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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by the Clerk at 2750 Dutch Village Road, Halifax.

2. **ELECTION OF CHAIR**

The Clerk called for nominations for Chair of Chebucto Community Council.

MOVED by Councillor Mosher, seconded by Councillor Walker that Councillor Adams remain as Chair of Chebucto Community Council.

There were no further nominations. The Clerk declared Councillor Adams Chair and relinquished the Chair to him.

During a later point in the meeting, Councillor Adams recognized Mary Ann McGrath, MLA for Halifax Bedford Basin.

3. **APPROVAL OF MINUTES - NOVEMBER 5, 2001**

MOVED by Councillor Whalen, seconded by Councillor Walker to approve the Minutes of meeting held on November 5, 2001 as circulated. MOTION PUT AND PASSED.

4. **APPROVAL OF RULES OF PROCEDURE**

Councillor Walker requested that Section 5 include Public Participation as the third last item.

MOVED by Councillor Walker, seconded by Councillor Mosher to approve the Rules of Procedure for Chebucto Community Council as amended. MOTION PUT AND PASSED.

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

Deletion: Case 00356 - Amendments to the Stage I and II Development Agreements for Langbrae Gardens Subdivision, Phase 2D

Added Items: Day Care Centres - Councillor Whalen
Mail Box Relocation - Councillor Walker

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

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

6.1 **Status Sheet Items**

6.1.1 Improvements to Kearney Lake Road at 102

No further information.

6.1.2 Community Planning for Mainland South

A meeting with staff will be arranged in the next couple weeks.

6.1.3 North West Arm Ferry

Staff is expected to have a report ready for the next meeting.

6.1.4 Extending Public Participation for Planning - District 16

Meeting has been held with staff. No indication as to the best course of action at this time.

6.1.5 Turnover of Lights and Synchronization - 102 and Lacewood

This has been completed.

6.1.6 Hours of Operation - Hazardous Waste Facility

An Information Report dated November 26, 2001 was before Community Council.

Councillor Mosher stated she was not pleased with the fact that the facility is only open 32 Saturdays in a year. As well, the population of this Municipality does not compare to Lunenburg or the Annapolis Valley. She questioned whether the other two municipalities offered the same services as Halifax Regional Municipality and pointed out that residents went out to the facility on certain Saturdays when it is not open.

Robert Orr, Waste Resources Engineer was in attendance with regard to this matter. As a result of questions from Councillors, he provided the following information:

- C Some of the programs across Nova Scotia are mobile based; however, Lunenburg and the Annapolis Valley have permanent locations at the landfill site with part time staff. Part time staff are able to handle the small volume on a daily basis.
- C If additional funding were made available, more Saturday service could be added.
- C Hamilton has a facility at the landfill site, with a \$1 million budget and permanent dedicated staff, probably with chemists.
- C HRM's average cost was approximately \$10,000 per Saturday. This amount includes one chemist and five helpers for approximately 500 cars per Saturday. The \$10,000 includes whatever amounts are recovered from recycling.
- C Lunenburg has a part time person assigned to the landfill who comes and unloads as required.

MOVED by Councillor Mosher, seconded by Councillor Whalen that a request go forward to appropriate staff to include the necessary funds in the next budget so that the facility is open every Saturday except when the Saturday falls on a holiday. MOTION PUT AND PASSED.

7. **MOTIONS OF RECONSIDERATION** - None

8. **MOTIONS OF RESCISSION** - None

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

10. **PUBLIC HEARINGS**

10.1 **Case 00356 - Amendments to the Stage I and II Development Agreements for Langbrae Gardens Subdivision, Phase 2D**

The Public Hearing was not held as the applicant withdrew the application.

11. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

11.1 **Presentations**

11.1.1 **Prince's Lodge Residents Association - Funding for Water and Sewer**

Mr. Greg MacKay, President, Greater Prince's Lodge Residents Association and Karen Kelloway, Chair, Water Committee were in attendance for this presentation.

