

HALIFAX REGIONAL MUNICIPALITY

MARINE DRIVE, VALLEY AND CANAL COMMUNITY COUNCIL MINUTES

July 25, 2012

PRESENT: Councillor David Hendsbee, Chair
Councillor Barry Dalrymple, Vice Chair
Councillor Steve Streach

STAFF: Ms. Krista Vining, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order 7:10 p.m. at the Gordon R. Snow Community Centre, 1359 Fall River Road, Fall River.

2. ANNUAL REPORT

An annual report dated July 11, 2012 was before Community Council.

MOVED by Councillor Dalrymple, seconded by Councillor Streach that Marine Drive, Valley and Canal Community Council table the Annual Report. MOTION PUT AND PASSED.

3. PUBLIC PARTICIPATION ON ANNUAL REPORT

No members of the public came forward at this time.

4. APPROVAL OF THE MINUTES – May 30, 2012

MOVED by Councillor Streach, seconded by Councillor Dalrymple that the minutes of May 30, 2012 be approved, as presented. MOTION PUT AND PASSED.

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

MOVED by Councillor Dalrymple, seconded by Councillor Streach that the Order of Business be approved, as presented. MOTION PUT AND PASSED.

6. BUSINESS ARISING OUT OF THE MINUTES

6.1 Status Sheet Review

A copy of the Status Sheet was before the Community Council for review.

No updates were provided at this time.

7. MOTIONS OF RECONSIDERATION – NONE

8. MOTIONS OF RESCISSION – NONE

9. CONSIDERATION OF DEFERRED BUSINESS

9.1 Rescheduling of Fence Permit Application #102842 – 91 Glasgow Road, East Preston (*deferred March 30, 2011*)

The following was before the Community Council:

- Staff Memorandum dated July 12, 2012
- Staff Supplementary Report dated June 3, 2011
- Staff Report dated January 24, 2011

It was noted that upon receipt and consideration of a request to postpone Fence Permit Application #102842 – 91 Glasgow Road from both the applicant, Mr. C. Brian Mintus and adjacent neighbour, Mr. Christopher Smith, the Community Council has agreed to postpone the matter.

MOVED by Councillor Streach, seconded by Councillor Dalrymple to defer consideration of Fence Permit Application #102842 – 91 Glasgow Road, East Preston to a date to be determined. MOTION PUT AND PASSED.

10. HEARINGS

10.1 Rescheduling of Public Hearing re Case 15969 – Open Space Design Development Agreement – Windgate Drive, Windsor Junction

The following was before the Community Council:

- Staff report dated May 2, 2012
- Report from the Halifax Watershed Advisory Board dated June 20, 2011
- Staff Memorandum dated July 25, 2012
- Submissions from Theresa Scratch on behalf of the Second Lake Regional Park Association, Shane F. O’Neil on behalf of the Second Lake Regional Park Association, Dean Jamieson, Councillor Robert P. (Bob) Harvey, Lindsay and Rick Clark and Harold Carroll of Nova Scotia Department of Natural Resources

Mr. Tyson Simms, Planner advised that the public hearing for Case 15969 had been cancelled due to an error in the advertisement, highlighting the process of notification. Mr. Simms further referenced the July 25, 2012 staff memorandum, outlining information received from the Department of Natural Resources (DNR) respecting Case 15969. He advised that staff is seeking a deferral of this matter until such time staff can consult with DNR and provide a supplementary report to the Community Council.

