

CHEBUCTO COMMUNITY COUNCIL

MINUTES

JANUARY 15, 2001

THOSE PRESENT: Councillor Stephen D. Adams, Chair
Councillor Diana Whalen
Councillor Linda Mosher
Councillor Russell Walker

ALSO PRESENT: Barry Allen, Municipal Solicitor
Austin French, Regional Coordinator, Planning Services
Mitch Dickey, Planner
Gary Porter, Planner
Kurt Pyle, Planner
Sandra Shute, Assistant Municipal Clerk

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. in the Council Chambers at 2750 Dutch Village Road by the Chairman.

2. **APPROVAL OF MINUTES**

2.1 **Regular Meeting - December 4, 2000**

MOVED by Councillor Whalen, seconded by Councillor Mosher to approve the Minutes of Regular Meeting held on December 4, 2000. MOTION PUT AND PASSED.

2.2 **Special Council Session - December 12, 2000**

MOVED by Councillor Walker, seconded by Councillor Mosher to approve the Minutes of Special Council Session held on December 12, 2000. MOTION PUT AND PASSED.

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

Added Items: ATV's on Public Lands - Councillor Adams

MOVED by Councillor Walker, seconded by Councillor Mosher to approve the Order of Business as amended. MOTION PUT AND PASSED.

4. **BUSINESS ARISING OUT OF THE MINUTES**

4.1 **Status Sheet Items**

4.1.1 **2232 Old Sambro Road - On-Going Flooding Problems**

Councillor Adams advised that this issue is still being addressed by Legal Services and the Province.

4.1.2 **Improvements to Kearney Lake Road**

Councillor Whalen advised that this issue has been raised with the Province; however, there has been no action.

4.1.3 Billboards on CN Lands

Councillor Walker requested that this item be removed from the Status Sheet as it is being dealt with by Regional Council.

4.1.4 Sale of 2750 Dutch Village Road

The following information was before Community Council:

- Memorandum dated January 8, 2001 from Building Management Services providing information on the status.
- Memorandum dated January 11, 2001 from Building Management Services providing additional information on the status.

Councillor Mosher asked if Maritime Life has agreed to the changes made by Regional Council. In response, Mr. Gary Porter, Planner advised that Maritime Life has 180 days from the entering of the original agreement to make up their minds.

4.1.5 C-2A Zoning - Mainland South

On a question from Councillor Adams as to the status of the requested report, Mr. Porter advised he expected the report would be ready in the next couple months.

4.1.6 Herring Cove Road Project re Arbour Day in Spryfield

An Information Report dated December 12, 2000 was before Community Council from Wayne Anstey, Municipal Solicitor as to whether or not it was within the authority of Community Council to declare Arbour Day in Spryfield.

Councillor Adams advised he wanted to ensure that the declaration and endorsement of Arbour Day in Spryfield should be part of the on-going contribution from Community Council to the community and part of the on-going process being initiated. This should be part of the costing of initiatives.

4.1.7 Herring Cove Road Project re Costing of Initiatives

Report not received as yet.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS** - None

8. **PUBLIC HEARINGS**

8.1 **Case 00317 - Application for an Amendment to a Development Agreement, "Stoneridge on the Park" (formerly Stanley Park), Mainland South, Halifax**

A Staff Report dated December 7, 2000 was before Community Council.

Gary Porter, Planner provided an overview of the application with the aid of overheads. During the course of his presentation, he indicated that all lots in this stage will be 50' wide and, with the exception of five, will all be 5,000 sq.ft. A couple would be slightly less and, technically, because of the wording in the agreement, it makes those R-0 lots. The difficulty was that with R-0 lots, the standards are zero on one side and 12' on the other. There is nothing to prevent the sideyard from being greater. The idea of small lot standards of 32' wide and 12' sideyards was to ensure sufficient room between the driveways, etc. As the lots get larger, there is more room to manoeuver. Staff was recommending the standard adopted for most CDD's that for single family dwellings, a sideyard of 4' on one side and a minimum of 12' between the buildings.

Councillor Mosher asked if the amendment was for the five lots only. In response, Mr. Porter advised it would apply to all the lots in this phase because they are all greater than 4,000 sq. ft. but there were only five lots that have the 0-12 problem if the change does not go through. The other lots would have to comply with the normal R-1 standard which is 8' on both sides or reduced to 4' if there is a garage.

The Chair then called for speakers in favour or against the application.

