

CHEBUCTO COMMUNITY COUNCIL
MINUTES

Monday, June 7, 2010

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

STAFF: Ms. Karen Brown, Solicitor
Ms. Shawnee Gregory, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:04 p.m. in the Keshen Goodman Library.

2. APPROVAL OF MINUTES - May 3, 2010

MOVED BY Councillor Wile, seconded by Councillor Hum, that the minutes of May 3, 2010 be approved as presented. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Case 01205 - MPS/LUB Amendments and DA - 50 Bedford Highway, Halifax
- 12.2 Case 15951: Development Agreement - 3109 Joseph Howe Drive
- 12.3 Case 15976: Amendments to Development Agreement, Rockcliffe Village, Mainland South, Halifax
 - (i) Report Dated May 19, 2010 from the Halifax Watershed Advisory Board
- 12.4 Bedford Highway Bike Way and Street and Road Concerns - Councillor Hum
- 12.5 Dunbrack Street Rose Bushes - Councillor Wile
- 12.6 Turnmill Playground - Councillor Wile

MOVED BY Councillor Adams, seconded by Councillor Mosher, 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 J.L. Ilsley High School - Campus Opportunity

Councillor Mosher indicated that a CPTED Audit had been completed on the site, however, the motion had also included a request for information regarding a potential land swap to create a football field. She requested that the Legislative Assistant follow up on this matter.

This item is to remain on the Status Sheet.

4.1.2 Keefe Drive - Emergency Concerns Due to Road Condition and Lack of Seawall

Councillor Mosher stated that she had received a response from the provincial Minister of Transportation regarding this matter, however, she requested that this item remain on the Status Sheet as the Federal Government had also been contacted regarding sea level rise.

This item is to remain on the Status Sheet.

4.1.3 75 Rockingstone Road Re: Sidewalk

Councillor Adams stated that staff had added this sidewalk to the winter inventory. He requested a staff update regarding when sodding would occur.

This item is to be removed from the Status Sheet.

4.1.4 Northwest Arm Seawall

Councillor Mosher requested a presentation when the consultant's report is made available.

This item is to remain on the Status Sheet.

4.1.5 Plow Damage

There was no update. This item is to remain on the Status Sheet.

4.1.6 Northwest Arm Drive Sidewalk Request

- Correspondence dated May 3, 2010 from Mr. Brian J. Ward, Area Manager Halifax Suburban of the NS Department of Transportation and Infrastructure Renewal was before Community Council.

Councillor Mosher stated that the Province had declined Community Council's request for a sidewalk on Northwest Arm Drive. She advised, for the record, that she was disappointed with this response and although the lack of sidewalk was a safety issue, HRM did not currently have the budget to have a sidewalk installed.

This item is to be removed from the Status Sheet.

4.1.7 Resident Traffic and Safety Concerns - Fairmount Subdivision

There was no update. This item is to remain on the Status Sheet.

4.1.8 Fire and Dirt Bike Concerns on the Chain of Lakes Trail Behind Springvale Avenue

- Correspondence from Mr. Francois Alexandre, Manager of Business Development and Real Estate, CN, was before Community Council.

As a report was forthcoming, this item is to remain on the Status Sheet.

4.1.9 Vandalism in Frog Pond/Sir Sandford Fleming Park

As a report was forthcoming, this item is to remain on the Status Sheet.

4.1.10 Request for Installation of Waste Receptacle and Dog Waste Bag Dispenser at the HRM Owned Chain of Lakes Trail Head - Crown at Brook Street

This item is to remain on the Status Sheet.

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RECISION - None

7. CONSIDERATION OF DEFERRED BUSINESS - None

8. HEARINGS

8.1 Public Hearings - None

8.2 Variance Appeal Hearings

8.2.1 Appeal of the Development Officer's Decision to Approve an Application for a Variance - 1 Craigmere Drive, Halifax, Case No. 16153

- C A staff report dated May 28, 2010 was before Community Council.
- C A memo dated June 4, 2010 from Craigmere and Rockwood Residents was before Community Council.

