

**CHEBUCTO COMMUNITY COUNCIL
MINUTES**

July 6, 2009

PRESENT: Councillor Linda Mosher, Chair
Councillor Mary Wile, Vice Chair
Councillor Stephen Adams
Councillor Russell Walker
Councillor Debbie Hum

STAFF: Ms. Kirby Grant, Solicitor
Ms. Shawnee Gregory, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF MINUTES	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	3
4.	BUSINESS ARISING OUT OF THE MINUTES	3
4.1	Status Sheet Items	3
4.1.1	Tremont Park Alternate Main Entrance	3
4.1.2	District 10 Traffic Concerns	3
4.1.3	Request to Name the Baseball Diamond at Mainland Common the Harold Pelham Memorial Field	
4.1.4	Traffic and Safety Issues on Melody Drive and Skylark Drive ...	3
4.1.5	Cunard Beach Volleyball Court Policies	4
5.	MOTIONS OF RECONSIDERATION	4
6.	MOTIONS OF RECISSION	4
7.	CONSIDERATION OF DEFERRED BUSINESS	4
8.	HEARINGS	4
8.1	Public Hearings	4
8.1.1	Case 01194: Wentworth Development Agreement	4
8.1.2	Case 01179: Development Agreement, Rockcliffe Village, Mainland South, Halifax	5
8.2	Variance Appeal Hearings	8
9.	CORRESPONDENCE, PETITIONS AND PRESENTATIONS	8
9.1	Correspondence	8
9.2	Petitions	9
9.3	Presentations	9
10.	REPORTS	9
11.	MOTIONS	9
12.	ADDED ITEMS	9
13.	NOTICES OF MOTION	9
14.	PUBLIC PARTICIPATION	9

15. NEXT MEETING DATE 9
16. ADJOURNMENT 9
1. **CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m.

2. APPROVAL OF MINUTES - June 1 & 16, 2009

MOVED by Councillor Wile, seconded by Councillor Hum, that the minutes of June 1 & 16, 2009, be approved as presented. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Park West School Area Rate - Legal Opinion
- 12.2 Governors Brook Development - Councillor Adams

MOVED BY Councillor Walker, seconded by Councillor Adams, 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 Tremont Park Alternate Main Entrance

Councillor Hum advised that there had been no progress on this issue and indicated that she would like it to remain on the Status Sheet.

4.1.2 District 10 Traffic Concerns

C An information report dated June 12, 2009, was before Community Council.

Councillor Wile advised that the information report was satisfactory and indicated that this item could be removed from the Status Sheet.

4.1.3 Request to Name the Baseball Diamond at Mainland Common the Harold Pelham Memorial Field

Councillor Adams advised that a report was forth coming and indicated that he would like this item to remain on the Status Sheet.

4.1.4 Traffic and Safety Issues on Melody Drive and Skylark Drive

Councillor Hum advised that there had been no progress on this issue and indicated that she would like it to remain on the Status Sheet.

4.1.5 Cunard Beach Volleyball Court Policies

The Chair advised that this item could be removed from the Status Sheet.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RECISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. HEARINGS

8.1 Public Hearings

8.1.1 Case 01194: Wentworth Development Agreement

C A report dated May 20, 2009, was before Community Council.

Mr. Andrew Bone, Planner, provided the presentation on Case 01194: Wentworth Development Agreement. He advised that the proposed parkland dedication was consistent with the Municipal Planning Strategy and that Secondary Planning Strategy policies had also been accomplished within the development agreement. He stated that no housing units would be constructed until the connection to the new 102 interchange was complete. In closing, Mr. Bone advised that the number of residential units had been misquoted on page 3 of the staff report. He indicated the correct numbers as follows; 71 single unit dwellings, 78 townhouses, 333 multi unit dwellings and 275 lifestyle units.

The Chair reviewed the Rules of Procedure for Public Hearings and called for those wishing to speak for or against Case 01194: Wentworth Development Agreement.

Mr. Bob MacDonald, Warwick Lane, requested clarification on the difference between a parkland area and a conservation area and what the total percentage of parkland in the area would be. He stated that he had seen at least two bodies of water in the subject property; noting that he was interested in maintaining natural wetlands and wondered what provisions had been made in the development agreement to protect such areas.

Mr. Bone advised that the Master Plan required open space or parkland dedication; noting that open space could be defined as wetland where there was no active use, however, there was active use for parkland. He stated that the parkland dedication for this development agreement was over 10% of the entire area. Mr. Bone also indicated that major wetland was protected by a 20 metre setback as well as an agreement such as a protected non disturbance area that must be maintained or replanting was required.

