

CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, JULY 7, 2003

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

ALSO PRESENT: Mr. Jim Donovan, Manager, Planning Applications  
Mr. Peter Bigelow, Manager, Real Property Planning  
Mr. Ken Silver, Manager, Transit Planning and Development  
Mr. Andrew Bone, Planner  
Ms. Randa James, Planner  
Mr. Paul Sampson, Planner  
Mr. Terrance McGee, Supervisor, Procurements and Inspections  
Western Region  
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 June 2, 2003 .....	4
2.2	Minutes of special meeting June 10, 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	Duc D’Anville School Child Drop-Off/Pick-up area .....	4
4.1.2	Non-intersecting Walking Paths for Dog Walkers/General Users - Mainland Commons area .....	5
4.1.3	Off-leash Areas for Districts 17 and 18 .....	5
4.1.4	HRM Clearing/Flooding Lakes for Skating - <i>deferred to fall 2003</i> .....	5
4.1.5	Speed Limits Bayview Road/Flamingo Drive .....	5
5.	MOTIONS OF RECONSIDERATION - None .....	5
6.	MOTIONS OF RESCISSION - None .....	5
7.	CONSIDERATION OF DEFERRED BUSINESS .....	5
7.1	Variance Application 037260 - Old Lot 1 Purcell’s Cove Road, Halifax .....	5
8.	PUBLIC HEARINGS .....	5
8.1.1	<u>Case 00565</u> : Development Agreement for Operations Centre Administrative Offices for the Halifax Regional Water Commission (HRWC), Cowie Hill, Halifax. ....	6
8.1.2	<u>Case 00454</u> : Amendments to Royale Hemlocks Stage I and Stage II Development Agreements for Expansion of Hemlock Ravine Park (Friends of Hemlock Ravine) .....	7
8.1.3	<u>Case 00534</u> : Amendments to Royale Hemlocks Stage I and Stage II	

Development Agreements. ....	9
8.2 <u>OTHER HEARINGS</u> .....	5 & 14
8.2.1 <u>Fence Permit Application - 25 Parkmount Close, Halifax</u> .....	5 & 14
9. CORRESPONDENCE, PETITIONS AND DELEGATIONS .....	14
10. REPORTS .....	14
<b>10.1 STAFF REPORTS</b> .....	14
10.1.1 <u>Case 00582</u> : Amendment to Development Agreement, Stoneridge on the Park, Halifax .....	14
10.1.2 <u>Case 00435</u> : Request to Amend the Halifax Municipal Planning Strategy and Land Use By-law for 7, 9, 11 and 13 Springvale Avenue, Halifax. ....	14
10.1.3 <u>Case 00569</u> : Application for Lot Modification Development Agreement, 14 Withrod Drive, Halifax. ....	16
<b>10.2 REPORTS FROM DISTRICT 16 - PAC</b> .....	16
10.2.1 <u>Case 00580</u> : Proposed Wireless Communication Equipment, 35 Montgomery Court, Halifax .....	16
10.2.2 <u>Case 00530</u> : Application for Stage I Development Agreement, Lot A-2a, Parkland Drive .....	16
11. MOTIONS - None .....	17
12. ADDED ITEMS .....	17
12.1 Metro Transit Buses on Lancaster Drive - Councillor Whalen .....	17
12.2 Chebucto Community Council Summer Meeting Schedule - Councillor Adams .....	17
13. NOTICES OF MOTION - None .....	17
14. PUBLIC PARTICIPATION .....	17

15.	NEXT MEETING DATE .....	17
16.	ADJOURNMENT .....	17
1.	<b><u>CALL TO ORDER</u></b>	

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 June 2, 2003

**MOVED BY Councillor Adams, seconded by Councillor Whalen that the minutes of June 2, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

2.2 Minutes of Special Meeting of June 10, 2003

**MOVED BY Councillor Walker, seconded by Councillor Whalen that the minutes of the special meeting held on June 10, 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 Metro Transit Buses on Lancaster Drive - Councillor Whalen
- 12.2 Chebucto Community Council Summer Meeting Schedule - Councillor Adams

MOVE FORWARD:

Move Item 8.2.1 forward to beginning of Public Hearings.