Mr. MacKay advised that the area in question is one of the few remaining areas in the urban area not hooked up to City water and sewer. He provided information on the status of their

request to date, with it being #37 and #38 on the Proposed Infrastructure List and the area in question which comprises 49 households.

Ms. Kelloway then provided information on the reasons infrastructure funding was required, such as the current state of septic systems, wells, safety aspects with Hemlock Ravine Park behind, the affects of encroaching development and the fact that this would be a green project.

Councillor Whalen acknowledged that being on the HRM Infrastructure List was an indication that it was considered a priority; however, the provincial and federal governments had to recognize HRM's priorities.

Councillor Walker pointed out it was important for the residents to push the issue with Geoff Regan, MP. The final list is not drawn up by HRM.

In response to questions from Community Council, Mr. MacKay provided the following information:

- C The preliminary cost of the project was approximately \$2.2 million.
- C There would have to be an extended access route for water.

Councillor Whalen noted that the Park was an important point because it was a very unique area at risk with the proximity of homes around it. As well, the area is within the urban core and the residents pay the urban tax rate which includes water and sewer.

12. **REPORTS**

12.1 **Meeting Schedule for 2002**

A proposed meeting schedule for 2002 was before Community Council. Councillor Walker recommended that the meeting proposed for June 3 be held on June 10 instead.

MOVED by Councillor Walker, seconded by Councillor Mosher to approve the meeting schedule for 2002 with the amendment included regarding the June date. MOTION PUT AND PASSED.

12.2 **Case 00328 - Application to Erect a 200' Free Standing Cellular Tower on Lands of the Church of Christ Development Company Limited in Halifax (PID 323147)**

A Staff Report dated November 25, 2001 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 advised that staff had asked the applicant to go back to Department of Natural Resources again with respect to possible sites in the Long Lake Park area. He had just been advised that a location there is not available. Ultimately, Industry Canada would make the decision based on technical merit; therefore, Community Council should try to get the best deal for the Municipality. With regard to the site in question at this time, there is a commitment to leave a lot of trees and to paint the structure grey as opposed to red and white.

Councillor Adams acknowledged that two Public Meetings have been held yet, regardless of what the community says and regardless of what Community Council decides, a decision will be made by Industry Canada.

Mr. Porter pointed out that if there was no value from the Municipality's input, there could be a tower now on Herring Cove Road next to the church. There was no doubt there would be a tower; the question was trying to decide the best location. Although there are homes in the area in question now, it is a wooded area a little more further removed.

Councillor Mosher acknowledged the concerns from residents about health implications from cell towers. She then referred to page 20 of the Public Meeting Minutes where the representative from Rogers A T & T indicated they would proceed regardless if there is a deferral by Community Council. She also questioned in the Minutes the section where the applicant indicated they had never been turned down for a request. She also referred to the fact that the Staff Report indicated that the current zoning does not permit cellular towers. She advised she would not support the location in question and suggested a referral until after the Committee of the Whole meeting the next day when representatives from Health Canada and Industry Canada would be present.

Councillor Walker referred to his District where there are cellular installations and 90% of the residents do not know they are there.

Mr. Porter advised that the site is zoned RDD which does not permit cell towers. Cell towers have to be in a grid pattern which does not always land on a zone that permits it. The consultation process takes place because the zoning does not permit cell towers. The Municipality does not have the authority like it does with rezonings or Development Agreements; however, Industry Canada is looking for the Municipality to make reasonable suggestions.

Councillor Whalen asked if consideration had been given to co-location. In response, Mr. Porter advised that the Municipality promotes co-location; however, in this instance, there was nothing available constructed to support Rogers' equipment.

Ms. Rachael Cassidy, on behalf of Rogers AT & T, raised the following points:

- C With regard to the sections of the Minutes referred to by Councilor Mosher, these were her personal answers, not her company's.
- C There is a fairly good working relationship with the landlord of the #3 option. She intended to continue to try to convince the landlord to let them locate there.
- C Her preference was not the Lyons Avenue location.
- C Co-location is not possible.
- C She encouraged continuation of the public consultation process. The Municipality may not have the final say on where a tower is located but how the community is treated and how the tower is presented were important.
- C She supported the change in the color of the proposed tower to grey from red and white.

