



**TABLE OF CONTENTS**

1.	CALL TO ORDER .....	4
2.	ELECTION OF CHAIR/VICE-CHAIR .....	4
3.	APPROVAL OF THE MINUTES. ....	4
3.1	Minutes of regular meeting September 13, 2004 .....	4
3.2	Minutes of special meeting September 28, 2004 .....	4
3.3	Minutes of regular meeting of November 1, 2004 .....	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS. ....	4
5.	BUSINESS ARISING OUT OF THE MINUTES .....	4
5.1	Status Sheet Items .....	4
5.1.1	Jack Lake Lands .....	4
5.1.2	As-of-Right Development Along Bedford Highway .....	5
5.1.3	Rosebushes on Dunbrack Street .....	5
5.1.4	Proposed Sign - Shoppers Drug Mart, Herring Cove Road .....	5
5.1.5	Hurricane Juan Clean-up in Districts 15, 16, 17 and 18 .....	5
6.	MOTIONS OF RECONSIDERATION - None .....	6
7.	MOTIONS OF RESCISSION - None .....	6
8.	CONSIDERATION OF DEFERRED BUSINESS .....	6
8.1	Case 00691: Application by Clayton Developments to amend the Stage I Agreement to include Block Z, Regency Park Drive, Halifax .....	6
8.2	Proposed Community Council Meeting Schedule 2005 .....	6
9.	PUBLIC HEARINGS .....	7
10.	CORRESPONDENCE, PETITIONS AND DELEGATIONS .....	7
11.	REPORTS .....	7

11.1	Chebucto Community Council Appointment of Representative to the Grants Committee and Membership Selection Committee .....	7
11.2	Case 00485: Amendment to the Halifax Municipal Planning Strategy - Spencer Avenue Area .....	7
12.	MOTIONS .....	8
13.	ADDED ITEMS .....	8
14.	NOTICES OF MOTION .....	8
15.	PUBLIC PARTICIPATION .....	9
16.	NEXT MEETING DATE .....	9
17.	ADJOURNMENT .....	9

**1. CALL TO ORDER**

The Chair called the meeting to order at 7:10 pm in the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

**2. ELECTION OF CHAIR/VICE-CHAIR**

**Deferred** until new (amended) Administrative Order is approved by Regional Council to include District 10 in the Chebucto Community Council.

**3. APPROVAL OF MINUTES**

- 3.1 Minutes of Regular Meeting September 13, 2004.
- 3.2 Minutes of Special Meeting September 28, 2004
- 3.3 Minutes of Regular Meeting November 1, 2004

**MOVED BY Councillor Hum, seconded by Councillor Walker that the minutes of regular meeting September 13, 2004, special meeting September 28, 2004 and regular meeting November 1, 2004 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**Addition:** 13.1 Case 00066: Development Agreement, Governor's Brook Subdivision, Mainland South, Halifax

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

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

- 5.1 Status Sheet Items
  - 5.1.1 Jack Lake Lands

A report dated December 1, 2004 was before Community Council.

Councillor Adams requested this item be left on the Status Sheet as he would like a response from staff outlining how the water courses into and out of Kidston Lake will be protected. He further suggested that staff work closely with the Spryfield Residents Association as they have

extensive knowledge of the area.

Mr. Peter Bigelow responded that staff have met with community groups and will continue to work closely with them and members of the family who once owned the lands (and asked for HRM to protect certain of those lands). He advised HRM has already taken its allotment of parkland. Mr. Bigelow added staff recommend it is desirable to protect the water courses in this area for environmental and public use reasons. Staff are working with the developer to see if there is ability for HRM to acquire those lands . Mr. Bigelow added staff want to understand what the community wants to protect.

#### 5.1.2 As-of-right Development along Bedford Highway

Councillor Hum advised item to remain on Status Sheet as the report is prepared but not signed.

#### 5.1.3 Rosebushes on Dunbrack Street

Councillor Walker advised this can be **removed** from the Status Sheet as the work is progressing.

#### 5.1.4 Proposed Sign - Shoppers Drug Mart, Herring Cove Road

A report dated November 30, 2004 was before Community Council.

**MOVED BY Councillor Adams, seconded by Councillor Walker that staff explore alternatives to amend the regulations relating to this site specifically. These options would include policy amendment to provide for Development Agreements alternatives for alternate sign approvals.**

Shoppers Drug Mart have put in a store and it is traditional to have signs from a corporate perspective. Staff are directed to explore options and opportunities for Shoppers Drug Mart to proceed with signs they usually use. Forward to Planning and Development Services and also to Herring Cove Road study.

