

HALIFAX REGIONAL MUNICIPALITY

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CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, OCTOBER 6, 2003

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

ALSO PRESENT: Mr. Angus Schaffenburg, Planner II  
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 7:00 pm in the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

**2. APPROVAL OF MINUTES**

2.1 Minutes of Regular Meeting August 25, 2003

**MOVED BY Councillor Walker, seconded by Councillor Adams that the minutes of August 25, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

ADDITION: 12.1 Hurricane Juan - Councillor Adams

**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 Crosswalks for District 16

This item deferred to November 3, 2003.

4.1.2 Route #14 Leiblin Park Bus

Councillor Adams advised that Metro Transit will relocate the bus stop to the north side of Leiblin Drive. This item to be removed from the Status Sheet.

4.1.3 Off-leash Areas for District 17 and 18

There has been no further information received. This item to remain on the Status Sheet.

4.1.4 Non-intersecting Walking Paths for Dog Walkers/General Users - Mainland Commons area.

Councillor Walker advised this issue is going to Regional Council. This item to be removed from the Status Sheet.

4.1.5 HRM Clearing/Flooding Lakes for Skating

No further information has been received. This item to remain on 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

- A staff report dated April 1, 2003 was before the Committee.
- An information report dated May 2, 2003 was before the Committee.

**MOVED BY Councillor Adams, seconded by Councillor Walker that the Development Officer's decision to approve the variance be upheld. MOTION PUT AND PASSED UNANIMOUSLY.**

8. **PUBLIC HEARINGS**

Councillor Mosher reviewed the guidelines/procedures for public hearings.

8.1 Case 00454: Amendments to Royale Hemlocks Stage I: Housekeeping

- ! A report dated August 22, 2003 was before the Committee.
- ! A supplementary report dated August 11, 2003 was before the Committee.

Mr. Angus Schaffenburg, Planner II, presented the report.

Councillor Mosher opened the Public Hearing calling for speakers for or against the application. Hearing no speakers after third and final call it was **MOVED BY Councillor Adams, seconded by Councillor Walker that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

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

1. **Approve the amending Stage I development agreement as set out in**

- Attachment "A" of the staff report dated August 11, 2003; and**
- 2. Require the amending development agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2 Case 00488: Stage I and Stage II Development Agreement - Lot 6F-A, Larry Uteck Boulevard, Halifax**

- ! A Supplementary Report dated September 19, 2003 was before the Committee.
- ! A staff report dated August 7, 2003 was before the Committee.
- ! A report from the District 16-PAC dated August 22, 2003 was before the Committee.

Mr. Angus Schaffenburg, Planner II, presented the report.

Councillor Mosher opened the public hearing calling for any speakers for or against the proposal.

**PUBLIC HEARING**

**Mr. David Nunn, 44 Waterford Crescent, Fall River**

- ! represents Emscote property in the Wentworth/Capital Cost Contribution area.
- ! sewer redevelopment charges versus the Capital Cost Contribution (CCC) - this does not include cost sharing in the infrastructure on the over sizing of highways - it does not include the interchange in which HRM, the Province and Developers are all participating. Question why this is not part of the CCC and why it is not being used to reduce HRM's risk.
- ! traffic count - this is not part of the 2000 units but if there are units available why are they not being allocated to the CCC area first as that application has been in process for 3-4 years. This would help to fix the Bedford Highway problem by putting in the Interchange and completing Larry Uteck Boulevard. Once Larry Uteck Boulevard is complete, it will help alleviate traffic on the Bedford Highway.
- ! schedule "K" - a few years ago Emscote properties tried to apply for Schedule "K" and were denied. HRM Staff recommended that Emscote go to Capital Cost Contribution. Emscote spent over 3 years working with HRM staff and other developers on a policy regarding cost contribution. Now, it appears that it would have been better for us (Emscote) to file under schedule "K" for 130 acres.
- ! We are confused on the priorities and the integration of the CCC and why the units are being allocated to this and not to the CCC area.

Mr. Angus Schaffenburg explained that staff did review the issue of whether the site should be considered for CCC. He explained it was determined, once all the issues were reviewed, that the usual sewer redevelopment charge should apply. In terms of traffic, the direct impact on the Bedford Highway of these 24 units will be minimal. Mr. Schaffenburg added that HRM's staff position, when Emscote came forward with the Schedule "K" request, was that they were free to do so but staff would recommend refusal to Community Council due to a master planning process beginning for that area and also due to the size of Emscotes development and others that were being proposed which required a master plan to lay out the roads, sewers networks etc.

**Mr. Mike Hanusiack, Clayton Developments**

- ! Clayton Developments owns a large portion of land to the north of this proposed development.
- ! when Clayton Developments entered into the Wentworth Masterplan area it was on a Regional Council directive, found in a staff report on Royale Hemlocks dated February 5, 2001. This is the policy that staff used through all the negotiation on the Capital Cost Contribution for the Emscote Lands, Prescott lands and our lands, we all benefitted from the same infrastructure that goes up Larry Uteck Boulevard and along the Bedford Highway, including the future interchange.
- ! problem with consistency of how Regional Council is stating instructions
- ! a letter was sent today to the Clerk's office from Clayton Developments. The Chair confirmed that the letter is on file.

**Ms. Wendy MacDonald, member of the recently formed North West Trails Group**

- ! concerned that the (schedule SD2) map in the report does not accurately depict the Old Coach Road.
- ! concern with the last stand of trees as you go into Royale Hemlocks. The map shows an HRM easement and a Bedross Lane. She requested clarification on public access.