MOVED by Councillor Whalen, seconded by Councillor Walker to inform Industry Canada that Community Council engaged in community consultation and, although there are some reservations in the community, Community Council accepts this location as the best compromise at this time. Further, that provision is made in constructing the proposed tower for future co-location by other carriers. MOTION PUT AND PASSED.

12.3 **Appointment to Halifax/Halifax County Watershed Advisory Board for District 16**

MOVED by Councillor Whalen, seconded by Councillor Walker to appoint Dr. S. Ray as the representative for District 16 on Halifax/Halifax County Watershed Advisory Board for a term to expire November, 2004. MOTION PUT AND PASSED.

13. **MOTIONS** - None

14. **ADDED ITEMS**

14.1 **Day Care Centres**

MOVED by Councillor Whalen, seconded by Councilor Mosher to request a Staff Report on the appropriateness of day care centres in residential zones and examine the policy throughout the Municipality, in light of the recent experience in the Langbrae Gardens Subdivision area. MOTION PUT AND PASSED.

14.2 **Mail Box Relocation**

Councillor Walker requested that Community Council assist with a resident's request to have a mailbox relocated from the street at 103 Main Avenue to the verandah at the same address, similar to what has been done at the Seniors Citizens Residence at 41 Cowie Hill.

MOVED by Councillor Walker, seconded by Councillor Mosher that a letter be sent to Canada Post in this regard. MOTION PUT AND PASSED.

15. **NOTICES OF MOTION** - None

16. **PUBLIC PARTICIPATION**

Mr. Nick Ciccarelli, 31 Appolo Court, Halifax raised the following points:

- C He was not notified regarding the proposed day care centre in Langbrae Gardens but acknowledged that the application had been withdrawn.
- C He did not understand how a proposal of this magnitude could be considered without the applicant having a final agreement on the land.
- C He asked if there were by-laws prohibiting the number of day cares on a street. He indicated that for 14 children, you did not have to go through a process and there was a potential that every home could have 14 children in day care.
- C He stated that cars were parking on the street in front of the Park West School on Roxbury. He asked that this be addressed as it was a safety issue.

Councillor Walker indicated that if the lot was purchased in July, there would have been a delay getting the information from the province as to who owns the lots and putting it on the HRM system.

It was agreed to forward Mr. Ciccarelli's points regarding day care centres as part of the request for a report re 14.1 and that Mr. Ciccarelli would be provided with a copy of the report when received. It was also agreed to forward Mr. Ciccarell's concerns re traffic safety to Traffic Authority for comment.

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

- C With regard to the report to Regional Council regarding Community Council costs, it appeared there were very few participants during Public Participation. He pointed out that there could be any number of people in attendance for different items during the course of a meeting but the number of people who spoke during Public Participation

- might not be many. The cost provided in the report divided by the number of public participants made it look as though Community Councils were costing a lot of money.
- C He expressed appreciation that Regional Council had decided that Chebucto Community Council could go back to a smaller Community Council.
- C He stated that this has been a good year for getting traffic problems cleared up such as District 16 problems, Armview/Pryor issues and the new exit off the 102 to Fairview.

Mr. William Phillips, 9 Crestview Drive expressed appreciation that Chebucto Community Council was back to its former size. The effectiveness of the smaller group is better than the larger group.

Councillor Mosher expressed thanks and appreciation to both Mr. Tiller and Mr. Phillips for supporting the issue of Chebucto Community Council going back to its former size. She apologized that Mr. Tiller and Mr. Phillips had been singled out at Regional Council during debate on this issue.

17. **NEXT MEETING DATE**

Monday, January 7, 2002.

18. **ADJOURNMENT**

On a motion from Councillor Whalen, the meeting adjourned with best wishes for the Holiday Season at 8:40 p.m.

Sandra M. Shute
Assistant Municipal Clerk