

HALIFAX REGIONAL MUNICIPALITY

CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, MARCH 3, 2003

PRESENT: Councillor Linda Mosher, Chair
Councillor Diana Whalen, Vice-Chair
Councillor Russell Walker

ABSENT
WITH REGRETS: Councillor Stephen D. Adams

ALSO PRESENT: Mr. Gary Porter, Planner II, Western
Mr. Jim Donovan, Manager, Planning Applications
Mr. Barry Allen, Municipal Solicitor
Mr. Wayne Legere, Manager, Streets and Roads
Mr. Peter Bigelow, Manager, Parks and Open Spaces
Ms. Chris Newson, Legislative Assistant

TABLE OF CONTENTS

1. CALL TO ORDER 4

2. APPROVAL OF THE MINUTES. 4

 2.1 Minutes of Regular meeting February 3, 2003 4

 2.2 Minutes of continued Public Hearing February 12, 2003 4

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

4. BUSINESS ARISING OUT OF THE MINUTES 4

 4.1 Status Sheet Items 4

 4.1.1 Street Lights - Frog Pond area 5

 4.1.2 Snow/Ice removal at Rockingstone Heights School 5

 4.1.3 Speed of Snow Ploughs on Residential Streets - Herring Cove Road
 /Purcell's Cove Road area 5

 4.1.4 North West Arm Drive Renaming 5

 4.1.5 Off-leash at Frog Pond/Sir Sanford Fleming Park 5

 4.1.6 Washroom Facilities at Halifax Commons 7

 4.1.7 Truck Idling By-Law 7

 4.1.8 Speed Limits - Bayview Road/Flamingo Drive 7

5. MOTIONS OF RECONSIDERATION - None 8

6. MOTIONS OF RESCISSION - None 8

7. CONSIDERATION OF DEFERRED BUSINESS 8

 7.1 Case #00066: Rezoning and Development Agreement for Governor's
 Brook, Mainland South, Halifax 8

8. PUBLIC HEARINGS - None 10

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS 10

 9.1 Correspondence 10

 9.1.1 Lease Renewal - Hemlock Ravine Park 10

9.2	Petitions	11
9.2.1	Petition Regarding Off-leash in Frog Pond Area	11
10.	REPORTS	11
10.1	Ploughing of Linear Park	11
11.	MOTIONS	11
12.	ADDED ITEMS	12
12.1	Case #00062: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street	12
12.2	Weekly Pick-up of Compost	12
12.3	Parking Meters on Dutch Village Road	12
12.4	HRM Clearing Lakes for Skating	12
13.	NOTICES OF MOTION	12
14.	PUBLIC PARTICIPATION	13
15.	NEXT MEETING DATE	13
16.	ADJOURNMENT	13

1. CALL TO ORDER

The meeting was called to order at 7:00 pm in the Keshen Goodman Library, 330 Lacewood Drive, Halifax. Later in the meeting Councillor Mosher recognized MLA Mary Ann McGrath, MLA for Halifax/Bedford Basin.

2. APPROVAL OF MINUTES

- 2.1 Minutes of Regular Meeting - February 3, 2003
- 2.2 Minutes of Continued Public Hearing February 12, 2003

CORRECTION:

Councillor Walker noted that a public speaker was identified as Patrick Manual on page 14 of the February 3, 2003 minutes and this should be corrected to Patricia Manual.

MOVED by Councillor Walker, seconded by Councillor Whalen, that the minutes of the regular meeting held on February 3, 2003, be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Walker, seconded by Councillor Whalen that the minutes of February 12, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

ADDITIONS:

- 12.1 Case # 00062: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street
- 12.2 Weekly Pick-up of Compost - Councillor Whalen
- 12.3 Parking Meters Dutch Village Road - Councillor Walker
- 12.4 HRM Clearing Lakes for Skating - Councillor Mosher

MOVED by Councillor Whalen, seconded by Councillor Walker that the Order of Business be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Items

4.1.1 Street Lights - Frog Pond

Information report requested for April 7, 2003 meeting.

4.1.2 Snow/Ice removal at Rockingstone Heights School

! An information report dated February 24, 2003 was before the Committee.