Mr. Schaffenburg explained that Bedross Lane will be the private access to the Pinnacle Development. He further explained that there is presently one building under construction and the easements are to obtain frontage for buildings on a public street and they are basically flag lots.

**Ms. Brenda Kervin, 10 Regency Park Drive**

- ! item 2.5.1, page 9 of the report regarding Tree Retention, this is a very narrow piece of property, how will you preserve the existing trees? Will there be any trees left between the back of the new building and the front of Pinnacle?

Mr. Angus Schaffenburg commented that retaining walls will have to be built and a lot of the existing trees will not remain. He further added that there will be space between the buildings due to the easements and the landscape plans will take into consideration additional trees.

**Mr. César Sales, W.M. Fares and Associates**

- ! this application was begun in May 2002 and has gone through the public participation process. Approval has been received from the Water Commission, Engineering, Power Corporation, Traffic, Building Inspection and we have the recommendation of HRM staff.
- ! site of project is 45,000 square feet and we have provided 28,000 square feet for landscaping/open space.
- ! good distance between buildings and the highest peak for the building is 165' from grade. A person standing on the first floor of the condominium building above us would be at 170' from grade.
- ! if members of the public have any other concerns we will meet with them.

Hearing no further speakers after third and final call it was **MOVED BY Councillor Adams, seconded by Councillor Walker that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

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

1. **Approve the proposed revised development agreement for a 24 unit apartment building including discharging the existing development agreement; and,**
  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 arising hereunder shall be at an end.**
- MOTION PUT AND PASSED UNANIMOUSLY.**

## **9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

### **9.1 Regional Planning Participation Process**

Mr. Angus Schaffenburg explained that Regional Planning is requesting input from the public on HRM's future development/growth. He further advised that public input would assist with the adoption of a new Regional Plan. Mr. Schaffenburg encouraged all to complete the *Directing the Action* workbook either online or by taking a booklet with them this evening. Councillor Mosher added the deadline for submitting the workbooks has been extended to October 10, 2003. *The date was further extended to October 14, 2003 due to Hurricane Juan.*

### **9.2 Memorandum regarding Collection of Residential Waste - Medical Conditions**

This was an information item, no further action required.

## 10. REPORTS

### 10.1 REPORTS FROM DISTRICT 16 - PAC

#### 10.1.1 Case 00400: Housekeeping Amendments - Subdivision of Existing Semi-detached Dwellings.

! A report dated September 19, 2003 was before the Committee.

**MOVED BY Councillor Adams, seconded by Councillor Walker that Chebucto Community Council move first reading to the proposed amendments to the Halifax Peninsula and Mainland Land Use By-Laws as shown in Attachment I of the staff report dated August 28, 2003 and schedule a public hearing for November 3, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

### 10.2 STAFF REPORTS

#### 10.2.1 Chronology of Amendments to Stoneridge on the Park Application

! An Information report dated September 11, 2003 was before the Committee.

This report was for information only, no further action required.

#### 10.2.2 Notification Procedures

! An information report dated September 19, 2003 was before the Committee.

This report was for information only, no further action required.

## 11. MOTIONS - None

## 12. ADDED ITEMS

### 12.1 Hurricane Juan

**MOVED BY Councillor Adams, seconded by Councillor Walker that a request be sent to Nova Scotia Power for information on the criteria used in restoring power to affected communities, the public relations policy for notifying customers with the**

**progress of restoration, also the policy/procedure for testing of the grid systems once power is restored to ensure there are no blockages in the grid itself and whether the differences in development have been considered for the Herring Cove grid system. Further, that information on a policy/procedure for ensuring power is restored to such necessary areas as Sewage Treatment Plants, in particular the proposed Sewage Treatment Plant for Herring Cove, be forwarded to Chebucto Community Council. MOTION PUT AND PASSED UNANIMOUSLY.**

**13. NOTICES OF MOTION - None**

**14. PUBLIC PARTICIPATION**

**Mr. David Copp, 12 Armshore Drive**

- ! concern with construction of a building (under a building permit issued for an accessory building) on an in filled water lot at 26 Armshore Drive.
- ! Development Officer and Councillor Mosher have already met with area residents
- ! the structure is apparent and obvious and has a significant affect on the public view of the Northwest Arm.
- ! concern with fact that once in-filling occurs there are no regulations/review of the land us. The in-fill land becomes a lot which has the same zoning as abutting lots.
- ! this situation raises a general concern of possible future construction on in-filled water lots along the Northwest Arm.
- ! preservation of the heritage resource (the Northwest Arm) and from a Tourism perspective and for enjoyment by all residents and public of this resource, the preservation and appearance of the Northwest Arm is critically important.

**MOVED BY Councillor Walker, seconded by Councillor Adams that a report on zoning and land use issues on in-filled water lots be prepared for the November 3, 2003 Chebucto Community Council meeting. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Mosher requested a status report on the previous report on 26 Armshore Drive so that it may be distributed to the residents.

**Ms. Mary Ann McGrath, 33 Hamshaw Drive**

- ! thank you to all Councillors for going above and beyond the call of duty in the aftermath of Hurricane Juan.

**15. NEXT MEETING DATE - Monday, November 3, 2003.**

**16. ADJOURNMENT**

The meeting adjourned at 7:45 pm.

Chris Newson  
Legislative Assistant