

CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, FEBRUARY 3, 2003

PRESENT: Councillor Linda Mosher, Chair  
Councillor Diana Whalen, Vice-Chair  
Councillor Russell Walker

ABSENT  
WITH REGRETS: Councillor Stephen D. Adams

ALSO PRESENT: Mr. Gordon Roussel, Budget Coordinator  
Mr. Bruce Fisher, Manager, Financial Planning for HRM  
Mr. Jim Donovan, Manager, Planning Applications  
Mr. Gary Porter, Planner II, Western  
Mr. Barry Allen, Municipal Solicitor  
Ms. Chris Newson, Legislative Assistant

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## 1. CALL TO ORDER

The meeting was called to order at 7:11 pm in the cafeteria of the Halifax West High School. Later in the meeting MLA Mary Ann McGrath for Halifax/Bedford Basin was recognized.

## 2. APPROVAL OF MINUTES

- 2.1 Special Joint Meeting with North West Community Council - November 19, 2002
- 2.2 Joint Meeting with North West Community Council - December 9, 2002
- 2.3 Regular Meeting - January 6, 2003
- 2.4 Special Meeting - January 28, 2003
- 2.5 In Camera - January 28, 2003

**MOVED by Councillor Walker, seconded by Councillor Whalen, that the minutes of November 19, 2002, December 9, 2002, January 6, 2003, January 28, 2003 and In Camera minutes of January 28, 2003, be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Community Council agreed to move the public hearing to the end of the agenda.

**MOVED by Councillor Walker, seconded by Councillor Whalen that the Order of Business be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

## 4. BUSINESS ARISING OUT OF THE MINUTES

### 4.1 Status Sheet Items

#### 4.1.1 Linear Park Walkway

Councillor Walker clarified with Mr. Peter Bigelow, Manager, Parks and Open Spaces, that the snow would be removed from the walkway. This item to be removed from the Status Sheet.

#### 4.1.2 Trash Receptacles - Hemlock Ravine/Belcher's Marsh Park

Councillor Whalen requested this be removed from the Status Sheet as HRM staff have

confirmed that they will do minimal garbage collection at these park areas.

4.1.3 Off-Leash at Frog Pond/Sir Sandford Fleming Park

Deferred to March 3, 2003 for clarification from staff on the "Loop Road" area.

4.1.4 Truck Idling By-Law

! An Information Report, dated December 19, 2002, from Mr. Allan Waye, General Manager, Community Projects, was circulated to Community Council.

This item was deferred to the April 7, 2003 meeting to allow Councillor Adams an opportunity to comment on the issue.

4.1.5 Speed Limits - Bayview Road/Flamingo Drive

Councillor Whalen has requested that this item remain on the Status Sheet until a response is received from the Traffic Authority. She further commented that a meeting was held earlier this week with MLA Mary Ann McGrath on this issue.

4.1.6 Extension of Public Participation - District 16 PAC

- A staff report dated January 29, 2003 was before the Committee.

**MOVED by Councillor Whalen, seconded by Councillor Walker, that Chebucto Community Council confirm the appointments of the individuals identified in this report to the newly established District 16 - Planning Advisory Committee and appoint Councillor Whalen as the Community Council member to the newly established District 16 - Planning Advisory Committee. MOTION PUT AND PASSED UNANIMOUSLY.**

4.1.7 Belcher's Marsh Park

- An Information Report, dated January 28, 2003 was before the Committee.

Councillor Whalen requested that a copy of the Information Report be sent to the new chair of the "Friends of Belcher's Marsh Park" so that they will know that HRM has adopted the name and that there is a second step for them to proceed with to have the name officially noted by the Nova Scotia government.

**5. MOTIONS OF RECONSIDERATION - None**

6. **MOTIONS OF RESCISSION - None**
7. **CONSIDERATION OF DEFERRED BUSINESS - None**
8. **PUBLIC HEARINGS**

This item was addressed at the end of the meeting.

