

CHEBUCTO COMMUNITY COUNCIL

MINUTES

FEBRUARY 14, 2000

THOSE PRESENT: Councillor Stephen D. Adams, Chair
Councillor Bill Stone
Councillor Graham Read
Councillor Russell Walker

ALSO PRESENT: Gary Porter, Planner
Grace Ho, Planner
Sandra Shute, Assistant Municipal Clerk

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1. **CALL TO ORDER**

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

2. **APPROVAL OF MINUTES - JANUARY 10, 2000**

MOVED by Councillors Walker and Stone to approve the Minutes of meeting held on January 10, 2000 as circulated. MOTION PUT AND PASSED.

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

Added Items: Expansion of Chebucto Community Council - Councillor Walker
 Improvements to Kearney Lake Road - Councillor Stone
 Correspondence from John King re construction of garage in
 Purcells Cove - Councillor Read

MOVED by Councillors Walker and Read 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 **Dumping - Harrietsfield and Williamswood and Gate**

A letter dated January 12, 2000 from Paul O'Brien, Department of Transportation was before Community Council indicating that Department of Transportation does not have the right to close a road and sever access to properties. It was suggested that the solution would be to continue cleaning the roadway on a regular basis to educate the public about the problem and the extent of enforcement possible.

Councillor Adams advised that he did not think the solutions offered by Department of Transportation would work. He requested that HRM staff be asked to find out what can be done to prohibit illegal dumping in the Club Road area.

MOVED by Councillors Walker and Stone that staff be requested to provide comment and possible solutions to illegal dumping in the Club Road area. MOTION PUT AND PASSED.

4.1.2 Traffic Signals on Prospect Road - No report.

4.1.3 MPS Dispensation re Provincial and Federal Governments

Councillor Adams stated it would be quite useful to have a paragraph in the Municipal Planning Strategy stating that with regard to Federal and Provincial projects superseding municipal zoning, it could be included in the MPS as an Addendum.

MOVED by Councillors Read and Stone that staff be requested to include an Addendum in the Municipal Planning Strategy with regard to Federal and Provincial projects superseding municipal zoning. MOTION PUT AND PASSED.

4.1.4 Wheelchair Access After Normal Working Hours - 2750 Dutch Village Road

Although there is no report available, Councillor Adams advised he understood that staff are working on installing a buzzer system in the Council Chambers.

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RESCISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS - None

8. PUBLIC HEARINGS - None

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

Councillor Read presented a request dated January 27, 2000 from John King, 11 Keefe Drive, Purcells Cove for a two-car garage with an attic which would be separate from his house. He asked that staff look at this request to ascertain how it may be done by some sort of arrangement or Development Agreement.

Gary Porter, Planner provided information that the garage could only be one storey.

MOVED by Councillors Read and Stone to forward the request to staff for a report. MOTION PUT AND PASSED.

10. REPORTS

10.1 **Case 00183 - Stanley Park, Mainland South, Halifax**

A Staff Report dated February 2, 2000 was before Community Council.

Gary Porter, Planner provided an overview of the report with the aid of overheads and advised that staff was recommending approval of the application. The request was for a change to the order of the phasing for the remainder of the Stanley Park development and to extend the commencement dates for Phase 5 and a portion of Phase 6. The terms and conditions of the original agreement and the amendment are still in place. As well, the Mainland South Planning Strategy has not changed since the original approval.

Councillor Read asked if there was any change in the total completion time. In response, Mr. Porter advised that originally the development should have been completed in 2000 but now it would be 2005. Lots could only be developed as quickly as the marketplace will absorb them.

MOVED by Councillors Read and Walker to approve the Amending Development Agreement for Stanley Park attached as Appendix "A" to the Staff Report dated February 2, 2000 which extends the time limit for commencement of development of Phases 4, 5 and 6, Stanley Park. Further, that Council require the agreement to 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 approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

10.2 **Case 00196 - Application for a Stage II Development Agreement, Clayton Park West, Phase 4E**

A Staff Report dated January 4, 2000 was before Community Council. Grace Ho, Planner provided an overview of the application with the aid of overheads. Staff was recommending approval of the application.

