

WESTERN REGION COMMUNITY COUNCIL

MINUTES

March 29, 2004

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

ALSO PRESENT: Barry Allen, Municipal Solicitor
Paul Morgan, Planner, Regional Planning
Peter Bigelow, Manager, Real Property Planning
Bruce Fisher, Manager, Financial Planning
Bill Mosher, Deputy Chief Director, Rural Districts, Fire &
Emergency Service
Chris Newson, Legislative Assistant

TABLE OF CONTENTS

1. Call to Order 4

2. Approval of Minutes 4

3. Approval of the Order of Business and Approval of Additions and Deletions 4

4. Business Arising Out of the Minutes 4

 4.1 Status Sheet Items 4

 4.1.1 Relocation of Transit Platform to Maplewood & Eisener 4

 4.1.2 1001 Prospect Road - Land Exchange 4

 4.1.3 Highway Realignment at Civic 2999 Timberlea 4

 4.1.4 Consolidation of Fire Stations 60 & 61, 62 & 63 5

 4.1.5 Western Commons 5

 4.1.6 Proposed Amendments to MPS & LUB re: Watercourses 6

 4.1.7 Intersection English Corner (Pockwock Road/Route 213) 6

 4.1.8 Recreation and Negotiations with Schoolboard 6

5. Motions of Reconsideration - None 6

6. Motions of Rescission - None 6

7. Consideration of Deferred Business 6

 7.1 Variance Appeal: 193 Lakeshore Drive, Hammonds Plains 6

8. Public Hearings 6

 8.1 Case 00536: Trinity Way and Housekeeping Amendments for Westgate
 Community, Timberlea 6

9. Correspondence, Petitions and Delegations 7

 9.1 Correspondence - None 7

 9.2 Petitions - None 7

9.3	Delegations	7
9.3.1	Project Status - The Village at Governors Run	7
10.	Reports	8
10.1	STAFF REPORTS	9
10.1.1	Conversion of Urban to Suburban Area Rate	9
10.1.2	Governor Lake North Mater Plan	10
10.1.3	Case 00616: Amendments to the Prospect and Chebucto Peninsula Land Use By-Laws - Tourist Accommodations	10
11.	Motions - None	10
12.	Added Items	10
12.1	Recently Installed Guard Rail - Old Sambro Road	11
12.2	671 Old Sambro Road	11
12.3	Transit Service to Lucasville	11
12.4	Reardon Property - BLT Trail	11
12.5	Proposed Transit Service for Sambro Loop	12
13.	Notices of Motion - None	12
14.	Public Participation	12
15.	Next Meeting Date	12
16.	Adjournment	12

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 - March 8, 2004

MOVED by Councillor Adams, seconded by Councillor Meade that the Minutes of the regular meeting held on March 8, 2004 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

Move: Item 8.1 to be dealt with next on agenda, 4.1 Status Sheet items to follow.
Item 10.1.2 move Mr. Maurice Lloyd - Project Status - The Village at Governors Run - to 9.3 Presentation.

Additions:

- 12.1 Recently Installed Guard Rail - Old Sambro Road - Councillor Adams
- 12.2 671 Old Sambro Road - Councillor Adams
- 12.3 Transit Service to Lucasville - Councillor Rankin
- 12.4 Reardon Property - BLT Trail - Councillor Rankin
- 12.5 Proposed Transit Service to Sambro Loop - Councillor Adams

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

4.1.1 Relocation of Transit Platform to Maplewood & Eisener

Metro Transit to be contacted regarding a response to this issue. To remain on the Status Sheet.

4.1.2 1001 Prospect Road - Land Exchange

Discussions continuing. To remain on the Status Sheet.

4.1.3 Highway Realignment at Civic 2999 Timberlea

Mr. David Hubley, Senior Design Engineer, HRM Public Works and Transportation, advised a design has been developed and a determination of the additional land required has been completed. A staff report will be prepared when costs are finalized. To remain on status sheet.

4.1.4 Consolidation of Fire Stations 60 & 61, 62 & 63

- An Information Report dated March 15, 2004 was before the Community Council.

This item to be removed from the Status Sheet.