Mr. J. R. Younker, 19 Herbert Road said he was concerned with how close the development would be to Herbert Road. He was concerned with the quality of housing to be built on these small lots because cheaper houses would downgrade the value of the houses already in the area. As to the road, it was very hard to access St. Margarets Bay Road without a light. He was concerned traffic would cut through rather than going out North West Arm Drive.

Mr. Steve Milligan, AMEC, on behalf of the developer, in response to Mr. Younker's comments, advised that all lots would be 100' deep minimum. Herbert Road normally has a setback of 20' from the street line and about 40' back yard. The connection shown between Herbert Road and Walter Havill Drive will be a walkway; there is no planned thoroughfare to be built. Walter Havill Drive is built to North West Arm Drive with a fully signalized intersection. There will be no traffic from this development through to Herbert Road.

With regard to the issue of sideyards, Mr. Milligan advised this was mainly a housekeeping item; there will be no visual difference between a house built as R-0 to what is proposed. It was just the position of the house in relation to the lot line. The developer has decided to reduce the density to make it a more up-scale project. House values will be substantial. Along Hail Pond lot prices will be quite high.

Councillor Walker asked what Mr. Milligan meant by substantial house values. In response, Mr. Milligan advised between \$140,000 and \$200,000. Lots around Hail Pond would be higher. It will depend on the style of house and what each homeowner wishes.

Ms. Marjorie Willison, 40 Rockingstone Road stated she was disturbed with destruction along Hail Pond during development. She asked if there was anything in the agreement with the developer and homeowners as to how to treat the properties that abut Hail Pond and whether or not there will be an insistence on buffer plants to protect Hail Pond.

Mr. Porter, in response, advised there was nothing about planting; however, the lots did not go right down to Hail Pond. The Municipality owns the land between the lots and Hail Pond.

Ms. Willison asked, then, how was it that the strip the Municipality owns seems to have been destroyed of vegetation.

Mr. Porter, in response, advised that the amendment in question was to do with the sideyard. He agreed to find out and call Ms. Willison.

The Chair called three times for additional speakers. There were none.

MOVED by Councillor Walker, seconded by Councillor Whalen to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Councillor Mosher, seconded by Councillor Whalen to approve the Development Agreement attached as Appendix "A" to the Staff Report dated December 7, 2000.

Further, 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.

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Presentations**

9.1.1 **Implementation of a Construction and Demolition - C & D - Waste Management Strategy**

Mr. Kurt Pyle, Planner provided background information on the need for a C & D Waste Management Strategy, outlined the proposed consultation process by way of a chart and outlined the meetings that were proposed in the near future in all areas of the Municipality. He asked Chebucto Community to consider when it would hold a Public Meeting in this regard.

Community Council agreed to hold the Public Meeting in conjunction with the Chebucto Community Council meeting on February 5, 2001.

Mr. Pyle agreed to circulate a list of meetings once the meeting dates have been confirmed.

Councillor Walker stated it was nice to hold all the meetings referred to but no one knows where the sites will be located yet. Right now it was not in anybody's back yard so no one was really concerned about C & D's, the regulations for same, how far they should be from people's properties or what sort of neighbourhood they should be in. He wanted information on possible sites so that the general public could be informed of the possible sites prior to the regulations being put in place. People would then know whether or not they might be affected.

Mr. Pyle, in response, advised that staff has criteria developed which will be taken to the public. Criteria would include such items as how big the property should be, should it be on a secondary road or major collector. The computer software was still available that was used for Otter Lake and it will indicate which lots meet the criteria. Staff could then come back to the public with potential sites based on public input.

9.1.2 **Prince's Lodge Process**

Councillor Whalen explained that there were 907 acres involved in this issue with 60% covered by Chebucto Community Council and the remainder within the former Town of Bedford. It will host about 17,000 residents when complete and have a big impact on all of the Municipality. Since there are five different landowners, a coordinated effort has resulted in a single proposed Master Plan for the whole area. There were two different Planning Strategies and Land Use By-laws involved.

Councillor Whalen advised further that there has been some confusion with the public participation process. She looked to Mr. Austin French, Regional Coordinator, Planning Services to provide an explanation.

Mr. Austin French explained the public participation process was approved by Regional Council in June, 1999 which included discussion with the North West Planning Advisory Committee but did not include the detailed program which is currently being considered. Councillor Whalen indicated that North West Planning Advisory Committee held a Public Meeting on December 13, 2000 and there would be three Public Meetings taking place this month; however, the mandate for this Committee was for District 21 (Bedford) only. She advised that staff has been asked to outline a process whereby there would be direct public participation for the residents of District 16 (the Halifax side of the proposed development). She would have preferred a joint process to look at the development as a whole but the process is already well underway at this point so it is not possible.