Councillor Stone asked for clarification regarding the number of stories. In response, Ms. Ho advised that the applicant wanted flexibility to go up to six stories but right now there would be four stories. Stage I allows for six stories.

Councillor Stone asked if there would be trees along Prestwick Close and what kind of trees were required. In response, Mr. Mike Willett, Clayton Developments advised that trees were part of the requirement for street construction and would be a mix of evergreen and hardwood.

Councillor Stone expressed concern that in agreements, there never appears to be any consideration for the placement of utility boxes. They have become an on-going problem for graffiti because they end up in full view near the streetscape and he was asking for consideration of the boxes being camouflaged in some way.

Mr. Porter advised there was a HUCC Committee (Halifax Utility Coordinating Committee) and Councillor Stone's concern could be referred to them.

It was agreed that Councillor Stone's concern would be passed on to staff and the HUCC.

Councillor Read asked for clarification on density. Subsequently, discussion took place on same.

MOVED by Councillors Stone and Walker to approve the Stage II Development Agreement for Clayton Park West - Phase 4E as attached as Appendix A to the Staff Report dated January 4, 2000. Further, that Council require the agreement to 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 approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

10.3 Case 00189 - Application for a Stage II Development Agreement Approval for Phase 5B, Glenbourne Subdivision

A Staff Report dated December 17, 1999 was before Community Council. Gary Porter, Planner provided an overview of the report with the aid of overheads. Staff was recommending approval of the application. During the course of his presentation, Mr. Porter advised that the street was eligible for cost sharing but, because HRM did not have any available funding, the developer had agreed to come to an agreement with HRM later on during the development. The development was supposed to proceed according to alpha numeric phasing but Phase 5B was being developed before 5A and 3B. 5A would be landlocked until 3B and 5B are developed.

Councillor Stone advised he had taken the matter to Regional Council because he felt that Planning and Development was not doing their job in getting the other end of Parkland Drive worked out. The developer was now using this as a reason for not following phasing because HRM has not done its part. He requested that Mr. Porter bring this example back to his superiors because the intention is to extend Parkland Drive to Kearney Lake Road.

Councillor Stone then asked who owns the property where Nova Scotia Power has the right of way over the parking lot. In response, Mr. Porter advised that Nova Scotia Power

has an easement and, therefore, would not be the owners. Glenbourne would own the land. He did not think parking would be a restriction on an easement.

Councillor Stone then referred to page 3, section 3(h) re architectural themes. He pointed out that the special details in 3(h) were not provided and that fact caused him concern.

MOVED by Councillors Stone and Walker to approve the Stage II Development Agreement, presented as Attachment IX to the Staff Report dated December 17, 1999 for Phase 5B of Glenbourne Subdivision to permit two 70-unit apartment buildings on 5.1 acres of land, located to the northwest of the Heathside Crescent and Parkland Drive intersection in Glenbourne Subdivision. Further, the applicant be required to sign the agreement within 120 days, or any extension thereof granted by Community Council on the request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

Councillor Stone expressed concern re camouflaging or landscaping of power/utility boxes for this application as well, particularly if they can be seen from the street. He requested that something be done for both applications to take care of his concern.

10.4 Community of Interest

Councillor Stone referred to the recommendations put forward by the District Boundaries Review Committee. In his opinion, the community of interest in Mainland North was not considered. He requested that a letter be sent to the Utility and Review Board, on behalf of Community Council, expressing concern with the suggestion that the area south of Lacewood Drive be connected to Lakeside/Timberlea as a separate District. In his view, the area should continue in the Districts of Mainland North - either as District 16 or District 15 - as this was the community of interest, where the people in that area go to church, school, congregate. There is no real community of interest with Lakeside/Timberlea. The only way to reach Lakeside/Timberlea is to go through Bayers Lake Park and out the 103.

