

CHEBUCTO COMMUNITY COUNCIL
MARCH 6, 2000
MINUTES

PRESENT: Councillor Steve Adams, Chair
Councillor Graham Read
Councillor Bill Stone
Councillor Russell Walker

STAFF: Mr. Paul Morgan, Planner
Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order at 7:00 p.m. with an invocation.

2. APPROVAL OF MINUTES

MOVED by Councillors Walker and Stone that the minutes of February 14, 2000 be approved, as circulated. MOTION PUT AND PASSED.

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

Additions

12.1 Case 00228: Proposed Wireless Communication Equipment: 105 Frederick Avenue, Halifax, N.S.

9.1 Presentations

Mr. Scott Yetman (Friends of Hemlock Ravine)

Ms. Mary Ann McGrath, MLA

Information Item

1. Improvements to Kearney Lake Road (status sheet item #4.1.3)

MOVED by Councillors Stone and Walker that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1.1 Dumping - Club Road

Information report received. Councillor Adams advised this is being dealt with at the staff level.

MOVED by Councillors Stone and Read that the report be tabled. MOTION PUT AND PASSED.

4.1.2 Request for two-car garage with attic - District 17

No report. Item carried over to the next meeting.

4.1.3 Improvements to Kearney Lake Road

Information report received. The report advised staff will pursue a solution through the Department of Transportation and Public Works. Councillor Stone requested this item remain on the status sheet until such time as information is received as to the solution.

4.1.4 Oil/Gas Spill - McIntosh Run

No report received. Councillor Adams advised Mr. Sheppard will come forward with a report dealing with this item.

4.1.5 Traffic Signals on Prospect Road

No report received. Councillor Adams advised there will be a report forthcoming on that at the next Community Council meeting.

4.1.6 MPS Dispensation re Provincial and Federal Governments

Councillor Adams advised the request was to have a line in all Municipal Planning Strategies that suggest that Provincial and Federal laws supersede the Municipal Land Use By-laws and Planning Strategies.

Mr. Roger Wells, Planning Services, advised a report will be provided for the next meeting.

4.1.7 Wheelchair Access After Normal Business Hours - 2750 Dutch Village Road

Councillor Adams advised an additional buzzer will be installed for after hours use.

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 DELEGATIONS

9.1.1 Mr. Scott Yetman (Friends of Hemlock Ravine)

Mr. Scott Yetman, Friends of Hemlock Ravine, reading from prepared text, made a presentation regarding the development of Royale Hemlock Ravine advising one of the concerns is the discharge and drainage of storm water into Hemlock Ravine. He expressed concern with blasting and the environmental impact of the development.

9.1.2 Ms. Mary Ann McGrath, MLA

Ms. Mary Ann McGrath, MLA, circulated a copy of photos of the area and, reading from prepared text, addressed Community Council expressing concern with the development destroying the trees. She requested a comprehensive protection plan be put in place before further development next to the ravine is approved.

9.1.3 Mr. Barry Zwicker, Wallace MacDonald Lively

Mr. Barry Zwicker, Wallace MacDonald Lively, advised the Friends of Hemlock Ravine and the Waters Advisory Committee had been consulted and issues such as ground water, storm water controls, storm water management and quality of water getting into Hemlock Ravine water were discussed. He advised the recommendations of the Watershed Advisory Committee have been incorporated into report and development agreement.

9.2 PETITIONS - NONE

10. REPORTS

10.1 Application by Kimberly-Lloyd Developments Ltd. to enter into a Stage II Development Agreement for Phases 1A and 2 of Royale Hemlock Estates Subdivision

- A staff report prepared for Mr. Paul Dunphy, Director, Planning and Development, dated February 21, 2000, on the above noted, was before Community Council.

Mr. Paul Morgan, Planner, with the aid of overheads, presented the staff report advising Stage I was entered into after holding a public hearing. The detailed subdivision proposal comes forward in phases and Council has to determine whether or not the Stage II agreement conforms with Stage I. Mr. Morgan advised Community Council is being requested to approve Phase 1A and 2, noting 1A comprises a portion of what was intended to be Phase I under the Stage I agreement - the new P3 school lands. With the aid of an overhead he outlined the proposed development.