Mr. French then provided an outline of the public meetings held to date and the details on how the initial draft documents had been prepared by Wallace Macdonald and Lively. When North West Planning Advisory Committee indicated its dissatisfaction with the process to date to Regional Council, Regional Council directed staff to develop a planning program more satisfactory to the Planning Advisory Committee. This evolved into the meeting held on December 13 plus the three meetings scheduled for later this month. He advised that the notification list for the meetings involved approximately 1500 residents. 500 of those were in the community of Crestview, Paper Mill Lake and the other 1000 were on the south side of Hemlock Ravine Park in District 16. Out of this broad consultation, staff would develop recommendations to Planning Advisory Committee, with revised documents. From there, it was staff's intention to request that a joint meeting be held of North West Community Council and Chebucto Community Council. These two Community Councils might decide to hold a Public Meeting after that.

Mr. French advised that as a result of concerns expressed by Councillors Whalen and Walker, staff felt it was appropriate to update Community Council. It was still staff's view that the best strategy is to stick to the program laid out and not add any additional public sessions until the two Community Councils have been advised of the depth and breadth of all the consultation. Because of the wide circulation - advertisements and letters to residents - reasonable representation would be achieved across the board. He asked for an indication from Chebucto Community Council as to whether or not Community Council was comfortable with this process or if they wanted some other process.

Councillor Whalen referred to the advertisement for the three public meetings and the fact that it did not mention North West Planning Advisory Committee as the host of those meetings, although they are all being held in Bedford. She asked if that was an attempt to make the meetings more inclusive.

Mr. French responded that it was felt that because of some of the concerns raised at the first meeting and the workshop format to be used at the three meetings, that the meetings would be less formal.

Councillor Whalen referred to the mandate of North West Planning Advisory Committee which stops at the old Town line and asked if the workshops would take into account the integrated proposed community.

Mr. French, in response, said it was clearly the intent of staff to encourage dialogue from everyone.

Councillor Mosher asked who would be chairing the three meetings in Bedford.

In response, Mr. French advised that Councillor Goucher from Bedford would be there but the meetings would be driven by staff. He understood that Councillor Goucher would make the initial introduction. Councillor Whalen could also take an active role jointly with Councillor Goucher.

Councillor Whalen agreed that this was a good solution given that the recommendation from staff was that there be no duplication of meetings. It was important that the concerns and specifics of District 16 be properly relayed and incorporated into the plans coming forward.

It was agreed that Community Council members could decide, at the next meeting, whether or not more public meetings were required, after the three meetings were held in Bedford.

10. **REPORTS**

10.1 **Case 00098 - Herring Cove Area Settlement and Servicing Strategy**

A Staff Report dated January 10, 2001 was before Community Council.

Mr. Mitch Dickey, Planner provided an overview of the application with the aid of overheads. During the course of his presentation, he advised that there were two items that needed clarification prior to going to Public Hearing. He advised that there had been heavy involvement and major commitment of time from the Executive of the local Ratepayers Association. The community goals that came out through the public consultation process and what was recommended in the consultants report are reflected in the Staff Report. The consultants worked with the local residents, HRM and Regional Water Commission staff. The amendments involve changes to the Municipal Planning Strategy, Land Use By-law and Subdivision By-law.

Mr. Dickey indicated changes that staff was recommending prior to Community Council moving the issue forward to Regional Council for Public Hearing:

1. Add "contiguous" to proposed Policy RES-2E(b) as shown on page 16 of the Staff Report immediately preceding the words "common open space".
2. Delete proposed Section 19.5 from the proposed amendments to the Land Use By-law as shown on page 22 of the Staff Report.

Councillor Adams requested the indulgence of Community Council to hear from the public at this time, even though this was not a Public Hearing as this is a landmark process and decision. Community Council members agreed.

Mr. Bruce Calnen, 26 Oceanview Drive, reading from prepared text, outlined concerns that needed to be dealt with prior to a decision regarding location and access to the reservoir.

Community Council agreed to forward a copy of Mr. Calnen's presentation to Carl Yates, General Manager, Halifax Regional Water Commission. The Water Commission will be siting the reservoir/tower. It will be something done in the design phase of the water delivery system.

