

**CHEBUCTO COMMUNITY COUNCIL
MINUTES**

June 1, 2009

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

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

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1. CALL TO ORDER

The Chair called the meeting to order at 7:04 p.m.

2. APPROVAL OF MINUTES - May 4, 2009

MOVED by Councillor Wile, seconded by Councillor Walker, that the minutes of May 4, 2009, be approved as presented. MOTION PUT AND PASSED.

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

MOVED BY Councillor Wile, seconded by Councillor Adams, that Kingsley/Woodsmere Pathway - Update on Vote be dealt with as item 12.2.1. MOTION PUT AND PASSED.

Additions:

- 12.1 Case 01194 - Wentworth Development Agreement
- 12.2 Park West School Pathway - Councillor Hum
- 12.2.1 Kingsley/Woodsmere Pathway Upgrade - Update on Vote - Councillor Wile
- 12.3 Case 01234: LUB Amendments re: Child Daycares, Halifax Mainland - Information Report
- 12.4 Ferguson's Cove Rezoning - Councillor Adams

MOVED BY Councillor Walker, seconded by Councillor Hum, that the agenda be approved as amended. MOTION PUT AND PASSED.

The Chair advised that former Alderman Mr. Walter Nolan had passed away May 29, 2009. She indicated that an official moment of silence would be held in Mr. Nolan's honour at the Regional Council meeting on June 2, 2009. She stated that Mr. Nolan was a community minded person who had worked on many initiatives in his area. The Chair noted that on behalf of Chebucto Community Council, he would be missed.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Items

4.1.1 Tremont Park Alternate Main Entrance

Councillor Hum advised that there had been no progress on this issue and indicated that she would like it to remain on the Status Sheet.

4.1.2 Intersection of Herring Cove Road and Purcell's Cove Road

C An information report dated April 21, 2009, was before the Community Council.

Councillor Mosher advised that the information report dated April 21, 2009, indicated that the reversing lanes would be taken out and four lights would be installed based on the Regional Plan and Budget Book for 2013.

Councillor Mosher advised that this item could be removed from the Status Sheet.

4.1.3 Seawall Restoration - Regatta Point and Sir Sandford Fleming Park - North West Arm

C An information report dated April 27, 2009, was before the Community Council.

Councillor Mosher indicated that this item would be going to Regional Council and advised that it could be removed from the Status Sheet.

4.1.4 District 10 Traffic Concerns

Councillor Wile advised that there was no update on this issue and indicated that she would like it to remain on the Status Sheet.

4.1.5 Request to Name the Baseball Diamond at Mainland Common the Harold Pelham Memorial Field

Councillor Mosher advised that this was a long standing issue and requested an official update for the next meeting.

This item will remain on the Status Sheet.

4.1.6 Traffic and Safety Issues on Melody Drive and Skylark Drive

Councillor Hum advised that a town hall meeting regarding this issue had taken place in May; noting that Mr. Alan Taylor, Transportation Planner, and Halifax Regional Police had been in attendance. She indicated that she expected an information report and would like this item to remain on the Status Sheet.

4.1.7 Cunard Beach Volleyball Court Policies

C An information report dated May 1, 2009, was before the Community Council.

The Chair stepped down at 7:11 p.m. Councillor Wile assumed the Chair.

Councillor Mosher advised that she and Councillor Adams had used their District Funds along with funding from the Province to build the Cunard Beach Volleyball Court. She stated that staff had noted in the information report dated May 1, 2009, that it would be

contrary to their policy to restrict rentals. Councillor Mosher reaffirmed that the court should still not be rented out as it had not been paid for with HRM funds and she wanted to ensure community access at all times.

Ms. Kirby Grant, Solicitor, advised that the Community Council appeared to be seeking an exemption to the policy which they may have to obtain from Regional Council.

MOVED BY Councillor Mosher, seconded by Councillor Adams, that Chebucto Community Council forward this matter to Regional Council requesting an exemption for the Cunard Beach Volleyball Court from the principles as set out in the Facility User Fee Schedule in order to ensure use of the Court by the community. MOTION PUT AND PASSED.