In response to Councillor Walker regarding the school site, Mr. Morgan advised the land was left as a school reserve in the event a school would be needed in this development at some future date. On further question, Mr. Morgan advised the applicant is considering relocating Part 5 to the school reserve site.

In response to Councillor Walker, Mr. Morgan advised the buffer between the park and the development has not changed and the Stage 1 agreement would have to be amended for any changes to be made. On further question, Mr. Morgan advised the storm water runs towards the Bicentennial Highway with outfalls directing water towards Hemlock Ravine Park.

In response to Councillor Stone, Mr. Morgan advised that certain components of the Storm Water Management plan are approved through the Stage II agreement. Mr. Morgan advised the Storm Water Management Plan is approved through HRM Engineering Services and, at final subdivision stage, it has to be reviewed by the Department of the Environment and HRM Parks and Recreation staff.

In response to Councillor Stone, Mr. Morgan advised storm water runoff will be addressed at the time of the final plan of subdivision. On further question, Mr. Morgan confirmed that water runoff will be allowed to dilute itself by flowing over the land. He advised that once the water leave the storm sewer it will seep into the crevices of the rocks and travel below the surface.

In response to Councillor Walker, Mr. Morgan advised it is the intention of the parks and recreation staff to prepare a plan for the Hemlock Ravine Park in response to concerns expressed relative to this development and the Goshen development as well as the construction of the transmission main by the Regional Water Commission.

In response to Councillor Stone as to how blasting will be controlled, Mr. Morgan advised it will be controlled under the provisions of the Blasting By-law.

In response to Councillor Read, Mr. Morgan advised the outfalls are discharging onto the surface. On further question, Mr. Morgan advised the water from the lower end will be going into the Bedford Basin.

MOVED by Councillors Stone and Walker that the Chebucto Community Council approve the Stage II development agreement to allow for Phases 1A and 2 of Royale Hemlock Estates, presented as Attachment IV to the staff report dated February 21, 2000 and Community Council recommend to Regional Council that municipal cost-sharing with the applicant for over sizing municipal streets and storm sewers be approved in an amount not exceeding \$710,818 plus accrued interest in accordance with the terms of Section 3.16 of this Agreement as per the staff report. MOTION

PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 00228: Proposed Wireless Communications Equipment: 105 Frederick Avenue, Halifax, N.S.

- A staff report prepared for Paul Dunphy, Director, Planning and Development Services, dated March 2, 2000, on the above noted, was before Community Council.

MOVED by Councillors Walker and Stone that Chebucto Community Council support the proposal by Clearnet PCS Inc. to locate wireless communication equipment on a building at 105 Frederick Avenue, Halifax, N.S. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Scott Yetman, 42 Johnston Avenue, Dartmouth, referenced the Royale Hemlock Estates development and expressed concern with environmental aspects and reiterated that the recommendations of the Watershed Advisory Board be incorporated in the agreement.

Mr. Alan Ruffman, 202 Fergusons Cove Road, expressed concern with tree cutting that may take place on the development. He advised the history of the climate for an area can be found in tree rings and this will be lost if the trees are removed. He suggested that before any tree cutting for future developments takes place, Dendrochronologists be contacted to take samples from the trees in order to build on the history.

Mr. Rick Gagne suggested the recommendations of the Watershed Advisory Board be taken into consideration. He suggested a geotechnical engineer and geologist be retained prior to any blasting taking place.

15. NEXT MEETING

The next meeting is scheduled for Monday, April 3, 2000 at 7:00 p.m.

16. ADJOURNMENT

**MOVED by Councillors Stone and Walker that the meeting be adjourned at 8:45 p.m.
MOTION PUT AND PASSED.**

**Julia Horncastle
Assistant Municipal Clerk**