**MOVED BY Councillor Adams, seconded by Councillor Walker 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 Duc D'Anville School Child Drop-Off/Pick-up Area

An Information Report dated June 10, 2003 was before the Community Council.

Councillor Walker advised support of staff recommendation maintaining the status quo in regards to parking at Duc D'Anville School. This item to be removed from the status sheet.

4.1.2 Non-intersecting Walking Paths for Dog Walkers/General Users - Mainland Commons Area

Councillor Whalen requested a staff report for the August 25, 2003 meeting.

4.1.3 Off-leash Areas for Districts 17 and 18

Councillor Adams requested a staff report for the August 25, 2003 meeting.

4.1.4 HRM Clearing/Flooding Lakes for Skating

This item has been deferred to the fall of 2003.

4.1.5 Speed Limits Bayview Road/Flamingo Drive

Councillor Walker advised that a response has been received from Minister Baker approving the request for a reduction in speed limits on residential streets in this area. He further advised that HRM staff are working toward implementing these changes. This item to be removed from the Status Sheet.

**5. MOTIONS OF RECONSIDERATION - None**

**6. MOTIONS OF RESCISSION - None**

**7. CONSIDERATION OF DEFERRED BUSINESS**

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

**MOVED BY Councillor Adams, seconded by Councillor Walker that this item be deferred until all parties are available to attend a regular meeting or special meeting of Chebucto Community Council. MOTION PUT AND PASSED UNANIMOUSLY.**

**8. PUBLIC HEARINGS**

Councillor Mosher reviewed the guidelines/procedures for public hearings.

**8.2 OTHER HEARINGS**

8.2.1 Fence Permit Application - 25 Parkmount Close, Halifax

! A staff report dated June 16, 2003 was before the Community Council.

Mr. Terrance McGee, Supervisor, Procurements and Inspections Western Region, presented the staff report. He advised that the building by-laws do not allow Building Inspectors to approve fences in excess of 6.5 feet, therefore the application is before the Community Council for recommendation of approval.

**MOVED BY Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council approve the application to issue a Construction Permit for a fence in excess of 6.5 feet at 25 Parkmount Close, Halifax. MOTION PUT AND PASSED UNANIMOUSLY.**

8.1.1 Case 00565: Development Agreement for Operations Centre Administrative Offices for the Halifax Regional Water Commission (HRWC), Cowie Hill, Halifax.

! A staff report dated, May 22, 2003 was before the Community Council.

Mr. Paul Sampson, Planner, presented the staff report.

Councillor Mosher opened the public hearing and called for any members of the public wishing to speak for or against the application.

**Mr. Jamie Hannam, Chief Engineer, Halifax Regional Water Commission**

Mr. Hannam commented that HRWC (Halifax Regional Water Commission) has been at its current location on Lady Hammond Road for over fifty (50) years and has outgrown the facility. He advised that relocation to the HRM owned property in Cowie Hill would be cost effective and operationally efficient. Mr. Hannam explained the Cowie Hill site is centered within the operational district in the west region and offers direct access to the Dunbrack corridor which is host to most major transmission and operational infrastructure.

Councillor Mosher gave third and final call for any speakers, hearing no further speakers, the public hearing was closed.

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

1. **Approve the proposed development agreement; and,**

2. **Require the development 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 is later; otherwise this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED UNANIMOUSLY.**

8.1.2 Case 00454: Amendments to Royale Hemlocks Stage I and Stage II Development Agreements for Expansion of Hemlock Ravine Park (Friends of Hemlock Ravine)

- ! A staff report dated May 30, 2003 was before Community Council.
- ! A supplemental Memorandum dated June 22, 2003 was before Community Council.

Mr. Andrew Bone, Planner, presented the report.

Councillor Mosher opened the public hearing and called for any members of the public wishing to speak for or against the application.

**Mr. Colin Stewart, President of Friends of Hemlock Ravine, 17 Lodge Drive**

Mr. Stewart explained the Friends of Hemlock Ravine organization came into existence after the surprise loss of three (3) acres of old growth hemlock which was thought to be part of Hemlock Ravine Park. He added that the organization then began looking at park boundaries and proposed developments for the area. Mr. Stewart presented two maps showing the current development proposal and the proposal by Friends of Hemlock Ravine.