Mr. Wayne Legere, Manager, Streets and Roads, reported that HRM Staff have met with the school administration at Rockingstone Heights school and they are very clear in their maintenance requirements for the school. He further added that HRM Staff delineated what HRM provides in regards to maintenance on Regan Drive. Mr. Legere advised that if there are further complaints, the public may contact HRM By-Law Enforcement for any properties abutting public lands or the school board/local school directly if the issue is on school property. This item to be removed from the Status Sheet.

4.1.3 Speed of Snow Ploughs

! An Information Report, dated February 24, 2003, was before the Committee.

Mr. Wayne Legere, Manager, Streets and Roads, reported that the complaints regarding speed of snow ploughs on residential streets in the Herring Cove Road area has been addressed. He advised that there was a driver driving too fast for the conditions although he was within the speed limit. Mr Legere stated that the driver has been informed of the situation and was asked to slow down. He added that there have been no further complaints. This item to be removed from the Status Sheet.

4.1.4 North West Arm Drive Renaming

! An Information Report, dated February 27, 2003, was before the Committee.

MOVED by Councillor Walker, seconded by Councillor Whalen that the Information Report dated February 27, 2003 regarding Renaming North West Arm Drive, be accepted by Chebucto Community Council. Further, that a copy of this Information Report be sent to the Province of Nova Scotia. MOTION PUT AND PASSED UNANIMOUSLY. This item to be removed from the Status Sheet.

4.1.5 Off-Leash at Frog Pond/Sir Sanford Fleming

- ! An Information Report, dated January 29, 2003, was before Community Council. Mr. Peter Bigelow, Manager, Parks and Open Spaces circulated supplementary information, dated March 3, 2003, regarding dedicated dog parks.
- ! See page 11, section 9.2.1 Petition regarding Off-leash in Frog Pond area

Mr. Peter Bigelow, Manager, Parks and Open Spaces, reported that various options had been reviewed regarding accommodating off-leash areas within municipal open spaces. He advised that the Information Report lists three options: leash only parks, designated park areas as off-leash areas and dedicated dog parks. Mr. Bigelow added that the Information Report suggested the Loop Road section of Sir Sanford Fleming Park be designated as an off-leash area on a trial basis from April 12, 2003 - November 16, 2003, as this section is slightly less utilized and does not have compounding factors such as wildlife or playgrounds/beaches. Mr. Bigelow further commented that under the current By-Law (D-100, Section 11, 3(e)), citizens who wish to run their dogs off-leash, may do so on any of the municipal sport or ball fields between the hours of 6:00 - 10:00 am from November 1 to May 1.

Councillor Whalen asked if wells and septic systems would be a concern if there were off-leash designation for the Loop Road area. Mr. Bigelow advised that the Loop Road area is below the watershed and this would not be a concern.

Councillor Whalen added that there are requests for off-leash areas in District 15/16 as well. She explained that a citizen requested an area in Glenbourne Park, which was set aside for a tennis court, be considered for an off-leash area. Mr. Bigelow submitted a supplementary information report regarding dedicated dog parks in other municipalities across the country. Councillor Whalen requested a staff information report for April 7, exploring the idea of dedicated dog park(s) and the costs involved.

Councillor Mosher submitted a petition from residents of District 17 regarding their wish to have off-leash in Sir Sanford Fleming Park. She further reported that the "Friends of Sir Sandford Fleming Park", a public committee, defeated a motion at their April 24, 2002 meeting to have Sir Sandford Fleming Park an off-leash park. Councillor Mosher advised that on February 26, 2003, the "Friends of Sir Sandford Fleming Park" passed a motion that stated no area of Sir Sandford Fleming Park be considered an off-leash area.

Councillor Mosher added that there are conflicting wills in the community and requested that Mr. Bigelow consider the following points in preparing the information report for April 7th:

- off-leash be restricted to mornings only in the Frog Pond Area
- consideration given to the fact that skiers use the Loop Road area
- there is a Senior's Residence behind this area
- there is a process underway to have National Historic Site designation for Sir Sandford Fleming Park

- in winter there are more dog walkers than runners in this area

MOVED by Councillor Whalen, seconded by Councillor Walker that a staff report be prepared for the April 7th meeting regarding designation of off-leash areas based on the additional information raised at this meeting. MOTION PUT AND PASSED UNANIMOUSLY.