Following a brief discussion, it was **MOVED by Councillor Dalrymple, seconded by Councillor Streach to defer scheduling a date for public hearing for Case 15969 – Open Space Design Development Agreement – Windgate Drive, Windsor Junction until such time that a supplementary report is tabled with Marine Drive, Valley and Canal Community Council. MOTION PUT PASSED.**

11. CORRESPONDENCE, PETITIONS AND DELEGATIONS

- 11.1 Correspondence – None
- 11.2 Petitions – None
- 11.3 Presentations – None

12. REPORTS – NONE

13. MOTIONS – NONE

14. ADDED ITEMS – NONE

15. NOTICES OF MOTION

15.1 Councillor Dalrymple

Take Notice that, at the next regular meeting of Marine Drive, Valley and Canal Community Council, I intend to bring forward the following motion:

1. Given that on the 23rd of August 2011 the Waverley Ratepayers Association completed a local area Traffic Study which was submitted to HRM's Design & Construction Services, Traffic & Right of Way Department and Manager of Strategic Transportation Planning, that this report be referred again to staff and placed on the Marine Drive, Valley and Canal Community Council Status Sheet for quarterly reports on status.
2. Given that in 2009 a Traffic Study commissioned by HRM and conducted by CBCL was completed, the report is entitled: Transportation Study - Fall River - Waverley - Wellington Areas, that this full report be placed on the Marine Drive, Valley and Canal Community Council Status Sheet for quarterly reports on status.

16. PUBLIC PARTICIPATION

Mr. Dan Regan of Lake Echo spoke on the Lake Echo Watershed Study being conducted by HRM and requested that the Community Council put forth a motion declaring a moratorium on development in the Lake Echo Watershed areas until such time as a plan can be developed and implemented to clean up the lake. This includes the suspension of application 01278 and application 17575, which both impact areas tributary to the lake. A copy of Mr. Regan's comments was submitted for the file.

Councillor Hendsbee suggested the Community Council await receipt of the Lake Echo Watershed Study, as there are other aspects, not just development, that is contributing to the lake issues/conditions (ie. fertilizer runoffs, malfunctioning septic systems around the lake, street and driveway runoff, animal manure management and the use of detergents).

Councillor Hendsbee went on to note that the Shubenacadie Lakes Watershed Study has comparable information in regard to the Lake Echo situation, suggesting Mr. Regan may want to review this report and that he would provide him with a copy.

In response to a question raised by Mr. Regan on the status of Case 01278, it was noted that this application is on hold, pending receipt of a staff supplementary report

and the Lake Echo Watershed Study to be provided to the Community Council prior to moving forward to Regional Council. It was noted that the Clerk would update the Community Council's status sheet to include this information.

Mr. Theresa Scratch of Fall River referenced the motion passed by the Community Council on January 25, 2012 respecting Case 17056; to amend the Land Use By-Law for Planning Districts 14 and 17 to allow for a private indoor horse riding barn and an increase to the maximum permitted floor area of buildings intended for agricultural use. She questioned whether any of the Municipal plans in HRM have requirements for the handling and storage of manure. Ms. Scratch noted that there are guidelines under HRM's Wastewater Management but that these are only guidelines and not requirements.

In response to Ms. Scratch's question, Councillor Dalrymple indicated that some of these types of matters are coming forward to the Environment and Sustainability Standing Committee; such as the Stormwater Management Plans, which is projected to come to the Standing Committee in the next 12 to 18 months.

Ms. Scratch went on to note her disappointment with the Regional Plan, commenting that there are a number of good suggestions in the plan but that steps have not been taken to provide all of the requirements that the plan suggests HRM will be doing.

In response to a question of clarification raised by Councillor Streach, Mr. Tyson Simms, Planner indicated that staff's understanding for the handling of manure and the regulations that apply, is that the Nova Scotia Department of Environment has a set of regulations for the proper storage and removal of such waste. However, DOE will only regulate such substance when it reaches a certain size. He went on to note that the Municipality does have the ability to regulate appropriate setbacks for such features from adjacent properties, wells and watercourses.

17. NEXT MEETING DATES – August 29th (to be confirmed) & September 26th

It was noted that the Community Council would confirm their August 29th meeting date in the near future, pending confirmation of forthcoming agenda items. Upon confirmation of the next regular meeting date, the Clerk will advise staff so notification can be provided to the applicable parties related to Fence Permit Application #102842.

18. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Krista Vining
Legislative Assistant

INFORMATION ITEMS – NONE