

CHEBUCTO COMMUNITY COUNCIL

MINUTES

JULY 10, 2000

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

ALSO PRESENT: Peter Bigelow, General Manager, Recreation Facilities
Roger Wells, Regional Coordinator, Planning Services
Austin French, Regional Coordinator, Planning Services
Paul Morgan, Planner
Bernard Moe, Planner
Marcus Garnet, Planner
Sandra Shute, Assistant Municipal Clerk

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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. At a later point in the meeting, the Chair acknowledged the presence of Mary Ann McGrath, MLA.

2. **APPROVAL OF MINUTES - JUNE 12, 2000**

MOVED by Councillors Stone and Read to approve the Minutes of meeting held on June 12, 2000 as circulated. MOTION PUT AND PASSED.

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

Added Items: Presentation - Fleming Park/Williams Lake Road Lands
 Councillor Read - Status of HRM Building - 2750 Dutch Village Road

MOVED by Councillors Stone 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 Intersection 102 and Lacewood - No change.

4.1.2 Improvements to Kearney Lake Road - No change.

4.1.3 Billboards on CN Lands

Community Council was in receipt of an Information Report dated June 27, 2000 providing additional information requested by Community Council. Councillor Walker advised that this matter was in the hands of Regional Council but is to remain on the Status Sheet.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Decision of Community Council re Case 00210 - Development Agreement Application - 32 and 32A Frederick Avenue, Mainland Halifax**

The Public Hearing for this application was held on June 12, 2000. At that time, further information was requested which was received at this meeting by way of an Addendum Report dated June 26, 2000.

Councillor Walker asked why the time frame was four years this time instead of two. In response, Paul Morgan, Planner advised that the number was arbitrary but if the applicant did not complete the project in two years, they would not have to come back.

Councillor Walker then asked for clarification as to whether or not the property was still In Trust. In response, Mr. Morgan advised that when the subdivision plan was approved, that was the name at that time. Lot 63A and 63B were shown as being held in Trust.

Councillor Walker asked if changes could be made to the agreement. In response, Mr. Morgan advised that there were limitations in terms of how big an amendment Community Council could make after a Public Hearing.

Councillor Walker said he would like to have the following changed:

1. Replace the existing fence, not repair it;
2. The house in front to be fixed up as indicated after the execution of the agreement by the parties but before the start of 63B, and the lawn mowed.
3. Four years to be changed to two years.

Mr. Ron Peters, on behalf of W. M. Fares & Associates indicated he was in agreement with the requests made by Councillor Walker.

MOVED by Councillors Walker and Stone to approve the Development Agreement, attached as Attachment III to the Staff Report dated May 18, 2000 with the addition of a clause 2.3 referred to in the Addendum Report dated June 26, 2000 but which will indicate that with regard to Lot 63A, the existing fence be replaced not repaired, all trim on the building be painted, the lawn mowed and work to take place after the execution of this agreement by the parties and before the start of 63B. Further, that the time frame be changed from four years to two years.

Further, that 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 an 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.

MOTION PUT AND PASSED.

8. **PUBLIC HEARINGS** - None

At this time, however, Councillor Adams indicated to the public that it had not been possible to set a Public Hearing date for September 11, 2000 for the Midyat development in the Colpitt Lake area of Spryfield. This has been taken off the Agenda because of issues raised by the Executive of the Herring Cove Ratepayers Association, members of the McIntosh Run Clean Up Committee and Engineering Department of HRM. He was not sure when the Public Hearing would be held at this time.

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None

10. **REPORTS**

10.1 **Case 00257 - Application for a Stage II Development Agreement for Lands within Clayton Park West, Phase 4G (Block BC-9A)**

A Staff Report dated June 12, 2000 was before Community Council. Mr. Austin French, Regional Coordinator, Planning Services and Mr. Bernard Moe, Planner were in attendance for this item.

Bernard Moe provided an overview with the aid of overheads of a concept plan for the Mainland North area which, in consultation with several property owners, concerns the lands to the south and west of Mainland Commons. The application before Community Council falls within those lands. He advised he expected the concept plan would be useful in guiding future development.

Following Mr. Moe's presentation, Austin French provided an overview of the application with the aid of overheads. Staff was recommending approval of the application.

Councillor Stone asked if the 275' of roadway would cost HRM anything. In response, Mr. French advised no, and that there was some advantage to HRM because it brings HRM that much closer to its connection to the Mainland Commons.

Councillor Stone, referring to the wooded area and open space, asked how far the building would be from Regency Park Drive. Mr. Mike Willett, representing Clayton Developments advised it was 400'.

Councillor Stone asked if the road into the building would be taken over by HRM. In response, Mr. Mike Willett advised it was intended to be a public street, up to required standards and turned over to HRM as soon as it is built.

Councillor Read referred to information received from Halifax/Halifax County Watershed Advisory Board re the Home Depot property on controlling peak flow rates. Home Depot was adjacent to the property in question. He said, however, that it appeared that the measures described in the Development Agreement did not seem to be as extensive as Home Depot's. He asked if runoff from the parking lot and the building would be controlled in such a manner that the flow into the stream would not exceed normal peak flows. In response, Mr. French quoted from Sections 2.11 to 2.14 of the proposed Development Agreement.