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

- 9.1 Correspondence from Mr. Sidney Hughes

Mr. Sidney Hughes presented correspondence regarding the Public Hearing on Case #00066: Rezoning and Development Agreement, Governor's Brook Subdivision, Mainland South, Halifax. This correspondence will become part of the public hearing record.

10. **REPORTS**

- 10.1 MEMBERS OF COUNCIL

- 10.1.1 Washroom Facilities at Halifax Commons

To be placed on the Status Sheet and a staff report is requested for the March meeting.

- 10.2 Membership - Halifax/Halifax County Watershed Advisory Committee

- A recommendation dated January 23, 2003 was before the Committee.

**MOVED by Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council appoint or reappoint the following as members of the Halifax/Halifax County Watershed Advisory Board and ratify reappointments of the following representatives of various community based organizations involved within the Municipality as follows:**

**Reappointments:**

**Mr. Glen Williams - District 2 - November 2005**

**Mr. Lawrence White - Chebucto Community Council - November 2005**

**Ratification of appointments:**

**Representatives from each recognized community based organization involved in watershed protection and related activities within the Municipality:**

**Dr. Wayne Stobo, SWEPS - reappointment to November 2004**

**Mr Keith Manchester, Shubenacadie Canal Commission - reappointment to November 2004.**

**Mr. Frank Hope, Woodens River Watershed Environmental Organization - reappointment to November 2005.**

**Mr. David Dwyer, Musquodoboit Harbour Area Rate-Payers & Residents Association, (MHARRA) (previously he represented Petpeswick Inlet Property Owners Association)**

**Mr. Walter Regan, Sackville River Association - reappointment to November 2004**

**Mr. Shalom Mandaville, Soil and Water Conservation Society of Metro Halifax - reappointment to November 2004.**

**New Applicants:**

**Dr. Spencer H.S. Lee, District 13 - Appointment to November 2005**

**Ms. Christine Anne Smith, under Clause "d" Terms of Reference - Appointment to November 2005**

**Ms. Janis Rod, under Clause "d" of the Terms of Reference - Appointment to November 2005.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

10.3 Case # 00538: Cost-sharing for Oversized Streets, Glenbourne Subdivision, Halifax

- A staff report dated January 29, 2003 was before the Committee.

**MOVED by Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council recommend to Regional Council that they:**

1. **Approve a municipal expenditure in an amount not exceeding \$34,998 (HST included in total) from account CDC00111 (Oversize Streets) to allow for payment of previous cost-sharing obligations to Annapolis Group Incorporated for over sizing a municipal street (Parkland Drive) in accordance with the terms of Stage I and II Development Agreements, Glenbourne**

**Subdivision, Phase 5B.**

2. **Pending approval of funds in the 2003/04 Budget, approve a municipal expenditure in an amount not exceeding \$953,718 (HST included in total) from account CDC00111 (Oversize Streets) to allow for cost sharing with Fares Development Partnership for over sizing a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/04 Capital Budget, in accordance with the terms of Stage I and II Development Agreements, Glenbourne Subdivision, Phases 3B and 5A.**
  
3. **Pending approval of funds in the 2003/04 Budget, approve a municipal expenditure in an amount not exceeding \$28,525 (HST included in total) from account CDC00111 (Oversize Streets) to allow for cost sharing with Cygnet Properties Limited for over sizing a portion (sidewalk only) of a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/04 Capital Budget, in accordance with the terms of Stage I Development Agreement, Glenbourne Subdivision.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

This item is to be brought forward to the February 11, 2003 Regional Council meeting.

**11. MOTIONS - None**

**12. ADDED ITEMS**

- 12.1 Revision of page five (5) of the December 2, 2002 Chebucto Community Council minutes

Councillor Walker explained that due to a clerical error, the motion of December 2, 2002 regarding Case # 00066: Applications for Rezoning and Development Agreement, Governor's Brook Subdivision, Mainland South, Halifax included items 3, 4 and 5. He further explained that the motion read into the record on December 2, 2002 included only Items 1 and 2 as the motion was to give notice of motion and to set a date for the public hearing only.

