

**WESTERN REGION COMMUNITY COUNCIL**

**MINUTES**

**SEPTEMBER 23, 2002**

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

ALSO PRESENT: Barry Allen, Manager, Legal Services  
Ernie Brennan, Parkland Planner, Parks & Recreation Services  
Paul Sampson, Planner I, Western, Planning & Development  
Chris Newson, Assistant Municipal Clerk

**TABLE OF CONTENTS**

1.	Call to Order .....	4
2.	Approval of Minutes	
2.1	Regular Meeting - August 26, 2002 .....	4
3.	Approval of the Order of Business and Approval of Additions and Deletions ..	4
4.	Business Arising Out of the Minutes - None .....	4
5.	Motions of Reconsideration - None .....	4
6.	Motions of Rescission - None .....	4
7.	Consideration of Deferred Business - None .....	5
8.	Public Hearings	
8.1	Case 00498 - Amendment to MU-2 Zone of the Land Use By-law for Planning Districts 1 & 3 - Height .....	5
9.	Correspondence, Petitions and Delegations - None .....	6
10.	Reports	
10.1	Request for Sale of Western Commons Land, Sunrise Cemetery .....	6
11.	Motions - None .....	7
12.	Added Items	
12.1	Community Council Appointment to Membership Selection Committee .....	7
12.2	Community Council Appointment to Grants Committee .....	7
12.3	Letter Traffic Lights Hammonds Plains Road/St. Margaret's Bay Village (Tantallon School) .....	7
12.4	20000614-23-FE regarding a property off Prospect Road .....	8
12.5	Sidewalk on St. Margaret's Bay Road .....	8
12.6	Exit Brentwood/Greenwood Heights Improvement .....	8
12.7	Four-way stop at Intersection Charles/Main Street .....	8

13. Notices of Motion - None ..... 8

14. Public Participation ..... 8

15. Next Meeting Date ..... 9

16. Adjournment ..... 9

**1. CALL TO ORDER**

The meeting was called to order at 7:05 p.m. at the Keshen Goodman Library, 330 Lacewood Drive, Halifax. The Chair recognized Bill Estabrooks, MLA for Timberlea/Prospect and Mr. Jack Mitchell, former County Alderman.

**2. APPROVAL OF MINUTES**

**2.1 Regular Meeting - August 26, 2002**

**MOVED by Councillor Meade, seconded by Councillor Adams to approve the Minutes of Regular Meeting held on August 26, 2002 as circulated. MOTION PUT AND PASSED.**

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

Added Items:

- 12.1 Community Council Appointment to Membership Selection Committee
- 12.2 Community Council Appointment to Grants Committee
- 12.3 Letter Traffic Lights Hammonds Plains Road/St. Margaret's Bay Village (Tantallon School) – Councillor Meade
- 12.4 20000614-23-FE regarding a property off Prospect Road – Councillor Adams
- 12.5 Sidewalk on St. Margaret's Bay Road – Councillor Rankin
- 12.6 Exit Brentwood/Greenwood Heights Improvement – Councillor Rankin
- 12.7 4-way stop Intersection Charles/Main Street – Councillor Rankin

**MOVED by Councillor Adams, seconded by Councillor Meade that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY**

**4. BUSINESS ARISING OUT OF THE MINUTES - None**

**5. MOTIONS OF RECONSIDERATION - None**

**6. MOTIONS OF RESCISSION - None**

7. CONSIDERATION OF DEFERRED BUSINESS - None

8. PUBLIC HEARINGS

8.1 Case 00498 - Amendment to MU-2 Zone of the Land Use By-law for Planning Districts 1 & 3 - Height

A staff report dated August 19, 2002 was before Community Council. Paul Sampson, Planner, provided an overview of the application with aid of overheads and subsequently advised that staff was recommending approval of the proposed amendments to the MU-2 Zone of the Land Use By-law for Planning Districts 1 & 3 with respect to the permitted height as set out in Attachment A of the report.

Councillor Rankin explained the procedure for a Public Hearing then called for speakers.

Public Participation:

Numerous residents of the community expressed their support for the amendments to the MU-2 zoning regulations concerning the increase in roof height for the new Loblaws Superstore. The residents who spoke, also stated they would like to have more community involvement at the pre-development stage for future developments so that community input may be considered before construction begins. Some residents present at this meeting also expressed concern with the name the grocery store may choose, "The Village Market", as there is currently a local business named "The Village Farm Market". Ms. Katherine Williams, Boutillier's Point, new owner of "The Village Farm Market" confirmed that she was concerned with the similarities in name and asked if it would be possible to ask Loblaws to consider a different name. The residents in attendance thanked the Western Region Community Councillors for their efforts in this matter and expressed appreciation to Loblaws for their positive response to the community's concerns.

