they are petitioned.**

Councillor Meade explained after 2004 the next 50 streets/roads will be in Lawrencetown. If only five streets/roads are paved per year, the next ten years will see work done in

Lawrencetown only and no other parts of HRM. He explained the list is currently submitted to the province by year, time and date the work is petitioned for. His request is to prioritize the work by need.

**MOTION PUT AND PASSED UNANIMOUSLY.**

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

**Diane Webster, 51 Oaklane, Timberlea**

When will response from Mr. Fisher be received regarding correcting the classification back to suburban for the upper portion of Highway #3 in Timberlea at Glengarry. Requested a copy of the report as soon as it is available.

Councillor Rankin advised staff have completed the review of the boundary in the Timberlea area and will be bringing forth a report in approximately one month for discussion during budget deliberations in February/March 2004. He added that his hope is that this area will go back to the suburban rate beyond Glengarry and have an area rate for transit but not sidewalks.

complaint regarding new parking meters on University Avenue, Halifax. New meters are too high and cannot easily be read.

new meters do not acknowledge money unless it is showing zero. If there are five minutes left on the meter and you deposit money, the time does not compute. She was told by HRM's storefront in the West End Mall that you have to wait for the five minutes to lapse and the time to show zero before inserting more coins to have more time. She was given a parking ticket but was told she would not have to pay this time as this would be considered a warning. She suggested a notice be placed on the meters to inform the public the time must show zero before inserting coins in the meter.

Councillor Adams requested HRM's Traffic Authority respond to the issue of time left vs. insertion of new coins in the new parking meters along University Avenue, Halifax.

**Gordon Hamlin, 14 Parkdale Avenue**

What is status of Sobey's proposed building on Exit 3? Also, another property sold at that location, who bought that?

Councillor Rankin responded that it is a commercial area and they are not required to build but there may be a penalty if they do not build by the end of May 2004. Not sure who bought the other commercial lot.

**MOVED BY Councillor Steve Adams, seconded by Councillor Gary Meade that staff provide a report on the status of the commercial property located at Exit 3, Timberlea. MOTION PUT AND PASSED UNANIMOUSLY.**

15. **NEXT MEETING DATE** - Monday, February 23, 2004.
16. **ADJOURNMENT** - The meeting adjourned at 8:10 p.m.

Chris Newson  
Legislative Assistant