

HALIFAX REGIONAL MUNICIPALITY

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CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, NOVEMBER 4, 2002

PRESENT:                   Councillor Stephen D. Adams, Chair  
                                  Councillor Linda Mosher  
                                  Councillor Diana Whalen  
                                  Councillor Russell Walker

ALSO PRESENT:           Mr. Paul Sampson, Planner I  
                                  Mr. Peter Bigelow, Manager Parks & Recreation  
                                  Ms. Chris Newson, Assistant Municipal Clerk

**TABLE OF CONTENTS**

1.	CALL TO ORDER .....	4
2.	APPROVAL OF THE MINUTES	
2.1	Regular meeting of October 7, 2002 .....	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS. ....	4
4.	BUSINESS ARISING OUT OF THE MINUTES .....	5
4.1	Status Sheet Items .....	
4.1.1	Case 00402 - Amendment to Royale Hemlocks Stage II Development Agreement .....	5
4.1.2	Extending Public Participation for Planning – District 16 .....	5
4.1.3	Sir Sandford Fleming Park Asset Statement .....	5
4.1.4	Basement Flooding in area of Fenwood Road .....	5
4.1.5	Speed Limits on Bayview Road .....	6
5.	MOTIONS OF RECONSIDERATION - None .....	6
6.	MOTIONS OF RESCISSION - None .....	6
7.	CONSIDERATION OF DEFERRED BUSINESS - None .....	6
7.1	Case #00465: Application for Development Agreement, Lot abutting Civic # 89 Purcell’s Cove Road, Halifax .....	6
8.	PUBLIC HEARINGS - None .....	7
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS - None .....	7
10.	REPORTS - None .....	7
11.	MOTIONS - None .....	7
12.	ADDED ITEMS .....	7
12.1	Restrictive Covenants - RE: Wedgewood Subdivision .....	7

12.2	Proposed Chebucto Community Council Meeting Schedule 2003 . . . . .	7
12.3	Telus Mobility - Application for Cellular Antennae for District 15 . . . . .	7
12.4	Day Care Centre to be returned to Status Sheet . . . . .	8
12.5	Fairmount Development, Truck/Dust Issue . . . . .	8
12.6	No Parking Signs/Enforcement at Supermail Boxes . . . . .	8
12.7	Dedication/Memorial for Mr. Archie Fraser . . . . .	9
13.	NOTICES OF MOTION . . . . .	9
14.	PUBLIC PARTICIPATION . . . . .	9
15.	NEXT MEETING DATE . . . . .	10
16.	ADJOURNMENT . . . . .	10

1. **CALL TO ORDER**

The meeting was called to order at 7:05 pm in the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

## **2. APPROVAL OF MINUTES**

### **2.1 Regular Meeting – October 7, 2002**

**MOVED by Councillor Whalen, seconded by Councilor Walker, that the Minutes of the Regular Meeting held on October 7 , 2002, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

### **Added Items:**

- 12.1 Restrictive Covenants - RE: Wedgewood Subdivision - Councillor Whalen
- 12.2 Proposed Chebucto Community Council Meeting Schedule 2003
- 12.3 Telus Mobility - Application for Cellular Antennae for District 15
- 12.4 Day Care Centres
- 12.5 Fairmount Development, Truck/Dust Issue - Councillor Mosher
- 12.6 No Parking Signs/Enforcement - Councillor Adams
- 12.7 Dedication/Memorial to Mr. Archie Fraser

**MOVED by Councillor Walker, seconded by Councillor Whalen that the Agenda be adopted as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

## **4. BUSINESS ARISING OUT OF THE MINUTES**

Councillor Mosher gave an update from staff regarding the right of way in the area of # 89 Purcell's Cove Road. Staff indicated that due to the right of way being only 20' wide with a 12' gravel travel way, it would not be possible to upgrade this road to HRM standards without relocating existing structures. The Traffic Department reported to Councillor Mosher that the shoulder area is currently assigned NO PARKING ANY TIME by civic #91 Purcell's Cove Road. Staff further commented that the driveways to these homes are clearly defined with ample room for visibility and safe egress onto Purcell's Cove Road even with an illegally parked vehicle. Councillor Mosher will contact Inspector Darnbrough to ensure there is Police Enforcement for vehicles blocking driveways and will provide a further update at the December meeting.

### **4.1 Status Sheet Items**

**4.1.1 Case 00402 - Amendment to Royale Hemlocks Stage II Development Agreement**

- < Information Report from staff dated October 22, 2002 was circulated to Community Council. A copy is on file in the Municipal Clerk's Office.