Mr. Roger Wells, Regional Coordinator, Planning Services advised that Home Depot would have a 0.55 runoff co-efficient. There was a difference in site topography between the two sites, however, as a significantly higher percentage of the Home Depot site was to be turned into impervious surface. A substantial acreage of the site in question would be maintained in its natural environment. The site in question was emptying into an open watercourse as opposed to the Home Depot site where a section of the stream is piped. A large portion of the site in question would remain undisturbed.

Mr. Mike Willett, Clayton Developments added that the site in question would also have 0.55 co-efficient design control features.

Councillor Walker asked how long it would take Regency Park Drive to get to Main Avenue. In response, Mr. French advised that it depends on the amount of activity. Staff was dealing with this through the concept plan by looking at various options open to landowners and HRM.

Councillor Walker expressed concern that if a connection is made to Main Avenue, Main Avenue would be a connector road whether that is the plan or not. He requested that staff look at the impact of this as the only way it would not be a connector would be if the new road went over or under Main Avenue. In response, Mr. Moe advised that Traffic Authority was involved in the concept planning exercise. Traffic Authority felt that Main Avenue should not be a collector.

MOVED by Councillors Stone and Read to approve the Stage II Development Agreement for the lands within Clayton Park West Phase 4G (Block BC-9A) as indicated in Attachment I of the Staff Report dated June 12, 2000. Further, require the 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 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 00230 - Development Agreement for 2688 Dutch Village Road, Halifax "Pepperberry" (Bed and Breakfast) - Give Notice of Motion and Set Public Hearing Date**

A Staff Report dated July 5, 2000 was before Community Council.

MOVED by Councillors Read and Walker to give Notice of Motion to consider the application and to schedule a Public Hearing for September 11, 2000. MOTION PUT AND PASSED.

10.3 **Hemlock Ravine Park Management Plan**

Mr. Peter Bigelow, General Manager, Recreation Facilities and Mr. Colin Stuart, Co-Chair of the Hemlock Ravine Management Plan Committee were in attendance for this item. Mr. Bigelow advised that the Hemlock Ravine Park Management Plan was before Chebucto Community Council tonight and would be before Regional Council tomorrow night for recommendation. He provided background on the creation of Hemlock Ravine Park, the vision for the park, natural, historical and recreational assets, zoning system, development of lands to the north, the management plan. This will be HRM's first park management plan. The management plan is a condition of the lease with the provincial government.

Mr. Colin Stuart expressed appreciation to the volunteers and staff and provided information on changes that might affect the park in the future, possibility of additional land, protection of the heart-shaped pond, identification of issues, new trails and acquisition of additional land.

Councillor Stone congratulated Mr. Bigelow and staff, Mr. Stuart and volunteers, the area MLA in putting the management plan together. He hoped the management plan would lead to a better park in the future. The volunteer organizations were important in this respect and he appreciated their input and hard work.

Mr. Bigelow and Mr. Stuart then answered questions.

MOVED by Councillors Stone and Walker to advise Regional Council that Chebucto Community Council accepts the Hemlock Ravine Park Management Plan and recommends same to Regional Council. MOTION PUT AND PASSED.

10.4 **Case 00207 - Request by Atlantic Shopping Centres to Amend the C-2A Zone Signage Requirements in the Land Use By-laws for Halifax Peninsula and Halifax Mainland (Give First Reading and set Joint Public Hearing Date)**

A Staff Report dated July 6, 2000 was before Community Council.

MOVED by Councillor Stone to give First Reading to the proposed amendments to the C-2A Zone sign requirements in the Land Use By-laws for Halifax Peninsula and Halifax Mainland respectively and schedule a joint Public Hearing for August 22, 2000.

The motion was lost due to lack of a seconder. Regional Council will be advised.

10.5 **Case 00061 - Proposed Amendment to the Stage II Development Agreement for Phases 1A and 2 - Royale Hemlock Estates**

A Staff Report dated July 6, 2000 was before Community Council. Mr. Paul Morgan, Planner provided an overview of the application which consisted of proposed minor amendments to the agreement approved by Community Council in the Spring.

MOVED by Councillors Stone and Walker that the Stage II Development Agreement approved at the March 6, 2000 session of Chebucto Community Council be amended by:

1. **Substituting a revised Schedule B, presented as Attachment II to the Addendum Report dated July 6, 2000 for the Schedule B previously approved; and**
2. **Replacing Section 3.3 of the Agreement with the following:
“Notwithstanding clause (c) of Section 3.1, the minimum required frontage and area may be reduced by fourteen (14) percent for a maximum of seventeen (17) Category A or B lots provided that the total number of Category A and B lots approved under this Agreement are not increased”.**

MOTION PUT AND PASSED.