Councillor Mosher assumed the Chair at 7:16 p.m.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RECISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. HEARINGS

8.1 Public Hearings

8.1.1 Case 01244: Development Agreement, 91 Purcells Cove Road, Halifax

C A report dated April 23, 2009, was before the Community Council.

Ms. Patricia Hughes, Planner, provided the presentation on Case 01244: Development Agreement, 91 Purcells Cove Road, Halifax. She advised that the owners were requesting a conversion from a non conforming commercial use building to a second dwelling; noting that the two unit residential building would be subject to the same requirements as the R2 zone. In closing, she indicated that staff were in favour of the Development Agreement as they felt it was less intensive than a commercial use building.

The Chair reviewed the Rules of Procedure for Public Hearings and called for those wishing to speak for or against Case 01244: Development Agreement, 91 Purcells Cove Road, Halifax.

The Chair called three times for speakers. Hearing none, the following motion was placed:

MOVED BY Councillor Adams, seconded by Councillor Walker, that the public hearing be closed. MOTION PUT AND PASSED.

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

1. **Approve the proposed development agreement, as contained in Attachment "A" of the report dated April 23, 2009.**
2. **Require that the proposed development agreement be signed and delivered 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.

8.2 Variance Appeal Hearings - None

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentations - None

10. REPORTS

10.1 Councillor

10.1.1 Ravenscraig Trail - Councillor Mosher

- C Correspondence dated May 16, 2009, from the Ravenscraig Community was before the Community Council

The Chair stepped down at 7:20 p.m. Councillor Wile assumed the Chair.

Councillor Mosher advised that there was no money in the Capital Budget for the Ravenscraig Trail this year, however, it had been recommended by staff as a key area. She indicated that she had spoken to Mr. Peter Bigelow, Manager of Real Property Planning, and that his staff was willing to work with residents to build trails in the area. Councillor Mosher stated that she would contribute some of her District Funds for the project. She also advised that Chebucto Community Council had agreed to call the area Ron Butch Hanson Park.

MOVED BY Councillor Mosher, seconded by Councillor Adams, that Chebucto Community Council request that funding be prioritized for the Ravenscraig Trail and that staff meet with the community to explore all available options. MOTION PUT AND PASSED.

10.1.2 Winter Maintenance - Sir Sandford Fleming Park - Councillor Mosher

Councillor Mosher advised that she had received an email from staff indicating that they had looked into this issue many times, however, the trails were not conducive to winter maintenance and the wooden bridges on the Frog Pond loop would not support equipment. She stated that staff would be willing to complete a walk through of the area with her.

MOVED BY Councillor Mosher, seconded by Councillor Walker, that Chebucto Community Council request that staff conduct further research to see if there was some winter maintenance that could be done at Sir Sandford Fleming Park. MOTION PUT AND PASSED.

10.1.3 CN Rail Line - Potential Active Transportation Corridor + Community Committee - Councillor Mosher

Councillor Mosher advised that this portion of the CN Rail Line corridor encompassed Districts 10, 15 and 17. She indicated that a public meeting had been held regarding this matter and that it had been proposed that a committee of stakeholders from the 3 Districts as well as the Bayers Lake Business Park be formed.

MOVED BY Councillor Mosher, seconded by Councillor Walker, that Chebucto Community Council request a staff report regarding the initiation of a Committee of Chebucto Community Council to liaise with the community and staff in reference to the potential CN Rail Line active transportation corridor. MOTION PUT AND PASSED.

Councillor Mosher assumed the Chair at 7:26 p.m.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 01194 - Wentworth Development Agreement

C A report dated May 20, 2009, was before the Community Council.

MOVED BY Councillor Hum, seconded by Councillor Walker, that Chebucto Community Council give Notice of Motion to consider the proposed development agreement presented in Attachment "A" of the report dated May 20, 2009, and schedule a public hearing for July 6, 2009 and first . MOTION PUT AND PASSED.

Councillor Mosher advised that she had voted against the motion as a result of the date of the public hearing.

12.2 Park West School Pathway Upgrade - Councillor Hum

C A copy of the area rate ballot information sent out to residents was before the Community Council.

Councillor Hum advised that she had received emails and phone calls from residents in District 16 who were concerned as to why they had been petitioned regarding an area rate for the Park West School Pathway upgrade. She requested that the residents of District 16 be removed from the petitioning area no matter what and that they be advised of this via a letter from HRM Finance staff.

