

HALIFAX REGIONAL MUNICIPALITY

**WESTERN REGION COMMUNITY COUNCIL
MINUTES
AUGUST 23, 2004**

PRESENT: Councillor Reg Rankin, Chair
Councillor Steve Adams
Councillor Gary Meade

STAFF: Mr. Barry Allen, Solicitor
Ms. Patti Halliday, Legislative Assistant

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1. CALL TO ORDER

Councillor Rankin, Chair, called the meeting to order at 7:00 p.m. at the Keshen Goodman Library, Halifax.

2. APPROVAL OF MINUTES

2.1 July 5, 2004

MOVED by Councillor Meade, seconded by Councillor Adams, that the minutes of July 5, 2004 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were added to the agenda:

- 12.1 Councillor Adams - Jack Lake Lands
- 12.2 Councillor Adams - Road Work - Ketch Harbour Road
- 12.3 Councillor Adams - St. Paul's Ave. - Pollution Control Charges
- 12.4 Councillor Adams - Green Cart Refuse and Recyclable Collection during August 20 - 23/04 - District 18
- 12.5 Councillor Meade - Request for Security Fence around Soccer Field at Hammonds Plains South School
- 12.6 Councillor Meade - Status of Peggy's Cove Study
- 12.7 Councillor Meade - Repaving of the Remainder of Highway #333
- 12.8 Councillor Meade - Paving of School Road, Upper Tantallon, and Crouchers Point Road, Glen Haven
- 12.9 Councillor Meade - Request to Library Board for Recognition of Library Donation
- 12.10 Councillor Meade - Western Commons - Halifax Regional Water Commission Lands
- 12.11 Councillor Rankin - Follow-up to Correspondence from Minister Barnet re: Road

Transfer - Hammonds Plains Road/Lucasville Intersection (Status Sheet Item 4.1.7)

12.12 Councillor Rankin - Request for Funding - Kingswood Ratepayers Association Parks Committee

12.13 Councillor Rankin - Correspondence from Province re: Highway 103 (Status Sheet Item 4.1.9)

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

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Items

4.1.1 Brenda Drive Residents Group - Access Road to New Elementary School, Kingswood

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.2 Case 00637: Development Agreement - 20 Boutlier's Point Road, Boutlier's Point

It was agreed this item could be removed as it was addressed at this meeting.

4.1.3 Traffic Lights Re-evaluation - Kingswood Subdivision/Hammonds Plains Road

No update.

4.1.4 Kreft Mushroom Farm - Hammonds Plains Road (correspondence from NS Farm Loan Board and NS Department of Environment and Labour) (staff information report)

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.5 School Bus Stop - Young's Lobster Pound

It was agreed this item could be removed as it has been addressed to the satisfaction of the

Community Council. The bus stop was removed from the list in error.

4.1.6 Weekly Green Bin Pick Up - Herring Cove

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.7 Road Transfer - Hammonds Plains Road/Lucasville Intersection (correspondence from Minister Barnet dated July 21, 2004)

See Item 12.11.

4.1.8 Governor's Lake Sign

Councillor Rankin requested a follow up on this item to see if there is anything new to report.

4.1.9 Cranberry Lake - Twinning of Highway 103 (correspondence from Minister Russell, TPW)

See Item 12.13.

4.1.10 Lack of Sewage in Uplands Park

C An Information Report prepared for Paul Dunphy, Director, Planning and Development Services, regarding the above, was circulated to Community Council.

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.11 Request to Cut Trees on Peggy's Cove Rd. (correspondence from NS Department of Transportation and Public Works)

C Correspondence from the Minister, Nova Scotia Public Works and Transportation, regarding the above was before Community Council for its consideration.

No further update.

4.1.12 Cranberry Lake - Tunnel (correspondence from Mr. Don Feeney, dated July 12, 2004)

C Correspondence from Mr. Don Feeney, Nova Scotia Public Works and

Transportation, regarding the above, was before Community Council for its consideration.

4.1.13 Ketch Harbour Wharf

No update.

4.1.14 Pit Between 2600 and 2700 Old Sambro Road

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.15 Illegal Dumping: Look-off on John Brackett Drive

No update.

4.1.16 Status of Street Paving Request to Province

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.17 Lack of Second Exit in Highland Park

It was requested the provincial representative be requested to attend the September 27, 2004 meeting to address this issue, and that this invitation be copied to staff.

4.1.18 Lack of Protocol re damage caused by sub-contractor snow plows

It was agreed this item could be removed as it is being addressed at the Regional Council level.

4.1.19 Civic Addressing - 2 Lake Place

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.20 Reardon Property - Possible Land Purchase

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

4.1.21 1001 Prospect Road - Land Exchange

Councillor Adams noted some new information has come to light. The owner of this property was refused the ability to put in an airport on this land and that is why he went through with the prospect of a land exchange and some other improvements to the area. Because of the delay with staff, he is in the process of selling this property for use as an airport which leaves all of the regulation out of HRM's hands and puts it in the hands of federal regulators which is not conducive to the spirit behind the Western Region Common.