4.1.5 Western Commons

Mr. Peter Bigelow, Manager, Real Property and Planning, gave a verbal presentation concerning the Western Commons. The following points were made:

- It is comprised of approximately 6500 acres. These lands were formerly the Indian Lake Watershed owned by the Halifax Water Commission then sold to the City of Halifax then to HRM when deemed to be no longer required for watershed.
- The property itself is the site of the waste resources processing facility and the cells for storage of wastes.
- Four to five years ago a planning process, including community involvement, was begun that resulted in the development of the Commons Plan. The Commons Plan designated areas for serviced residential, unserviced residential, an active recreation area and approximately 4000 acres set aside as Wilderness Commons adjacent to Provincial crown lands.
- **Property has several pristine lakes and the community was told when the time came for planning the Western Commons, Wilderness Areas and Recreation areas, there would be a Steering Committee of Stakeholders established.**
- There was an extensive list of volunteers for this Steering Committee.
- HRM Real Property and Asset Management have placed the project in their business plan for this year. Accompanying this is a capital submission of \$40,000.00 to carry out the Master Planning process that is required to do more detailed planning around the open space.
- Unfortunately, the project was cut due to the recent change in budget caused by the assessment role difference (*re: Provincial Assessment of Oil Refinery in Woodside*).

- The project is in the business plan but alternate resources will have to be found or, Regional Council will have to assist with resources or, the project will have to be set aside until it can be properly resourced in the following year.

Councillor Rankin inquired if the formation of a Stakeholders Committee could come forward. Mr. Bigelow commented a Steering Committee could come forward however, resources for the Committee and having a meaningful project to carry forward in planning the Western Common will be a challenge.

Councillor Rankin added there was private sector money for this project and asked if this could be leveraged. Mr. Bigelow advised there is \$30,000.00 in an account for use toward building a trail head at the entrance to what will be the day park. Mr. Bigelow further advised this could proceed to planning.

Councillor Rankin advised he will be in contact with Mr. Bigelow.

4.1.6 Proposed Amendments to MPS & LUB re: Watercourses

Nothing new to report. To remain on the Status Sheet.

4.1.7 Intersection English Corner (Pockwock Road/Route 213)

Letter sent to HRM Staff. Nothing new to report. To remain on the Status Sheet.

4.1.8 Recreation and Negotiations with Schoolboard

Mr. Jim Naugler, Coordinator, Client Services, Real Property & Asset Management, advised (via e-mail dated March 24, 2004) negotiations are still ongoing to address numerous issues relevant to developing a service agreement between the two parties. A report should be available for Regional Council sometime after April 2, 2004.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 Variance Appeal: 193 Lakeshore Drive, Hammonds Plains

Councillor Rankin advised the parties in question are working to resolve this issue but have not as yet reached a mutual agreement. Western Region Community Council **agreed to defer** this issue to the April 26, 2004 meeting.

8. PUBLIC HEARINGS

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

- A Supplementary report dated March 3, 2004 was before the Community Council.
- A Staff Report dated June 17, 2003 was before the Community Council.

Mr. Angus Schaffenburg, Planner II, Western Region, presented the reports.

Councillor Rankin opened the public hearing calling for any speakers for or against this proposal. Councillor Rankin gave third and final call for any speakers for or against this proposal. Having no speakers it was **MOVED BY Councillor Adams, seconded by Councillor Meade that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

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

1. **Approve the development agreement as set out in Attachment "A" to permit single unit dwellings on land off Trinity Way along with minor housekeeping amendments;**
2. **Require that the development 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 Community 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

9.3.1 Project Status - The Village at Governors Run

Mr. Maurice Lloyd, spoke on behalf of Parkdale Developments. He indicated Mr. Rob MacPherson of Kimberly-Lloyd Developments was also present.

- A report prepared by Mr. Maurice Lloyd, dated March 24, 2004, was before the Community Council. A copy is on file in the Municipal Clerk's Office.

