HALIFAX REGIONAL MUNICIPALITY

CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, JUNE 7, 2004

PRESENT:	Councillor Linda Mosher, Chair Councillor Russell Walker, Vice-Chair Councillor Stephen D. Adams Councillor Debbie Hum
STAFF PRESENT:	Mr. Steven Higgins, Development Officer Mr. Paul Sampson, Planner Ms. Randa Wheaton, Planner Mr. Barry Allen, Municipal Solicitor Ms. Chris Newson, Legislative Assistant

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1. <u>CALL TO ORDER</u>

The Chair called the meeting to order at 7:00 pm at the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

2. <u>APPROVAL OF MINUTES</u>

2.1 Minutes of Regular Meeting May 3, 2004 and Special Meeting of May 25, 2004.

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MOVED BY Councillor Adams, seconded by Councillor Hum that the minutes of the regular meeting of May 3, 2004 and special meeting of May 25, 2004 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

3. <u>APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS</u> <u>AND DELETIONS</u>

- <u>Additions:</u>: 8.1 One e-mail correspondence from area Resident concerning Public Hearing Item 8.
 - 12.1 <u>Naming of Playground Down's Avenue</u> Councillor Walker
- Move: 7.1 to immediately following the approval of agenda.

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

7. <u>CONSIDERATION OF DEFERRED BUSINESS</u>

- 7.1 Variance Appeal 647 Bedford Highway
- A staff report dated April 26, 2004 was before the Community Council.

Mr. Steven Higgins, Development Officer, was in attendance to answer any questions. He advised he was not able to meet with the residents prior to this evening regarding their concerns as expressed during the public hearing on May 3, 2004.

MOVED BY Councillor Walker, seconded by Councillor Hum that Chebucto Community Council hold a meeting on July 5, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED BY Councillor Hum, seconded by Councillor Adams that this item be deferred to the July 5, 2004 meeting to allow staff to respond in more detail to the issue of

impact on traffic with continued development along the Bedford Highway. MOTION PUT AND PASSED UNANIMOUSLY.

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4. BUSINESS ARISING OUT OF THE MINUTES

- 4.1 Status Sheet Items
 - 4.1.1 Off-Leash for Districts 17 and 18

Councillor Adams advised there is no update at this time. To remain on the Status Sheet.

4.1.2 <u>Tree Replacements - Time Line/Priorities</u>

Councillor Hum advised there is no update available at this time. **To remain** on the Status Sheet.

4.1.3 Acorn Road Issues

• An e-mail dated May 7, 2004 was before Community Council

Councillor Adams advised staff have responded to the majority of issues and the remaining items will be completed soon. He requested a letter be sent to staff thanking them for their prompt response to this issue. **To be removed** from the Status Sheet.

4.1.4 <u>Traffic on Bedford Highway</u>

Councillor Hum advised she received e-mail response from staff regarding traffic on the Bedford Highway. Further information is requested. **To remain** on the Status Sheet.

4.1.5 <u>Cancellation of Community Council Meetings - Public Notification</u> <u>Process</u>

• An Information Report dated May 4, 2004 was before the Community Council.

Councillor Hum advised the report has been received and no further action is required. **To be removed** from the Status Sheet.

5. MOTIONS OF RECONSIDERATION - None

- 6. MOTIONS OF RESCISSION None
- 7. <u>CONSIDERATION OF DEFERRED BUSINESS</u>

Dealt with earlier in meeting. See page 4.

8. <u>PUBLIC HEARINGS</u>

8.1 <u>Case 00376: Development Agreement for an Urban Farm Museum at 62</u> <u>Rockingstone Road, Halifax, a registered Heritage Property.</u>

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- A staff report dated March 12, 2004 was before Community Council.
- A report from the Heritage Advisory Committee dated April 27, 2004 was before Community Council.
- A letter received June 1, 2004 from the Spryfield Resident's Association was before Community Council.

Ms. Randa Wheaton, Planner, presented the report.

Councillor Mosher reviewed the guidelines for the public hearing then opened the public hearing calling for any speakers for or against the applications.

PUBLIC SPEAKERS:

John Sparling, 47 South Hill Drive, Clayton Park

- In support of the Urban Farm as he attends events such as "Seedy Saturday" (an annual event for seed sale and exchange) with family.
- The experience of Urban Farm instills important values to citizens regarding: sustainability, a sense of community and is also a part of our heritage.

Ann Walton, 60 Ardwell Avenue

• Severe asthmatic - (can provide a letter from her Doctor attesting to her condition) and stated she would be under duress with animals at the farm.