**MOVED by Councillor Walker, seconded by Councillor Whalen that page five (5) of the December 2, 2002 minutes be amended by removing items 3, 4 and 5 from the motion regarding Case #00066: Applications for Rezoning and Development Agreement, Governor's Brook Subdivision, Mainland South, Halifax. MOTION PUT AND PASSED UNANIMOUSLY.**

12.2 Blasting Update

- < Mr. Peter Duncan, Manager of Development Engineering, gave a brief, verbal update on the Blasting By-Law.

Mr. Duncan reported that there is a staff team conducting a thorough review of blasting regulations including: measuring of noise levels, soil shock levels, monitoring procedures and pre-blast surveys. He further explained that two focus groups have been formed; a Private Industry Focus Group and a Citizens Focus Group. Mr. Duncan added that there will be recommendations prepared by the end of February and a Public Hearing may be held in March 2003.

**13. NOTICES OF MOTION - None**

**14. PUBLIC PARTICIPATION**

14.1 Budget Process

- Mr. Gordon Roussel, Budget Coordinator for HRM, assisted by Mr. Bruce Fisher, Manager, Financial Planning for HRM, with the aid of overhead transparencies, gave a presentation on the Budget Process 2003/2004 fiscal year.

Mr. Gordon Roussel reported on the following topics from the Budget Presentation 2003/2004 brief.

- Where we are Today
- Moving Forward - Strategic Initiatives
- Budget Process
- The Capital Budget Shortfall
- Total Assessment Values (2002-03 and 2003-04)
- Fiscal Changes
- Options
- Public Participation

14.2 Public Participation

This item was deferred to the next meeting.

**8. PUBLIC HEARING**

- 8.1 Case # 00066: Applications for Rezoning and Development Agreement, Governor's Brook, Mainland South

- A staff report dated November 20, 2002 was before the Community Council.

Mr. Gary Porter, Planner II - Western Region, presented the staff report dated November 20, 2002. Mr. Porter explained that before a development agreement could be approved, the MPS (Municipal Planning Strategy) must be adhered to. He further commented that delays in regards to traffic on the Armdale Rotary could occur but would be minimal as the development would be phased in over a twenty (20) year period with a limit of fifty (50) dwellings per year. Mr. Porter commented that the sewer system would be enhanced or renovated, at the Developer's expense, if required before the completion of the Herring Cove Sewage Treatment Plant. He added that the developer has indicated that 194 acres would be donated as Conservation Land if the development agreement is approved. Mr. Porter commented that concerns regarding environmentally sensitive areas were addressed in the staff report as follows: tree cover, p. 21, exposed bedrock, p. 22, wetlands & streams, p. 22 and slopes, p. 23. He further commented that the sloping areas would be mostly in the 194 acre area deeded to HRM as Conservation Land and that the developer would have to show how the land would be stabilized before construction would begin on a sloping area.

Mr. Porter concluded his presentation by commenting that staff recommend approval of the rezoning and development agreement as the MPS requirements have been addressed in this application.

Councillor Mosher then opened the public hearing by explaining the guidelines that would be followed. She explained that each speaker would have five (5) minutes in which to present their comments and that there would be no debate or comments during or after a person's presentation.

### PUBLIC SPEAKERS

#### Shalom Mandaville

Mr. Mandaville commented that a report by a qualified Liminologist is required before this development agreement can be approved. He further requested that Regional Council say "No" to lawn fertilizers in this new development as they will affect the waterways. Also, he suggested that HRM hire a biologist to do an annual report on the accumulated affects on Macintosh Run and the fish and larvae found on the bottom of the lakes and streams. Mr. Mandaville submitted copies of reports from Minneapolis and New York.

#### Kevin McCush

Mr. McCush introduced himself as President of Bicycle Nova Scotia. He commented that the area in the proposed development agreement contains a popular trail system that is well used.

He further commented that there must be adequate opportunity for recreation within city limits - not only managed but unmanaged areas such as Long Lake etc. Mr. McCush added that everyone should be permitted to enjoy outdoor recreation and the trail system in this area attracts people from other parts of the province for birdwatching/hiking/bicycling.