Mr. Lloyd presented his report outlining the following points:

- In June 1999, Council approved the study terms of reference and a public participation program.
- On June 28, 1999 a public meeting was held in Timberlea, the second in a series of meetings. The first meeting was held to gather ideas from the community before preparing a conceptual plan and design brief.
- In June 2000, a more detailed study entitled "Master Plan - Governor Lake Area and Development Plan - Governor Village" was submitted.
- Subsequent studies and additional public meetings have focused on sanitary sewer services, water services and transportation and traffic impacts. *See report for details - some of which are listed below.*

Sanitary Sewer:

- Main issue is the capacity of the Nine Mile River sewage treatment plant (STP) and the assimilative capacity of the river.
- The next upgrade to the STP would provide for a population of 15,000 persons (estimated cost \$3.1 million), then an additional upgrade to 25,000 persons (estimated cost \$10.7 million).
- An alternative to the \$10.7 million dollar upgrade is to construct a pumping station at the end of Raines Mill Road with the effluent pumped to the existing Bayers Lake pumping station and then into the tunnel along Bedford Basin (estimated cost \$7.2 million - *see report for more detail*).

Water:

- Need to create a high-service zone to serve the higher elevations of the Westgate Development as well as the higher elevations of the GLMP (Governor Lake Master Plan) area.
- With development of the GLMP area the high-pressure water main can be routed westward along the main collector road in the GLMP area to Six Mile Lake and then southward along the Timberlea Collector to the proposed reservoir near the Otter Lake interchange. This could result in a saving of almost \$1 million to HRM with less disruption to the existing community.

Transportation:

- A new report commissioned by HRM with SGE Acres to analyze traffic impacts is awaited.
- The issues relate to a roadway connection from the GLMP area to Bayers Lake Business Park, cost sharing on a proposed underpass on Bicentennial Drive, and interchange improvements at Bayers Lake/Route 103 interchange.

Mr. Lloyd concluded with a comment that the area can be economically serviced with a “win-win” situation for both HRM and the developers.

See also Item 10.1.2 Governor Lake North Master Plan, page 9.

10. REPORTS

10.1 STAFF REPORTS

10.1.1 Conversion of Urban to Suburban Area Rate

- A staff report dated March 25, 2004 was before Community Council

Mr. Bruce Fisher, Manager, Financial Planning, presented the report. He advised HRM is willing to reverse the status from Urban to Suburban Rate for the 73 homes affected on condition the area pay an area rate (Transit) to fund the Route #21. He further advised only those properties within 1km walking distance to the transit line would pay the area rate as.

Ms. Diane Webster, 51 Oaklane

- Could they get a tax credit for last year’s tax bill due to charges for sidewalk ploughing.

Mr. Fisher responded there would be no reimbursements as there was no error. He added if HRM had made an error there would be a reimbursement but this situation was not due to an error but rather a change in policy. He further advised that this recommendation, if approved by Western Region Community Council tonight, would have to go forward to Regional Council for approval as well.

Unidentified member of the Public, 57 Oaklane

- She is 1.1 km from transit and asked if private roads are considered in this

Mr. Fisher advised it is 1 km walking distance and she would be considered.

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

- 1. That portion of Timberlea that was previously Suburban and became Urban in 2003-2004 revert back to its Suburban status for the 2004-2005 fiscal year,**

2. **That those properties within 1km of a transit line be required to pay an area rate for the transit service starting in 2004-2005.**

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Rankin inquired if this motion would now have to go forward to Regional Council. Mr. Fisher advised it would have to be passed by Regional Council as part of the budget deliberations as it is a change to the resolution. Mr. Fisher advised a public meeting to allow community consultation regarding the proposed Area Rate for Transit Service is required as part of the Area Rate Guidelines.

Councillor Rankin informed Mr. Fisher that a notice should be issued to the community regarding this issue since there is no formal Resident's Association. Further, he requested the public meeting on the proposed transit area rate be held at Western Region Community Council at a future date. Mr. Fisher responded as long as the community is notified of the proposed transit area rate it is possible to hold the public meeting through Western Region Community Council. He added there is usually a vote although it is not technically required in the guidelines.

Councillor Rankin clarified if there is a negative vote, or if the community does not want the proposed area rate for transit service, the alternative would be reversion back to the Urban Tax Rate.

10.1.2 Governor Lake North Master Plan

- An Information Report dated March 22, 2004 was before the Community Council.