Mr. Stewart explained that the elimination of part of the proposed street that would have gone through the lower ridge of the ravine, which is the most important natural feature to be preserved, made it very important for the organization to work with the developer to obtain that land for the park. He further added that the solution was to split the street in two and the major part of the trade off was to allow two 65 unit apartment buildings. Mr. Stewart commented that the developer, Kimberly-Lloyd, has been agreeable to suggestions from Friends of Hemlock Ravine and has agreed to dedicate the six (6) acres to the park.

**Mr. Frank Medjuck, Emscote Ltd., property owner immediately adjacent to the North**

Mr. Medjuck advised that Emscote Ltd. is in favour of the application for the "landswap". He expressed concern with the additional 48 units creating additional cars on the Bedford Highway and commented that the 48 units should not come out of the Master Plan area for the Bedford South/Wentworth area. He added that if the phrase is "delaying" the 48 units to later, then we have to be sure it is delayed until the Bicentennial Interchange is built.

**Mr. Mike Hanusiack, Senior Vice-President and General Manager of Clayton Developments Ltd., property owner in Bedford South/Wentworth area**

Mr. Hanusiack commented that Clayton Developments Ltd. supports the proposed amendments but requested clarification on the unit count and what can be developed in regards to the Master Plan for this area, pre-interchange and post interchange.

Councillor Mosher gave third and final call for speakers for or against, hearing no further speakers the public hearing was closed.

Councillor Whalen requested that Mr. Andrew Bone, Planner, respond to the questions raised by the speakers. Mr. Bone advised that the reconfiguration/reallocation of development rights in this area and the conversion of single family to apartment units would increase the unit count by 48 units. He further advised that the clause being proposed, included in the supplemental Memorandum dated June 22, 2003, section 5.10 found on page 9, states that:

*"The Developer shall not seek subdivision approval of parcels that would be capable of accommodating the last 48 dwelling units of the development until construction of the Wentworth/Bedford South Interchange on the Bicentennial Highway."...*

Mr. Bone read the clause in its entirety and commented that approval of the 48 units is deferred until construction of the interchange. Mr. Bone added that there is approval for 1150 units in the Royale Hemlocks area under current development agreements. He added that in areas "A" and "C" there are a further 543 units approved. He clarified that based on the 2000 maximum total, there are 307 units undeveloped/unapproved at this time. Mr. Bone added that without clause 5.10, the additional 48 units for the Royale Hemlocks development would come out of the 2000 maximum for the Master Plan area.

Councillor Walker expressed concern with the second part of section 5.10 being included, which would allow developers to ask for increases. Mr. Bone deferred the response to Mr. Stewart or Mr. Gary Pearce. Mr. Colin Stewart responded that his understanding was that although the unit count has changed the traffic volume would not change as apartment units traditionally have fewer cars per unit. He further explained that if the traffic study shows there would be no increase in traffic due to the change, the developer could ask for permission to build the additional 48 units before the construction of the Wentworth/Bedford South Interchange. Mr. Gary Pearce, Kimberly-Lloyd, added that the intent was not to prejudice the adjacent development rather the onus was on Kimberly-Lloyd to show that the 48 units would not be a detriment to traffic utilizing the Bedford Highway.

Mr. Andrew Bone advised that in conjunction with the traffic study an amendment to the secondary planning strategy would have to be requested to change the 2000 cap currently in place for this area. Councillor Walker requested that this be made clear as it appears that if you have the right traffic study you could get approval for the 48 units over and above the 1150.

Councillor Whalen requested that it be made clear that public input would be required for any changes to the Municipal Planning Strategy policy and that these changes could not be done

administratively but would require public notification and input. Mr. Bone added that Community Council could add this as an amendment to the recommendation.

In consultation with Mr. Barry Allen, Municipal Solicitor, it was determined that by changing the first "or" to "and" in the second sentence of section 5.10, found on page 9 of the Memorandum dated June 22, 2003, would be clear indication that the issue would be required to come before Community Council and would involve a public process. Councillor Adams clarified that the changes would still be contingent on a traffic study.