Ms. Marjorie Willison, 40 Rockingstone Road, although happy for the Herring Cove residents, expressed concern that there may be a major impact on Spryfield in terms of opening Spryfield to development. There was an asset in Spryfield's green space. Because the current Plan for Spryfield was out of date, there was no way to have development and preservation of green space at the same time. She asked when a review of the Plan would take place as it was long overdue.

Mr. Brian Dempsey, 3 Margaret Lorne Drive, Chair, Herring Cove Ratepayers Association congratulated Planning Department, Councillor Adams and the Herring Cove community on the work done with regard to the servicing strategy. The strategy the Herring Cove community has come up with is second to none. As far as Spryfield is concerned, he felt there would be no detriment to Spryfield as it protects McIntosh Run.

Councillor Adams also acknowledged the work involved by the Executive of the Herring Cove Ratepayers Association and Planning Department. He said it was the first time, as far as he knew, that the community has had that much input into its future. Referring to access to water in Herring Cove, he pointed out that this has been a long-standing issue and it would have been very easy for the Executive to say to just extend the water and let whatever happens, happen. The Executive, however, took one of the most courageous steps that could be taken by any group of individuals and decided to plan for their children and grandchildren to ensure that when development occurs, it is the right development. That is what is going forward to Regional Council.

Councillor Adams then acknowledged receipt of a letter dated January 12, 2001 addressed to the Planner with regard to this issue. He requested that this letter be sent forward to Regional Council when the Public Hearing takes place.

MOVED by Councillor Adams, seconded by Councillor Mosher to approve minor amendments to the Staff Report dated January 10, 2001 as follows:

1. Add the word “contiguous” to proposed Policy RES-2E(b) as shown on Page 16 of the Staff Report immediately preceding the words “common open space”.
2. Delete Section 19.5 from the proposed amendments to the Land Use By-law as shown on Page 22 of the Staff Report.

MOTION PUT AND PASSED.

MOVED by Councillor Adams, seconded by Councillor Mosher to recommend to Regional Council:

1. Give First Reading and hold a Public Hearing on February 13, 2001 on amendments to the Municipal Planning Strategy for Planning District 5 (Chebucto Peninsula) as shown in Attachment 1 to the Staff Report dated January 10, 2001 (revised) and approve the amendments.
2. Give First Reading and hold a Public Hearing on February 13, 2001 on amendments to the Land Use By-law for Planning District 5 (Chebucto Peninsula) as shown in Attachment 2 to the Staff Report dated January 10, 2001 (revised) and approve the amendments.
3. Give First Reading and hold a Public Hearing on February 13, 2001 on amendments to the Subdivision By-law for the former Halifax County Municipality as shown in Attachment 3 of the Staff Report dated January 10, 2001 (revised) and approve the amendments.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Halifax/Halifax County Waters Advisory Board Appointment

A report dated January 8, 2001 was before Community Council in this regard.

MOVED by Councillor Walker, seconded by Councillor Whalen that Mr. Peter Murray be appointed to the Halifax/Halifax County Watershed Advisory Board as the

representative for District 15, Fairview/Clayton Park West. **MOTION PUT AND PASSED.**

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **ATV's on Public Lands**

Councillor Adams outlined a safety concern for people walking through the Long Lake area and nearly being run over by a four-wheel ATV. He requested a report from Department of Natural Resources in conjunction with the appropriate enforcement agency to find out a way to catch and prosecute these types of individuals.

It was agreed that a report would be requested.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Hiram Tiller, 4 Thackeray Close raised the following points:

- He acknowledged the traffic controls put in place off the exit of the 102 into Bayers Lake Park but outlined traffic concerns he had as a result of this placement. He asked what the Municipality was doing with regard to traffic going up Lacewood and coming out of Chain Lake Drive and when there would be improvements made.
- At the Community Council meeting held on September 11, 2000, he asked how much it was costing the taxpayers for traffic calming efforts in the Armview Avenue area. He advised there has been no reply received. He asked that Community Council follow up.

Councillor Adams indicated he would follow up himself regarding Armview Avenue.

- With regard to new assessment notices just being mailed out by the provincial government, he hoped that HRM would ensure that even though the assessments were going up, there would be a zero extra cost to the taxpayer.

15. **NEXT MEETING** - Monday, February 5, 2001

16. **ADJOURNMENT**

On a motion from Councillor Walker, the meeting adjourned at 8:45 p.m.

Sandra M. Shute
Assistant Municipal Clerk