Alexander Fisher

Mr. Fisher, Ecology Action Wilderness Committee commented that he is in agreement with the Williams Lake Conservation Group in regards to the recreation value of Williams Lake and Colpitts Lake. He further commented that noise and water quality is also a concern if this development was to proceed. He stated that people move into the area for recreation. Mr. Fisher also expressed concern with the loss of the forested region due to development. He also commented that in regards to the traffic issue, without a Regional Plan, he cannot agree with the Development Agreement.

Mr. F.C. Robinson

Mr. Robinson commented that the proposed development area is a large natural area. He referred to the North West Arm Drive area where new developments have little or no landscaping. Mr. Robinson stated that 200 years ago our ancestors obtained Point Pleasant Park and there is a similar opportunity for preservation with Colpitts Lake/Williams Lake. He further commented that this suburban natural area of unique habitats - rock, swamp, lakes, ponds and forest, has maintained its pristine state and has been untouched by man, has survived a fire and should be left as it is. He commented that sewers/roads and other services would be a costly nightmare. Mr. Robinson added that the area draining to Williams Lake and Colpitts Lake are important for water levels and encroachment of these waterways, due to topography, could be drastic. He suggested that this area be designated as a Park & Recreation area which would have no expense.

Eleanor Reynolds

Ms. Reynolds commented that she represented the Jubilee Neighbourhood Committee and expressed their objection to the proposed development for the following reasons:

- < inner city streets bombarded by noise and traffic and pollution
- < 24,000 vehicles per day on Quinpool Road currently

She questioned if HRM staff did an Impact Study on traffic and suggested that there be three lanes on Quinpool Road and Jubilee Road during rush hour in the mornings. Ms. Reynolds emphasized that the residents do not want a band-aid solution as they care about the environment and suburbs.

Mr. Leslie Jaeger

Ms. Jaeger commented on the issue of run-off to Williams Lake and Colpitts Lake that will be directed to MacIntosh run to avoid “dirty” run-off to Williams Lake and Colpitts Lake and stated that if the run-off is redirected - has a quantitative estimate been made as to the affect of the lake levels? Mr. Gary Porter, Planner II, replied that no quantitative estimate had been done.

Martin Willison

Mr. Willison made reference to the Policy of Mainland South Secondary Planning Strategy - 1998 City of Halifax Policy - specific environmentally sensitive maps are adopted which included areas of exposed bedrock, tree cover and slopes as environmentally sensitive areas to be protected. He further added that in Policy 7.3 when development proposals are being considered the city must protect those environmentally sensitive areas. He further commented that the proposed development agreement indicates there will be a conservation area but there will be roads into that area. He also stated that the flora and fauna would be affected by the blasting of bedrock.

Earl Wagner

Mr. Wagner stated that the holding area is a pristine wilderness and that the lake water is still good for swimming and is enjoyed by 200 or more people per day. He further commented that the blasting and digging will result in run-off that will contaminate the waterways. Mr. Wagner commented that the Developer says he will ensure the environment is protected but historically this doesn't happen. He further commented that the increase in traffic volume at the Armdale Rotary requires improvement of the this area by traveling over, under or around the Rotary. Mr. Wagner stated that he is in favour of well planned and executed developments and requested that Chebucto Community Council suspend decision on this application until it is sure there will be no detriment to the environment or citizens.

Corine Tyne

Ms. Tyne commented that previously, in the 1998 staff report, Mr. Gary Porter said “development should not proceed until sewage treatment system is in place”. She further commented that the current sewer system cannot accommodate current system and residents and to develop without the new sewage treatment facility is foolhardy. Ms. Tyne commented that to protect the inland waters a 100' setback is required but this has been violated for example at Theakston Road where curb rubbish was brought in to fill the run; this is not leaving a 100' setback. She further commented that the trees were completely leveled and the area filled in near Roaches Pond. Ms. Tyne commented that the residents have to be vigilant to be sure the Developer doesn't violate the rules in place. She commented that another example is Governor's Brook which is now going through a culvert and this was not supposed to be. Ms. Tyne commented that such incidents are not investing in our community.