Councillor Walker suggested that as well, the letter should include the fact that the Mainland Common should remain in District 16 regardless. In response, Councillor Stone advised he had no difficulty with this being added but his concern was for the people being taken out of their community and connected to Lakeside/Timberlea.

MOVED by Councillors Stone and Walker that a letter be sent to the Utility and Review Board by Community Council, signed by the Chair, expressing concerns with

community of interest in the Mainland North area and the retention of the Mainland Common in the current District 16. MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Expanding Chebucto Community Council**

Community Council was in receipt of a request from the Councillors from Districts 11, 13, 14, 22 and 23 wishing to become a part of Chebucto Community Council.

MOVED by Councillors Walker and Read to expand Chebucto Community Council to include Districts 11, 13 and 14.

Discussion took place on the request.

MOTION DEFEATED.

Councillor Walker asked that the Chairman write to the Councillors in question and advise them of the results.

12.2 **Improvements to Kearney Lake Road**

MOVED by Councillors Stone and Walker that Kulvinder Dhillon be requested to have Traffic Engineers look into the feasibility and cost factors involved in realignment of Kearney Lake Road inbound from Hamshaw Drive to the 102 off ramp in the interests of safety and visibility and advise whether or not this item can be included in the budget. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Terry Bobbitt, 23 River Road raised the following points:

- He advised he was President of the Spryfield Legion and wanted to express concern with the deplorable taxi service in his area. He outlined problems with Legion Members getting taxis in the evening after attending social events. He recommended that taxi drivers be designated to drive at certain hours of the day and night or increase the number of taxis.

In response, Councillor Adams agreed to send his concerns to the Taxi Commission and copies of his concerns to Yellow Cab and Casino Taxi. He would ensure this was on the Agenda for the next Taxi Committee meeting.

Councillor Stone pointed out that the taxi issue will be dealt with at Regional Council on March 7, 2000 because the taxi drivers are looking for a fare increase. He suggested that Mr. Bobbitt should attend Regional Council and make a presentation addressing his concern.

- He asked the status of the gas or oil spill in the McIntosh Run and what steps have been taken to alleviate the problem. In response, it was agreed to request information from staff.

Ms. Debbie Hum, 169 Cresthaven Drive raised the following points:

- With regard to community of interest concerns in District 16, she advised she would be addressing the Utility and Review Board in support of the District Boundaries Review Committee findings.
- With regard to additional Districts for Chebucto Community Council, she suggested that if the Utility and Review Board approves the recommendation made by the District Boundaries Review Committee, then perhaps at the next election the Timberlea/Clayton Park District would still be in Community Council and still addressing concerns through them. In her opinion, Timberlea residents do travel a lot to Mainland North and have a close connection in many aspects.
- She expressed concern with traffic problems on Mainland North, particularly Kearney Lake Road, access by emergency vehicles to Grosvenor Wentworth School following the third snowstorm in January.
- She requested that Chebucto Community Council, particularly Councillors Walker and Stone, hold a community meeting to address concerns and pass on information regarding improvements in the area and allow the residents to express concerns about their own neighbourhoods. She offered to organize the meeting because she thought it was that important an issue; however, she would need the support of the Councillors.

Ms. Maureen Reynolds, 36 Inverness Avenue stated she was concerned about the slowness of the Staff Report going to Regional Council on the issue of Pesticides. She pointed out that spring was coming and there were many people in the community dreading spray season. She provided information to support her concerns regarding Pesticides, a health issue not an environmental issue. She asked for support from

Community Council to move the report from staff to a Public Hearing as quickly as possible.

In response, Councillor Adams advised he would follow up on the status of the report with Mr. Meech.

15. **NEXT MEETING DATE** - March 6, 2000.

16. **ADJOURNMENT**

On a motion from Councillor Stone, the meeting adjourned at 8:30 p.m.

Sandra M. Shute
Assistant Municipal Clerk