

HALIFAX REGIONAL MUNICIPALITY

CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, APRIL 10, 2006

PRESENT: Councillor Stephen D. Adams, *Chair*
Councillor Linda Mosher
Deputy Mayor Russell Walker
Councillor Mary Wile

**ABSENT WITH
REGRETS:** Councillor Debbie Hum, *Vice-Chair*

STAFF: Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m. in the Council Chamber, 3rd Floor City Hall, 1841 Argyle Street. Councillor Adams forwarded regrets on behalf of Councillor Hum who was unable to attend tonight's meeting due to a family emergency out of province.

2. APPROVAL OF MINUTES - March 6, 2006

Change: Councillor Mosher requested that the following sentence be added to Item 4.1.4 Bus Service Stoneridge of the March 6, 2006 minutes: *"Metro Transit has indicated that it is possible to install an arm device that would allow only the passage of buses and emergency vehicles. This would allow for extension of bus service to the Stoneridge area."*

MOVED by Councillor Wile, seconded by Deputy Mayor Walker that the minutes of the regular meeting of March 6, 2006 be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions:

- 12.1 Captain William Spry Centre - Councillor Mosher
- 12.2 Zoning Issue - Former Keddy's Hotel, St. Margaret's Bay Road - Councillor Mosher
- 12.3 In Camera Recommendation - Appointment to the Halifax Watershed Advisory Board

MOVED BY Councillor Wile, seconded by Deputy Mayor Walker that the agenda be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Items:

4.1.1 Rock Pile - 182 Milsom Avenue, Halifax

No new information at this time. This item is to remain on the status sheet.

4.1.2 Request to Have the Reclaimed Parkland at the Corner of Parkland Drive and Langbrae Drive Named in Honour of the Year of the Veteran.

Councillor Wile clarified that Belcher's Marsh Park will still exist and that it is only the corner of the property that is to be renamed.

Item to **be removed** from the status sheet.

4.1.3 Welcome to Halifax Sign - St. Margaret's Bay Road

Councillor Mosher advised that this is an ongoing matter and a staff report is expected from Ms. Carol Macomber and Ms. Donna Davis at a future date.

Item to **remain** on the status sheet.

4.1.4 Bus Service - Stoneridge

Councillor Mosher advised that this item is to remain on the status sheet until the Kelly Street application comes forward to Community Council at which time a request will be made to the developer for the installation of a bus only arm.

Item to **remain** on the status sheet.

4.1.5 Time Lines re: Re-Submission of Identical Planning Applications for Consideration by Community Council

Mr. Randy Kinghorne, Solicitor, advised that a report has been signed by the Director of Legal Services, Ms. Mary Ellen Donovan and should be available for the May 1, 2006 meeting.

Item to **remain** on the status sheet.

4.1.6 Permission to Install a Sign on HRM Property at the Corner of Regency Park Drive / Lacewood Drive

Councillor Wile advised that discussions are ongoing and a further update will be provided at a future meeting.

Item to **remain** on the status sheet.

4.1.7 Request for a Trail in Hemlock Ravine Park and other HRM Parkland Areas to be Named in Memory of Mr. Colin Stewart.

No new information at this time. To remain on the status sheet.

4.1.8 Northwest Arm - Inter-Agency Working Group

- An Information Report dated March 21, 2006 was before the Community Council.

Mr. Roger Wells, Senior Advisor, Harbour Plan, Regional Planning, gave a brief presentation on the Northwest Arm Inter-Agency Working Group. He advised that the Committee was formed as a result of issues with infilling of water lots along the Northwest Arm and portions of the Bedford waterfront. HRM has taken the lead in forming this group in an effort to better coordinate applications for water lot infill.

Councillor Mosher requested that the Attachments section on page 4 of the Information Report be amended to include: 2. Letter to Councillor Linda Mosher, Chair of Chebucto Community Council from Mr. Richard Wex, Director General, Habitat Management Branch, Fisheries and Oceans Canada dated February 3, 2006 as the matter originated with Chebucto Community Council and a response was received. Councillor Mosher will forward the February 3rd letter of response to Mr. Wells.

Item to be **removed** from the Status Sheet.

4.1.9 Cowie Hill Underground Wiring

- An Information Report dated March 28, 2006 was before Community Council.

Councillor Mosher advised that the Information Report shows that staff concur with Chebucto Community Council in that *underground wiring should remain underground within all areas identified as pole-free in the policy adopted by Council.*

This item may be **removed** from the status sheet.

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RECISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Case 00852: Amendment to Development Agreement, Stoneridge on the Park Subdivision, Halifax.

- A Supplemental Report dated March 30, 2006 was before Community Council.

Mr. Paul Sampson, Planner, assisted by Mr. Tom Crouse, Team Leader, Real Estate, presented the report.

Mr. Crouse advised that the appraisal determined a fair market value of \$75,000 for the three lots (*See Attachment "A" of the Supplemental Staff Report dated March 30, 2006*).

Councillor Mosher requested clarification on the exact square footage of the lots as her understanding, based on the original staff report and a subsequent report, is that the parcel of land is 12,000 square feet. She advised that page 22 of the Supplemental report refers to the parcel of land as approximately 15,000 square feet.

Mr. Crouse explained that a linear foot value not a per square foot value was used for the appraisal. The measures were taken with a forty-foot lot frontage versus a fifty-foot lot frontage. He added that a survey would determine the exact square footage of the parcel.