MOVED by Councillor Adams, seconded by Councillor Meade, that Community Council request Mr. Mike Labrecque, Director, Real Property and Asset Management, to address this issue this week to reach a resolution so HRM will not have to pursue a process that is out of its hands. MOTION PUT AND PASSED UNANIMOUSLY.

4.1.22 Lands adjacent to CNR/2999 St. Margaret's Bay Road

Councillor Rankin requested a follow up on this item to see if there is anything new to report on the request for a feasibility study to acquire this land for parking adjacent to the Beechville Lakeside Timberlea Trail.

4.1.23 Proposed Amendments to MPS and LUB for Mainland South and Former District 5 re watercourses

No update.

4.1.24 Intersection of English Corner and Hammonds Plains Road

It was agreed this item could be removed as it has been addressed to the satisfaction of the Community Council.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS

8. PUBLIC HEARINGS

8.1 Case 00637: Development Agreement - 20 Boutlier's Point Road, Boutlier's Point)

C A staff report prepared for Paul Dunphy, Director, Planning and Development

Services, was before Community Council for its consideration.

Mr. Luc Oullet, Planner, presented the report to Community Council.

Staff and Mr. Stirling McCann, Applicant, responded to questions of clarification of Community Council.

Councillor Rankin called for members of the public wishing to speak either in favour of or against the development agreement.

Mr. Byron Kennedy, Area Resident

Mr. Kennedy addressed Community Council stating he was pleased to hear the sewage treatment will be in front of the school. He inquired about fire emergency vehicles to access the west side facing the salt water area. In response, Mr. Angus Shaffenburg, Planner, stated he did not believe fire emergency vehicle access would be a concern in this situation.

Councillor Rankin called three times for any further members of public wishing to speak either in favour of or against the development agreement. Hearing none, the following motion was put:

MOVED by Councillor Adams, seconded by Councillor Meade, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COMMUNITY COUNCIL DECISION

Councillor Rankin expressed concern with the maintenance of the septic treatment system and staff indicated this could be included in the development agreement.

In response to a question of Councillor Meade regarding landscaping, Mr. Shaffenburg stated the development agreement requires a detailed landscaping plan be prepared by a landscape architect and specifies some conditions to be met by the landscaping plan.

MOVED by Councillor Meade, seconded by Councillor Adams, that Western Region Community Council approve the development agreement (Attachment A of the staff report dated June 15, 2004), to permit six residential units in the existing building at 20 Boutlier's Point Road, Boutlier's Point, *with an amendment that maintenance of the septic treatment system be included in Section 2.7.1 - Maintenance*; and, require that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by 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 **Presentations**

None.

10. **REPORTS**

10.1 **Case 00694 - Accessory Buildings in the Planning District 4 (Prospect) and Planning District 5 (Chebucto) Land Use By-Law**

C A staff report prepared for Paul Dunphy, Director, Planning and Development Services, regarding the above, was before Community Council for its consideration.

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) Land Use By-Law as shown in Attachment "B" and Attachment "C" and schedule a public hearing for September 27, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS**

None.

12. **ADDED ITEMS**

12.1 **Councillor Adams - Jack Lake Lands**

Councillor Adams stated it is his understanding that HRM owns the Jack Lake Lands, and he has been asked by members of the Spryfield Residents' Association, which has an interest

in the Kidston Lake area, to explore any opportunities that may be available with respect to exchanging property at Jack Lake for property in and around Kidston Lake.

It was agreed that staff be requested to confirm that HRM owns the lands around Jack Lake and that staff contact Mr. Havill to see if he would be interested in a land exchange, and that the Spryfield Residents' Association be copied on the request.

12.2 Councillor Adams - Road Work - Ketch Harbour Road

Councillor Adams noted that a 7.5km stretch of road from Village Road, Herring Cove, to the bridge on Ketch Harbour Road was chipsealed yet the pavement on this road was less than five years old. It was agreed that a letter be sent to the Department of Transportation inquiring why a perfectly good section of roadway would be chipsealed and what policy was utilized.

Councillor Adams also requested a meeting with the Minister of Transportation and the local MLA to pursue the work the MLA has done to illustrate to the Minister the poor condition of the Old Sambro Road.

12.3 Councillor Adams - St. Paul's Ave. - Pollution Control Charges

Councillor Adams noted it appears that the residents of St. Paul's Avenue, Herring Cove, are being charged a flat rate pollution control charge. The Councillor noted none of the residents have municipal water yet they are being charged a comparable rate to those residents who have municipal water.

It was agreed that staff be requested to provide information as to the formula utilized to calculate pollution control charges for St. Paul's Avenue, Herring Cove.