Third and final call for speakers was made. There being no further speakers, the following motion was made:

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

**MOVED by Councillor Meade, seconded by Councillor Adams that the Western Region Community Council approve the proposed amendment to the MU-2 zone of the Land Use By-Law for Planning Districts 1 & 3 with respect to the permitted height as set out in Attachment A of the staff report dated August 19, 2002.**

Councillor Meade requested a letter be written to Loblaws requesting they consider a name change if they choose to name the complex "The Village Market".

Councillor Rankin thanked the community for their involvement and the success they have shown in bringing their community together for a common goal.

## **MOTION PUT AND PASSED UNANIMOUSLY**

### **9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

Councillor Rankin indicated that copies of a letter from MLA Bill Estabrooks regarding the issue of signalization that was raised at the last Community Council meeting were circulated. Councillor Meade reported that the lights were presently being installed.

### **10. REPORTS**

#### **10.1 Sunrise Park Cemetery**

A Staff Report dated September 17, 2002 was before Community Council.

Mr. Ernie Brennan, Parkland Planner, explained that staff have been in negotiation with Mr. Hatcher, the applicant, for over a year. He further explained that staff were willing to negotiate the sale of 10 acres of land for expansion of the Sunrise Park Cemetery. Mr. Hatcher would like to acquire 25 acres. Mr. Brennan explained that to approve more than 10 acres would require public consultation.

Mr. Hatcher stated that he has been attempting to acquire the additional land for the cemetery expansion since 1995. Mr. Hatcher circulated copies of documents date April 4, 1995 to July 2, 2000 regarding this matter. He further explained the plans for the proposed cemetery expansion and presented photos of the current space. The expansion would include a public walking trail that would go to Nichlos Lake. Mr. Hatcher suggested an amendment to the recommendation that would include an offer of 10 acres within 90 days with future consideration of an additional 15 acres subject to the recreation Master Plan.

Mr. Mitchell, former county Councillor, commented that he has been a supporter of this proposed expansion since 1995. He further commented that the 25 acre acquisition was discussed at that time.

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

- 1. That an offer, to continue negotiations in good faith with Sunrise Cemetery, for up to ten (10) acres for cemetery expansion, be extended to Mr. Hatcher, if accepted, staff will provide Community Council with an information report on the status of negotiations within 90 days.**

2. **To reject Mr. Hatcher's request for the purchase of up to twenty-five (25) acres for cemetery expansion, at this time. Future consideration of his request may be considered after the completion of Recreation Master Planning for the Western Commons and in particular Master Planning for the lands identified for the Nichols Lake Park.**

Councillor Meade commented that no mention was made for 25 acres in prior documents on record for this project. He further commented that the only request for 25 acres, for a cemetery, was for a property on the Prospect Road.

Councillor Rankin commented that the provision for the sale of public lands is a public process. He further commented that the letters Mr. Hatcher referred to were addressed to the then Mayor, staff and other politicians but, it is the public process that staff must rely on and a public process was provided. The public record does not reflect mention of the 25 acres.

#### **MOTION PUT AND PASSED UNANIMOUSLY**

11. **MOTIONS - None**

12. **ADDED ITEMS**

- 12.1 **Community Council Appointment to Membership Selection Committee**

**MOVED by Councillor Meade, seconded by Councillor Adams that Councillor Rankin continue on the Membership Selection Committee. MOTION PUT AND PASSED UNANIMOUSLY**

- 12.2 **Community Council Appointment to Grants Committee**

**MOVED by Councillor Meade, seconded by Councillor Adams that Councillor Rankin continue on the Grants Committee. MOTION PUT AND PASSED UNANIMOUSLY**

- 12.3 **Traffic Lights Hammonds Plains Road/St. Margaret's Bay Village (Tantallon School) – Councillor Meade**

**MOVED by Councillor Meade, seconded by Councillor Adams that Western Region Community Council send a letter to Minister Ron Russell, Department of Transportation with copies to MLA Bill Estabrooks, MLA John Chataway, Mr. Chris Covey, President of the Home Owners Association, regarding installation of traffic lights at the intersection of Hammonds Plains Road, St. Margaret's Bay Village and French Village Station Road as this particular location includes three schools, a day-care centre and an ESSO Service Station and a Superstore. Councillor Meade**

suggested a half signal light, such as the two installed recently on Quinpool Road, be considered for this intersection. **MOTION PUT AND PASSED UNANIMOUSLY**

**12.4 2000614-23-FE regarding a property off Prospect Road – Councillor Adams**

Councillor Adams explained the following situation on behalf of Mr. McLellan, property owner.

