

**CHEBUCTO COMMUNITY COUNCIL
MINUTES**

December 7, 2009

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

STAFF: Ms. Shawnee Gregory, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	4
2.	ELECTION OF CHAIR AND VICE CHAIR	4
3.	APPROVAL OF MINUTES	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	4
5.	BUSINESS ARISING OUT OF THE MINUTES	5
5.1	Status Sheet Items	5
5.1.1	Tremont Park Alternate Main Entrance	5
6	MOTIONS OF RECONSIDERATION	5
7.	MOTIONS OF RECISSION	5
8.	CONSIDERATION OF DEFERRED BUSINESS	5
9.	HEARINGS	5
9.1	Public Hearings	5
9.2	Variance Appeal Hearings	5
10.	CORRESPONDENCE, PETITIONS AND PRESENTATIONS	5
10.1	Correspondence	5
10.2	Petitions	5
10.3	Presentations	5
11.	REPORTS	5
11.1	Staff	5
11.1.1	Case 01332: Amendments to the Regional Subdivision By-law and the MPSs and LUBs for Timberlea/Lakeside/Beechville and Halifax	5
11.1.2	Case 01321: Non Substantive DA Amendment - 137 Solutions Drive	5
11.1.3	2010 Proposed Meeting Schedule	6
11.2	Councillors	6
11.2.1	Community Emergency Plan for Chebucto Community Council Districts - Councillor Mosher	6
12.	MOTIONS	7
13.	ADDED ITEMS	7

14.	NOTICES OF MOTION	10
15.	PUBLIC PARTICIPATION	11
16.	NEXT MEETING DATE	11
17.	ADJOURNMENT	11

1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m.

2. ELECTION OF CHAIR AND VICE CHAIR

The Legislative Assistant called for nominations for Chair.

MOVED BY Councillor Mosher, seconded by Councillor Hum, that Councillor Walker be nominated as Chair of Chebucto Community Council for 2010. MOTION PUT AND PASSED.

There were no further nominations and Councillor Walker was declared Chair for 2010.

Councillor Walker assumed the Chair.

The Chair called for nominations for Vice Chair.

MOVED BY Councillor Wile, seconded by Councillor Adams, that Councillor Hum be nominated as Vice Chair of Chebucto Community Council for 2010. MOTION PUT AND PASSED.

There were no further nominations and Councillor Hum was declared Vice Chair for 2010.

3. APPROVAL OF MINUTES - November 2, 2009

MOVED BY Councillor Wile, seconded by Councillor Hum, that the minutes of November 2, 2009 be approved as presented. MOTION PUT AND PASSED.

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

Additions:

- 13.1 Case 01343: Bedford South Non-Substantive Amendments, Neighbourhood B
- 13.2 Case 01130 - MPS/LUB Amendments and DA - Mayor Avenue, Halifax & Re-adoption of Mainland South GFLUM
- 13.3 J. L. Ilsley High School - Campus Opportunity - Councillor Mosher
- 13.4 MGA - Halifax Regional Municipality - Power to Establish Community Council - Councillor Mosher
- 13.5 Birch Cove Lands/Blue Mountain Servicing Study - Staff Presentation - Councillor Hum

- 13.6 Case 01304: Stage 1 Development Agreement - Clayton Park West Phase 5 - Halifax Water Lands

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

5. BUSINESS ARISING OUT OF THE MINUTES

5.1 Status Sheet Items

5.1.1 Tremont Park Alternate Main Entrance

Councillor Hum indicated that she would like this item to remain on the Status Sheet.

6 MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RECISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. HEARINGS

9.1 Public Hearings - None

9.2 Variance Appeal Hearings - None

10. CORRESPONDENCE, PETITIONS AND PRESENTATIONS

10.1 Correspondence - None

10.2 Petitions - None

10.3 Presentations - None

11. REPORTS

11.1 Staff

11.1.1 Case 01332: Amendments to the Regional Subdivision By-law and the MPSs and LUBs for Timberlea/Lakeside/Beechville and Halifax

C A report dated November 5, 2009 was before Community Council.

