

CHEBUCTO COMMUNITY COUNCIL

February 4, 2008

MINUTES

PRESENT: Councillor Linda Mosher, Vice Chair
Councillor Russell Walker
Deputy Mayor Stephen Adams
Councillor Debbie Hum

REGRETS: Councillor Mary Wile, Chair

STAFF: Mr. Luc Ouellet, Planner
Ms. Shawnee Gregory, Legislative Assistant
Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:01 p.m. by the Vice-Chair, Councillor Linda Mosher.

2. APPROVAL OF MINUTES

Correction: Councillor Hum - Item 13.1 - the year should be 2007 not 2008 and the word "not" was omitted.

MOVED by Councillor Hum, seconded by Councillor Walker that the minutes of January 7, 2008, with the noted corrections, be approved. MOTION PUT AND PASSED.

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

Addition:

12.1 Lion's Rink Accessibility - Deputy Mayor Adams

Deletion:

10.2.1 - Bandstand at the Dingle, Sir Sandford Fleming Park - Councillor Mosher

MOVED by Councillor Hum, seconded by Councillor Walker that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES:

4.1 Status Sheet Items:

4.1.1 Bus Service - Stoneridge

C An update via e-mail was submitted by Ms. Amy Power, Supervisor, Scheduling and Service Planning, Metro Transit.

Councillor Mosher would like to keep this item on the status sheet as she was not satisfied with this update.

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

Deputy Mayor Adams advised that he would like to keep this item on the status sheet.

4.1.3 Appeal of Ralston Street Area Rezoning

This item is to be removed from the status sheet.

4.1.4 Tremont Park Alternate Main Entrance

Councillor Hum advised that she would like to keep this item on the status sheet.

4.1.5 Blocked Old Sambro Road Access to Long Lake Provincial Park

C A motion dated January 22, 2008 from Regional Council was submitted.

Deputy Mayor Adams advised that parking was an issue at the site and that a resolution has been in the works for over a year.

**MOVED BY Deputy Mayor Adams, seconded by Councillor Hum that the Chebucto Community Council endorse Regional Council's motion and request an update from the Department of Natural Resources or the Long Lake Provincial Park Association.
MOTION PUT AND PASSED.**

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RECISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS- None

8. HEARINGS:

8.1 Public Hearings - None

8.2 Variance Appeal Hearings - None

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS:

9.1 Correspondence: None

9.2 Petitions: None

9.3 Presentations: None

10. REPORTS:

10.1 Staff:

10.1.1 Case 01013: Amending Agreements - Lots MC-1 and MC-2 on Masthead Court, Royale Hemlocks, Halifax (Stage II)

C A supplementary report dated January 29, 2008 was submitted.

MOVED BY Councillor Hum, seconded by Councillor Walker that the Chebucto Community Council approve the staff recommendation to:

- 1. Approve the proposed fourth amending Stage II Development Agreement for Royale Hemlocks, Phases 1B and 3 to 9, presented as Attachment B to this report, too allow the two previously approved four storey 65 unit multiple residential buildings to be redesigned and increased in height to six storeys; and**
- 2. Require the Amending Agreement for Stage II, Phases 1B and 3 to 9, be signed and delivered within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval of said agreements by Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

10.1.2 Case 00965: Amendment to Stage II Development Agreement - Royale Hemlocks Subdivision, Halifax

C A staff report dated January 14, 2008 was submitted.

Councillor Hum advised that she had a revision to the staff recommendation, noted as follows:

Recommendation:

- 1. Approve the amending Stage II development agreement, presented as Attachment "A" to this report, to delete clause 5.10, thereby allowing for the development of the last 48 dwelling units of the Royale Hemlocks Subdivision prior to the construction of the Highway 102 and Larry Uteck Blvd. interchange *with the proviso that funding for the interchange (Highway 102 and Larry Uteck Blvd.) is included and approved in Regional Council's 2008/2009 Capital Budget.***
- 2. Require that the amending Stage II development agreement be signed within 120 days, or any extension thereof granted by the 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 and end.**

Council members raised concerns that this amendment was conditional and, therefore, out of order.