The Chair called three times for additional speakers. Hearing none, the following motion was placed:

MOVED BY Councillor Walker, seconded by Councillor Hum, that the public hearing be closed. MOTION PUT AND PASSED.

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

- 1. Approve the proposed development agreement presented in Attachment A of the report dated May 20, 2009; and**
- 2. Require the 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 of said agreement by the Community 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.

8.1.2 Case 01179: Development Agreement, Rockcliffe Village, Mainland South, Halifax

C A report dated June 5, 2009, was before Community Council.

Mr. Paul Sampson, Planning Services, provided the presentation on Case 01179: Development Agreement, Rockcliffe Village, Mainland South, Halifax. He noted that nine acres of conservation land would be included in the development agreement and that all detailed design would go through the development officer. He stated that the agreement did allow for non substantive amendments as listed on page 3 of the staff report dated June 5, 2009, however, these amendments would have to come before Community Council. In closing, Mr. Sampson indicated that changes had been made to the proposal as a result of the public information meetings which had taken place in September of 2008.

A discussion ensued with Mr. Sampson responding to questions. Regarding traffic lights, he indicated that it was his understanding that they would be paid for by the developer and that the Department of Transportation and Halifax Regional Water Commission had reviewed this.

The Chair reviewed the Rules of Procedure for Public Hearings and called for those wishing to speak for or against Case 01179: Development Agreement, Rockcliffe Village, Mainland South, Halifax.

Mr. Kevin Riles, President and Project Manager, KOM Consulting, advised that KOM Consulting had spent the last two years working on the development plan for Rockcliffe Village which included input from the public and the Halifax Watershed Advisory Board.

He noted that four major changes had been made since the last public information meeting in September of 2008 as a result of this consultation. These changes include the 10 storey building being moved further south, the northern park area being made more central, the decision not to connect Ridge Valley Road to the Cowie Hill Road extension and that a detailed stormwater analysis be completed. He stated that the village concept mixed use area would be divided up into three communities with a 3/4 acre park in the north area and a half acre park in the south area. Mr. Riles indicated that 27% of the total area would remain as wetland; noting that he had never worked on a development with so much open space.

Mr. David Graham, Northwest Arm, President of Atlantic Developments, advised that there had been a great deal of consideration with respect for the environment in the of design of this development. He stated that it would be great for the community and thanked everyone for their support.

Mr. Bruce Holland, Executive Director of the Spryfield Business Commission, noted that this seemed to be a responsible development and proposal. He advised that the Spryfield Business Commission had a beautification plan and the development would bring more patrons to local businesses. In closing, Mr. Holland indicated that he was in favour of the development.

Mr. Greg Croft, Drumdonald Road, advised that he had reviewed the proposal and had some questions regarding population density as the development did not appear to meet municipal requirements. Regarding the supposed 50 foot buffer between Drumdonald Road and the development; Mr. Croft indicated that he would prefer vegetation rather than a fence. He stated that the pathway which went down Drumdonald Road and came out on Mont Street should be connected to other existing pedways as HRM had been encouraging pedestrian thoroughfares in Spryfield. He requested to know if a pedway would also go to the wetland conservation area and if a provincial environmental assessment would be done there in order to protect any endangered species. Mr. Croft expressed concern with blasting as it produced radon and could cause problems in concrete. He stated that although the plan eliminated a ten storey property there was a loophole that would allow for a higher building which could impact the neighbourhood with shadows and runoff as well as pollution that would effect McIntosh Run.

Ms. Linda Kennedy, Drumdonald Road, advised that she shared Mr. Croft's concerns regarding sandblasting, radon and noise; noting that her biggest concern was traffic. She stated that Herring Cove Road was already congested and would become worse with the addition of 300 new residents. She wondered if police services would be increased in the area due to the population increase and if property values and taxes would also rise. Regarding the 50 foot buffer between Drumdonald Road and the new development; Ms. Kennedy stated that this was not a great deal of separation and that there would be no privacy.

Regarding blasting, Mr. Sampson advised that developers must comply with the HRM Blasting By-Law in order to obtain a blasting permit. He stated that a pre blast survey would be done by an HRM technician who would review all pertinent information. The

Chair advised that seismographic testing could now be done in residents' homes and that a video could be taken by HRM staff for the home owner's protection.

