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1. **INVOCATION**

The meeting was called to order at 7:00 p.m. with an Invocation at 2750 Dutch Village Road, Halifax.

2. **APPROVAL OF MINUTES**

2.1 **Regular Meeting - October 4, 1999**

**MOVED by Councillors Read and Adams to approve the Minutes of meeting held on October 4, 1999 as circulated. MOTION PUT AND PASSED.**

2.2 **Special Meeting - October 12, 1999**

**MOVED by Councillors Read and Adams to approve the Minutes of Special meeting held on October 12, 1999 as circulated. MOTION PUT AND PASSED.**

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

Added Items: Meeting Schedule for the Year 2000

Councillor Adams: 1) World Wide Telecom Property - 132 Ketch Harbour Road  
2) Signage - Ketch Harbour and Herring Cove

**MOVED by Councillors Adams and Walker 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 Snow Removal from Sidewalks - No further information.
- 4.1.2 Extension of Water to Herring Cove - No further information.
- 4.1.3 Feasibility of Community Transit - Sambro/Harrietsfield - No further information.
- 4.1.4 Dumping - Harrietsfield and Williamswood and Gate - No further information.
- 4.1.5 Feasibility of PAC for Herring Cove - No information.
- 4.1.6 Protection of Parks in Community Council Area - No information.
- 4.1.7 Hamshaw Drive Concerns - No further information.
- 4.1.8 911 Protocol - No information.

4.1.9 Traffic Signals on Prospect Road - No information.

Councillor Walker stated it has been a number of months since staff has sent in any reports. It was time that staff followed through on some of these and got them off the list.

The Clerk was asked to convey Councillor Walker's remarks.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

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

8. **PUBLIC HEARINGS**

8.1 **Case No. 00168 - Application by Halifax Regional Municipality to Rezone 6 and 8 Parkhill Road, Halifax**

A Staff Report dated September 30, 1999 was before Community Council. Roger Wells, Regional Coordinator, Planning Services provided an overview of the report with the aid of overheads. He advised that this application was the result of an error or oversight on the part of staff at the time of the adoption of the 1987 Mainland South Secondary Planning Strategy. Staff was recommending approval of the application.

Councillor Read asked if 8 Parkhill Road was a single family dwelling. In response, Mr. Wells advised that the proposed rezoning is to R-1 to reflect the current use on the property.

The Chair called three times for speakers in favour or opposed to the application. There were none.

**MOVED by Councillors Read and Adams to close the Public Hearing. MOTION PUT AND PASSED.**

**MOVED by Councillors Read and Adams to approve the rezoning of 6 Parkhill Road, Halifax from R-2 (Two Family Dwelling) Zone to P (Park and Institutional) Zone and 8 Parkhill Road, Halifax from P (Park and Institutional) to R-1 (Single Family Dwelling) Zone as shown on Map 2 attached to the Staff Report dated September 30, 1999. MOTION PUT AND PASSED.**

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

## 9.1 **Delegations**

### 9.1.1 Friends of Hemlock Ravine re Watershed Issues Surrounding Hemlock Ravine

On behalf of Friends of Hemlock Ravine, Mr. Richard Gagne, 49 Lodge Drive made a presentation to Community Council. As well, he provided a written submission dated October 25, 1999 which reviewed the geology and hydrogeology at Hemlock Ravine and advised that the purpose of his presentation was twofold:

1. Identify the kind of effect that development north of Hemlock Ravine Park can have on the brook and overall water budget of the ravine.
2. Impress upon staff and Councillors the value of having a separate watershed advisory group at the Chebucto Community Council level.

Mr. Gagne also provided additional information as part of his presentation.

After Mr. Gagne's presentation, Councillors Read and Stone asked Mr. Gagne for some technical information, which Mr. Gagne provided verbally.

Councillor Stone thanked Mr. Gagne for his presentation and requested that the Clerk provide the information to Planning and Development Departments.

## 10. **REPORTS**

### 10.1 **Case 00122 - Request to Amend the Halifax Municipal Planning Strategy, Clayton Park West, Phase 4**

A Staff Report dated October 24, 1999 was before Community Council. Roger Wells, Regional Coordinator, Planning Applications provided an overview of the application with the aid of overheads.

During the course of his presentation, Mr. Wells advised that the existing plan policy directs that these lands be developed as an office oriented business campus coupled with some multiple family development away from Lacewood. For a variety of reasons, this has not proved viable by the developer as originally conceived in 1993. The developer is now wishing to change the permitted uses on certain sites and to specifically seek approval for construction of a large format retailer- Home Depot - and an associated retail/office/service commercial use on the southeast quadrant of the interchange.