MOVED BY Councillor Wile, seconded by Councillor Adams, that Chebucto Community Council recommend that Halifax Regional Council give First Reading to

**the amendments to the Regional Subdivision By-law, the Halifax Municipal Planning Strategy, and the Halifax Mainland Land Use By-law as provided in Attachments A, B and C of the report dated November 5, 2009 and schedule a Public Hearing.
MOTION PUT AND PASSED.**

11.1.2 Case 01321: Non Substantive DA Amendment - 137 Solutions Drive

C A report dated October 26, 2009 was before Community Council.

Ms. Mackenzie Stonehocker, Planner, provided the presentation on Case 01321: Non Substantive DA Amendment - 137 Solutions Drive. She advised that the amendment involved an increase in the amount of dwelling units in the Development Agreement without an increase in density. She indicated that it would be a change from 58 to 86 units which would create an apartment building with almost all two bedroom units.

MOVED BY Councillor Wile, seconded by Councillor Hum, that Chebucto Community Council:

- 1. Approve, by resolution, the second amending Stage II agreement for Clayton Park West - Phase 4J, presented as Attachment A of the report dated October 26, 2009, to allow for an increase in the number of units with no increase in density at 137 Solutions Drive (Lot SD-02; PID 41119843), Halifax;**
- 2. Require the Agreement be signed and returned 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, including any applicable appeal periods; otherwise this approval shall be void and any obligations arising hereunder shall be at and end.**

MOTION PUT AND PASSED.

11.1.3 2010 Proposed Meeting Schedule

**MOVED BY Councillor Hum, seconded by Councillor Mosher, that Chebucto Community Council accept the 2010 proposed meeting schedule with the amendment that the August 2010 meeting be scheduled pending agenda items.
MOTION PUT AND PASSED.**

11.2 Councillors

11.2.1 Community Emergency Plan for Chebucto Community Council Districts - Councillor Mosher

C A Musquodoboit Valley Joint Emergency Management handout was submitted

MOVED BY Councillor Mosher, seconded by Councillor Adams, that Chebucto Community Council request a staff report regarding the feasibility of developing a Community Emergency Plan for each Chebucto Community Council District. This would include, maps, evacuation plans (resident procedures and road networks and procedures), local facilities such as schools, community centres and their capacity. The plan should also document resources and contact numbers for local volunteer organizations, social service groups, professional services in the community (eg. pharmacies), animal shelters, restaurants, hotels and possible shelters -whatever resources might be called upon during an emergency. This is not meant to replace the Emergency Measures Organization (EMO) but to supplement EMO operations and provide local resources to assist.

Councillor Mosher advised that this matter had arisen as a result of the fire in Ferguson's Cove on April 30, 2009. She indicated, for the record, that the lack of a community emergency plan had not effected the first responders' ability to do their job, however, she believed there should be local knowledge encapsulated in a central area in each District. She noted that she had found an example of a community emergency plan in HRM in the Musquodoboit Valley as per her handout and requested a staff report regarding the feasibility of having such a plan in the Chebucto Community Council Districts. In closing, Councillor Mosher stated that first responders as well as community response did an excellent job during the emergency situation in Ferguson's Cove, however, she still believed that a plan was required.

Mr. Roy Hollett, Deputy Chief Director, Fire and Emergency, advised that the request would create a duplication of effort. He stated that Joint Emergency Management (JEM) plans were first set up in rural areas such as the Musquodoboit Valley since there was a time delay in such places in the sense of the processes that could be set up. He noted that, within the city, the area was more condensed and more resources were readily available.