Councillor Wile advised that this area rate was for the catchment area of the Park West school zone rather than a municipal district. She noted that the petition did involve some of District 16 which she had not realized initially as Districts 16 and 10 bordered the middle of Farnham Gate Road. Councillor Wile stated that she had checked with legal staff and that the only issue with Councillor Hum's request would be that a new vote would have to be taken at an additional expense as the current one had already been completed.

Councillor Hum indicated that a number of residents who feed into the Grosvenor Wentworth Park School had been petitioned as well. She stated that she objected to residents of District 16 being petitioned without her knowledge or approval and would question the legality of the process if need be.

Ms. Kirby Grant, Solicitor, advised that she would require further background information regarding the matter prior to giving her legal opinion.

MOVED BY Councillor Hum, seconded by Councillor Walker, that an official written legal opinion be sought regarding this issue as it relates to the resident's of District 16 and the area rate process. MOTION PUT AND PASSED.

12.2.1 Kingsley/Woodsmere Pathway - Update on Vote - Councillor Wile

Councillor Wile indicated that she wished to announce the result of the vote as of June 1, 2009, regarding the area rate petition for the Park West School pathway upgrade. She advised that 345 ballots had been completed out of a total of 1993 and that there had been 190 votes in favour of the area rate and 236 against.

MOVED BY Councillor Wile, seconded by Councillor Walker, that the Kingsley/Woodsmere Pathway not be paid for by an area rate.

On a point of order, Councillor Hum stated that she was still seeking clarification on the petitioning process.

The Chair advised Councillor Hum that her previous motion would still go forward.

MOTION PUT AND PASSED.

12.3 Case 01234: LUB Amendments re: Child Daycares, Halifax Mainland - Information Report

C An information report dated May 25, 2009, was before the Community Council.

MOVED BY Councillor Walker, seconded by Councillor Hum, that Chebucto Community Council table the information report dated May 25, 2009. MOTION PUT AND PASSED.

12.4 Ferguson's Cove Rezoning

Councillor Adams advised that the land in Ferguson's Cove was currently protected and zoning for the area was satisfactory. He requested that appropriate staff be informed.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Ms. Kelly Greenwood, Berkshire Close, advised that residents in her area had entered into the area rate process for the Park West School pathway upgrade at Councillor Wile's suggestion as they believed that it was the only option for winter maintenance. Ms. Greenwood stated that the process made it clear that area rates were not popular. She requested that Councillor Wile continue her financial commitment so work could be started even if it was in stages and investigate less expensive ways for gravel winter maintenance on the path. Ms. Greenwood requested Councillor Wile's support of the committee's work as an advisor as they were interested in reaching out to community stakeholders and believed it would be easier with Councillor Wile's support. In closing, Ms. Greenwood requested that Chebucto Community Council move a motion that the matter be added to the Active Transportation Advisory Committee agenda for their review and follow up.

MOVED BY Councillor Hum, seconded by Councillor Wile, that the matter regarding requested infrastructure improvements, upgrades and winter maintenance of the Kingsley/Woodsmere Pathway be forwarded to the Active Transportation Advisory Committee for a report. MOTION PUT AND PASSED.

Ms. Wendy MacDonald, Warwick Lane, advised that she had received the area rate ballot for the Park West School pathway upgrade and upon completing a walkabout she was disappointed with the schoolyard and property that HRM shared with the school. She stated that the community field at the school was not up to the status of an HRM playing field and what residents had been left with regarding the construction of the school was not up to their normal standards. Regarding the construction of the Canada Games Centre, Ms. MacDonald indicated that residents had been advised that all excavation and blasting of swimming pools had been completed as of May 1, 2009, however, major blasts were still taking place.

16. NEXT MEETING DATE

The next meeting was scheduled for Monday, July 6, 2009.

17. ADJOURNMENT

The meeting was adjourned at 8:07 p.m.

Shawnee Gregory
Legislative Assistant

The following item was added as information:

1. Letters of Support Re: Status Sheet Item 4.1.5 Request to Name the Baseball Diamond at Mainland Common the Harold Pelham Memorial Field