Mr. Wells also reviewed the intended uses for each of the parcels. With regard to proposed heights of buildings on each of the parcels, in recent consultants with the District Councillor, the

consultant has agreed to reduce the number of stories permitted on BC-3B from nine to six and on BC-9 from twelve to nine. He suggested that Community Council may wish to address this when making its recommendations.

Councillor Stone asked for clarification of how the application process would proceed. In response, Mr. Wells advised that this entails an amendment to the MPS, that requires Regional Council approval. The approval of the Stage I Development Agreement is the responsibility of Community Council but in order to streamline the process and hear from the public at one time, staff was suggesting that a joint public hearing be held. A recommendation would go forward from Community Council to Regional Council for a date for Public Hearing.

**MOVED by Councillors Adams and Walker to recommend that Regional Council:**

- 1. Approve amendments to the Halifax Municipal Planning Strategy (MPS) and Land Use By-law (Attachment 1) respecting the development of lands within the area identified as Clayton Park West, Phase 4.**
- 2. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-law and to schedule a joint Public Hearing with Chebucto Community Council for December 7, 1999.**
- 3. The existing Stage 1 Development Agreement respecting lands of Clayton Park West, Phase 4, be discharged and a new Development Agreement for said lands (Attachment II), with amendments to Schedule "C" to limit parcel BC-3B to six stories and to limit parcel BC-9 to nine stories be approved by Chebucto Community Council, contingent upon the approval by Regional Council of the above Municipal Planning Strategy and Land Use By-law amendments and the approval or deemed approval of said amendments by the Minister.**
- 4. The applicant be given one hundred and twenty (120) days to sign the Development Agreement from the date of approval by Community Council, or the date of any other approvals required to sign the agreement as the case may be, unless any extension thereof is granted by Community Council at the request of the applicant; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**
- 5. Halifax Regional Council and Chebucto Community Council give Notice of Motion to consider approval of the new Development Agreement and discharge of the existing Stage I Development Agreement and schedule a joint Public**

**Hearing of Regional Council and Chebucto Community Council for December 7, 1999.**

**MOTION PUT AND PASSED.**

Community Council was also in receipt of a recommendation from Halifax County/Halifax Mainland Watershed Advisory Board in this regard.

10.2 **Decision of Chebucto Community Council re Case 00174 - Billboards - Additional Interim Amendments to the Land Use By-laws for the Former Cities of Dartmouth and Halifax**

A Joint Public Hearing was held on October 26, 1999 with Regional Council and Harbour East Community Council.

**MOVED by Councillors Adams and Walker to approve amendments to the City of Halifax Mainland Area Land Use By-law, as set forth in Attachment 1 of the Staff Report dated September 30, 1999. MOTION PUT AND PASSED.**

Councillor Stone explained that this motion would increase the required setback for billboards from residential lots to 250 feet.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Meeting Schedule 2000 and Remainder of 1999**

Community Council members considered a proposed Meeting Schedule for the year 2000 and, as well, a change in the date for the December, 1999 meeting from December 6 to December 13.

**MOVED by Councillors Walker and Read to approve the meeting schedule as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

12.2 **World Wide Telecom Project - 132 Ketch Harbour Road**

Councillor Adams outlined concerns with a proposal put forward by World Wide Telecom for 132 Ketch Harbour Road and provided background information to support his concern. He asked that the information he provided be followed up and, for the sake of the community, to have an individual who is going to follow the process through to ensure they are following the guidelines as set forth by the MPS and Land Use By-laws to ensure the project is developed

properly. The contact person should check up on the project at least on a weekly basis, for instance a By-law Enforcement Officer.

**MOVED by Councillors Adams and Read to have staff investigate and deal with the situation as requested.**

Councillor Stone asked if this was a private development or a federal government initiative.

In response, Councillor Adams advised it was private but there was endorsement from the federal government which allows them to ignore the zoning but they still have to follow through with all the By-laws and with the setbacks and National Building Codes. They are not allowed to start work without a permit.

Councillor Stone asked for input from staff.

Roger Wells advised he understood that staff is seeking in writing from Industry Canada what procedure they are following and what permits they are intending to secure from HRM. He understood that any telecommunications facility, including a fibre cable situation as proposed for Herring Cove, requires licencing by Industry Canada. Because that is regulated by the federal government, they by their nature can ignore municipal legislation. The province as well can do the same thing and has done so with the proposed jail site and the P-3 schools. He did not think it is the practice, although it may be legal, for the federal government to ignore permitting.