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

- 1. Approve the amending Stage I development agreement for Royale Hemlocks, presented as Attachment "A" of the June 22, 2003 Memorandum with an amendment to change the word "or" to "and" on the fifth line of Section 5.10 as outlined on page 9 of the Memorandum dated June 22, 2003.**
- 2. Approve the amending Stage II development agreements for Royale Hemlocks as Attachment "B" and "C" of the June 22, 2003 Memorandum.**
- 3. Require the amending development agreements to 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 be at an end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Section 5.10 will now read:

***"The Developer shall not seek subdivision approval of parcels that would be capable of accommodating the last 48 dwelling units of the development until construction of the Wentworth/Bedford South interchange on the Bicentennial Highway. The Developer may request that Community Council seek a change to this provision and other municipal planning strategy policies to enable the additional dwelling units provided that a traffic study has concluded that the level of service for any road within the Royale Hemlocks development or connecting to the abutting road network does conform with the performance criteria established under the Municipality's Guidelines for Preparation of Traffic Impact Studies. The Developer shall provide the analysis, prepared by a qualified consultant, needed to make such a determination."***

Councillor Walker praised the Friends of Hemlock Ravine and developer Kimberly-Lloyd for working together to achieve a mutually beneficial agreement.

8.1.3 Case 00534: Amendments to Royale Hemlocks Stage I and Stage II Development Agreements.

- ! A staff report dated May 16, 2003 was before the Community Council.
- ! A supplemental report, dated May 26, 2003 was before the Community Council.

Mr. Andrew Bone, Planner, presented the report. Mr. Bone added that there were errors in numbering clause 4.1(c) and the clause should be referenced as 4.1.c 1-12. He added that clause 4.1.c.10 (previously 4.1.c.i) should have the word "parking" after "orientation of buildings". Mr. Bone also submitted a revised landscaping clause, 4.1.c.10, for the record which states that landscaping is to be done by a landscape architect.

Councillors Walker and Adam requested clarification on the impact of the increased building height on the skyline and also the view plane from Mr. Medjuck's property. Mr. Bone advised that there is some impact on the skyline but there is a considerable grade at this site.

Councillor Whalen asked if the original development plan could be done considering the road, Larry Uteck Boulevard, had been cut back. Mr. Bone clarified that the townhouses originally contemplated for Stage 1 were not included in the Stage 2 agreement and this could be due to Larry Uteck Boulevard being cut deeper than originally expected. He further explained that townhouses were added back into the agreement and they can go ahead as townhouses were approved in the original plan.

Councillor Mosher called a five minute recess at 8:20 pm. The meeting reconvened at 8:30 pm with Councillor Mosher opening the public hearing.

**Greg Fahie, Starboard Drive**

- ! opposed to motion, specifically due to height - from his location the height will have a negative impact.
- ! Concern with net increase in number of units which would take lots from Mr. Medjuck's land.
- ! building of townhouses would be detrimental to the streetscape along Larry Uteck Boulevard, however, questions whether townhouses could be built as proposed.
- ! letter in the agenda package from his neighbour who is also against the proposal.

**Bob MacDonald, Warwick Lane, Clayton Park West**

- ! not sure if he is in support or not
- ! what will be the view from the Bedford Highway looking up to the development with two

- eight storey buildings very close to highway
- ! a lot of trees shown in drawing, more trees in drawing than actually on site, many cut down for the development.
- ! walking path abbreviated in the revised plan, is the Old Coach Road/Old Post Road incorporated in the walking path?

By request of Councillor Mosher, Mr. Andrew Bone responded that the original plans showed the walking path behind the building but due to cliffs in the area the walking path was moved to the front. He further added that the Old Coach Road is located below this site.

#### **Barry Sawyer, Fernleigh Subdivision**

- ! would like to suggest that the portion of Old Coach Road from the Bedford Highway up to the development be preserved since there is no development agreement for that alignment of existing road and since there is direct public access from the Bedford Highway and also, no trees have yet been cut

#### **Ms. Pat Leader, Fernleigh Subdivision**

- ! requested clarification on the height of the proposed buildings, has heard 4 storey, 6 storey, 8 storey and also 12 storey.