12.4 Councillor Adams - Green Cart Refuse and Recyclable Collection during August 20 - 23 - District 18

Councillor Adams expressed concern with green cart refuse and recyclable collection which commenced on Friday, August 20th in District 18 and is still on-going. The Councillor stated that as of 6 p.m. this evening some residents are yet to have their recyclable material picked up. Councillor Adams stated he has expressed his concern to staff over the last few days but wanted to express his concerns with the particular carrier in question at the Community Council level and request that the carrier provide the rationale for this unacceptable delay in service. The Councillor noted that the South End of Halifax, whose regular collection day is today, was given service before the residents of District 18. The Councillor noted he will be bringing this issue to Regional Council as well. Councillor Adams further stated that, in the future, there should be a communication plan for the residents in place by the carriers to deal with any similar situations.

12.5 Councillor Meade - Request for Security Fence around Soccer Field at Hammonds Plains South School

It was agreed that a letter be sent to the Department of Education, copied to the Hon. Barry Barnett, MLA, requesting that a security fence be installed around the soccer field at Hammonds Plains South School for the property owners in Uplands Park.

12.6 Councillor Meade - Status of Peggy's Cove Study

Councillor Meade noted a study of Peggy's Cove was completed this spring yet nothing has been done to date. It was agreed that a letter be sent to the Department of Tourism, copied to Mr. John Chataway, MLA, regarding the Peggy's Cove Study and inquiring what will be done this year, how much funding has been put in the budget, and information regarding how this \$8 million project will be completed in the five year time frame.

12.7 Councillor Meade - Repaving of the Remainder of Highway #333

It was agreed that a letter be sent to the Department of Public Works and Transportation, copied to Mr. John Chataway, MLA, and Mr. Bill Estabrooks, MLA, inquiring when the remaining portions of Highway #33 (Brookside to Peggy's Cove and Peggy's Cove to Redmond's Road) will be repaved.

12.8 Councillor Meade - Paving of School Road, Upper Tantallon, and Crouchers Point Road, Glen Haven

Councillor Meade noted School Road and Croucher's Point Road do not fall under the aid to municipalities for cost sharing to pave roads. It was agreed that a letter be sent to the Department of Public Works and Transportation, copied to Mr. John Chataway, MLA, inquiring if the Province has a process to pave these roads that have been in existence for 150 years.

12.9 Councillor Meade - Request to Library Board for Recognition of Library Donation

Councillor Meade noted the late Mrs. Colpits, Indian Harbour, donated \$150,000 two years ago to the HRM Library for children's books and resources but this donation is not acknowledged or recognized by way of a plaque in any library branch.

It was agreed that a letter be sent to the Library Board requesting that Mrs. Colpits' donation be recognized in the new Tantallon Library.

12.10 Councillor Meade - Western Commons - Halifax Regional Water Commission

Lands

Councillor Meade noted \$40,000 was put in the budget this year to commence a stewardship for the Western Commons. It was agreed that a request be sent to Peter Bigelow inquiring when this will commence.

12.11 Councillor Rankin - Follow-up to Correspondence from Minister Barnet re: Road Transfer - Hammonds Plains Road/Lucasville Intersection (Status Sheet Item 4.1.7)

It was agreed that a letter be sent to Minister Barnet, copied to Mr. George McDaniel, Haliburton Heights Residents Association, inviting him to the Sept. 27, 2004 meeting of the WRCC to discuss this issue further.

12.12 Councillor Rankin - Request for Funding - Kingswood Ratepayers Association Parks Committee

Councillor Rankin brought forward a request from the Kingswood Ratepayers Association for a \$10,000 contribution from the Hammonds Plains common area rate towards their multi-purpose field project.

MOVED by Councillor Meade, seconded by Councillor Adams, that Western Region Community Council approve the request from the Kingswood Ratepayers Association for a \$10,000 contribution from the Hammonds Plains common area rate towards their multi-purpose field project. MOTION PUT AND PASSED UNANIMOUSLY.

12.13 Councillor Rankin - Correspondence from Province re: Highway 103 (Status Sheet Item 4.1.9)

C Correspondence from Minister Barry Barnet, regarding the above, was before Community Council for its information.

Councillor Rankin requested that this and any future correspondence regarding Highway 103 be forwarded to the Wooden's River Watershed Environmental Organization and the St. Margaret's Bay Stewardship Association to keep them abreast of what is taking place.

13. NOTICES OF MOTION

None.

14. PUBLIC PARTICIPATION

Ms. Katherine Pellerine, noted that she recently spoke to Mr. Bruce Fisher, Financial Services, and he advised there was a code error in the recent assessment notices and amended notices will be sent out regarding the Timberlea area being changed to suburban. Councillor Rankin thanked Ms. Pellerine for her efforts in this issue.

Ms. Carolyn Morton, Kingswood, expressed concern with the lack of water in this area and inquired when the serviceable boundary may be extended to include this section of the subdivision (St. George Blvd.)

MOVED by Councillor Meade, seconded by Councillor Adams, that this matter be referred to staff for a report on the merit of proceeding with a feasibility study in that area to ascertain water quality and or quantity problems, such as was done in Maplewood on the Lakes. MOTION PUT AND PASSED UNANIMOUSLY.

15. NEXT MEETING DATE - September 27, 2004

16. ADJOURNMENT

There being no further business, the meeting adjourned at 8:15 p.m.

Patti Halliday
Legislative Assistant