Tim O'Leary

Mr. O'Leary commented that there is no official development plan for Halifax Mainland South and that the redevelopment plan for this area is a bad one simply due to the environmental issues and there is no good reason for it to go forward. He further commented that only to sustain existing infrastructure was not a good enough reason to go ahead with this development.

Walter Regan

Mr. Regan, Sackville Rivers Association, commented that a Master Plan for this area must be done first as well as an environmental assessment to show protection of wetlands/ watercourses and that the HRM Water Resource Policy should apply here as well. He further suggested that an EIA should be done and that no development should be allowed until the Regional Planning is done and passed and the decision on this development should wait until the Regional Plan is passed. Mr. Regan added that in Upper Sackville there are only five (5) lots developed per year and suggested a By-Law be written in this regard to limit the number of lots developed in this area as well. Mr. Regan suggested a detailed base line study should be part of this Development Agreement and development should be restricted until the sewage treatment facility is completed.

Dr. Ashan Jr.

Dr. Ashan Jr. commented that the proposed Development Agreement should not proceed until the sewer problem is addressed and there is protection of Williams Lake/Colpitts Lake as well as review of the impact on traffic congestion on the Armdale Rotary. Dr. Ashan Jr. offered the following possible solutions to the traffic problems at the Rotary:

- ! bottleneck affect resolved by restructuring the Armdale Rotary into an Interchange with two entrances in/out similar to the Queens Interchange in New York
- ! traffic from Dutch Village Road would go to Quinpool Road
- ! traffic from St. Margaret's Bay Road would go to Chebucto Road by skyway over the rotary
- ! traffic from Herring Cove Road would go to expanded Quinpool Road
- ! expand Quinpool Road to three times the current size and have one lane occupied with traffic coming from Dutch Village Road and other routes for Herring Cove - call it "Expanded Quinpool Road North" this plan would include part of the North West Arm water
- ! build a bridge from Robie Street (south) to Saraguay River

Phillip Saunders

Mr. Saunders commented that HRM shall protect environmental areas and should ensure that these areas are adequately protected from blasting. He referred to Policy 7.1 which limits the amount of protection and under Policy 7.3 for environmentally sensitive areas, he commented that there is not one word about protection. Mr. Saunders further commented that the staff report is based on fundamental misreading of Policies 7.1 and 7.3 and that the correct reading states that HRM shall protect, not should. He further stated that blasting of bedrock cannot be construed as protection.

#### Patricia Manual

Ms. Manual commented that she hikes in the area of the proposed development and stated that she agrees with previous comments regarding Policy 7.1 and 7.3. She further commented that the development area is rich in environmentally sensitive areas such as highly fractured granite which forms a unique waterway as it holds small amounts of water that resurface at the backlands. Ms. Manual expressed concern that blasting would rearrange the features of the granite. She further commented that water would be diverted by storm drains to MacIntosh Run which is now a source of clean water flowing into Williams Lake/Colpitts Lake and that Williams Lake has clean/drinkable water. Ms. Manual expressed concern with possible low water levels by diverting the water flow. She added that the destruction of granite structure in this area is destruction of environmentally sensitive land. Ms. Manual suggested that HRM staff do a groundwater study for this area.

#### Sharon Beasley

Ms. Beasley, President, District 18 Residents Association, commented that the members of this Association live in the community and there is a need to build pride in the area. She commended Kimberley-Lloyd on this proposal and their consideration of the concerns commend Kimberly-Lloyd

- Business Association feel it is important to get as much information as possible.
- support the development
- sewage treatment - Roach's Pond will be repaired
- 30% of dev. complete when Herring Cove Sewage treatment plant done
- Armdale Rotary will support the traffic increase
- Environment - Province requires environmental study before one rock is moved
- Development required to supply watershed report
- 194 acres deeded to HRM, 50% of privately owned land
- basis of your decision has to be made on the Rec. of HRM Staff who have the training
- if it is turned down, it sends message that there is no point to be in Spryfield and area
- We need families for our schools, rec. facilities etc.
- positive impact to our neighbour

#### RECESS

**MOVED by Councillor Walker, seconded by Councillor Whalen that the meeting be recessed for ten minutes. MOTION PUT AND PASSED UNANIMOUSLY.**

The meeting reconvened at 9:20 pm.