4.1.6 Washroom Facilities at Halifax Commons

! An Information Report, dated February 20, 2003, was before the Community Council.

Mr. Peter Bigelow, Manager, Parks and Open Spaces commented that HRM does have a washroom facilities program but it has been underfunded due to other priorities over the last several years. He further commented that one of the largest obstacles to providing public washroom facilities in open space areas is the rate of vandalism. Mr. Bigelow mentioned that there are washroom facilities on the Central Commons which are intended to service the North Commons area as well. Mr. Bigelow referred to the staff report which indicated the options for public washroom facilities and the associated costs as follows:

- < portable commercial washroom "Port-A-Pottie" - Capital Cost \$10,000 plus seasonal operating costs
- < portable commercial washrooms camouflaged (surrounding structure) - Capital Cost \$25,000 plus annual operating costs
- < permanent privy-style washrooms - Capital Cost \$40,000 plus annual operating costs
- < permanent serviced washrooms - Capital Cost \$100,000 plus annual operating costs

Mr. Bigelow commented that Regional Council will have to review the issue of public washrooms overall as part of the upcoming budget presentations but due to more pressing needs, washrooms are not in the current budget submissions for the Northern Commons. This item is to be removed from the Status Sheet.

4.1.7 Truck Idling By-Law

Deferred to April 7, 2003 meeting so that Councillor Adams may comment on this issue.

4.1.8 Speed Limits - Bayview Road/Flamingo Drive

! Letter from Mr. Taso Koutroulakis, Acting Manager, Traffic & Transportation Services, dated February 23, 2003, to Mr. Ralph E. Hessian, Director, Infrastructure Management, Nova Scotia Transportation and Public Works, was before Community Council.

Councillor Whalen commented that the letter indicates HRM intends *"to enter into an*

agreement with the Province, to cost-share an independent review of speed limits on local residential streets in various jurisdictions across the country". Councillor Whalen added that Chebucto Community Council's request was to initiate a pilot project on Bayview Road and Flamingo Drive and this indicated study could take some time. She further commented that this letter does not address what Community Council was requesting. This item to remain on status sheet.

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RESCISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Case #00066: Rezoning and Development Agreement for Governor's Brook, Mainland South, Halifax

! Supplemental Report, dated February 28, 2003, was before Community Council. (Public Hearing was held on Monday, February 3, 2003 and Wednesday, February 12, 2003 and closed).

Mr. Gary Porter, Planner II, Western, presented the supplemental report. He commented that all concerns and issues raised during the Public Hearing of February 3 & 12, 2003 were addressed in this supplemental report.

Councillor Whalen inquired if staff had prepared a list of various other approvals required in terms of environmental protection. Mr. Porter replied that once the rezoning application has been approved, the development agreement must then be approved and the following concerns would have to be addressed before approval would be given:

- ! Roach's Pond Pumping Station - surcharging several times per year. The Department of Environment has said that they will not issue approval of this development until this issue has been addressed. HRM is planning to double the retention capacity at Roach's Pond Pumping Station as part of the Harbour Solutions Project which should aid the overflow situation. Mr. Porter advised that if the Developer chooses to go ahead before HRM solves the problem, it will be the Developer's responsibility to adhere to the requirements of the Department of Environment.
- ! UV Filter for treating overflow is acceptable to the Department of Environment
- ! the storm water management plan would also have to be approved by the Department of Environment.
- ! the Developer would have to submit a plan for erosion and sedimentation control for HRM's approval as well as approval by the Department of Environment
- ! Certificate to Construct, issued by the Department of Environment, for installation of water and sanitary sewer is required

! Groundwater diversion is an issue for the Province
! the fisheries act may apply as well in regards to the affects on fish habitats
Mr. Porter commented that if all these items are approved, the development agreement allows for subdivision approval for 100 units only. He added that the Drysdale Road connection would then have to be constructed which would require Provincial approval and would also be subject to the Environment Act and the Navigatable Waters Act possibly requiring Federal Government approval. Once those approvals are satisfied then HRM can issue subdivision approval for subsequent phases.

