

WESTERN REGION COMMUNITY COUNCIL
MINUTES

April 18, 2011

PRESENT: Councillor Stephen Adams, Chair
Councillor Peter Lund, Vice-Chair

REGRETS: Councillor Reg Rankin

STAFF: Mr. Martin Ward, Solicitor
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

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

2. TABLING OF ANNUAL REPORT

A copy of the 2010/11 Western Region Community Council Annual Report dated March 31, 2011 was before the Community Council.

MOVED by Councillor Lund, seconded by Councillor Adams that the Western Region Community Council table the 2010/11 Western Region Community Council Annual Report. MOTION PUT AND PASSED.

3. PUBLIC PARTICIPATION

Mr. Allan Ruffman, Ferguson's Cove Road, inquired when the final phase of the Herring Cove Water project would be completed.

4. APPROVAL OF MINUTES – February 28, 2011

MOVED by Councillor Lund, seconded by Councillor Adams that the minutes of February 28, 2011, as presented, be approved. MOTION PUT AND PASSED.

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

MOVED by Councillor Lund, seconded by Councillor Adams that the agenda, as presented, be approved. MOTION PUT AND PASSED.

6. BUSINESS ARISING OUT OF THE MINUTES - NONE

6.1 Status Sheet Updates

6.1.1 Rezoning Birch Bear Run Subdivision

Councillor Lund advised that a Public Information Meeting would be held in regard to this matter on May 16, 2011 at 7:00 p.m. in St. Luke's Church, Upper Tantallon.

6.1.2 Herring Cove Area Settlement and Servicing Strategy – Proposed Amendments

Councillor Adams advised that this matter is being dealt with by HRM's Community Development Staff and the Herring Cove Advisory Steering Committee. Item to be removed from the Status Sheet.

6.1.3 Herring Cove Sewer and Water – Phase 3

Councillor Adams advised that staff are preparing a report on this matter. He noted that the project was to be a 1/3 funding agreement between the Municipality, the Province and the Federal government, however; the Federal government has not provided their 1/3 share. The municipality has contributed \$10 million.

6.1.4 Herring Cove Community Centre

Councillor Adams advised that staff are working on an update for this item.

6.1.5 Sambro Fishery – Zoning: Noise By-Law and Operation

Councillor Adams advised that he is to meet with staff on this matter.

7. MOTIONS OF RECONSIDERATION – NONE

8. MOTIONS OF RESCISSION – NONE

9. CONSIDERATION OF DEFERRED BUSINESS – NONE

10. HEARINGS

10.1 Public Hearings – NONE

10.2 Variance Appeal Hearings

10.2.1 Variance Number 16797 - 8161 St. Margaret's Bay Road, Ingramport, NS

A copy of the April 11, 2011 Variance Appeal report for 8161 St. Margaret's Bay Road, Ingramport was before the Community Council.

Mr. Paul Boucher, Development Technician, Dartmouth Office, presented the variance appeal report.

Councillor Lund inquired whether all neighbours in the cluster of homes adjacent to the property were notified of the variance. In response, staff advised that all property owners within the 30 meter radius were notified of the proposed variance, however; one of the four properties was outside the 30 metre required notification area and was not notified.

In response to Councillor Lund's request for clarification in regard to signage, Mr. Boucher advised that any signage would have to meet the requirements of HRM's Signage By-Law.

Councillor Adams then explained the variance appeal process and called for speakers from the speakers list to come forward at this time.

Mr. Timothy Fillmore, Appellant, explained that there is an Enviro Depot located across the street from his garage and other commercial operations in the immediate vicinity. He noted that no one could build on the waterside of his property as it is not wide enough and there is a Rails to Trails located immediately behind his property. He was not aware of the 25' distance requirement until he applied for a permit. He submitted a letter from his neighbour, Esmé Malanchuk, advising that he had no concerns with the proposed commercial repair shop at this location.

Councillor Adams read Mr. Malanchuk's letter into the record.

Councillor Adams gave the third call for any further speakers, hearing none; it was **MOVED by Councillor Adams, seconded by Councillor Lund that the variance appeal hearing be closed. MOTION PUT AND PASSED.**

Councillor Lund advised that he has no objection in principle to the proposed commercial use, however; he expressed concern that the fifth house from the subject property, being further set back with a clear view of the subject property and not having been notified of the proposed variance, may have a concern with the proposed commercial use. He also expressed concern with the signage.

Mr. Paul Boucher read into the record an excerpt from the HRM Signage By-law.