Erin Hodge

Ms. Hodge commented that she is a proponent for Responsible Planning and is concerned that the environment could be lost for one man to make money and she would rather have the area left as it is to her children memories and a clean lake for her grandchildren to enjoy. Ms. Hodge commented that left as it is this area will be a lasting benefit to the people of Spryfield. She referred to a book by Mr. Paul Dan on 200 years of recorded history at Williams Lake and asked Community Council to decide wisely.

Brian Dempsey

Mr. Dempsey commented that the decision is based on MPS (Municipal Planning Strategy) and the Land use By-Laws. He further commented that the Nova Scotia Department of Environment has to prepare a report and that the sewage treatment plant must be completed before this development should proceed.

Alan Ruffman

Mr. Ruffman gave the following reasons as to why the proposed application should not be approved:

- ! the five (5) year updates have not been done
- ! citizens asked for a Planning Strategy for that area and then there was amalgamation and nothing happened.
- ! refer to CCBL for greenfield study - for 10 large greenfield areas
- ! HRM asking for detailed studies but doesn't have the resources to produce them
- ! 200 acres about to be Planned by a Developer not HRM or community

Mr. Ruffman further requested that Community Council abide by the MPS and let the citizens/HRM do the Regional Plan and Study and put this development aside.

Michael Vlahos

Mr. Vlahos commented that this same proposal was rejected in 1998 due to no sewage treatment plant and there is still no sewage treatment plant. He further commented that in 1999 the Community was not against the development but wanted the process slowed down to give the Community time to develop a plan. Mr. Vlahos added that he had offered to volunteer on a Committee to help with the Planning. He further commented that the rules for

development are old and that the impact assessments are a result of citizens speaking out against the development in 1999. Mr. Vlahos added that he lives on top of a rock with 4" of topsoil and grass on top of that and that the only way to keep grass alive is to fertilize and water - then it runs off into waterways. He further commented that the reality is that people will want to have green grass and that he let his grass die so as not to pollute the waterways with run-off. Mr. Vlahos added that the storm drain at the bottom of St. Michael's Ave. overflows in heavy rains and on six (6) different occasions the manhole cover at the bottom of Theakston Ave. was lifted by run-off. He added that one issue not discussed in the staff report was that a new High School will be needed in the future for the Spryfield area. He also expressed concern with the traffic on the Armdale Rotary.

Mark Dietrich

Mr. Dietrich commented that he is a member of the Sierra Club of Canada which is the oldest and largest environmental organization in North America. He further commented that the Sierra Club has met with the proponents of this development and that the Sierra Club of Canada stands opposed to development of this area. Mr. Dietrich added that the Sierra Club of Canada are willing to meet with the proponents again to see if the proponents can change the Sierra Club's decision.

David Wimberley

Mr. Wimberley commented that he is against the project and that the Ecological issue is a shall not a may. He added that the new Planning Process will be too restrictive and that is why the proponents want to do it all now. Mr. Wimberley added that now the proponents are giving away half their land and that if the Community Council approves this application, they will hinder the public process. He added that the fractured bedrock would cause run off to MacIntosh Run. He also expressed concern with artificially manufactured topsoil and that the sewage treatment uses a heat and lime process. Mr. Wimberley commented that this process has been widely unpopular across the country and that Toxic Sewage Sludge will be made into topsoil and that will go into bedrock and runoff and is quite toxic. Mr. Wimberley submitted a document from the Canadian Journal of Infectious Disease and also a document from an Environmental Journal regarding sewage sludge manufacture. He commented that these documents show that the topsoil will be a toxin. Mr. Wimberley further commented that we should be demanding that every new community have its own sewage treatment plant.