By request of Councillor Mosher, Mr. Bone responded that currently the Royale Hemlocks development agreement restricts the height of the buildings to four floors. He further explained that the developer has requested an increase in height so that he may construct one - four storey building, one six storey building, one seven storey building and two eight storey buildings. He added that the Wentworth Estates/ Bedford South Master Plan area has approval for various heights within the development area including an area with a maximum height of 12 storeys.

#### **Frank Medjuck, Representative of Emscote Ltd, adjacent property owner to North**

- ! in favour of Master Plan that has already been passed - to have 4 storey height so everyone has a panoramic view of Bedford Basin/Fairview Cove/the bridge.
  - ! against current proposal due to: a) doubling height of building, b) moving the waterline westward so that it misses Fernleigh subdivision c) number of units
  - ! Pinnacle application is not compatible with the Municipal Planning Strategy nor with the Master Plan or adjacent planned uses.
  - ! elevation is also a concern - our property blocked by wall of three Pinnacle buildings
- Mr. Medjuck submitted his written comments for the record.

#### **Mike Hanusiack, General Manager of Clayton Developments Ltd.**

- ! issue of compatibility with adjacent/neighbouring land uses was paramount during Master Planning process
- ! density for Wentworth Estates/Bedford South came about by compromising low

- density in certain areas and congregating higher density in higher elevations in areas along Larry Uteck Boulevard, the principle collector street. With this came requirement for significant underground parking, very significant tree retention and buffering.
- ! Clayton Developments has not presented a development application as yet due to adjustments every time there is a change with Royale Hemlocks and this is becoming expensive.
  - ! two buildings exceptionally close to our property
  - ! three points: a) clarification of trail shown on map - is it a private trail or will it become part of a public trail system, b) small neighbourhood park identified on property - is it a private park or public - Wentworth Estates/Bedford South has very high standards on parkland/trails etc., c) servicing, affects in a big way our commitment to Fernleigh Subdivision in respect to water service. Why is line being relocated 75 metres to the west?
  - ! definite concerns with the 2000 cap.

**Mike (unknown), ownership interest in property**

- ! requested clarification on whether the development procedure moved the roads so that the townhouses were not developable or was it due to Larry Uteck Boulevard being carved out closer to the cliff.

By request of Councillor Mosher, Mr. Bone responded that the changes in the vertical alignment of Larry Uteck Boulevard was a Municipal Engineering requirement as the grades were too steep and the road had to be brought down in grade.

**Dave Nunn, Emscote Ltd. Ltd.**

- ! would like to see developer come back with a proposal for six storey buildings along our property line
- ! would like buildings moved back from the property line as one of the buildings is only 11 metres from the line so there is not a lot of greenspace.

**Gary Zwicker, Terrain Group**

- ! development did not cause the cliff but is left trying to deal with the cliff
- ! originally townhouses were to go along Larry Uteck Boulevard but with the lowering of that road and creation of the cliff the townhouses are no longer viable
- ! removed one building and reconfigured the area for six buildings at varying heights
- ! two eight storey buildings are at lowest portion of site and the roof of the eight story Pinnacle building will be 270-280', approximately 21' and 24' above the first floor of the Medjuck building. The trees in the area are at a height of 30-35', these buildings may/may not poke just above the trees.
- ! walking trail - moved when the road was lowered due to the increase in cliff
- ! waterline - Pinnacle is willing to put a bend in the waterline and point it back down to meet Medjuck property.
- ! set backs to property line, buildings shown are not closer than approved development

agreement for property, closest is 36', next at 98' then 70'.

- ! number of units, HRM traffic staff have looked at the additional 18 units and have determined that there will not be a negative impact on traffic. We would be willing to put forward that 18 units could be withheld from an occupancy permit point of view which would allow the building to be constructed but selling the units and creating a traffic problem would be held off until the interchange is in place.

Councillor Mosher gave third and final call for any speakers. Hearing none the public hearing was closed.