Councillor Whalen indicated there is a bond in place, as per the staff report, to ensure the work will be completed on Larry Uteck Boulevard if not by the Developer, then by HRM and the cost billed back to the Developer. *This item to be removed from the Status Sheet.*

**4.1.2 Extending Public Participation for Planning – District 16**

- < Staff report dated October 21, 2002 was circulated to the Community Council. A copy is on file in the Municipal Clerk's Office.

Councillor Whalen requested clarification from staff regarding the implications of the proposed Area Advisory Committee for the Wentworth Estates/Bedford South Area, which would include one or two residents from District 16, before proceeding with the Planning and Advisory Committee for District 16.

**MOVED by Councillor Whalen, seconded by Councillor Walker that this item be deferred to the next regularly scheduled meeting of Chebucto Community Council. MOTION PUT AND PASSED UNANIMOUSLY.**

**4.1.3 Sir Sanford Fleming Park Asset Statement**

- < Mr. Peter Bigelow, Manager, Parks & Open Spaces presented the staff report dated October 31, 2002 to Community Council. A copy is on file in the Municipal Clerk's Office.

Mr. Bigelow indicated that the Asset Statement includes a history of the land assembly, a statement in terms of the condition of all buildings, underground services, roadways, trails, flora and fauna to date. *This item to be removed from the Status Sheet.*

**4.1.4 Basement Flooding in area of Fenwood Road**

No new information to report. Staff requested to provide information for the December meeting.

**4.1.5 Speed Limits on Bayview Road**

Councillor Whalen reported that a letter has been sent to The Provincial Minister of Transportation requesting that speed limits be lowered on Bayview, Flamingo, Gateway, Skylark and Meadowlark in Districts 15 and 16.

**5. MOTIONS OF RECONSIDERATION - None**

**6. MOTIONS OF RESCISSION - None**

**7. CONSIDERATION OF DEFERRED BUSINESS**

**7.1 Case # 00465: Application for Development Agreement, Lot abutting Civic #89 Purcell's Cove Road, Halifax**

< Staff report dated September 4, 2002 was before Community Council. A copy is on file in the Municipal Clerk's Office.

Councillor Mosher commented that area residents held a meeting and agreed the development was to proceed on condition that the issue of access from the right of way onto Purcell's Cove Road be addressed. In consultation with Legal Services and Planner, Mr. Paul Sampson, Councillor Mosher introduced the following clause to be added to the development agreement Attachment II, page 7, Part 2:

2.2 (e) "Vehicular access must be provided to Purcell's Cove Road and shown on plans submitted at the time of application for a Development Permit."

**MOVED by Councillor Mosher, seconded by Councilor Walker that Chebucto Community Council approve the development agreement presented in Attachment II to this report, with the addition of Clause 2.2 (e) "Vehicular access must be provided to Purcell's Cove Road and shown on plans submitted at the time of application for a Development Permit.", to permit a single unit dwelling on a lot which does not have public street frontage.**

**Further, that the Development Agreement be signed within 120 days, 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 an end. MOTION PUT AND PASSED UNANIMOUSLY**

**8. PUBLIC HEARINGS- None**

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

**10. REPORTS- None**

**11. MOTIONS- None**

**12. ADDED ITEMS**

**12.1 Restrictive Covenants - Wedgewood Subdivision - Councillor Whalen**

- < Information Memorandum from Councillor Whalen, dated October 28, 2002 was before the Committee. A copy is on file in the Municipal Clerk's Office.

Councillor Whalen commented that lots are larger in size than HRM requires for subdivisions in this area therefore, the Wedgewood Subdivision has a restrictive covenant. She inquired of staff what steps were necessary to incorporate the restrictive covenant for this neighbourhood into the Land Use By-Law. Mr. Paul Sampson, Planner, responded that a By-law amendment, which would mention lot size, could be made at the request of Chebucto Community Council. Later in the meeting Councillor Whalen placed a NOTICE OF MOTION.

Councillor Walker requested a staff report on the widespread implications of incorporating restrictive covenants in the Land Use By-law.

**12.2 Proposed Chebucto Community Council Meeting Schedule 2003**

- < The proposed Chebucto Community Council meeting schedule for 2003 was circulated to the Committee. A copy is on file in the Municipal Clerk's Office.

**MOVED by Councillor Walker, seconded by Councillor Mosher that the proposed Chebucto Community Council meeting schedule for 2003 be approved with the following amendments: the July 7, 2003 meeting to be if required and the August 4, 2003 meeting to be deleted. MOTION PUT AND PASSED UNANIMOUSLY**

**12.3 Telus Mobility - Application for Cellular Antennae for District 15**

- < A staff report dated November 1, 2002 was before the Committee. A copy is on file in the Municipal Clerk's Office.

