

CHEBUCTO COMMUNITY COUNCIL

March 3, 2008

MINUTES

PRESENT: Councillor Mary Wile, Chair
Councillor Linda Mosher, Vice Chair
Councillor Russell Walker
Deputy Mayor Stephen Adams
Councillor Debbie Hum

REGRETS: None

STAFF: Ms. Kirby Grant, Solicitor
Ms. Shawnee Gregory, Legislative Assistant
Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:02 p.m.

2. APPROVAL OF MINUTES - February 4, 2008

MOVED by Councillor Hum, seconded by Deputy Mayor Adams that the minutes of February 4, 2008, be approved. MOTION PUT AND PASSED.

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

Addition:

12.1 UARB Appeal Hearing Results - #65, 73 & 75 Kearney Lake Road - Councillor Hum

MOVED by Deputy Mayor Adams, seconded by Councillor Hum that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES:

4.1 Status Sheet Items:

4.1.1 Bus Service - Stoneridge

Councillor Mosher indicated that staff was going to submit an information report regarding this issue. She advised that she would like to keep this item on the status sheet.

4.1.2 Welcome to Halifax Sign - St. Margaret's Bay Road

Councillor Mosher advised that she would like to keep this item on the status sheet as there had still been no response. She requested that the Legislative Assistant follow up with the CAO's office regarding this issue.

4.1.3 Tremont Park Alternate Main Entrance

Councillor Hum advised that she would like to keep this item on the status sheet.

4.1.4 Blocked Old Sambro Road Access to Long Lake Provincial Park

Councillor Adams advised that this item could be removed from the status sheet as information would be coming forward in May.

4.2 Spryfield Lion's Rink Accessibility

C An e-mail update from staff was submitted.

Councillor Adams advised that this item could be removed from the status sheet for staff to deal with. He stated that the Lion's Rink had no current plans to deal with this matter and that he considered it to be a human rights issue.

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RECISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Case 00965: Amendment to Stage II Development Agreement - Royale Hemlocks Subdivision, Halifax

C A report dated January 14, 2008, originally submitted at the Chebucto Community Council February 4, 2008 meeting was before the Community Council for consideration.

Councillor Hum advised that she would not put forward her proposed amended motion based on the legal opinion given by Ms. Kirby Grant, Municipal Solicitor. However, Councillor Hum also stated that she had concerns with legalities as a number of developers had expressed their dismay in what they considered to be inconsistent development agreements. She advised that she could not support the development application.

MOVED BY Councillor Mosher, seconded by Councillor Walker that the Chebucto Community Council:

- 1. Approve the amending Stage II development agreement, presented as Attachment "A" to the report, to delete clause 5.10, thereby allowing for the development of the last 48 dwelling units of the Royale Hemlocks Subdivision prior to the construction of the Highway 102 and Larry Uteck Blvd. interchange.**
- 2. Require that the amending Stage II development agreement be signed within 120 days, or any extension thereof granted by the Community Council on request of the applicant, from the date of final approval by Community 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.**

A discussion ensued with Planning staff responding to questions. The following points were noted:

- C The first application for this development was an amendment to the agreement. It was allowed as the traffic study completed on the Bedford Highway had passed;
- C Each development application comes forward with its own supporting traffic study which the individual developer is responsible for;
- C The Royale Hemlocks development is outside of the Bedford Master Plan area;

MOTION PUT AND PASSED.

8. HEARINGS:

8.1 Public Hearings - None

8.2 Variance Appeal Hearings

8.2.1 Variance Application 14238 - 215 Chain Lake Drive, Halifax

- C A staff report dated February 25, 2008, was submitted.

Ms. Brenda Seymour, Development Technician, provided the presentation on Variance Application 14238 - 215 Chain Lake Drive, Halifax. She advised that the zoning boundary did not follow the property lines and that this situation was not typical for the neighbourhood, therefore, the presence of a land boundary crossing made the appeal necessary.

Councillor Wile called for those wishing to speak for or against Variance Application 12438. She called three times for speakers. Hearing none, the following motion was placed:

MOVED BY Councillor Walker, seconded by Councillor Hum, that the Chebucto Community Council uphold the Development Officer's decision to approve Variance Application 14238. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS:

9.1 Correspondence: None

9.2 Petitions:

Councillor Hum submitted a petition from Melody Drive residents in support of concerns and recommendations surrounding a rezoning request by Mount Saint Vincent University Case #01105.

9.3 Presentations: None

10. REPORTS:

10.1 Councillor:

10.1.1 Community Signage - Councillor Hum

Councillor Hum advised that the Rockingham Heritage Society has requested neighbourhood signage. She stated that they were interested in having neighbourhood signage in light of the report going to Council in late March.