Councillor Whalen expressed concern with placing a motion on the floor considering the issues raised. She added that the areas requiring further consideration are: impact on the neighbours - the water affecting the Fernleigh Subdivision, if the changes are to be made then we have to see them in writing. Councillor Whalen requested clarification on whether another public hearing process would be necessary for any substantial changes made to this proposal, such as the ones heard this evening.

Mr. Barry Allen, Municipal Solicitor, commented that the Community Council could vote for or against the proposal before them. He further advised that they could vote for a slight modification or clarification of particular aspects of the development. Mr. Allen explained that as soon as any real changes are made, whether the building height goes up or down, it would become a more substantial matter and there could be public out there who would not have the opportunity to speak to those changes and the process could be challenged.

Councillor Mosher asked if the motion could be deferred until Councillor Whalen and the District 16- Planning Advisory Committee could meet with the developer based on the new information and then proceed to Mr. Allen with any amendments for confirmation on whether a second public hearing is required. Mr. Allen responded that Community Council can always defer/discuss, but if you come back and make a decision based on information different from the subject matter presented at the public hearing or, base the decision on information you receive after the public hearing, people may not have an opportunity to speak to that.

**MOVED BY Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council not approve the staff recommendation presented in the May 16, 2003 staff report as the development is not compatible with adjacent land uses and it impacts other land and home owners who have certain expectations of that development.**

Mr. Barry Allen, Municipal Solicitor, advised that a motion should be in the positive. Councillor Mosher requested Councillor Whalen word her motion in the positive. In consideration of Mr. Allen's advice, there was no vote on the above motion and the following motion was put.

**MOVED BY Councillor Adams, seconded by Councillor Walker that Chebucto**

**Community Council:**

1. **Approve the amending Stage I development agreement for Royale Hemlocks, presented as Attachment 4 to the staff report dated May 9, 2003, to permit apartment buildings to be built to a height of 8 storeys;**
2. **Approve the amending Stage II development agreement for Royale Hemlocks, Phases 1A and 2, presented as Attachment 5 to the staff report dated May 9, 2003, to permit changes to design criteria for the multi-family site and include the proposed clause 4.1(c)13 as shown in Attachment I of this report.**
3. **Require that the amending development agreements 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 DEFEATED UNANIMOUSLY.**

**8.2 OTHER HEARINGS**

8.2.1 Fence Permit Application - 25 Parkmount Close, Halifax

This item was dealt with earlier in the meeting.

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

**10. REPORTS**

**10.1 STAFF REPORTS**

10.1.1 Case 00582: Amendment to Development Agreement, Stoneridge on the Park, Halifax

! A staff report dated June 9, 2003 was before the Community Council.

**MOVED BY Councillor Walker, seconded by Councillor Adams that Chebucto Community Council give Notice of Motion to consider an amending development agreement for Stoneridge on the Park and to schedule a public hearing for August 25, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

- 10.1.2      Case 00435: Request to Amend the Halifax Municipal Planning Strategy and Land Use By-law for 7, 9, 11 and 13 Springvale Avenue, Halifax.

!      A staff report dated June 9, 2003 was before the Community Council.

Councillor Mosher submitted a document, dated July 7, 2003, and requested Ms. Randa James, Planner, present the report explaining the additional information.

Ms. Randa James, Planner, Planning and Development Services, presented changes to the original recommendation regarding Case 00435. Ms. James commented that Regional Council suggested Chebucto Community Council add Clause 2.3.10 to the development agreement regarding low flow water fixtures for the development. She further advised that HRM clarified the definition of "permanent open space" which is used for the calculation of gross lot area and used for the calculation of density. She added that the rail line cannot be used as a permanent open space and this issue was brought to the developer and in response to this the Developer has modified the building design to make the building five feet narrower in width thereby meeting the density requirement.

Councillor Walker asked for a copy of the new design. Ms. James responded that there is no new design available but reaffirmed the only change is the narrower building that will now have: 30 two-bedroom units up from 26 two-bedroom units, 7 three-bedroom units down from 11 three-bedroom units. Councillor Adams clarified that the building would have the same design just a little narrower for lot coverage requirements.