10.6 **Case 00264 - Stage II Development Agreement Application - Phase 4C of Glenbourne Subdivision**

A Staff Report dated July 5, 2000 was before Community Council. Paul Morgan, Planner provided an overview of the application and advised that staff was recommending approval. The application was to relocate the cul-de-sac so that access is off Parkland

Drive. The amendments to the planned subdivision would allow for one additional lot within the cul-de-sac but would be in accordance with R-1 zone standards with a minimum of 50' frontage and 5000 sq. ft. in area. Traffic Authority has reviewed the plan and are satisfied that the redesign of the subdivision would not pose a problem.

Councillor Stone requested that staff ensure the cul-de-sac inner circle is landscaped and presentable to Parks and Recreation Department before it is taken over.

MOVED BY Councillors Stone and Read to approve the Stage II Development Agreement, presented as Attachment IV of the Staff Report dated July 5, 2000 to permit an eighteen (18) lot subdivision for single unit dwellings in Glenbourne Subdivision; and 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 Chebucto 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.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Presentation - Fleming Park/Williams Lake Road Lands**

Roger Wells, Regional Coordinator, Planning Services introduced Melanie Dobson, Chair of the Fleming Park/Williams Lake Citizens Committee and Bill Campbell, a member of the Committee. He also identified other members of the Committee in attendance.

Ms. Dobson provided information on the preparation of the proposed concept plan, the location of the lands in question, the ownership of said lands, the mandate of the Committee, the zoning in place, survey and workshop held, consensus received from the community, which was to secure natural parkland as an extension of Fleming Park for environmental protection and quality recreation, possibility of land exchange, with limited support for residential development and, if any, R-1.

Mr. Bill Campbell then provided information on development principles such as pedestrian access, vehicle access, trails, active recreation, protection of waterbodies, wildlife corridors, maintaining a significant portion of the HRM land as parkland and residential development.

Councillor Read congratulated the Committee on its endeavours.

Councillor Stone referred to Forward Avenue and asked if there was any development proposed in that area. In response, Mr. Campbell advised it would be potential residential development and he understood there was an application in now.

Mr. Wells advised that staff has been in consultation with the three property owners throughout the process. They have remained open in terms of potential scenarios that could be developed, either working in conjunction with HRM, land swaps and purchase. Everything is on the table at this point to come up with the best overall product for the community. He advised further that the presentation tonight was an update and that, hopefully in September, a formal report would come forward outlining the findings and recommendations. What staff will be looking for from Chebucto Community Council would be to forward to Regional Council because there would have to be a series of MPS amendments to implement the recommendations.

12.1 **Status of HRM Building - 2750 Dutch Village Road**

Councillor Read advised he has heard rumors about the possible sale of the former County Building, which was in his District. He requested a staff report on the status and potential disposition of the building. In addition, he requested that the report include information from Planning Department with respect to the Municipal Planning Strategy designation of this property as Residential, even though zoned C-1 as it might potentially be sold for office uses but the designation of the property is Residential.

MOVED by Councillors Read and Walker that a report be requested in this regard.

In seconding the motion, Councillor Walker asked what time line Councillor Read had in mind for receipt of the report. In response, Councillor Read acknowledged that since Community Council does not meet again until September 11 and the sale of land is dealt with by Regional Council, he requested the report be provided to Regional Council on August 15, 2000.

MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Ms. Mary Ann McGrath, 33 Hamshaw Drive referred to the Petition presented on behalf of the residents of the community of Kearney Lake this time last year. She then advised of the problems the residents faced this year on July 2 with regard to parking, policing, non-issuance of tickets, permitting, pylons and blockades. She circulated pictures taken that day and advised that she would be meeting with Insp. Falkenham about this clearly

unacceptable situation. She requested that this not happen again next year. She also referred to the inadequacy of the concrete outhouse at the beach.

Mr. Hiram Tiller, 4 Thackeray Close referred to his concerns with the intersection of the 102 and Lacewood and the fact that there was activity at the intersection of Fairfax for the Home Depot. He asked if HRM staff were still following up with Department of Transportation re 102 and Lacewood to have action taken.

It was agreed that a status report would be requested from staff with regard to the 102 and Lacewood, which is the responsibility of Department of Transportation.

Mr. Bill Phillips, 9 Crestview Drive expressed concern that it appeared that nothing has been done to alleviate the concerns of residents with regard to the 102 and Lacewood intersection when it appeared this concern has been raised over the last two years on a number of occasions.

Ms. Debbie Hum, 169 Cresthaven Drive referred to her concern with the crosswalk situation on Kearney Lake Road which she has been bringing up for about the same amount of time as the 102 and Lacewood. A Petition was submitted to Regional Council regarding the crosswalk last week with a report expected to Regional Council on August 15. She pointed out that August 15 was getting close to the start of the new school year and, if there were going to be improvements, she would like to see them done by that time. She advised she would like to see additional crosswalk guards in place for September.

15. **NEXT MEETING DATE** - Monday, September 11, 2000 at 2750 Dutch Village Road.

16. **ADJOURNMENT**

On a motion from Councillor Walker, the meeting adjourned at 9:15 p.m.

Sandra M. Shute
Assistant Municipal Clerk

