

HALIFAX REGIONAL MUNICIPALITY

CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, May 5, 2003

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

ALSO PRESENT: Mr. Gary Porter, Planner II
Mr. Paul Sampson, Planner
Ms. Randa James, Planner
Mr. Sean Audas, Development Officer
Mr. Barry Allen, Municipal Solicitor
Ms. Chris Newson, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	4
2.	APPROVAL OF THE MINUTES.	4
2.1	Minutes of regular meeting April 7, 2003	4
2.2	Minutes of special meeting of April 15, 2003	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS.	4
4.	BUSINESS ARISING OUT OF THE MINUTES	4
4.1	Status Sheet Items	4
4.1.1	Right Turn on Red - Old Sambro Road/Herring Cove Road	4
4.1.2	Clean-up of Construction Debris, Thomas Raddall Drive	5
4.1.3	Parking Lot at Indoor Soccer Centre Thomas Raddall Drive	5
4.1.4	Mailboxes Margaret Lorne Drive - Herring Cove	5
4.1.5	Dedicated Off-leash Dog Parks	5
4.1.6	HRM Clearing/Flooding Lakes for Skating	5
4.1.7	Off-leash at Frog Pond/Sir Sandford Fleming Park	5
4.1.8	Speed Limits Bayview Road/Flamingo Drive	6
5.	MOTIONS OF RECONSIDERATION - None	6
6.	MOTIONS OF RESCISSION - None	6
7.	CONSIDERATION OF DEFERRED BUSINESS	6
7.1	<u>Case #00062: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street</u>	6
7.2	Variance Application 037260 - Old Lot 1 Purcell's Cove Road, Halifax ...	7
8.	PUBLIC HEARINGS	8
8.1	<u>Case 00214: Development Agreement - 35 Coronation Avenue, Halifax</u> .	8
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS - None	10
10.	REPORTS	11

10.1	STAFF REPORT	11
10.1.1	Project 00382: Bedford West Public Participation Committee	11
10.2	REPORT FROM DISTRICT 16 - PAC	11
10.2.1	Case 00563: Amend the Stage II Development Agreement, Phase 4B, Glenbourne Subdivision, Halifax	11
11.	MOTIONS - None	12
12.	ADDED ITEMS	12
12.1	Ketch Harbour Area Residents Association - Councillor Adams	12
12.2	Notice to Chebucto Community Council Webpage - Councillor Whalen ..	13
13.	NOTICES OF MOTION - None	13
14.	PUBLIC PARTICIPATION	13
15.	NEXT MEETING DATE	14
16.	ADJOURNMENT	14

1. **CALL TO ORDER**

The meeting was called to order at 7:00 pm in the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

2. APPROVAL OF MINUTES

2.1 Minutes of Regular Meeting April 7, 2003

MOVED BY Councillor Walker, seconded by Councillor Adams , that the minutes of the regular meeting of April 7, 2003, be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

2.2 Minutes of Special Meeting of April 15, 2003

MOVED BY Councillor Whalen, seconded by Councillor Walker, that the minutes of the special meeting held on April 15, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

ADDITIONS:

- 12.1 Ketch Harbour Area Residents Association Concerns- Councillor Adams
- 12.2 Announcement to Chebucto Community Council Webpage - Councillor Whalen

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 Right Turn on Red - Old Sambro Road/Herring Cove Road

! An Information Report, dated April 22, 2003 was before the Committee.

MOVED BY Councillor Adams, seconded by Councillor Walker that a subsequent information report from the Traffic Authority be supplied for the June 2, 2003 meeting explaining the rational for no right turn on red at the Old Sambro Road/Herring Cove Road intersection while a similar turn is permitted at the intersection of University

Avenue/Robie Street and at the Bedford Fire Station on the Bedford Highway considering there are crosswalks at both locations. MOTION PUT AND PASSED UNANIMOUSLY.

4.1.2 Clean-up of Construction Debris, Thomas Raddall Drive

Councillor Whalen requested that a second request be sent to Mr. Peter Bigelow concerning the clean-up of construction debris at Thomas Raddall Drive advising him that attention to this matter is urgent.

4.1.3 Parking Lot at Indoor Soccer Centre Thomas Raddall Drive

Councillor Whalen requested that this item remain on the status sheet until issue is resolved.

4.1.4 Mailboxes Margaret Lorne Drive - Herring Cove

Councillor Adams advised that Canada Post would consider placing a cement pad under the mailboxes but it is not their policy to provide a shelter. Councillor Adams requested that a letter be sent to Canada Post thanking them for their attention to this matter. To be removed from the Status Sheet.