Councillor Whalen further requested that in regards to the Capital Cost Contribution, that HRM reserve the right/ability to go back and recoup any funds for major infrastructure changes that may be required at a later date.

Councillor Walker asked if the 50 units per year could be accumulated? Mr. Porter commented that yes, if only 25 lots were developed one year then the next year they could do 75 but it can never exceed 50 times the number of years from approval, so in three years time, if the developer has done nothing, they can develop 150 units maximum. Councillor Walker requested that this be changed to a maximum of 100 as the impact could be greater if development were accumulated.

Councillor Whalen requested confirmation on the density of 17.67 persons per acre being the upper most limit. Mr. Porter responded that any changes that would be allowed would have to work out to 17.67 persons per acre. Councillor Whalen requested that as the units are developed that they draw down on the total and that records be kept of this.

Councillor Whalen asked for clarification on the land use rules on page 29, 2.2 R-2 semi-detached type of housing and commented that the maximum lot coverage should be indicated. Mr. Porter commented that the development agreement states that the provisions of the Halifax Mainland Land Use By-Laws shall apply except as specifically varied by this agreement. Mr. Porter also added that 35% lot coverage is the standard.

Councillor Whalen requested clarification on setback from watercourses, page 31, Subsection "N" of the development agreement regarding tree buffers and water course which states that no residential or other building shall be constructed within 100' of MacIntosh Run and within 50' of any other water course. Councillor Whalen requested that this be changed to a minimum 100' setback for all watercourses.

Councillor Whalen commented on tree retention, page 32, section 2.5: lot sizes/setbacks and feet between buildings which states that: "cannot cut any tree 4" or greater except where they are located within a road right of way or within the footprint of a habitable building or within 25' of the foundation of such a building". Councillor Whalen commented that due to the lot sizes in this development, there would not be any trees left and requested a non-disturbance zone

be added to the development agreement so that underbrush etc. not be disturbed.

Councillor Walker asked how much Commercial would be in this development. Mr. Porter responded that there is only one small area blocked for neighbourhood commercial.

Councillor Whalen commented that as there is no funding available from the Capital Budget to complete green areas in new developments that green spaces be graded and sodded and not just left as rock and dirt for the smaller park areas indicated in this development. She further commented that the trails should be developed as well.

MOVED by Councillor Walker, seconded by Councillor Whalen that Chebucto Community Council approve the rezoning of 156 acres in Mainland South, lands of Kimberly-Lloyd Developments Ltd., from H (Holding) to RDD (Residential Development District) as shown on Attachment "A", Schedule E of the November 20, 2002 staff report. Further, that no work be started on this land until the Development Agreement has been signed.

Councillor Mosher indicated that she would not be supporting the motion due to an overwhelming number of her constituents being not in favour of this development.

MOTION PUT AND PASSED 2-1.

8. PUBLIC HEARINGS - None

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

9.1.1 Lease Renewal Hemlock Ravine

! A letter, dated February 12, 2003, from MLA Mary Ann McGrath, Halifax/Bedford Basin was before the Community Council.

Mr. Peter Bigelow, Manager, Parks and Open Spaces, commented that Hemlock Ravine Park is comprised of a land assembly made up of parcels acquired by HRM and the Province. He further commented that a management plan had been developed through the involvement of HRM Staff, Nova Scotia Field Naturalists, Friends of Hemlock Ravine and the Province which Chebucto Community Council endorsed and Regional Council made into policy. The Province has asked HRM, as a condition of the lease, to consider creating an advisory committee to Regional Council similar to the one for Point Pleasant Park. Mr. Bigelow reported that HRM Staff are of the opinion that this is not necessary as there is a very good

relationship with existing organizations, namely the Friends of Hemlock Ravine, Nova Scotia Field Naturalists and the Rate Payers Association with whom HRM Staff deal with on a regular basis. Mr. Bigelow added that the management plan would be resubmitted to the Province and the lease would be renewed within the next few months.