MOVED BY Councillor Hum, seconded by Deputy Mayor Adams that the neighborhoods of Birch Cove, Prince's Lodge , Rockingham and Kearney Lake be considered for the Neighborhood Sign initiative and that a staff report be completed for clarification on neighbourhood boundaries and locations of signage.

MOTION PUT AND PASSED.

10.1.2 Sherbrooke Drive Stormwater and Flooding Issues - Councillor Hum

Councillor Hum submitted information from Sherbrooke Drive residents. She advised that staff had undergone a review of the situation and had made several recommendations.

MOVED BY Councillor Hum, seconded by Deputy Mayor Adams that a staff report on the investigation review be brought forward for the official record. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 UARB Appeal Hearing Results - #65, 73 & 75 Kearney Lake Road - Councillor Hum

Councillor Hum provided a verbal update on the UARB Appeal Hearing Results on #65, 73 & 75 Kearney Lake Road for those in attendance. She requested the above noted report be submitted for the Chebucto Community Council record. She advised that she would be contacting local area residents regarding the appeal hearing results.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Bob Zinck

Mr. Zinck raised concerns regarding snow clearance on the exit ramps going east on to Highway 102 from Bayer's Lake. He submitted pictures and indicated that one lane was virtually half closed and the other lane was icy and became useless. Mr. Zinck also advised that he had seen an interview with Mr. John O'Brien, Manager, Corporate Communications, in which he stated that HRM is no longer able to dispose of snow in Halifax Harbour as a Federal mandate has banned it. Mr. Zinck stated that this mandate made no sense to him.

Steven Conrad

Mr. Conrad inquired about the M100 report which had been given to his landlord at 3563 Dutch Village Road in August of 2007. He advised that this was not the first time that he had to complain about a lack of action regarding a report and that he had spoken to Councillor Walker, his district representative, several times. Mr. Conrad stated that he was living in sub standard conditions.

Councillor Walker advised that the trouble with this particular process was that the units in 3563 Dutch Village Road were illegal and, therefore, the landlord could not be held accountable. He stated that this was a Tenancy Board issue and that the issue of the illegal units was also being investigated by HRM staff.

Kelly Greenwood

Ms. Greenwood thanked Councillor Wile on behalf of the Park West Safe Routes to School project and hoped that she would continue to support it. Ms. Greenwood advised that she was following up on the closure of the Birkshire walkway by Park West school. She advised that the matter had come to a public hearing of Regional Council in 2005 and that she had also followed up at the June 2006 Chebucto Community Council meeting and was told at that time that her questions would be referred to staff. Ms. Greenwood stated that it had been two (2) and a half years since the walkway had been closed and that she would like it to be one of HRM's many priorities to renovate and re-open it. She also noted that she had been told that there was an ad hoc committee reviewing the matter as well as an active transportation report. She inquired as to how this matter fit into the budget process noting that HRM had a responsibility to fix these problems rather than just restricting access. In closing, Ms. Greenwood also inquired as to when the staff report would come forward and when the community would be updated.

Councillor Wile stated that the Birkshire walkway had been closed due to criminal activity. However, she advised that HRM was looking into improving the Woodsmere Kingsley Close path.

Diana Whalen, MLA, Halifax Clayton Park

Ms. Whalen stated that she was delighted to see work starting on the new recreation centre next to the Keshen Goodman library. She noted that it had been over two (2) years since the community had an update and that they were interested in having a more thorough description of the centre as there was a great deal of excitement and interest.

Wendy MacDonald

Ms. MacDonald addressed Community Council with the following concerns:

- C The Parkview News had recently gone out of print and residents felt out of touch as it was their vehicle for learning what happens at each of the three (3) levels of government;

- C There was a very high snowbank at the corner of Radcliffe and Lacewood Drive which was unsafe and of concern for the walking public.;
- C Regarding transit, she was concerned to see residents sitting on the curb waiting for the bus as a result of inadequate shelters;
- C In light of Sunday shopping the same traffic lights should be in use as during the rest of the week;
- C Communications regarding several of these issues at the 490 phone number had been lacking;
- C You cannot cut HRM trees, however, they block residents as they walk;
- C Taxes will be higher this year and a portion of tax dollars go to the school board. Seniors should be permitted to have life long education as tax dollars bring poured into public schools have no personal benefit for them.

Councillor Hum advised that the comments made by the speakers would be forwarded to staff.

15. NEXT MEETING DATE

The next meeting was scheduled for Monday, April 7, 2008.

16. ADJOURNMENT

The meeting was adjourned at 8:03 p.m.

Shawnee Gregory
Legislative Assistant