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### 5.1.5 Hurricane Juan Clean-up in Districts 15, 16, 17 and 18

Councillor Hum advised there has been no update as yet. A report is requested on what is outstanding in former District 15, 16, 17 and 18 in regards to Hurricane Juan clean-up.

**Mr. Peter Bigelow advised a detailed list could be provided to Community Council.**

He added at least 90-95% of properties were mitigated as to risk. Clean-up will continue and he will provide Community Council with information as to what properties have been addressed and at what stage clean-up is currently.

Councillor Adams commented he had asked at Regional Council last April for staff to look at service groups (Boy Scouts etc.) to help with the Hurricane Juan clean-up. The opportunity would be a learning experience for the groups to acquire skills and earn some money for their organization. **He requested Mr. Bigelow speak to Mr. Mike Labrecque regarding this matter.**

**6. MOTIONS OF RECONSIDERATION - None**

**7. MOTIONS OF RESCISSION - None**

**8. CONSIDERATION OF DEFERRED BUSINESS**

8.1 Case 00691: Application by Clayton Developments to amend the Stage I Agreement to include Block Z, Regency Park Drive, Halifax

! A report dated November 17, 2004 was before Community Council.

! A letter dated November 22, 2004 from Clayton Developments Limited was before Community Council.

Mr. Schaffenburg, Planner, presented the report. He indicated the Developer has provided a letter regarding the issue of potential impact of Metroradio Group Ltd.'s radio transmission tower on Block "Z". The Developer would now like to proceed.

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

- 1. Approve the Development Agreement as set out in Attachment "A" of the staff report dated September 2, 2004, for one or two multiple buildings not to exceed 145 dwelling units;**
- 2. Require that the Development Agreement be signed within 120 days of date of conveyance of the Lands from the Municipality, 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 and end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

8.2 Proposed Community Council Meeting Schedule for 2005

A proposed 2005 meeting schedule was before Community Council.

**MOVED BY Councillor Walker, seconded by Councillor Hum that the Chebucto Community Council meeting schedule for 2005 be approved with the following amendments:**

1. That a special meeting of Chebucto Community Council be held on Wednesday, January 5, 2005 for a public hearing on Case 00066: Development Agreement, Governor's Brook Subdivision, Mainland South, Halifax.
2. That the regular meeting of Chebucto Community Council for January be held on Monday, January 10, 2005.

**MOTION PUT AND PASSED UNANIMOUSLY.**

9. PUBLIC HEARINGS - None

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS - None

11. REPORTS

- 11.1 Chebucto Community Council Appointment of Representative to the Grants Committee and Membership Selection Committee

**MOVED BY Councillor Hum, seconded by Councillor Adams that Councillor Russell Walker be nominated to represent Chebucto Community Council on the Grants Committee and Membership Selection Committee for 2005. MOTION PUT AND PASSED UNANIMOUSLY.**

- 11.2 Case 00485: Amendment to the Halifax Municipal Planning Strategy - Spencer Avenue Area

A report dated November 15, 2004 was before Community Council.

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

1. **Terminate the process to amend the Halifax Municipal Planning Strategy and Land Use By-Law to predesignate and rezone the area generally bounded by the Old Sambro Road, Dentith Road, the Dentith Road/Herring Cove Road commercial area and Catamaran Pond to Low Density Residential and R-2.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12. MOTIONS - None**

**13. ADDED ITEMS**

- 13.1 Case 00066: Development Agreement, Governor's Brook, Subdivision, Mainland South, Halifax

A report dated November 18, 2004, was before Community Council.

Mr. Schaffenburg presented the report. He advised the rezoning was approved by Chebucto Community Council in March 2003. This decision was then appealed to the UARB (The Nova Scotia Utility and Review Board). The UARB dismissed the appeal in November 2004. The land in question is now rezoned to Residential Development as-of-right or by-right. The Supplementary Report before Community Council this evening is for the Development Agreement approval.

Councillor Mosher requested Mr. Barry Allen, Municipal Solicitor, comment on the process.

Mr. Allen explained for a rezoning issue Community Council could pass a resolution, that resolution could also be appealed. Once an amendment becomes law, it goes back for decision on the Development Agreement by the Community Council. Unless something comes back from appeal, the development agreement would be approved. Development Agreements rest upon the provision of the LUB (Land Use By-Laws) and the MPS (Municipal Planning Strategy). Once they are in effect there is no groundwork. The quirk in this instance is with quorum of Community Council. A quorum requires 50% plus 1 so 3 Councillors are required. There are only two members remaining on Chebucto Community Council who were on the Community Council and attended at the public hearing in February and March of 2003, therefore there is no quorum for the vote.