9.2 Petitions

9.2.1 Petition regarding Off-leash in Frog Pond area

Councillor Walker read the petition into the record. A copy is on file in the Municipal Clerk's Office.

10. REPORTS

10.1 Ploughing of Linear Park

Mr. Bigelow advised that the main walkways in Point Pleasant Park were the only areas ploughed/sanded/salted during the winter months and that this is done as a result of an agreement made when HRM took over responsibility of Point Pleasant Park in 1996. Mr. Bigelow added that the ploughing/sanding/salting of these paths causes more road work in the spring and requires HRM staff to be in the park year round.

Mr. Bigelow asked what service level would be expected for Linear Park. Councillor Whalen responded that it be considered a sidewalk due to the number of students from the local schools who could use these pathways. Mr. Bigelow added that when gravel walkways are ploughed, they are not cleared down to the crusher dust and the process would involve the clearing of new fallen snow and sand/salt layered to increase traction.

MOVED by Councillor Whalen, seconded by Councillor Walker that HRM Parks and Open Spaces provide a staff report for the April 7, 2003 meeting regarding the cost of ploughing, sanding and salting of Linear Park from Main Avenue to Parkland Drive. Further, that the costs be considered as a possible area rate for District 16. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Case # 00062: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street

MOVED by Councillor Walker, seconded by Councillor Whalen that Case #00062:

Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street, be deferred to April 7, 2003. Further, that the Planning Department clarify the minutes of the Public Information Meeting held on October 10, 2002, in regards to who was in attendance at that meeting. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Weekly Pick-up of Compost

Councillor Whalen submitted a letter from a resident of District 16, dated September 23, 2002, in which the resident requested weekly pick-up of green cart garbage during the months of July and August due to the problems of strong odours and insects associated with the green bins during the hot weather. She added that the issue was discussed at the Solid Waste Advisory Committee where it was mentioned that weekly summer pick-up would cost \$96,000 for the summer.

MOVED by Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council support weekly pick-up of greenbins for Halifax and Dartmouth during the months of July and August. MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Parking Meters

MOVED by Councillor Walker, seconded by Councillor Whalen that HRM Staff prepare a report regarding the parking meters on Dutch Village Road, located in front of the former Hell's Angel's Club House to Dutch's Lounge, in regards to their feasibility. Further, if it is determined that these meters are no longer required in this area that they be moved to another area of HRM.

12.4 HRM Clearing Lakes for Skating

MOVED by Councillor Walker, seconded by Councillor Whalen that HRM Staff prepare a report on the feasibility of clearing and flooding lakes in HRM for skating. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

Mr. Gerald Rodgers, 24 Spry Avenue, Spryfield

Mr. Rodgers commented that there should be traffic lights at Drysdale Avenue as well as traffic control or a light system at St. Michael's and Herring Cove Road due to a number of

accidents. Mr. Rodgers added that he presented a petition of over 800 names to Regional Council on this issue.

Councillor Mosher commented that a petition was presented to Regional Council and the Traffic Authority did prepare a report which stated that in the five (5) years prior to the installation of the new crosswalk there were two (2) pedestrian injury accidents in 1990/93 and three (3) pedestrian injury accidents in the five (5) years after the signs were installed. She further commented that in the Traffic Authority's report to Regional Council, moving the crosswalk is not recommended as it is in a logical location and has been assessed by the Halifax Regional Police and the Traffic Authority. She advised that the Traffic Authority has ultimate authority and Community Council cannot override their decision.

Ms. Anne von Maltzahn, 15 Wyndrock Road

Ms. von Maltzahn suggested that parking meters be moved closer to the storefronts, as is done in Montreal, and away from the curb to alleviate the problem of crawling over snowbanks to put money in the meters.

Ms. Marjorie Willison, 40 Rockingstone Road, Spryfield

Ms. Willison spoke in support of a Planning Advisory Committee for the local community.

15. **NEXT MEETING DATE** - Monday, April 7, 2003

16. **ADJOURNMENT**

The meeting was adjourned at 9:05 pm.

Chris Newson
Legislative Assistant