Marjorie Willison

Ms. Willison commented that the HRM Planning Department has to:

- ! revise Planning status every 5 years. This has not been done. They are underfunded and understaffed.

! ensure that a development fits the policies. Part of their job is to ask does this development fit. It was brought forward before and it didn't fit. Now strategy is being adjusted to fit development i.e: Policy 7.3 - Environmentally sensitive areas shall be protected. This seems to be more about economics and not development.

Ms. Willison also expressed concerns with traffic and commented that the current staff report doesn't mention that the staff report from January 7, 1998 recommended against this development. She further commented that planning is adjusting the development until it fits the existing strategy and asked that the MPS policy 7.3 be respected.

#### Neil Bains

Mr. Bains requested Community Council vote against the application. He further commented that the Purcell's Cove back lands should be protected such as the view plans from Citadel Hill are protected. He suggested a prudent course would be to refer the request for rezoning to Regional Council. Mr. Bains added that the loss of these lands to development is irreversible and that the pristine lakes are enjoyed by thousands of people year round at no cost to HRM. He added that the quality of life in a city attracts business. Mr. Bains commented that the North West Arm extension road is part of this future project and if residents were more widely aware of this they would be even more against the development. He commented that urban sprawl is business as usual for the planning department and that the HRM 20/20 project shows that this is not what the public wants.

Mr. Bains stated that the Developer purchased the property in question, aware of the zoning. He added that Community Council is within its rights to examine the impact of blasting on this area and that the proposed development is imprudent and unpopular.

#### Martha Leary

Ms. Leary requested that the HRM Planning Department reconsider the Mainland South Strategy and that this rezoning is in contravention of the MPS. She further requested that the Planning Department review Policy 7.1 and 7.3 as this policy was put forward to clarify the Province's point of view on groundwater. Ms. Leary then quoted from the Provincial Act document: section 54, section 2(e) 61 of approval procedures which states that:

! application not considered complete unless it contains a site assessment with potential impact to Developer's ability to deal with the impacts. i.e: report from Liminologist

She further commented that:

! run-off would occur to property not owned by developer.

! HRM is putting money into Parkland area in Clayton Park - developments not only generate income but they create changes to plans

! discharge of sediment to water - need water control report

! storm water management - Staff, how will you deal with this?

Councillor Mosher commented that this is a provincial issue (Department of Environment) and

that Councillors have the report and will be questioning this.

Mr. Peters

Mr. Peters questioned whether there was a mechanism in place to ensure the developer addresses the issue on p. 22 of the staff report, 3<sup>rd</sup> paragraph referring to *“An identified concern relates to the ability of blasted rock surface to retain topsoil as individual lots are landscaped. The developer intends to have a geotechnical engineer fully address the issue at the time of detailed design.”*

Reg Horner

Mr. Horner commented that for the record, the Developer has advertised with his paper. Mr. Horner made the following comments stating he is in favour of the development:

- ! 1) believes in Social justice for all parties
- ! 2) right of communities, who speaks for Spryfield?
- ! 3) benefits economically and socially outweigh the negative effects
- ! 4) in favor of community based Planning rather than developer Plan
- ! Do not favour dumping more run-off into MacIntosh Run, do not want more sewage dumped into mouth of Herring Cove, supports sewage treatment plant, does not support destruction of environmentally sensitive areas - trees, flora and fauna
- ! suggests an environmental impact study required by the LUB (Land Use By-law) be done before development commences
- ! not in favour of traffic on Armdale Rotary
- ! Spryfield should not continue to be held hostage to its low income environment
- ! Collective aspirations of Community based Planning, ad hoc Planning - will they share their results with the community.

Teresa Cursey

Ms. Cursey made the following comments in opposition to the propped development:

- ! trees being cut/some are rotting and falling down and without public opinion we would lose all our trees/parks etc.
- ! traffic issue at rotary
- ! don't cut down the environment for a development
- ! Business owners in area don't feel the trees should be cut down to put in houses
- ! need more in area than a grocery store and a liquor store and homes that are so close together you can see your neighbours in their bathroom.
- ! have to protect environmentally sensitive areas
- ! Our community is very proud
- ! I like being able to see the lakes
- ! no garbage cans on Herring Cove Road, why not put those in before building more

homes?