Councillor Mosher again requested clarification on the exact size of the parcel as the market value has increased (to \$75,000 from \$65,000) and the parcel appears to have increased to 15,000 square feet. She added that this issue has to be clarified before Community Council can make their decision.

Mr. Crouse clarified that the linear foot measure, based on three forty-foot lots, was consistent.

Mr. Sampson explained that, if Community Council voted in favour of the proposal, a process would be developed regarding the criteria for in kind services including what those in kind services would be. He added that staff are unable to advise Community Council as to the in kind services at this time. *(See page 2 of the Supplemental Report dated March 30, 2006)*

Comments raised during the public hearing of February 6, 2006 were also considered by staff. Issues such as MPS Provisions Regarding Environmentally Sensitive Lands, Setbacks from Watercourses and Other Comments are outlined on page 3 of the Supplemental Report dated March 30, 2006.

MOVED BY Councillor Mosher, seconded by Deputy Mayor Walker that Chebucto Community Council refuse to amend the development agreement for Stoneridge on the Park Subdivision, Halifax. Pursuant to section 230(6) of the Municipal Government Act, Council is required to provide reasons to the applicant justifying this refusal, based on the policies of the Municipal Planning Strategy.

Councillor Mosher raised the following concerns:

- People choose their properties and future homes based on a set of factors and many residents have chosen to live in this area due to the designated parkland. Parkland is one of the most valuable assets we have and once it is gone it cannot be replaced.
- There will be visual disturbance with a loss of tree retention in what was previously a non-disturbance zone.
- Property values will be diminished for those properties on Hail Pond and immediate area due to the loss of parkland.
- There is a lack of compatibility with the Mainland South Municipal Planning

- Strategy as these are smaller lot sizes (12,000 square feet for three lots).
- The Subdivision was approved with this area as parkland and now, after residents have bought their homes, it is being changed.
- The residents clearly indicated at the public hearing that they value and want to maintain their parkland.

Councillor Mosher concluded her comments requesting that Community Council support the amendment and refuse the development application.

Mr. Paul Sampson reminded Community Council of the alternatives which are listed on page 4 of the Supplemental Report.

MOTION PUT AND DEFEATED.

Councillor Adams clarified for Councillor Mosher that he voted against the main motion.

MOVED BY Councillor Wile, seconded by Deputy Mayor Walker that the Chebucto Community Council approve Alternative #2 as outlined on page 4 of the Supplemental staff report dated March 30, 2006 to approve the amending development agreement and staff's recommendation that the equivalent value figure of \$65,000 and security deposit amount of \$71,500 in clause (f) of the draft amending agreement be revised to \$75,000 and \$82,500 respectively to reflect the appraisal. MOTION PUT AND PASSED.

8. **PUBLIC HEARINGS - None**

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

10. **REPORTS - None**

11. **MOTIONS - None**

12. **ADDED ITEMS**

12.1 Captain William Spry Centre

MOVED BY Councillor Mosher, seconded by Deputy Mayor Walker that Chebucto Community Council request a staff report on the Captain William Spry Centre to include: physical layout of the space and availability of programming, a detailed analysis of the current programming including hours, number of participants, revenue generated, persons turned down for programming and an indication for each category whether or not it meets our clearly articulated municipal mandate. Also, consideration is to be given for HRM Meeting space at the facility. MOTION PUT AND PASSED.

Councillor Mosher requested minutes from the Captain Williams Spry Board be circulated to the Community Council.

Councillor Adams commented that Regional Council, in its pre-budget deliberations, approved in excess of \$200,000 for the Captain William Spry Centre.

Councillor Mosher requested the report for the May meeting (no later than June) as there is an urgent need to address this matter in a timely fashion.

12.2 Zoning Issue - Former Keddy's Hotel, St. Margaret's Bay Road

MOVED BY Councillor Mosher, seconded by Deputy Mayor Walker that Chebucto Community Council request an updated status report on the former Keddy's Hotel on the St. Margaret's Bay Road now that the use has been substantially discontinued. It is requested that staff outline the process to have the C2A zoning changed and that Legal Services also respond on this matter.

Councillor Mosher expressed concern with what maybe permitted in a C2A zone for this area and indicated that she may request a zoning change. Legal Services are requested to comment on this matter as well. She added that the community wants the area cleaned-up.

The report is requested for the May meeting.

Mr. Sampson, Planner, responded to Councillor Adams advising that zoning designations in Halifax/Dartmouth do differ. A C2A zoning designation in Halifax does not permit Adult Entertainment. He clarified that only a C6 zoning would permit Adult Entertainment in Halifax and currently there are no properties zoned C6.

MOTION PUT AND PASSED.

12.3 In Camera Recommendation - Appointment to the Halifax Watershed Advisory Board.

MOVED BY Deputy Mayor Walker, seconded by Councillor Wile that Chebucto Community Council approve the appointment of Mr. Nathaniel Smith to the Halifax Watershed Advisory Board. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

No members of the public came forward at this time.

15. NEXT MEETING DATE

The next meeting of the Chebucto Community Council will be held on Wednesday, April 12, 2006 at 7:00 pm in the Basinview Elementary School. The next regular meeting will be held on Monday, May 1, 2006 at the Keshen Goodman Library.

16. ADJOURNMENT

The meeting adjourned at 6:47 p.m.

Chris Newson
Legislative Assistant