Regarding traffic, Mr. Sampson indicated that the traffic study for the development had been reviewed by HRM engineers who had deemed it acceptable and approved the proposal as revised without the street connections.

Ms. Linda Mason, Drumdonald Road, noted that if you did not have a basement it would be impossible to determine if there had been cracks as a result of blasting. She wondered if the company intended to have someone certify if a home had been damaged.

Ms. Ruth Scott, Drumdonald Road, expressed concern with the proposed buffer zone and how close it would come to the homes on Drumdonald Road; noting that she would also prefer vegetation rather than a fence. She advised that she would like to see the walking trail off Drumdonald Road protected.

Mr. Sampson advised that the aforementioned 50 foot buffer zone was based on a formal proposal for an apartment building. He stated that now that it would only be single family dwellings abutting townhouses there was no longer a requirement for the buffer, however, the developer had agreed to put in either vegetation or fencing of an undetermined width as a visual barrier.

Mr. Riles advised that natural vegetation was preferred and did not have any difficulty with the 50 foot buffer.

Ms. Suzanne Bowser, Drumdonald Road, stated that as a real estate agent she was glad to see development in the area. As a resident, she advised that she felt comfortable with this development as it was good for Spryfield.

Ms. Tracy Thomas, Halifax, requested to know when the estimated prices for single dwelling houses would be released.

Mr. Jeff Ward, Convoy Avenue, indicated his professional interest in the development as a planner; noting that it was a development agreement which gave the opportunity for a walkable community. He stated that it was a great looking project that would be wonderful for the community by creating a destination. He suggested several modest moves to the plan which included moving the underground parking entrances for the two buildings, moving the five townhouse units to another building site and creating a more urban park. Mr. Ward also noted the potential for residents to be employed in the area and to walk to work; suggesting that parking for the 4000 square feet of commercial property be moved to the back of the buildings to entice the public to walk. He also suggested allowing some parking on the street. Mr. Ward submitted his suggestions for the record.

The Chair called three times for additional speakers. Hearing none, the following motion was placed:

MOVED BY Councillor Adams, seconded by Councillor Wile, that the public hearing be closed. MOTION PUT AND PASSED.

A discussion ensued with Mr. Sampson and Mr. Riles responding to questions.

Mr. Riles advised that it was a goal to put a connection and trail pathway to hook up with the Cowie Hill extension and the conservation area through the development phase.

Mr. Riles indicated that the timeline for development was two to seven years as it would be done in phases.

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

- 1. Approve the development agreement, included as Attachment A of the report dated June 5, 2009, to permit a mixed-use development (“Rockcliffe Village”); and**
- 2. Require that the development agreement be signed and returned 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.**

The Chair stepped down at 8:26 p.m. Councillor Wile assumed the Chair.

Councillor Mosher proposed a friendly amendment.

MOVED BY Councillor Mosher, seconded by Councillor Adams, that a natural vegetation buffer of 50 feet between Drumdonald Road and the development be included in the development agreement. MOTION PUT AND PASSED.

Councillor Mosher assumed Chair at 8:28 p.m.

The motion now reads:

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

- 1. Approve the development agreement, included as Attachment A of the report dated June 5, 2009, to permit a mixed-use development (“Rockcliffe Village”) with the amendment that a natural vegetation buffer of 50 feet between Drumdonald Road and the development be included; and**
- 2. Require that the development agreement be signed and returned 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.

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 - NONE

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Park West School Area Rate - Legal Opinion

C A memo dated June 30, 2009, from Ms. Kirby Grant, Solicitor, was submitted.

C A copy of the Interim Area Rates was submitted.

Councillor Hum advised that she would be sending a letter to residents who had received a petition in District 16.

12.2 Governors Brook Development - Councillor Adams

Councillor Adams advised that Chebucto Community Council had approved the Governors Brook development several years earlier with the restriction that only 50 units per year could be built. He indicated that there had been a request from the developer to have this restriction lifted.

MOVED BY Councillor Adams, seconded by Councillor Walker, that Chebucto Community Council request a staff report regarding the developer's request to have the fifty unit per year limit lifted for the Governor's Brook development. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

There was no one wishing to speak at this time.

15. NEXT MEETING DATE

The next meeting was scheduled for September 14, 2009

16. ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

Shawnee Gregory
Legislative Assistant

The following item was added as information:

1. Chocolate Lake Community Recreation Centre, 14 Purcell's Cove Road, Halifax