Martha Leary, 21 Redwood Avenue

- Member of Urban Farm working on a project for children "Come Grow With Us". Great turn out. Great community spirit. Kids learning to grow food and they can carry on the tradition of growing food.
- In favour of the Urban Farm Museum.

Ms. Terry Wagner, 58 Ardwell Avenue

• We border the Urban Farm and those who are not on the border are in support but those of us who border it have concerns: traffic and asthmatic's in area of farm.

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- People across the road did not receive notification.
- We do not agree with this application and have many issues: the value of our homes has to be considered.

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- As kids get older they get tired of it (volunteering at the Urban Farm) and will not help out.
- NO to the parking lot NO to the animals If you want to see animals go to a farm.

Alvin Auton, 64 Ardwell Avenue

- Main concern is with parking on the path as children walk there going to the Community Centre for swimming. If children are hurt HRM could be sued. Who will supervise the parking? Will you pave it and put curbs up so it will not interfere with the brook in the area?
- Proposed parking area is right in my backyard and I do not want it opened up for vehicles.
- There is a problem now with ATV's and motorbikes.
- No problem with the farm or farming but I do have a problem with the animals as I am also asthmatic.

Ms. Randa Wheaton commented the proposed parking area would be a gravel parking lot under approval from HRM and HRM's Parks Planning Department. The parking area will not interfere with the brook as it will be located so as not to have an impact. There will be a vegetative screen to protect the brook and the residential area. She further advised the Development Agreement states the parking lot is to be monitored for a period of one year and if, after one year, it is determined to have undesirable users, a gate will be placed at the property line at the entrance.

Gil White, 125 Tartan Avenue

• Concern with ATV's and motorcycles as they race up and down on a continuous basis. The police have been around and it has slowed down. How will the parking area be monitored?

Ms. Wheaton commented the monitoring would be from complaints by residents.

• How long will you have animals there?

Ms. Wheaton responded the report indicates twelve (12) days per month and not more than seven (7) consecutive days except for ten (10) days in June during Museum Month. The operators are to maintain a written record of animals and how long they stayed on site. The animals are to be contained in a secure area during hours of operation and between 8:00 pm to 8:00 am, all animals must be secured in the barn, corral or tool shed/animal shelter/poultry shed and contained yard.

Bruce Baugild, 74 Ardwell Avenue

• What is the purpose of the parking lot?

Ms. Wheaton advised the proposed parking area would be for emergency vehicles and handicap parking as most parking will be at the Captain William Spry Centre. The walk up the hill from the Centre is part of the design for the farm.

• Would it have to be paved to be wheelchair accessible? There are a lot of hills. Ms. Wheaton responded the parking area is not required to be paved.

- It will eventually be an issue and it will have to be paved and then people will be hanging around and we will have to clean up the garbage. There is enough parking in the area as they can park on the street and at the Captain William Spry Centre.
- No problem with the urban farm but I do have a problem with the parking lot.

Neil Williams, 54 Ardwell Avenue

- No problem with gardens but Spryfield is known for its vandalism and I am concerned the animals may be let lose.
- Better with no animals and fence off parking area completely.

Marjorie Willison, 40 Rockingstone Road

- On Board of the Urban Farm Society
- There are many misconceptions:
 - It was HRM's request that we have a parking lot. There will not be asphalt.
 - Animals come for short visits. The more presence there is on the land during the day the less problem with destructive children. Our activities reduce problems that used to happen in the past. We will have secure buildings. When you connect animals and children there is caring and positive interaction create an opportunity to create bonds.
 - The ATV's and motorcycles have been there whether or not the farm is there. We as a community need to deal with the ATV's and motorcycles and having a parking lot is not going to take away or add to the problem.
 - Traffic/children the farm has six (6) events per year. Many of which occur at the Captain William Spry Centre or the Church Hall. There will be no increased traffic problems. What type of problems have you encountered in the last three (3) years we have been there?
 - We have to start growing food near our cities due to increasing population world wide. We could be a food producing area for the city.

June 7, 2004

• Asthma - another member will speak to that.

Councillor Adams commented the Development Agreement states animals would be on site for twelve (12) days per month and no more than ten (10) days consecutively, do you see more animals outside those parameters?

• Not in foreseeable future. If program grows and thrives we may want to bring children in July or August but these would be short visits. Realistically visits will not happen for more than a few days as we work with volunteers and we have to borrow the animals and arrange with the farmers to bring them in.

Councillor Adams inquired if the Urban Farm would be adverse to having **no** parking?