4.1.5 Dedicated Off-leash Dog Parks

Councillor Whalen advised that there is a demand throughout HRM for Off-leash Dog Parks and currently only Seaview Park is dedicated as an Off-Leash Dog Park.

MOVED BY Councillor Whalen, seconded by Councillor Adams that Chebucto Community Council recommend to Regional Council that there be a staff report requested considering Off-Leash Dog Parks for HRM. MOTION PUT AND PASSED UNANIMOUSLY. To be removed from the Status Sheet.

4.1.6 HRM Clearing/Flooding Lakes for Skating

To remain on the Status Sheet until Fall 2003.

4.1.7 Off-leash at Frog Pond/Sir Sandford Fleming Park

Councillor Mosher advised that there has been no further update on this issue. A report is requested for the June 2, 2003 meeting. To remain on the Status Sheet.

4.1.8 Speed Limits Bayview Road/Flamingo Drive

Councillor Whalen commented that HRM staff and Provincial staff are conducting a study concerning reducing residential speed limits and expressed concern with the length of time it would take to obtain results from the study. She suggested another letter be sent to the provincial Minister of Transportation concerning the right to reduce speed limits on residential streets and that recent accident statistics from Bayview Drive be included along with a copy of the previous report.

Councillor Adams commented that he had received a phone call from MLA Mary Ann McGrath who mentioned that Minister Michael Baker will give immediate consideration to any requests received on this matter.

Councillor Mosher added that she would like for Crown Drive and the Dingle Road from District 17 to be included in this request for reduction in speed limits to residential streets.

MOVED BY Councillor Whalen, seconded by Councillor Walker, that two letters be sent to Minister Baker, Provincial Department of Transportation, regarding the right to restrict speed limits on residential streets from 50 km per hour to 30 km per hour specifically for Bayview Drive, Flamingo Road in District 16 and Crown Drive, the Dingle Road in District 17. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Whalen advised that Chebucto Community Council's first request to the Province was asking for special consideration for a pilot project to reduce residential speed limits for Bayview Drive/Flamingo Road.

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RESCISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Case #00062: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for Block F, Kelly Street

! A staff report, dated February 17, 2003, was before the Committee.

Ms. Randa James, Planner, gave a brief overview of the staff report. A copy of the report is on file in the Municipal Clerk's Office.

Ms. James commented that the minutes from the public information meeting, included in the staff report, have been modified at Councillor Walker's request to show the Councillor's in attendance at that meeting.

MOVED BY Councillor Walker, seconded by Councillor Whalen that a 20' non disturbance zone be clearly understood to be a requirement. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Whalen asked what the density calculation would be for this proposed development. Ms. James commented that there would not be a density calculation until an actual proposal was filed. Councillor Whalen requested a minimum/maximum range for density.

Councillor Mosher requested that the information regarding the calculation range for density be brought to Regional Council.

MOVED BY Councillor Adams, seconded by Councillor Walker that Chebucto Community Council recommend that Regional Council:

- 1. Give First Reading to the proposed amendments as amended to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw, presented as Attachment I, and to schedule the public hearing for June 17, 2003.**
- 2. Approve the amendments to the Halifax Municipal Planning Strategy and the Halifax Mainland Land Use Bylaw as contained in Attachment I and as amended.**

MOTION PUT AND PASSED UNANIMOUSLY.

7.2 Variance Application 03720 - Old Lot 1 Purcell's Cove Road, Halifax

A supplemental staff report, dated May 2, 2003, was before the Committee

Mr. Sean Audas, Development Officer, gave a brief presentation of the staff report. He added that as requested, a meeting was held with staff, Councillors and the parties in question. The staff report indicated the response to issues raised.

Mr. Audas, added that Mr. Neil Bergman was the owner of Military Road, the proposed alternate access route to Mr. & Mrs. Boutilier's property. He further commented that Military Road did not have any of the components required for it to become a Municipal Road such as a minimum width of 18'.

Councillor Mosher offered the three parties involved an opportunity to comment.

Ms. Boutilier, 5557 Stoneham Court

- the Murphy family takes care of Military Road
- regarding to the septic system, was told no blasting is done
- driveway would only be 14', rest of area could be left grass as it would be more expensive to put in a 20' driveway
- issue is about the house not the driveway
- don't understand why we would be turned down because of the driveway

Mr. Terry MacAulay

! due to the possibility of a change in ownership and that the new owners may not follow through with the offer to construct and maintain a fence the offer was not acceptable unless it could be in a written legal agreement

Mr. John Paul Cyr, 571 Purcell's Cove Road

! fence is acceptable
! how deep will the driveway be and what will it look like?
! limited as to where I can put a well and septic. If I have to move it , I may not have the room.