In response to questions of Councillor Lund, Mr. Fillmore advised that:

- He proposes to repair utility trailers of no more than 4500 pound weight.
- The trailers would be brought in for inspection and would entail an "in and out" service, therefore; no requirement for storage.
- He also proposes to do oil changes/undercoating of vehicles.

In response to a question by Councillor Lund in regard to whether or not Mr. Fillmore had contacted the provincial Department of Environment and Labour in regard to oil storage etc., Mr. Fillmore advised that he has not gotten to that stage as he has just entered the permit stage in regard to the rezoning.

Councillor Lund noted that he did not want to see oil drums being stored onsite.

MOVED by Councillor Lund, seconded by Councillor Adams that the Western Region Community Council defer decision on Variance Number 16797 - 8161 St. Margaret's Bay Road, Ingrauport, NS pending written confirmation from the neighbour beyond the 30 meter notification boundary area, and; that the Western Region Community Council schedule a special meeting on Tuesday, April 26, 2011 to deal with this matter. MOTION TO DEFER PUT AND PASSED.

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

- 11.1 Correspondence – NONE**
- 11.2 Petitions - NONE**
- 11.3 Delegations**

11.3.1 BLT Rails to Trails – Ms. Catherine Klefenz

A copy of the Beechville, Lakeside, Timberlea (BLT) Rails to Trails presentation was before Community Council.

Ms. Catherine Klefenz, Chair, Beechville, Lakeside, Timberlea Rails to Trails Association presented a verbal update on the BLT Rails to Trails. She noted the work of the dedicated volunteers and requested that HRM work with the Province and Federal governments to obtain 100% funding for trail maintenance to ensure the trail remains a year round, enjoyable experience for all users. Currently, the BLT Trail receives only 50% funding with the majority of the trail maintenance being done by volunteers. Some maintenance issues include asphalt repairs for the Silver Birch and Glen Forrest Drive areas due repeated washouts. There is a new Committee being formed who will work with the Municipality and the Department of Natural Resources as well as the provincial Department of Health and Wellness to assist with trail maintenance/funding. She thanked HRM and Regional Council for their past and future support.

Councillor Lund commended the volunteers for their hard work and tireless hours in creating and maintaining the BLT Trail. He also noted that the BLT Trail Association could receive 100% funding if they would accept the OHV (Off-Highway Vehicle) funding. Ms. Klefenz advised that she is reluctant to accept any OHV funding as the goal of the trails is for physical activity.

Councillor Adams advised that a copy of the presentation would be forwarded to the appropriate staff.

12. REPORTS

12.1 Staff

12.1.1 Case 15894: MPS/LUB Amendments, Westwood Hills Subdivision, Upper Tantallon

A staff report dated March 11, 2011 was before the Community Council.

MOVED by Councillor Lund, seconded by Councillor Adams that the Western Region Community Council recommends that Halifax Regional Council:

- 1. Give First Reading to the proposed amendments to the Planning Districts 1 & 3 (St. Margaret's Bay) Municipal Planning Strategy and Land Use By-Law as provided in Attachments A and B of the March 11, 2011 staff report, and; schedule a public hearing.**

- 2. Approve the proposed amendments to the Planning Districts 1 & 3 (St. Margaret's Bay) Municipal Planning Strategy and Land Use By-Law as provided in Attachments A and B of the March 11, 2011 staff report.**

MOTION PUT AND PASSED.

- 13. MOTIONS - NONE**
- 14. ADDED ITEMS - NONE**
- 15. NOTICES OF MOTION - NONE**
- 16. PUBLIC PARTICIPATION**

Mr. Allan Ruffman, Ferguson's Cove Road, suggested that HRM consider alternative locations/size for the permanent skating oval rather than an Olympic sized oval on the North Commons in Halifax for the following reasons:

1. There is no long term funding/maintenance strategy.
2. A smaller oval located in the Beazley Field area in Dartmouth or a location closer to the Citadel High School should be considered.
3. Chillers:
 - a) When the ice surface is cooled, the heat drawn could provide heat to approximately 40 homes or a school/hospital.
 - b) Chillers purchased for the Olympic sized oval were purchased for the short term; the long term maintenance outlook may not be as good as one would like it to be.
4. A dangerous precedent has been set by taking almost 1/3 of the Halifax North Commons area for a permanent oval. The space will be lost for other uses such as concerts. Electricity was installed at the commons specifically for the concerts.

17. NEXT MEETING DATE

The Western Region Community Council requested a special meeting be held on Tuesday, April 26, 2011.

18. ADJOURNMENT

The meeting was adjourned at 7:42 p.m.

Chris Newson
Legislative Assistant

INFORMATION ITEMS - NONE