• Only concern is for those in wheelchairs. It is rough terrain but we have made plans to have the Farm wheelchair accessible and will have planting boxes at wheelchair level. HRM put the stipulation there for parking. We have been operating for three (3) years without parking and have not been able to accommodate wheelchairs.

Councillor Adams commented wheelchairs could access through Rockingstone Road with grading on that road. He agreed parking lots could draw unwanted activity. He further commented that if the parking area were left as a green space it would not be an unreasonable request in the future to ask for paving and asked the Municipal Solicitor if it could be added to the development agreement that the parking lot **not** be paved?

Mr. Barry Allen, Municipal Solicitor, advised a stipulation for the parking area to remain unpaved could be added to the development agreement.

Ms. Pat MacLean, 14 Olie Street

- President of Urban Farm
- I am an asthmatic. The Farm will be open to all children in the area and we will be very careful as we would not want to inflict anything on them.
- This was an old farm and we are trying to re-instate this and show that Spryfield was a very good farming area. We want to reinstate that pride. Our children are growing up with the attitude "Oh Spryfield". Our kids will be proud of this (farm).
- We have a lot of low income families and if they want to see farm animals they cannot go to Ross farm. We are within walking distance of three (3) schools.
- We will never have an animal for twelve (12) days as we do not have the facilities for the animals.
- We are not against having just grass and no gravel in the parking area. This will be a place where seniors and wheelchair users can park. You cannot push a stroller or wheelchair up that hill. We can let the cars come in on the grassy area when we have our 3-4 events per year.

Councillor Adams requested clarification on the number of times animals would be on site.

• 4 or 5 times per year (with some flexibility) and mostly for just that one day.

Councillor Adams recommended a change in the development agreement from twelve (12) days per month to seven (7) days per month for animals to be on site.

Ryan Sparling, 47 South Hill Drive, Clayton Park

- (11 years old) Commented he has had fun at the farm as it taught him a lot of skills and he has had an opportunity to socialize and meet new friends
- The farm means a lot to him and his family.

Christine Anne Smith, Rockingham

• Great idea. If you run it similar to Ross Farm in Dartmouth, you will have no problem as Ross Farm is near a residential area too and I have never heard any complaints about Ross Farm.

Councillor Mosher gave third and final call for any speakers for or against the application.

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

MOVED BY Councillor Adams, seconded by Councillor Walker that Chebucto Community Council approve the Development Agreement, presented as Attachment I of the staff report dated March 12, 2004, to permit an Urban Farm Museum development at 62 Rockingstone Road, Halifax.

Councillor Adams summarized the concerns heard by the public as the frequency of animal visits and duration of stay as well as the parking lot. He recommended an amendment to the visits and duration of animals to six (6) visits per year with farm animals on site for no more than seven (7) consecutive days except for one week in June. Further, that the parking lot requirement be removed from the development agreement. He further suggested Staff Sergeant Mosher be contacted regarding ATV use in the area.

Councillor Walker seconded the amendment.

Mr. Barry Allen, Municipal Solicitor, suggested parking in the grassy area be considered so parking is not eliminated as an option as the development agreement would govern the use of the area even though it is HRM property. He added if you take the parking out then you cannot provide for the gate. Further, if there is no provision for parking and then there is parking it would be up to HRM to close the parking down.

Councillor Adams recommended the parking area be used for parking only during special

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events and that it remain a grassy area. Further, that a locking gate be placed at the site immediately with extra shrubbery for buffering to prevent access around the gate by ATV's/all vehicles and that the operators of the Urban Farm be given the key to the gate for access to the area when required.

Councillor Adams further commented this is an opportunity that is not afforded a lot of urban areas in HRM. The volunteers of Urban Farm have worked very hard and the public are encouraged to participate.

Mr. Barry Allen requested the Planner draft the amendments to the development agreement.

(Upon further consultation with members of Urban Farm, it was determined that the number of events per year involving farm animals would be no more than eight (8)).

The motion as amended reads as follows:

MOVED BY Councillor Adams, seconded by Councillor Walker that Chebucto Community Council approve the Development Agreement, presented as Attachment I of the staff report dated March 12, 2004, to permit an Urban Farm Museum development at 62 Rockingstone Road, Halifax. Further, that the following amendments be incorporated into the development agreement:

- 1. That the proposed parking area on HRM owned lands (known as PID# 40431850) abutting the subject site and outlined in the staff report on page 9, Item 2.4., remain a grassy area with no gravel and <u>no paving permitted.</u>
- 2. That a locking gate be installed immediately at the entrance to this proposed parking area, as well as shrubbery and green area for buffering, to restrict access to <u>all</u> vehicles. Also, that access be restricted around the locking gate to eliminate access by four-wheel drives and other vehicles from accessing around the gate. Further, that the locked gate be open only during those times when planned events occur at the Urban Farm Museum, approximately eight times per year, or as required by the operators of the Urban Farm Museum.
- 3. That the key for the locking gate be left in the care of the operators of the Urban Farm Museum.
- 4. That farm animals be permitted on site for no more than seven (7) consecutive days except for one week in June when they may be permitted for up to ten (10) days.