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

1.      **Approve the development agreement, attached as Attachment V of the April 8, 2003, staff report ;**
  
2.      **It is noted that Halifax Regional Council at the meeting held May 20, 2003, added wording to the development agreement as follows:**
  - 2.3.10 ***The building shall be constructed with low flow fixtures throughout, including but not limited to low flow shower heads, low flow faucet aerators and ultra low flow insulated toilets in order to offset some of the increased sewer flows and such low flow fixtures shall be maintained in the building. It is the developer's responsibility to ensure that the washing of vehicles in the underground parking area is not permitted and that this is a covenant applied to the property.***
  
3.      **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 final approval by Community Council or any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Walker asked how exact the drawings would be before the development agreement was signed and if the change in width of the building was not a substantial change. Ms. Randa James explained that in terms of the signing of the development agreement the current drawings would be attached. Ms. James advised that the building is essentially the same building and will look the same except for the minor 5' change in width which will not be perceptible. Councillor Walker expressed concern with approving something Community Council has not actually seen.

**MOTION PUT AND PASSED UNANIMOUSLY.**

10.1.3 Case 00569: Application for Lot Modification Development Agreement, 14 Withrod Drive, Halifax.

! A staff report dated June 20, 2003 was before Community Council.

**MOVED BY Councillor Adams, seconded by Councillor Walker that Chebucto Community Council Give Notice of Motion to consider an application by Steven and Jean O'Hearn for a lot modification development agreement at 14 Withrod Drive, Halifax and to schedule a public hearing for August 25, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 REPORTS FROM DISTRICT 16 - PAC**

10.2.1 Case 00580: Proposed Wireless Communication Equipment, 35 Montgomery Court, Halifax

! A staff report dated June 12, 2003 was before Community Council.

! A recommendation from District 16-PAC dated July 2, 2003 was before Community Council.

Mr. Paul Sampson, Planner and Mr. Phillippe Bacand, Telus Representative, were available for any questions of Community Council.

**MOVED BY Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council support the proposed installation of wireless communication equipment at 35 Montgomery Court, Halifax. MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.2        Case 00530: Application for Stage I Development Agreement, Lot A-2a, Parkland Drive

- !        A staff report dated June 13, 2003 was before the Community Council.
- !        Recommendation from District 16-PAC dated July 2, 2003 was before the Community Council.

Mr. Paul Sampson, Planner, presented the report.

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

1.        **Approve the Stage II development agreement, included as Attachment I of the staff report dated June 13, 2003, to permit a 112 unit hotel on Lot A-2A, Parkland Drive;**
2.        **Require 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 hereunder be at an end. MOTION PUT AND PASSED UNANIMOUSLY.**

11.        **MOTIONS - None**

12.        **ADDED ITEMS**

12.1        Metro Transit Buses on Lancaster Drive

Councillor Whalen commented that residents of Lancaster Drive request rerouting Bus #4 as it now travels down a standard size residential street. Mr. Ken Silver, Manger, Transit Planning, commented that route #4 was rerouted due to concerns regarding speed and volume of traffic along Lacewood Drive where the buses were required to make a left hand turn from Radcliffe Drive onto Lacewood Drive. He further added that this change was a by product of trying to provide a closer route, in both directions, to the two area schools. Mr. Silver suggested that he arrange a meeting as soon as possible with traffic staff and the area Councillor regarding options available. **MOVED BY Councillor Whalen, seconded by Councillor Walker that Chebucto Community Council is opposed to the current routing of Bus #4. MOTION PUT AND PASSED UNANIMOUSLY.**

12.2        Chebucto Community Council Summer Meeting Schedule

Due to time constraints, Councillor Adams requested that this item be deferred to the August

25, 2003 meeting.

**13. NOTICES OF MOTION - None**

**14. PUBLIC PARTICIPATION**

**15. NEXT MEETING DATE**

**MOVED BY Councillor Walker, seconded by Councillor Adams that the next meeting of the Chebucto Community Council be held on Monday, August 25, 2003 and that the September 8, 2003 meeting be cancelled. MOTION PUT AND PASSED UNANIMOUSLY.**

**16. ADJOURNMENT**

The meeting was adjourned at 9:35 pm.

Chris Newson  
Legislative Assistant