**MOTION PUT AND PASSED.**

### 12.3 **Signage - Ketch Harbour and Herring Cove**

Councillor Adams advised that when amalgamation first occurred, one of the main themes was that communities maintain their identity; however, the sign designating Herring Cove was taken down. As well, there was an absence of directional signage for Ketch Harbour.

Councillor Adams stated he understood that a policy was under review which could take a while; therefore, he was requesting signage be placed on a temporary basis.

Councillor Stone asked if these were municipal signs or street signs. Councillor Adams advised that these were municipal signs and if indeed cost was an issue, then staff could contact him re alternatives for funding.

His request was for three signs:

1. One indicating Herring Cove at the Lumbermart in Spryfield
2. One indicating Herring Cove at Purcells Cove Road

3. One directional sign with arrow indicating Ketch Harbour located near the intersection of Herring Cove Road and Hebridean Drive

**MOVED by Councillors Adams and Walker that staff proceed with the installation of signs as indicated. MOTION PUT AND PASSED.**

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Hiram Tiller, 4 Thackeray Close stated that for almost three years he has been making presentation to Council re traffic concerns. He referred to Clayton Developments application and the Staff Report that indicates there would be implications on traffic subject to Department of Transportation fixing up the present traffic problems at the exit. He asked when someone from HRM would get Department of Transportation to have something done with the interchange.

In response, Councillor Stone advised he has regular conversations with the Traffic Authority and Engineering, who meet with Department of Transportation. Since the last meeting, the MLA for the area indicated it was her Number 1 priority. On-going discussions continue in the pursuit of the interchange improvements this year. The provincial government has not said no altogether and there might be a portion done this year. Anything that Mr. Tiller could do to help would be appreciated. Regardless of what happens with the interchange, the money was in the capital budget for HRM to put in the sidewalk and he understood the tender would go out shortly.

Mr. Peter Pelham, 100 Hebridean Drive referred to the increase in housing units and the hotel for the Clayton Developments proposal and asked if the sewage and waste water was going to the Mill Cove treatment plant.

In response, Mr. Wells advised that the sewage from the proposed Clayton Park West Phase 4 would not be going to the Mill Cove sewage treatment plant.

Mr. Bob Zinck, Doull Avenue referred to unplanned traffic at the Armdale Rotary and noted there appears to be a lot of change over the last few years in traffic patterns. Rush hour now seems to start at 3 p.m. He asked if it would be possible to examine the regulations that have time factors involved, ex. "no stopping at such and such a time" and bring it up to the level of what the traffic pattern actually is now rather than what it was ten years ago. Maybe it would be advisable for someone in the Traffic Department to take a look at these time sensitive regulations with a view to modification to the existing patterns.

The Clerk was requested to pass Mr. Zinck's comments along to Traffic Authority.

Mr. Bill Phillips, 9 Crestview Drive referred to construction work taking place on the main street through Bayers Lake Park in the vicinity of the IMAX Theatre. He asked why there was no information available to the public as to the scope of work being done and costs.

In response, Councillor Stone advised that this was a two-year program of approximately \$700,000 each year for improvements to Chain Lake Drive which includes paving, storm sewers, curb and gutter and one set of lights. There was a sidewalk included from the extension on Lacewood Drive to the entrance of Costco. All this construction was part of budget deliberations and public knowledge. He noted that the abutters did not want to cost share for sidewalks in the vicinity of the present construction.

Mr. Brian Dempsey, Herring Cove Ratepayers Association referred to the application for the cable project in Herring Cove and the fact they did not have to apply for rezoning because they had a special dispensation from the federal government. He asked why it was not shown in the Municipal Planning Strategy and By-laws that the federal government has that power.

In response, Councillor Adams requested that Planning Department advise why there is no clause in the Municipal Planning Strategy that provincial or federal regulations may supersede the document at any time.

Mr. Dempsey also referred to the Municipal Government Act, Section 14 which indicates that any building to be put on that property now has to go to a sewage treatment plant. He asked what plant it was going to.

Councillor Walker stated it applies to fresh water and HRM dumps into salt water. It was necessary to treat when going into fresh water.

15. **ELECTION OF CHAIR**

**MOVED by Councillors Walker and Adams to defer the election of Chair to the next meeting, December 13, 1999. MOTION PUT AND PASSED.**

16. **NEXT MEETING DATE** - Monday, December 13, 1999.

17. **ADJOURNMENT**

On a motion from Councillor Adams, the meeting adjourned at 8:40 p.m.

Sandra M. Shute  
Assistant Municipal Clerk