Councillor Adams suggested this issue be deferred to permit an additional meeting between the interested parties.

MOVED BY Councillor Adams, seconded by Councillor Walker that a decision be deferred until the parties involved arrange to meet, date to be set this week by Mr. Sean Audas, and an agreeable solution is found. MOTION PUT AND PASSED UNANIMOUSLY.

8. PUBLIC HEARINGS

8.1 Case 00214: Development Agreement - 35 Coronation Avenue, Halifax

- A staff report, dated April 1, 2003, was before the Committee.

Mr. Gary Porter, Planner II, presented the staff report.

Councilor Mosher opened the public hearing and called for any speakers for or against the application.

Roberto Menendaz

Mr. Menendaz explained that in February 2000 an application was made and a PIM (Public Information Meeting) was held in March. He commented that during the information meeting the public brought forward issues that the developer has considered and have made the

following changes to their original application:

- ! reducing from 10 units down to 8
- ! cul-de-sac at end of road
- ! staggered the design, enhanced location of buildings on the lot
- ! held another PIM in May 2002 which gave the impression that the changes were acceptable
- ! the community brought forward the issue of visitor parking which has been increased to 8 spaces
- ! Water Commission has reported that the water meets the requirement

Mr. Menendaz concluded by stating that the developer believes a good proposal has been achieved with a good design resulting in development to an area that is neglected at this time.

Councillor Walker asked when the cul-de-sac would be constructed if this application were approved to which Mr. Menendaz responded within three months.

Gerry Callahan, 36 Coronation Avenue

- ! what will the retainer wall be replaced with, a cement wall or other material?
- ! not a lot of land there, where will they put the snow?
- ! on the Coronation side, will there be landscaping there, will there be trees planted?

Mr. Gary Porter responded that in the development agreement, page 7, section 24, there are provisions for landscaping.

- ! will they be digging up the street for the sewer line? Also, our water pressure is not the greatest and ten more units flushing water will affect my water pressure.

Mr. Gary Porter responded that the Water Commission has assured HRM that the standards are okay.

Mr. Robert Burns, 47 Coronation Ave.

- ! concern with parking problem, 3 bedroom town homes with two parking spots plus garage for each unit. I will have problems parking on my street.

Mr. Gary Porter explained that there is a garage and a driveway per unit plus the additional eight visitor parking spots.

Ms. Doris Callaghan, Coronation Street

- ! want to see something there but is this tight space for the land we have?
- ! entrance is narrow going into the lot
- ! where is everyone going to park? We've experienced parking problems when the bowling alley was there. Concern with ambulances getting in in time.

! we want to see something but not 8.

Councillor Mosher made the third and final call for any speakers for or against this application.

MOVED BY Councillor Walker, seconded by Councillor Whalen that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Walker commented that ten years is too long to have a vacant property in the area and that eight units are better than the original ten, the developer has turned the units around, there is vinyl siding, the turning circle is now agreed upon which the developer has to build and any concerns with water have been addressed by the Water Commission. He added that he would like the turning circle completed and the street redone this summer.

Councillor Walker also commented that there are three parking spaces per unit which is more than most in HRM. He added that in regards to snow removal, if there is a problem, the residents are to contact him.

MOVED BY Councillor Walker, seconded by Councillor Adams, that Chebucto Community Council:

1. **Approve the development agreement, being Attachment "A", to permit construction of eight townhouse units at 35 Coronation Avenue, Halifax.**
2. **Further, that road construction shall be completed by the end of November 2003.**
3. **Require that the development agreement be signed by the applicant 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.

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

10. **REPORTS**

10.1 **STAFF REPORT**

10.1.1 Project 00382: Bedford West Public Participation

Committee

! A staff report dated, April 10, 2003, was before the Committee.

MOVED BY Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council appoint two representatives from District 16, as named below, to serve on the Bedford West Public Participation Committee.

**Mr. George Dickey
Mr. Tim McIntyre**

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 REPORT FROM DISTRICT 16 - PAC

10.2.1 Case 00563: Amend the Stage II Development Agreement, Phase 4B, Glenbourne Subdivision, Halifax

! A staff report dated, March 28, 2003, was before the Committee
! A memo from District 16 - PAC, dated April 25, 2003, recommending approval was before the Committee.

Councillor Whalen explained that this matter was in regards to a very minor housekeeping amendment regarding the requirement for 1/3 brick as an exterior finish.