Chebucto Community Council can either;

Proceed in a way that would be unusual which would be to have more than just those two members eligible to vote present for the discussion/vote. Usually you would withdraw yourself (from the proceedings) if you are not able to vote. Community Council could have a quorum with the two members (who are eligible to vote) plus one



other member. Then the two could vote.

Another option would be to hold another public hearing with all members of Community Council able to attend and vote on the development agreement. If there is a procedural issue, that would be gone with the new public hearing.

**MOVED BY Councillor Walker, seconded by Councillor Hum that Chebucto Community Council hold a public hearing on the Development Agreement, attached as Attachment "A" of the supplementary report dated November 18, 2004, to permit a comprehensive residential development in Mainland South and to schedule the public hearing for Wednesday, January 5, 2005. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Mosher requested an appropriate venue be found for the public hearing, preferably in the community. Councillor Walker clarified the public hearing will be on the development agreement alone and not the rezoning.

**14. NOTICES OF MOTION - None**

**15. PUBLIC PARTICIPATION**

**Mr. Alan Ruffman, Ferguson's Cove Road**

What was topic of In Camera meeting? It would have been appropriate for the Solicitor to remain. It would have been appropriate to have it put on the record that it was the recommendation of the Solicitor. A lot of business is done In Camera. It goes on at Regional Council and now is becoming common at Community Council.

Councillor Adams advised this was the first time Chebucto Community Council has held an In Camera meeting. In Camera meetings are *not* common for Chebucto Community Council.

Request Chebucto Community Council establish a procedure to let the public know the topic of the In Camera meeting. The result of the legal counsel to Community Council should be part of the public record.

Councillor Mosher advised Mr. Ruffman that the public in attendance at the beginning of the meeting this evening were informed before the meeting began that Chebucto Community Council had to have an In Camera meeting due to a legal correspondence received today. She further advised that Chebucto Community Council had been informed that they could have a public hearing and vote on Case 00066 this evening.

Mr. Ruffman raised the following points on other matters:

Allow Shoppers Drug Mart to have bigger or more signs; By-law we have may be appropriate but we should not bend to each development. Should not be changing by-

law in respect to signs.

Hurricane Juan clean-up. HRM land near his property has not been cleaned up. All road right of ways, belong to HRM now and a number of trees have gone over in the HRM right of way. Ferguson's Cove Road, a lot of trees are down, particularly in two locations that impede work. There is a problem on Ferguson Cove Road with a missing power pole. HRM replaced one roughly in front of the B&B. There is a length of wire left and no pole. That line also carries the telephone line. There is an extra long span of wire and one part will rub against Stan Hatfield's wharf .

Councillor Mosher advised Mr. Ruffman his five minutes were up and requested he follow-up with Councillor Adams after the meeting.

**Ms. Melanie Dobson, 11 Wyndrock Drive**

Would like to notify Chebucto Community Council on behalf of the Williams Lake Conservation Company (WLCC) that the company will be appealing the UARB decision regarding Governor's Brook Subdivision. *(Item 13.1 on the agenda tonight).*

**Mr. Bob Zinck, Doull Avenue, Halifax**

In rush hour you see buses full to the doors and out of service buses going by. Metro Transit seems to be taking the buses off too early. There should be more available buses during rush hour.

Councillor Mosher requested Metro Transit be asked to address this issue.

**MLA Diana Whalen, Turnmill Drive , Clayton Park West**

Issue of Blue Mountains / Birch Cove Lakes land, owned by crown, partly in Clayton Park, Timberlea and Hammonds Plains. Recently an environmental assessment was done and a proposed road that would cut between Highway 101 and 103 as a short cut to the airport etc.

She has taken a stand against that highway. It could cost up to \$60 million and would take hundreds of acres of public land. The Minister of Environment said we should confer with the Regional Planning Process: *What is HRM's view of public land and how does it fit into the transportation plan?*

Her view is that the proposed road does not help local commuters but may help provincially. Request Chebucto Community Council look into the issue further with Regional Planners.

It is an unnecessary expenditure of public monies and waste of public lands.

**MOVED BY Councillor Walker, seconded by Councillor Hum that the issue of the Blue Mountain / Birch Cove Lakes land and proposed road development through this area to link Highway 101 and 103 be forwarded with concern to HRM's Regional Planning team. MOTION PUT AND PASSED UNANIMOUSLY.**

**Mr. Bill Meagher.**

Requested clarification on the public hearing date for Governors Brook.

Councillor Mosher advised the public hearing would be held on Wednesday, January 5, 2005 pending venue availability.

**16. NEXT MEETING DATE**

**Special meeting on Wednesday, January 5, 2005** for the public hearing on Case 00066 and the regular meeting on Monday, January 10, 2005.

**17. ADJOURNMENT**

The meeting adjourned at 7:44 pm.

Chris Newson  
Legislative Assistant