- 5. That there be provisions for on street parking; and
- 6. 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 UNANIMOUSLY. 9. <u>CORRESPONDENCE, PETITIONS AND DELEGATIONS</u>

- 9.1 <u>Correspondence</u> None
- 9.2 <u>Petitions</u> None
- 9.3 <u>Delegations</u> Bio-Diversity in the City Protecting the Natural Environment Ms. Christine Smith and Ms. Jill McLellan.
- Ms. Smith's thesis was previously distributed to the Community Council.

Ms. Smith and Ms. McLellan raised the following points during their presentation:

- Important to conserve forests and wildlands in urban and residential areas. Trees, also
 natural areas and forests, should be maintained as trees act as biofilters for air quality,
 hold soil in place, protect our waters systems, assist climate control, provide shade and
 act as wind barriers and provide privacy. Trees also add monetary value to a property
 (as much as \$200 per tree).
- Must leave standing dead trees and dead wood in the forest in order for a forest to maintain its health and avoid infestations like Point Pleasant Park.
- Consider incorporating natural areas in our landscaping both residential and public areas. There are no chemical input/fertilizers required.
- Bayer's Lake Business Park has a lot of impermeable areas, rain water cannot infiltrate the parking lots, overland flow that carries contaminates into natural systems into natural water ways. If there had been more natural areas left there would not be so many issues with storm water run-off into natural systems. It is also extremely windy in this area as there are no trees for barriers.
- Clayton Park West (Belchers Pond), a naturally occurring marsh that has been affected by rapid development in the area. The water level has declined and is causing problems for the ecology as some rare plant species that used to inhabit the lake are now extinct. There are Blue Heron and fish that utilize the lake and we should protect them. There is a fish gate there and it is not sure why it is there as the placement/level of the gate is much lower than the original outlet and this is causing a reduction of water

level which results in a deterioration of the environment and a smell is now evident.

Councillor Mosher commented HRM staff will be requested to respond to the issue of the fish gate in Belchers Marsh.

- Reduce, Reuse and Recycle. Should start using grey water for cleaning cars/watering lawns etc. Use local materials such as straw for insulation. Install more south facing windows.
- Good for mental health to have green space around.

Councillor Mosher thanked the presenters for their comments.

10. <u>REPORTS</u>

10.1 REPORTS FROM DISTRICT 16 - PLANNING ADVISORY COMMITTEE

- 10.1.1 <u>Case 00598:</u> Amendment to Stage I Development Agreement -Parkland Drive, Glenbourne Subdivision, Halifax
- A staff report dated May 25, 2004 was before Community Council.

Mr. Paul Sampson, Planner I, presented the report.

Councillor Hum advised the proponent is out of the country but would like an opportunity to bring forward further discussion with the Councillors.

MOVED BY Councillor Hum, seconded by Councillor Walker that this item be deferred to the July meeting. Further, that staff:

- 1. Provide a traffic report regarding a pedestrian crossing at the proposed parking lot area to the Wedgewood condominium.
- 2. That an aerial map be obtained from Lacewood Drive to the Kearney Lake road to show the current parking lots in the area.

Councillor Walker commented this property should not be treated any differently than other properties along the bi-centennial highway. He added there are parking lots on Fairfax Drive that also have lights and are very close to the highway. He commented there were no objections from the Department of Highway concerning the Fairfax parking lots. Councillor Walker suggested staff review other parking lots along the bicentennial highway including an aerial map from Lacewood Drive to Kearney Lake Road.

MOTION PUT AND PASSED UNANIMOUSLY.

- 10.1.2 <u>Case 00656</u>: Amendment to Stage II Development Agreement -Parcels BC - 10A & B, Civic #7 & 11 Fairfax Drive, Halifax
- A staff report dated May 25, 2004 was before Community Council.

Mr. Paul Sampson, Planner I, presented the report.

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

- 1. Approve the amendments to the Stage II development agreement, presented as Attachment I to the report dated May 12, 2004, to permit an at-grade pedway link between existing buildings on lots BC-10A & B and an enclosed swimming pool addition on Parcel BC-10A Fairfax Drive, Halifax;
- 2. Require that the development agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community 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 UNANIMOUSLY.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Naming of Playground Down's Avenue

MOVED BY Councillor Walker, seconded by Councillor Hum that Chebucto Community Council request a staff report regarding naming the HRM owned playground/park area on Down's Avenue "EDWARD DRILLIO PARK".