David Alders

Mr. Alders commented that this proposed development has divided the proud community and he would not like to see businesses go but doesn't want the environment damaged either. He requested that Chebucto Community Council delay this decision until the community has an opportunity to take part in a Planning Strategy as the community wants to have a say in how development will progress in there area.

Graeme Read

Mr. Graeme Read commented that he is a former member of the HRM Planning Advisory Committee and further stated that more subdivisions are not needed. Mr. Read added that HRM will have more than enough capacity to accept the population growth and that on the Peninsula there are business opportunities as businesses are moving to Burnside. He asked where the pro-active planners were and suggested that residences could be developed in the North End of Halifax as the businesses move out. Mr. Read suggested that this development wait until planning strategies have been reviewed and environmental issues are addressed. He also referred to p. 12 of the staff report regarding the GoPlan. Mr. Read also commented that the exposed bedrock in the proposed development area is a desirable feature of the landscape.

Charlie Reardon

Mr. Reardon commented that development in the Spryfield area has been neglected for 20 years and that the HRM Planning Department has to develop an overall plan for Spryfield as there are hundreds of acres available. He added that a Master Plan must be made with the development agreement and could be completed by the end of February 2003. Mr. Reardon also added that business people in the Spryfield area are becoming active and vocal and that Spryfield needs to be included in the Regional Council/Stakeholders Committee focus on planning and environment issues. Mr. Reardon also commented that the infrastructure problems such as the traffic on the Armdale Rotary will be solved by Planning and that the Armdale Rotary should not be a deterrent to development.

Hilary Marentette

Ms. Marentette commented that this proposed development and rezoning application has caused division in the community. She further commented that it was great to see all the people who came out to speak on this issue and that the citizens have shown that they want to be a part of the planning process and want to see additional planning.

Sarah Anderson

Ms. Anderson commented that policy 7.3 clearly shows that HRM shall protect the environment. She added that the Proponent offered his response to this issue stating the development will leave most of the land as it is. Ms. Anderson added that most of the land is granite and 70% of the area will be disturbed. She added that it would be wrong to approve this recommendation with the developers disregard for this issue.

Mario Demello

Mr. DeMello commented that there is a loophole on p. 3 and p. 10 of the staff report and that the development agreement regarding 50 lots per year on page 37, Section 2.11 states "subject". Mr. DeMello further commented that he does not see where the developer can change the schedule to more than 50 homes per year. He also added that traffic on the Armdale Rotary is bad at all times of the day and to get business into an area you have to market.

Melanie Dobson

Ms. Dobson commented that she is a member of the Williams Lake Conservation group and is involved with planning an area at Fleming Park that is a Community driven process. She further commented that she views this proposal as Developer driven and would like to have more public input. Ms. Dobson added that in the Mainland South Strategy it states that HRM shall hold a holding zone until municipal services are available. She stated that this service is not available so the development should wait. She expressed concern with the Mainland South Planning Strategy and the fact that this development does not meet it as once the development agreement is approved the developer could do it all at one time as he could change the plan after approval. Ms. Dobson commented that Theakston Avenue and the other streets were not designed to be a main thoroughfare. She referred to a memo from Mr. Gary Porter from the 1998 application which stated that due to the traffic issue on the Armdale Rotary, wherein it failed the test of Policy 4.2, HRM Staff recommended tabling the project. She commented that this information was not included in the staff report this time. Ms. Dobson added that not all services needed are met and this development should not be approved.

Due to time constraints, the Public Hearing was adjourned to Wednesday, February 12, 2003 at 7:00 pm. Councillor Mosher advised that only those persons who sign the form provided this evening will be able to present at that meeting and that there would be no substitution of speakers permitted.

**15. NEXT MEETING DATE - Wednesday, February 12, 2003**

**16. ADJOURNMENT**

The meeting was adjourned at 10:31 pm.

Chris Newson  
Legislative Assistant