Mr. Terry Bourgeois, Acting Emergency Measures Organization (EMO) Coordinator, indicated that a number of things in Councillor Mosher's proposal were valid, however, many of those items were already taken care of under EMO planning as EMO already had established plans with the Red Cross and Community Services. He advised that EMO did have sector profiles with regards to all of HRM and that information was contained in a number of binders that staff travelled with; noting that they had begun updating these binders in June of 2009 and the process was ongoing. Mr. Bourgeois also stated that there was currently a two to four year project taking place to identify community buildings that could be used as evacuation and comfort centres and noted that electrical assessments for generators were also being carried out at potential sites. He advised that once these assessments were complete there would be assigned evacuation and comfort centre buildings across HRM. He indicated that Mr. Barry Manual, EMO Coordinator, had already hosted several EMO sessions for Councillors, however, he was open to hosting more on an ongoing basis.

Councillor Mosher advised that she was not requesting a plan as formal as JEM and she was requesting crisis management assistance rather than duplication.

MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Case 01343: Bedford South Non-Substantive Amendments, Neighbourhood B

C A report dated October 15, 2009 was before Community Council.

Mr. Andrew Bone, Planner, provided the presentation on Case 01343: Bedford South Non-Substantive Amendments, Neighbourhood B. He noted that this was a non substantive amendment which did not require a public hearing and which would allow for construction to begin, however, not allow buildings to be occupied until construction of the new interchange to Highway 102 was complete. He stated that the amendment would pose little risk to HRM.

MOVED BY Councillor Hum, seconded by Councillor Wile, that Chebucto Community Council:

- 1. Approve, by resolution, the proposed amending agreement as set out in Attachment A of the report dated October 15, 2009, to permit the issuance of Development and Building permits for the remaining multiple unit dwellings within Clayton Developments' lands in Neighbourhood B prior to the interchange at Highway 102 and Larry Uteck Boulevard being connected to Larry Uteck Boulevard and open to vehicular traffic; and**
- 2. Require the 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, including any applicable appeal periods whichever is later; otherwise this approval shall be void and any obligations arising hereunder shall be at and end.**

MOTION PUT AND PASSED.

13.2 Case 01130 - MPS/LUB Amendments and DA - Mayor Avenue, Halifax & Re-adoption of Mainland South GFLUM

C A report dated November 13, 2009 was before Community Council.

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

1. **Move Notice of Motion to consider approval of the proposed Development Agreement as provided in Attachment C of the report dated November 13, 2009 and schedule a joint public hearing with Regional Council;**
2. **Recommend that Halifax Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy, Halifax Mainland Land Use By-law and Mainland South Secondary Planning Strategy Generalized Future Land Use Map (Map 9F) as provided in Attachments A, B and D of the report dated November 13, 2009 and schedule a joint public hearing with Chebucto Community Council.**

MOTION PUT AND PASSED.

13.3 J. L. Ilsley High School - Campus Opportunity - Councillor Mosher

Councillor Mosher advised that she had recently met with the Principal of J. L. Ilsley High School regarding redevelopment opportunities. She stated that a football team had been formed at the school and they were looking for a new field; noting that the large piece of privately owned land adjacent to the school would be an excellent site. Councillor Mosher indicated that with the Spryfield Lions Rink, a recreation centre and soccer field all in the area there may be an opportunity to combine the High School with the Lions Rink to create a campus and recreation area. She noted that this would create a larger parking lot as well as more open space in keeping with Crime Prevention through Environmental Design (CPTED) practices and would enhance the area overall.

MOVED BY Councillor Mosher, seconded by Councillor Adams, that Chebucto Community Council request that HRM Real Estate staff:

1. **Investigate the possibility of speaking to the owners of the vacant land adjacent to J. L. Ilsley High School to see if they would be interested in a possible land swap or purchase of the property, and;**
2. **Approach the Spryfield Lions Rink Committee, HRM Recreation staff and HRM Community Facility Master Plan staff regarding the possibility of combining the Spryfield Lions Rink with J.L. Ilsley High School.**

Councillor Hum requested that Community Facility Master Plan staff also respond to this matter.