Councillor Mosher advised that this was out of the Chebucto Community Council's jurisdiction and that they did not have the authority to recommend funding out of the Capital Budget. She suggested that legal services review the motion.

Councillor Hum advised that the interchange must be included in the budget in order for construction on the development to move forward.

MOVED BY Councillor Hum, seconded by Councillor Walker that this item be deferred to the March 3, 2008 Chebucto Community Council meeting upon legal clarification of wording of Councillor Hum's motion. MOTION PUT AND PASSED.

Mr. Luc Ouellet, Planner, advised Councillor Hum that the Traffic Study referred to in the report was based on the fact that the interchange would be completed by 2010.

10.2 Councillor:

10.2.1 Bandstand at the Dingle, Sir Sandford Fleming Park - Councillor Mosher

This item was deleted from the agenda.

10.2.2 Earth Hour 2008 - Councillor Mosher

C Information on Earth Hour 2008 was submitted.

Councillor Walker noted that he also endorses HRM's participation in Earth Hour 2008.

MOVED BY Councillor Walker, seconded by Councillor Hum that the Chebucto Community Council forward information about Earth Hour 2008 to staff and request a recommendation regarding HRM's participation. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Spryfield Lion's Rink Accessibility - Deputy Mayor Adams

Deputy Mayor Adams advised that the seating area in the Spryfield Lion's Rink was not accessible as there is no wheelchair ramp and, therefore, it is necessary to carry wheelchair users to their seats. He noted that it was ironic that the rink was originally named after Frank Martin who was in a wheelchair himself. Deputy Mayor Adams recommended allowing wheelchair users access to the facility's elevator in order to watch events from the Lion's Den as an interim measure.

MOVED BY Deputy Mayor Adams, seconded by Councillor Hum that the Chebucto Community Council request a staff update regarding wheelchair accessibility to the seating areas in the Lion's Rink. MOTION PUT AND PASSED.

Councillor Walker recommended that staff use the Centennial Arena site as a model as it is quite accessible.

Councillor Mosher advised that she had spoken to Phil Townsend, Manager, Capital Projects regarding this issue and that he had recommended contacting the Lion's Club as an interim measure. However, she noted that she would like HRM to address this matter as well.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Ms. Heather Hanson Dunbar

Ms. Hanson Dunbar stated that she was representing the association known as PLA and that she also owns a day care centre. She noted that there are three hundred and fifty (350) day cares in the province and that half of those are privately owned. Eighty-five (85) percent of day cares in Nova Scotia are in residential areas. Ms. Hanson Dunbar stated that it is important for municipalities rather than just the province to support day cares and that her association has a presentation for HRM if Council chooses to see it.

Bernadine MacAuley

C Ms. MacAuley submitted her presentation for the official record.

Ms. MacAuley stated that she was speaking on behalf of the Magic Beings Child Care Centre. She raised concerns regarding any changes being made to the By-Law or a proposed public hearing. She wished to clarify the fact that residents had an opportunity to object to the proposed day care centre opening on 69 Sunnybrae Avenue and that only one (1) person out of approximately fifteen (15) chose to do so. She also advised that this day care centre is a licensed facility and, thus, follows the regulations set by Community Services regarding capacity. Ms. MacAuley stated that there is a shortage of licenced day care facilities in residential areas. Regarding concerns with proper fencing around the day care centres on Sunnybrae Avenue; Ms. MacAuley submitted photos to prove that the proper restrictions were in place.

Councillor Mosher suggested to the participants that they could obtain the petition regarding day care centres on Sunnybrae Avenue from the October 15, 2007 Regional Council meeting from the Clerk's office for further information.

16. NEXT MEETING DATE

The next meeting was scheduled for Monday, March 3, 2008.

17. ADJOURNMENT

The meeting was adjourned at 7:43 p.m.

Shawnee Gregory
Legislative Assistant

The following items were submitted for information:

1. Information Report Appeal Process 657375 Kearney Lake Road
2. Information Report Child Care Centres in Residential Zones, Halifax Mainland