Mr. Andrew Faulkner, provided the presentation on the Appeal of the Development Officer's Decision to Approve an Application for a Variance - 1 Craigmere Drive, Halifax, Case No. 16153. He stated that a special care home, the IWK 'Choices' Program, was being instituted on the site which was permitted in the C1 zone; the current zoning for the property. He noted that survey information had been brought to staff's attention that the building was insufficient in setback and angle controls, therefore, a variance was applied for and approved. Mr. Faulkner noted that alterations would have to be made to the building if the variance to relax the setback and angle controls is not approved. He indicated that the property had been occupied for commercial use for approximately 50 years and that the special care home would be the first residential use at the location. In closing, Mr. Faulkner stated that there were no other C1 zoned properties in the area other than at 1 Craigmere Drive, with the next closest one being located on Dutch Village Road.

A discussion ensued with Mr. Faulkner responding to questions.

Mr. Faulkner noted that there had to be an application for a variance since the use of the property was being changed from commercial C1 use to residential R4 use and there were different setbacks for each use.

Mr. Faulkner stated that the residential special care home use on the site was permitted under R4 zoning; noting that the alteration to the building had no bearing as to whether or not that use could occur. He indicated that the owner would make changes to the building in order to comply if the variance was not approved.

Ms. Karen Brown, Solicitor, clarified that both office (commercial) and special care home (residential) uses were permitted on the site and whether changes were made to the building or not would not effect the ability of the owner to have both uses on their property. She stated that, if Community Council refuses the variance, the owner could modify the building and continue on with the residential use.

At the request of Councillor Mosher, Mr. Faulkner read the definition of a special care home as outlined on page 12 of the Halifax Mainland Land Use By-law (HMLUB) as follows:

“a building or part of a building in which accommodation, together with nursing, supervisory or personal care is provided or is available for four or more persons with social, health, emotional, mental or physical handicaps or problems, and only such building or part thereof as is licensed by the Homes for Special Care Act, or the Children's Services Act, or operated as a community correctional center under the provisions of the Penitentiary Act of Canada, but does not include a building or part thereof maintained by a person to whom the residents are related by blood or marriage, a public hospital, maternity hospital, sanatorium, jail, prison, reformatory, hotel or hostel”.

Mr. Faulkner stated that the requirement for a license as referred to in the definition had been received.

Regarding the parking requirement for such a special care home, Mr. Faulkner stated that the requirements for parking had been complied with in the application.

The Chair reviewed the Rules of Procedure for Variance Appeal Hearings and opened the hearing for the Appeal of the Development Officer's Decision to Approve an Application for a Variance - 1 Craigmere Drive, Halifax, Case No. 16153.

Mr. Brian Adams, Rockwood Avenue, indicated that he was speaking on behalf of Mr. Robert Gale and provided a power point presentation. Mr. Adams stated that the minor variance was required by the Developer as he wanted to change the building use from commercial offices to an R4 special care home. He indicated that the owner had chosen to make changes and that was why the variance was required rather than leaving the building as is as a C1 commercial space. Mr. Adams stated that, under R4 zoning, a building had to meet the setback and angles, however, a portion of the building did not fit the 60 and 80 degree angles required under the Land Use By-law requirements. He advised that the neighbourhood had been a residential

neighbourhood for 50 years; noting that residents had gone to the Council in 2000 when 1 Craigmore Drive had been sold without a tender and it had not been indicated to residents that this included an unlimited height. In closing, Mr. Adams stated that residents were happy with the current county building on the site and this was a major rather than a minor variance.

Ms. Anastasia Langthorne, 4A Rockwood Avenue, stated that the Halifax Mainland Land Use By-law does not include a provision providing the Development Officer to grant a variance for the item listed in section 252 of the HRM Charter and, therefore, the variance should not be granted. She requested to know if this was staff's understanding of section 252 of the HRM Charter. Ms. Langthorne also wanted to know if the required provincial license for a special care home had been issued prior to the HRM renovation permit being issued as required by law.

Mr. Faulkner stated that the IWK did have a provincial license which they were modifying at the time.

Ms. Brown clarified the provisions of the HRM Charter regarding the jurisdiction of the Development Officer as outlined in section 250 subsection 1 and b:

250 (1) A development officer may grant a variance in one or more of the following terms in a development agreement, if provided for by the development agreement, or in land-use by-law requirements (b) size or other requirements relating to yards

Ms. Brown stated that subsection b could be a function of the set back. She stated that subsection 2 of section 250, which Ms. Langthorne was referring to, was different from the section which Mr. Faulkner was relying on.