MOTION PUT AND PASSED.

13.4 MGA - Halifax Regional Municipality - Power to Establish Community Council - Councillor Mosher

Councillor Mosher advised that section 524 (1) of the Municipal Government Act (MGA) had recently been brought to her attention and noted that she had not seen this item carried out in the 10 years she had been on Regional Council. She stated that Council must abide by the MGA and requested a legal opinion regarding this matter.

MOVED BY Councillor Mosher, seconded by Councillor Hum, that Chebucto Community Council request a legal opinion and report from Legal Services regarding section 524 (1) of the Municipal Government Act which states that “A Community Council shall hold an annual public meeting in the community in each year to report to the public concerning its activities and to receive the views of the public respecting all matters within its mandate.” MOTION PUT AND PASSED.

13.5 Birch Cove Lands/Blue Mountain Servicing Study - Staff Presentation - Councillor Hum

- C A report for Western Region Community Council dated June 5, 2009 was before Community Council.
- C A report for Regional Plan Advisory Committee dated September 29, 2009 was before Community Council.
- C Correspondence from Mr. Wayne Ingalls was submitted.
- C A presentation was submitted.

Mr. Paul Morgan, Senior Planner, provided a presentation regarding the Birch Cove Lands/Blue Mountain Servicing Study. He stated that there was 500 acres of urban settlement in the area and that just over half of the lands were designated as such in the Regional Plan with the remainder being designated as urban reserve to allow for development. He stated that the key issue going to Regional Council in early 2010 would be what would be the appropriate time to initiate the secondary planning process. Mr. Morgan stated that the Regional Plan Advisory Committee deferred the decision at their October 21, 2009 meeting; noting that their next meeting, which was open to the public, would be held on January 20, 2010 at 3:00 p.m. at the Alderney Library. Mr. Morgan clarified that there was another Birch Cove study going on as well which had nothing to do with the lands currently being discussed and the Urban Design Study Steering Committee was dealing with that as a separate matter.

Mr. Peter Bigelow, Manager of Real Property Planning, indicated that Real Estate staff would not be further pursuing land acquisitions or land swaps until the matter was decided upon by Regional Council. He also advised that the provincial government was in tune with this matter and were in discussions with HRM staff; noting that provincial lands would be protected for the purpose of the regional park.

MOVED BY Councillor Hum, seconded by Councillor Mosher, that Chebucto Community Council request that staff organize a meeting with Non Government

Organizations that are involved with the Birch Cove Lands/Blue Mountain Servicing Study and have previously corresponded with staff. MOTION PUT AND PASSED.

MOVED BY Councillor Hum, seconded by Councillor Wile, that Chebucto Community Council request that any future reports regarding Birch Cove Lakes including those submitted to the Regional Plan Advisory Committee also tabled with Chebucto Community Council as information items. MOTION PUT AND PASSED.

13.6 Case 01304: Stage 1 Development Agreement - Clayton Park West Phase 5 - Halifax Water Lands

C A report dated November 23, 2009 was submitted.

MOVED BY Councillor Wile, seconded by Councillor Hum, that Chebucto Community Council move Notice of Motion to consider the Stage I Development Agreement for Clayton Park West Phase 5, presented as Attachment A to the report dated November 23, 2009 and schedule a public hearing for January 4, 2010. MOTION PUT AND PASSED.

14. NOTICES OF MOTION - NONE

15. PUBLIC PARTICIPATION

There was no one wishing to speak at this time.

16. NEXT MEETING DATE

The next meeting was scheduled for Monday, January 4, 2010.

17. ADJOURNMENT

The meeting was adjourned at 8:04 p.m.

Shawnee Gregory
Legislative Assistant

The following items were added as information:

1. Planning Appeal - Magic Beings Child Care Centre Limited
2. Correspondence from the Home of the Guardian Angel - November 9, 2009