- ▶ Mr. McLellan owns property off the Prospect Road which is zoned I-3.
- ▶ Mr. McLellan also owns property in front of this land which is zoned RB-1.
- ▶ After two years of negotiations with HRM staff, Mr. McLellan was told (today) that he could not put an access road over this property as the zoning is not consistent with the zoning or the use of the other aspect of the property.
- ▶ Throughout the negotiations with HRM staff, it was clear that Mr. McLellan intended to build a road across residential zoned property to a commercial property.
- ▶ Mr. McLellan has a construction crew ready to begin work on the road this week.

**MOVED by Councillor Adams, seconded by Councillor Rankin that HRM Staff immediately contact Mr. McLellan to remedy the delay in the construction of the access road. MOTION PUT AND PASSED UNANIMOUSLY**

**12.5 Sidewalk on St. Margaret's Bay Road**

**MOVED by Councillor Rankin, seconded by Councillor Adams that the sidewalk along St. Margaret's Bay Road from Governor Drive to Johnson's Cabin be completed. MOTION PUT AND PASSED UNANIMOUSLY**

**12.6 Exit Brentwood/Greenwood Heights - Improvement**

**MOVED by Councillor Rankin, seconded by Councillor Adams that staff investigate traffic flow at the exit of Greenwood Heights and Brentwood in Bayer's Lake. MOTION PUT AND PASSED UNANIMOUSLY**

**12.7 Four-way stop, Intersection Charles/Main Street**

**MOVED by Councillor Rankin, seconded by Councillor Meade that the Department of Transportation install a four way stop sign at the intersection of Charles and James Streets. MOTION PUT AND PASSED UNANIMOUSLY**

**13. NOTICES OF MOTION - None**

**14. PUBLIC PARTICIPATION**



Mr. Wimberley commented that it would be useful for developers to continue future consultations with the community to achieve agreement on what is best for the community. He further commented that information should be supplied sooner in the development process so that communities are provided the opportunity for open discussion.

*(Councillor Rankin left the meeting at 8:30 pm and Councillor Adams assumed the Chair).*

Ms. Berit Pittman, Annapolis, commented on cluster developments and the strain this puts on the sewer and water services and suggested that each development be responsible for sewer and water.

Ms. Shelley Webb, Chair of the St. Margaret's Bay Regional Tourist Association, resident of Hackett's Cove, commented on the appalling state of Route 333. She further commented that since the area is frequented by tourists, the roads should be in better condition. She added that the worst stretch of highway was between the B & C store to Peggy's Cove. Ms. Webb suggested the Committee bring the weight of HRM Regional Council to get improvements to 333 and stop the "band-aid" solutions.

Councillor Adams commented that Councillor Meade has worked diligently to bring such concerns to the Provincial level of government. Councillor Adams further requested that a letter be sent to Minister Russell and a copy sent to Ms. Webb expressing concern with the condition of the road along Route 333.

Ms. Catherine Williams, inquired if a By-law could be passed where a company would have to identify themselves and what they plan to do in a community. She also inquired if there would be public transportation in St. Margaret's Bay or park and rides in the area with transit service into downtown area.

Councillor Meade responded to the public transportation issue explaining that 6,500 surveys were distributed in the area on this matter and only 240 were returned. Only 140 of those surveys returned were in favour of public transportation. He further explained that for this area to have public transportation, the cost would be included in the area rates.

Mr. Jack Mitchell, former County Councillor, thanked the Committee for their work regarding recent road work in the area and suggested a letter be sent to Minister Russell and MLA's thanking them for their contribution as well.

Third and final call was made for Public Participation.

15. **NEXT MEETING DATE** - October 28, 2002.

16. **ADJOURNMENT**

On a motion from Councillor Adams, the meeting adjourned at 8:45 p.m.

Original Signed  
Chris Newson  
Assistant Municipal Clerk