

HALIFAX REGIONAL MUNICIPALITY

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PUBLIC HEARING

MAY 27, 1996

PRESENT:

Deputy Mayor Greenough
Councillors: Gordon R. Snow
Harry McInroy
Condo Sarto
Bruce Hetherington
Clint Schofield
John Cunningham
Jerry Blumenthal
Graham L. Downey
Larry Uteck
Russell Walker
Bill Stone
Ron Hanson
Stephen Adams
Barry Barnet
Reg Rankin
Jack Mitchell

ABSENT:

Mayor Walter Fitzgerald
Councillors: Bill Dooks
David Hendsbee
Ron Cooper
Howard Epstein
Robert Harvey
Peter Kelly

STAFF MEMBERS:

Mr. Gerry Goneau, Municipal Solicitor
Mr. Stephen Feist, Development Control
Mr. Craig Hatt, Real Estate and Facilities
Mr. Steve Smith, Community Services, Planning
Ms. Vi Carmichael, Municipal Clerk
Ms. Julia Horncastle, Assistant Municipal Clerk

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INVOCATION

Deputy Mayor Greenough called the meeting to order at 6:00 p.m. with an invocation.

1. PUBLIC HEARINGS

1.1 AMENDMENT TO SUBDIVISION BY-LAW FOR DARTMOUTH - LANCASTER RIDGE SUBDIVISION, ALBRO LAKE

Mr. Steve Smith made the staff presentation providing background information on the process to date. He stated Council is being asked to approve the By-law in order that it may go forward to the Department of Municipal Affairs for consideration and approval.

In response to a question from Councillor Snow, Mr. Smith informed Council that this was going through another public hearing process because previously the minimum advertising period, for consideration of a Subdivision Amendment, had not been met.

The Deputy Mayor called for speakers in favour of the application. There were none.

The Deputy Mayor called for speakers against the application. There were none.

**MOVED by Councillor Hetherington and Adams to close the public hearing.
MOTION PUT AND PASSED.**

DECISION BY COUNCIL

MOVED by Councillor Schofield and Sarto that Council approve By-Law C-736, an amendment to the Subdivision By-Law for Dartmouth, to permit the subdividing of lots with less frontage and area than currently permitted. MOTION PUT AND PASSED.

1.2 LOT MODIFICATION DEVELOPMENT AGREEMENT - 25 BIRCH STREET, HALIFAX

Mr. Stephen Feist, with the aid of overheads, made the staff presentation. He indicated the Development Agreement would permit subdivision of the property, provide for forty foot frontage on each property, maintain the existing single family dwelling at 25 Birch Street and then, on the newly created lot, develop another single family dwelling. He informed

Council, other than the forty foot lot frontage and four thousand square feet lot area, all standards of the R-2 By-law are met. He advised that as all criteria for a lot modification have been met, this application can be considered under Section 12 of the Land Use By-Law.

The Deputy Mayor called for speakers in favour of the application.

Mr. Harold McPhee, owner of the property, came forward in favour of the application. He advised Council he has not received any negative response from neighbouring properties.

The Deputy Mayor called for speakers against the application. There were none.

**MOVED by Councillor Hetherington and Snow to close the public hearing.
MOTION PUT AND PASSED.**

DECISION BY COUNCIL

MOVED by Councillor Walker and Stone that Council enter into a development agreement for a lot modification to permit the subdivision of the property at 25 Birch Street with a single family dwelling on each lot; and, Council require that the development agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of approval by Halifax Regional Municipality and any other bodies as necessary whichever approval is later, including any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

1.3 STREET CLOSURE #1, PROPOSED STREET, KLINE HEIGHTS

Mr. Craig Hatt, with the aid of overheads, made the staff presentation. He informed Council the parcels of land in question are to be conveyed to the adjacent property owners with proceeds being deposited to Halifax Regional Municipality.

In response to a question from Councilor Sarto, Mr. Hatt identified the properties to which these parcels of lands were being conveyed.

The Deputy Mayor called for speakers in favour of the application.

Mr. Frederick Fraser, MacDonalds Trailer Court, Fairview, addressed Council. He informed Council his sister is interested in purchasing the piece of land adjacent to her property when it becomes available through the street closure process.

Mr. Hatt informed Council in discussion with Mrs. Sullivan he advised her that she will be given first right of refusal when the street closure involving the property being referenced takes place.

In response to a question from Councillor Hetherington, Mr. Hatt informed Council that parcel 97.13 had been expropriated from #5 Fairview Avenue in 1973 and, although it still exists as one parcel of land, it has a street running through the middle.

In response to a question from Councillor Sarto, Mr. Hatt informed Council that the area of parcel 88 is approximately 5,000 square feet.

Councillor Sarto referenced segment 156.75 and asked if this parcel of land belonged to 86 or 88. Mr. Hatt informed Council that it belonged to 88 Withrod Drive.

In response to a question from Councillor Sarto with respect to whether 86 could become a developable lot, Mr. Hatt stated that the lands in question are all zoned R-2 (general residential zone) which, under the Land Use By-law, permits two unit dwellings.

In response to a question from Councillor Sarto, Mr. Hatt informed Council that the price of #88 was \$6,000 and #53, \$5,000. He informed Council that a consolidation would have to be approved before these lands could be developed.

Councillors Uteck and Downey left the meeting at 6:30 p.m.

In response to a question from Councillor Schofield, Mr. Hatt informed Council that the land between #90 and #86 had not been expropriated.

Mr. Hatt confirmed for Councillor Barnet that the sale of the lands in question had gone through the public tendering process.

The Deputy Mayor called for speakers against the application. There were none.

MOVED by Councillor Adams and Hanson to close the public hearing. MOTION PUT AND PASSED.

DECISION BY COUNCIL

MOVED by Councillor Hanson and Adams that Council approve Administrative Order Number SC1 respecting the closure of a proposed street, Kline Heights. MOTION PUT AND PASSED.

ADJOURNMENT

**MOVED by Councillor Barnet and Blumenthal that the meeting be adjourned.
MOTION PUT AND PASSED.**

Vi Carmichael
Municipal Clerk