**MOVED by Councillor Walker, seconded by Councillor Whalen that Chebucto Community Council support the proposed installation of wireless communication equipment on the building at 27 Stoneybrook Court, Halifax. MOTION PUT AND PASSED UNANIMOUSLY**

#### **12.4 Day Care Centre to be returned to Status Sheet**

Councillor Whalen has requested that this Item remain on the Status Sheet until presentation to Regional Council.

#### **12.5 Fairmount Subdivision - Truck/Dust Issue**

< Photographs of blowing dust on Milsom Avenue presented to Committee by area resident Mr. Saunders. The photos are on file in the Municipal Clerk's office.

Councillor Mosher, aided by photos supplied by area resident Mr. Saunders, indicated that there is a problem with dust, debris and water on Milsom Avenue, Arlington and Springvale due to a change in the truck route for the new development in this area. In response to complaints from area residents, the streets have been watered to alleviate the problem of blowing dust. The water pools on the streets as there is no storm drainage and use of a vacuum truck does not resolve the water problem.

Councillor Mosher also expressed concern with excessive speed by the street sweeper on Milsom Avenue. Councillor Adams suggested that By-Law Enforcement be informed of this matter.

**MOVED by Councillor Mosher, seconded by Councillor Walker that staff from Police Services, Engineering and Development provide a report for the December 2, 2002 meeting of Chebucto Community Council addressing the concerns of dust, debris and water on Milsom Avenue, Arlington and Springvale due to a change in the truck route to the new Development in Fairmount Subdivision. MOTION PUT AND PASSED UNANIMOUSLY**

#### **12.6 No Parking Signs at Community Mailboxes/Enforcement**

Councillor Adams expressed concern, on behalf of area residents, that vehicles FOR SALE are parked in the Community Mailbox access area at the intersection of Herring Cove Road and Hebridean Drive.

**MOVED by Councillor Walker, seconded by Councillor Whalen that the Traffic Authority install NO PARKING SIGNS at the Community Mailbox access area along the Intersection of Herring Cove Road and Hebridean Drive; and that the RCMP immediately ticket any vehicles that are parked in this area with FOR SALE signs upon installation of the NO PARKING SIGNS. MOTION PUT AND PASSED UNANIMOUSLY**

#### **12.7 Dedication/Memorial for Mr. Archie Fraser**

Councillor Adams requested suggestions from staff regarding a memorial or dedication for Community Volunteer and Activist, the late Mr. Archie Fraser, as a token of appreciation for service to his community.

**MOVED by Councillor Mosher, seconded by Councillor Walker that staff from Fire Services and RCMP offer suggestions for a memorial to dedicated volunteer and community activist, the late Mr. Archie Fraser. MOTION PUT AND PASSED UNANIMOUSLY**

**13. NOTICES OF MOTION**

Take notice that at the next meeting of Chebucto Community Council, Councillor Whalen intends to give first reading to a motion to incorporate the Restrictive Covenants relating to lot size for the Wedgewood Subdivision into the Land Use By-law for Halifax.

**14. PUBLIC PARTICIPATION**

**Mr. Jerry Saunders, Milsom Avenue, Halifax**

Mr. Saunders thanked Councillor Mosher for bringing the dust problem on Milsom Avenue to the Chebucto Community Council's attention. He further commented that the dust was so thick ( this evening) that he could not see the school from his home which is only four lots away. Mr. Saunders stated that he plans to have the dust analyzed. Councillor Walker requested that a copy of the dust analysis be given to Chebucto Community Council. Councillor Mosher commented that she has a copy of the environmental report that was shown to a local physician who indicated the dust in question is contaminated.

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

Mr. Zinck commented that he surveyed nine cities across the country and found they all had a main library and some branches open on a 6/7 basis. Mr. Zinck would like to see the same service for HRM Libraries so that they are open on Mondays. Councillor Whalen commented that she attends the Library Board Meetings and will bring to their attention the concerns expressed by Mr. Zinck.

Mr. Zinck further commented on the hours of operation for the Hazardous Waste Depot and stated that it was only open 17 of the 26 Saturdays that were not holiday weekends for example; June 6, 2002 and July 13, 2002 the depot was closed but it was not a holiday weekend. Mr. Zinck added that the depot in HRM is also closed when staff travel to other sites in the Municipality. A further concern Mr. Zinck indicated, was in the figures staff supplied to him regarding the cost per vehicles serviced and in the cost per hour of operation for the Hazardous Waste Depot. He stated that the figures for HRM were much higher than other Municipalities.

Councillor Mosher requested a staff report for the December 2, 2002 Chebucto Community Council meeting regarding the issues raised by Mr. Zinck.

15. **NEXT MEETING DATE** - Monday, December 2, 2002

16. **ADJOURNMENT**

Upon a motion by Councillor Whalen the meeting was adjourned at 7:40 pm.

Chris Newson  
Assistant Municipal Clerk