MOVED BY Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council:

- 1. Approve the amendment to the Stage II development agreement, presented as Attachment I of the staff report dated March 28, 2003, to amend the architectural requirements in Glenbourne Subdivision, Phase 4B.**
- 2. Require 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 the 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.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Ketch Harbour Area Residents Association Concerns

MOVED BY Councillor Adams, seconded by Councillor Walker that a staff report be prepared for the June 2, 2003 meeting regarding:

- 1. funding sources for the Ketch Harbour Area Residents Association to cover insurance cost increases from \$600.00 in 2002 to \$9,000.00 for 2003 for the Government Wharf and that Heritage, Recreation Programming, Cost Sharing Insurance Options as well as the Grants Committee be considered as possible sources.**
- 2. details on possible bus service for Sambro Loop area as previously discussed with HRM staff**
- 3. forward a report to the Ketch Harbour Area Residents Association made public at a meeting in Herring Cove last year which outlined the fire service for Herring Cove and District both before and after February 28, 2002 and to include; the number of volunteers before February 28, 2002 to present and an update from Chief Eddy as to the present status of the Department in regards to the number of volunteers and service available to those residents.**

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Adams advised that residents of Ketch Harbour will be attending a meeting this month, sponsored by the Herring Cove and Area Rate Payers Association, and will be discussing the Fire Department/Services. He added that Chief Andrew Sullivan would be making a statement at this meeting.

Councillor Adams commented that he has been in contact with Mr. Ken Silver, Metro Transit, and Ms. Veronica Roche, Finance, regarding bus service to the Sambro Loop area. He advised that 8 trips per day for an estimated cost of \$39 per \$100,000 of assessment could be put into place. He requested the Legislative Assistant contact Mr. Silver regarding the earliest possible meeting date to discuss this particular service. He elaborated that the issue is not the cost but availability of a vehicle to accommodate the needs of the citizens.

NOTE: UPON CONFIRMATION WITH COUNCILLOR ADAMS, STAFF IS TO FORWARD THIS REPORT TO THE WESTERN REGION COMMUNITY COUNCIL FOR THEIR MAY 26, 2003 MEETING.

12.2 Announcement to Chebucto Community Council Webpage

**MOVED BY Councillor Whalen, seconded by Councillor Walker that the following information be placed on the Chebucto Community Council Webpage:
Community Clean-up for Power Line/Langbrae Drive area, Sunday, May 25th from 1 - 4:00 pm. MOTION PUT AND PASSED UNANIMOUSLY.**

The Community is organizing this initiative through Councillor Whalen.

13. NOTICES OF MOTION - None

Councillor Mosher left meeting at 8:30 pm. Councillor Whalen assumed the chair.

14. PUBLIC PARTICIPATION

Hiram Tiller, Clayton Park West

- ! traffic issue, improvements/completion to Lacewood Drive/Bayers Lake Business Park/102 Highway - still no action
- ! he requested that the Chair place this on the status sheet so someone could be "needed" for action

Unnamed Speaker

- ! requested the status of Halifax West High School.

Councillor Walker responded that the call for tenders (demolition) has gone out but there has been no response received to date. HRM will take care of the demolition, hopefully before or during this summer. Councillor Walker added that he would come back to the public before any development went forward.

Gerald Saunders, 255 Milsom Street

- ! requested information on a possible meeting regarding development at Fairmount Ridge.

Councillor Whalen commented that Councillor Mosher would be asked to contact him regarding this matter.

Jagoda Mankowski, 47 Feldspar Crescent

Ms. Mankowski requested that Councillor Adams meet with her this week regarding development work that has begun in her area. Councillor Adams responded that he would

meet with her and the other interested parties as soon as he has more information to relay.

Councillor Whalen responded to Mr. Tiller's earlier comments as follows:

- plan put in place 5 years ago to enlarge to 7 lanes
- proper traffic lights will be put in, proper aluminum poles and lights/street lights will be put in as well as paving
- cost to be shared 50/50 between Province and HRM
- HRM has approved the funds for this year
- Provincial Department has taken over authority of tendering and getting work done.
- we will keep the pressure on
- you are welcome to contact your MLA

Councillor Whalen requested that this issue be placed on the Status Sheet.

Councillor Walker commented that he has a meeting scheduled with the Traffic Authority in the morning concerning Bayview Road and will raise this issue as well.

Hearing no further speakers the Public Participation section was closed.

15. NEXT MEETING DATE - Monday, June 2, 2003

Councillor Walker expressed his regrets for the June 2, 2003 meeting as he will be out of Province.

16. ADJOURNMENT

The meeting was adjourned at 8:45 pm.

Chris Newson
Legislative Assistant