

**MARINE DRIVE, VALLEY AND CANAL
COMMUNITY COUNCIL**

MINUTES

November 26, 2008

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

STAFF: Ms. Barbara Coleman, Legislative Assistant
Mr. Sean Audas, Planner

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1. CALL TO ORDER

The meeting of the Marine Drive Valley and Canal Community Council was called to order at 7.00 pm at the St Marks Anglican Church, 74 Myra Road, Porters Lake, NS.

MOVED BY Councillor Streach, seconded by Councillor Dalrymple that the Deputy Mayor, David Hendsbee be nominated for Chair of Marine Drive Valley and Canal Community Council. MOTION PUT AND PASSED

Deputy Mayor David Hendsbee was elected Chair of Marine Drive Valley and Canal Community Council.

MOVED BY Councillor Streach, seconded by Deputy Mayor Hendsbee that Councillor Dalrymple be nominated for Vice Chair of Marine Drive Valley and Canal Community Council. MOTION PUT AND PASSED

Councillor Dalrymple was elected for Vice Chair of Marine Drive Valley and Canal Community Council.

2. APPROVAL OF MINUTES - October 29, 2008

MOVED BY Councillor Streach, seconded by Councillor Dalrymple, that the minutes of October 29, 2008 be approved. MOTION PUT AND PASSED

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS - None

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. HEARINGS

8.1 Public Hearings - None

8.2 Variance Hearings

8.2.1 Appeal of the Development Officer's decision to refuse an application for a Variance at 2197 Myra Road, Porters Lake

- Staff Report dated November 18, 2008 was submitted for review.

Mr. Sean Audas, Development Officer, HRM advised Council that this property did not meet the necessary set back requirements for a single unit dwelling. Originally the property had been given a permit for a boat house, but the proponents' son had decided to move home from Alberta and make this, his home. Work continued on the property as if it were a home.

Mr. Jens Jensen , HMJ Consulting Limited spoke on behalf of the proponent, Ms. Laurise (Bonnie) Salter. He argued that although this home did not meet with all the requirements necessary, he did not see it as being a problem. He noted that there were other properties in the local area with much the same deficits. He also noted that septic and water could be accommodated to satisfy the building inspectors.

Ms. Beverley King, 1 Selma Drive, Dartmouth, NS, one of the property owners that border within the 30 metres spoke on behalf of the proponent. She advised Council that she has an unsigned copy of an agreement between the proponents' and herself that her lawyer drew up should the need for her to sell her property. The agreement would advise that this property that the proponents' is butting up against was hers. She also noted that a couple of property stakes were missing and she did not know when they went missing. She also advised Council that she would not be opposed to the proponents changing the intended boathouse into a single unit dwelling. However, she did advise Council that she would like to have the stakes replaced and the agreement signed and notarized.

Discussion ensued with the following consensus being noted of the Community Council:

- Had Ms. King not been there to support the proponents, the building would have had to come down.
- Mr. Audas had no other choice but to refuse the Variance.
- All Councillors agreed that the agreement between Ms. King and the proponent must be signed and notarized giving back her rights to the land should she decide to sell the land.
- Further the stakes will be replaced at no cost to Ms. King.

MOVED By Councillor Streach,, seconded by Councillor Dalrymple, that Marine Drive Valley and Canal Community Council to overturn the decision of the Development officer and granted the appeal. MOTION PUT AND PASSED

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS - NONE

10. **REPORTS** - None
11. **MOTIONS** - None
12. **ADDED ITEMS** - None
13. **NOTICES OF MOTION** - None
14. **PUBLIC PARTICIPATION**

Mr. Maurice Muri of 200 Circle Drive, Lake Echo, Nova Scotia advised the Council on the problems of youth violence in the Wonderland and Mountain Trailer Parks in Lake Echo. He is of the opinion that he and his partner are being targeted because of their sexual orientation and feels that nothing is being done about it. He and his partner have called the RCMP several times but are becoming quite frustrated with the results of these calls. He also advised that the area surrounding the mailboxes is being targeted for violence. He is requesting that a curfew be put in place in much the same way that it was done in Glace Bay Cape Breton. He advised Council that this curfew worked well in that area.

The Councillors discussed these problems and to help alleviate said problems made the following motions:

MOVED BY Councillor Streach, seconded by Councillor Dalrymple that Marine Drive Valley and Canal Community Council request appropriate staff to investigate the rights of the mobile home park owners and/or the individual tenants of the mobile parks to look at enforcing a curfew and/or other avenues of protection of their private property within the mobile home park.

MOVED BY Councillor Streach, seconded by Councillor Dalrymple that Marine Drive Valley and Canal Community Council send a letter to Killian Properties requesting they install surveillance cameras at each of the community mailbox sites in the Wonderland and Mountain Trailer Parks in Lake Echo. MOTION PUT AND PASSED

15. **NEXT MEETING** - TBD at the discretion of the Chair
16. **ADJOURNMENT**

The meeting adjourned at 8:46 p.m.

Legislative Assistant
Barbara Coleman