Councillor Mosher will provide staff with the history and background of this request.

MOTION PUT AND PASSED UNANIMOUSLY.

13. <u>NOTICES OF MOTION</u> - None

14. PUBLIC PARTICIPATION

Melanie Dobson, 11 Wyndrock Drive.

- Concern regarding report that appeared in the newspaper earlier in spring (NEW PARK HAS TAILS WAGGING - Monday, May 3, 2004 edition of The Mail-Star) regarding possibility of development of parkland with some trails that was approved by you (Chebucto Community Council) in 2000.
- Have received many calls regarding off-leash dogs and that was not part of the original plan, we (the residents) do not want off-leash. People felt we were being ignored.
- We (the residents) would like to be fully informed of any development of that land and what will be happening in future.

Councillor Mosher responded that Chebucto Community Council cannot make any formal motion as there is currently no development agreement before them. She further advised that for any formal application the Steering Committee will be given notification and the community will be consulted and kept in the loop.

• In the newspaper article, concern was protection of environment and then to see offleash dog park being considered, it is not good.

Councillor Mosher confirmed the area will be considered for off-leash and the main concern of staff is that the planning fit with the community based plan. She added off-leash would not be considered part of the approval it would be in consultation with staff.

Christine Anne Smith, Rockingham

- Would like to caution against using that particular site being considered for the Recreation Centre on the Mainland Commons as it would destroy a crucial hiking area etc. To put the recreation centre there to be visual to the public is not worth removal of an old growth area.
- Also would like to recommend that as a component of the Recreation Centre, there be a Youth Centre specific to lower income families. I have a plan to submit that I will forward to you (*Ms. Smith did not have plan with her at this meeting*).

Councillor Mosher advised Ms. Smith's report/plan will be distributed to all members and to the Recreation Committee members.

Councillor Hum commented the Mainland Common Recreation Centre site has not been finalized and in the report that was brought forward two sites were suggested. One site was preferred by HRM staff and that is the site that is not impacting on the environment. Councillor Hum further advised the report is not yet available for the public but there is a public meeting on June 17 where members of the public may comment.

Hiram Tiller, 4 Thackeray Close

- There was a reference to the water level of Belchers Marsh in the Presentation given tonight. There are a number of buildings in that area. Why do they not drain the rain water from the system right into the marsh rather than put it in storm sewers.
- Sometime in the summer someone put a piece of plywood to raise the water level. The fish ladder was low to begin with.

MOVED BY Councillor Hum, seconded by Councillor Adams that Chebucto Community Council forward concerns of the water level and fish ladder in Belchers Marsh to appropriate staff. MOTION PUT AND PASSED UNANIMOUSLY.

Andrea MacDonald, Warwick Lane

- Belchers Marsh has been adopted as an Environmental Project by University Professor Cathy Conrad.
- Attempting to draw up a trail map. Professor Cathy Conrad was making major notation of water level, the poor quality of water and at the fish ladder she found worms of many different colours rather than insects/larvae that would be found there. She will return to the site with scientific equipment to do more testing.
- We will try to rehabilitate the area. Professor Cathy Conrad has aerial photos from 1982-1992 and we can view how the water has changed. The water leads into Birch Cove Lakes, Moirs Mills and then into the Bedford Basin. Most of the water is going through culverts with no chance for oxygenation. Professor Conrad questioned who built the fish ladder and I could not answer.
- When we build the trails in the commons we hope we can preserve the bog and have healthy water as it leads along its natural course.

Councillor Hum requested that Ms. MacDonald have Professor Conrad's results forwarded to staff when they are available.

(The Legislative Assistant advised at a later date that no information has been received.)

MLA Diana Whalen, 42 Turnmill

- It is wonderful to have this study being done of Belchers Marsh/Pond as no one on HRM staff studies streams etc.
- Tree retention in this area is a concern. A board was placed to raise the water level for skating in the winter. The board was difficult to remove in the spring and caused flooding of trees nearby. The trees can survive some short-term flooding but not long term and the trees are dying there. I caution people from putting the board there.
- Congratulations to the Trails Group for making connection with the scientific community.
- 15. NEXT MEETING DATE Monday, July 5, 2004

16. <u>ADJOURNMENT</u>

The meeting adjourned at 8:45 pm.

Chris Newson Legislative Assistant