Councillor Rankin advised the report was provided for information purposes only. *See also item 9.3 Presentation by Mr. Maurice Lloyd, pages 7 - 8.*

MOVED BY Councillor Adams, seconded by Councillor Meade that Mr. Dan English, Deputy CAO be contacted requesting HRM do everything possible to resolve this file and complete the Governor Lake North Master Plan. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Case 00616: Amendments to the Prospect and Chebucto Peninsula Land Use By-Laws - Tourist Accommodations

- A report dated March 16, 2004 was before the Community Council

MOVED BY Councillor Adams, seconded by Councillor Meade that Western Region Community Council give first reading to the proposed amendments to the *Planning District 4, (Prospect) and Planning District 5 (Chebucto Peninsula) Land Use By-Laws* as provided in Attachment "B" and schedule a public hearing for April 26, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 Recently Installed Guard Rail - Old Sambro Road

Councillor Adams advised a letter was recently sent to Mr. Paul O'Brien with the Nova Scotia Department of Public Works and Transportation in regards to a recently installed guard rail along the Old Sambro Road. He added many residents have called expressing that although the guard rail may be warranted it may be problematic for those who use this area as a boat launch. Councillor Adams requested a letter be sent to Mr. O'Brien specifying the location as Run Lake.

12.2 671 Old Sambro Road

Councillor Adams advised individuals are moving car parts onto this property and that HRM Staff have been working on this issue and their work to date is appreciated.

MOVED BY Councillor Adams, seconded by Councillor Meade that HRM Staff determine if the current use of the property located at 671 Old Sambro Road, currently zoned C-5, is illegal and that immediate action be taken to remedy the site if the current use is determined to be illegal. MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Transit Service to Lucasville

Councillor Rankin advised a representative of the Lucasville Development Association requested assistance with investigating the feasibility of extending transit to Lucasville. One suggestion was to extend the Route 83 to Lucasville. It was requested that Metro Transit arrange a meeting with the community regarding this issue.

12.4 Reardon Property - BLT Trail

Councillor Rankin advised the community would like to determine if HRM would be interested in purchasing this property. He advised staff have already visited the site and requested HRM

Staff meet with the Stakeholders, BLT Trail group and the potential sellers the Reardon family.

Councillor Rankin added lack of public access to Govenors Lake and lack of parking near the BLT Trails are reasons for considering purchase of this property. Further, that consideration be given that this property may not always be available.

MOVED BY Councillor Adams, seconded by Councillor Meade that Western Region Community Council request HRM investigate possible purchase of Reardon property for consideration of public access to Governor's Lake and parking for the BLT Trail. Further, that a meeting be held with HRM Staff, the stakeholders, including the BLT Trail group and the Reardon family regarding this issue. MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Proposed Transit Service for Sambro Loop

Councillor Adams advised surveys have been completed regarding proposed transit service to the Sambro Loop. He informed Mr. Bruce Fisher he is trying to have the process initiated to send out ballots. Mr. Fisher advised he will follow-up with this issue.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Bill Estabrooks, MLA

- Request Western Region Community Council express concern to the Province of Nova Scotia's Department of Transportation regarding proposed tunnel opposite Cranberry Lake where Highway 103 will cross the Rails to Trails.
- Currently there is an overpass at Exit 4. Request a duplicate overpass on the twinning side at Exit 4.
- Community would prefer to see an overpass as a tunnel would be dark and therefore more dangerous for pedestrians.

Councillor Gary Meade clarified there would be a culvert at this site, not a tunnel.

MOVED BY Councillor Meade, seconded by Councillor Adams that Western Region Community Council relay community concerns to the Minister of Transportation and Public Works regarding the proposed tunnel opposite Cranberry Lake at Highway 103 as part of the Highway 103 twinning project. Further, that the Department of

Public Works and Transportation consider construction of an overpass in lieu of a tunnel at this site. MOTION PUT AND PASSED UNANIMOUSLY.

15. **NEXT MEETING DATE** - Monday, April 26, 2004.

16. **ADJOURNMENT** - The meeting adjourned at 7:50 p.m.

Chris Newson
Legislative Assistant