Ms. Susan McLaren, 2 Rockwood Avenue, stated that she found it interesting that the variance report indicated that the proposed special care home was the first proposed occupancy consistent with the Municipal Planning Strategy (MPS) residential designation. She indicated that while the site was zoned residential, she believed that there was sufficient policy guidance in the MPS to direct Council to consider low density residential development for this site consistent with the surrounding neighbourhood. Ms. McLaren stated that a special care home of this scale could not be permitted in an R1 zone; noting that the neighbourhood was made up of single family dwellings. She expressed concern with the proposed parking requirements and potential development of an underground parking lot which was directly related to the special care home staff. She requested to know what information had been used by HRM to determine the requirements for the development permit particularly relating to the addition of a 77 unit residential tower, the number of employees and if the permit meets all the requirements.

Mr. Faulkner advised that the HMLUB did include parking requirements which had been well exceeded by the applicant; including two underground levels and a surface parking area.

Councillor Adams indicated that there appeared to be a debate regarding use rather than the setback and angle requirements directly related to the variance and reminded

the appellants that the project was going forward with or without the variance being approved. .

Ms. Helen Anderson, 3 Craigmere Drive, stated that she understood the verbiage that the development would be going forward anyway, however, she noted that the current building did not conform to R4 use. She indicated that the owner was choosing to change the building and its use and she did not think the variance should be permitted. Ms. Anderson stated that in April 2010 residents were told that all requirements had been met as they were still being told, however, several weeks later they found a problem with the required setback. She indicated that if this was an as of right development than a minor variance should have been issued three months ago. Ms. Anderson requested to know how an infringement such as the one currently being discussed could get by the Planner and wondered if a project of this scale was peer reviewed.

Mr. Faulkner noted that the oversight was a staff error; noting that the file had been reviewed several times and that he was not at liberty to release that information to the public.

Ms. Anderson stated that residents were being told different information with regards to beds and parking spaces; noting that she was doubtful as a resident that she could have confidence that all requirements have been met. In summary, she stated that there were two recommendations residents wished Community Council to consider; to deny the variance and that a zoning review be initiated for the site. Ms. Anderson stated that it was time to determine the appropriate future use of the property and establish development controls to ensure future conformity.

Ms. Brown stated that a number of the appellants had spoken on the parking issue which Mr. Faulkner had already indicated met the as of right requirements and advised that the parking issue was not related to the variance appeal. Ms. Brown clarified that they were looking at three issues at hand as indicated under subsection 3 of section 250 of the Municipal Charter as follows:

- (3) A variance may not be granted if
 - (a) the variance violates the intent of the development agreement or land-use by-law;
 - (b) the difficulty experienced is general to properties in the area; or
 - (c) the difficulty experienced results from an intentional disregard for the requirements of the development agreement or land-use by-law.

Ms. Brown requested that comments be focussed on these three issues.

The Chair noted that the property would be grandfathered from any reviews.

Mr. Andrew Yabsley, 2 Rockwood Avenue, stated that he had been living in the area for just over 10 years. He indicated that it was easy to get bogged down by the details of

the situation, however, it seemed to him that when trying to change the use of a structure, it impacts the effect the structure has on the surrounding area, therefore, this change would have an impact on residents. He expressed concern that the site would be changed to a 24/7 residence which connected to his backyard; noting that there had been problems with the current building before. He indicated that he did not see Council making good on the originally issued permit. In closing, Mr. Yabsley requested that Community Council deny the variance based the fact that a 24/7 facility in the community, regardless of use, would negatively impact the neighbourhood.

Mr. Craig Chisholm, 7 Craigmere Drive, was curious to know whether there was more than one set of rules for variances; noting that he had once applied for a variance and at that time was told that it would be a six to eight week process which would end with a similar meeting. He noted that he was surprised when he received correspondence from HRM that a variance had already been granted.

Mr. Faulkner stated that the general response was usually six to eight weeks, however, the meeting times had worked out in this case so that it could be dealt with more efficiently than usual.

Mr. Chisholm advised the Community Council that they had the legality to stop this variance; stating that he would prefer to see the developer be required to conform in this case.

Ms. Lena Bliziotis, 2 Craigmere Drive, expressed her opposition to the approval of the variance; stating that she had concerns with the appearance of secrecy in the granting of the variance by staff. On a personal item, she stated that she had lost a property next to St. James' Church after a permit had been approved in principle. She indicated that she had been asked to complete renovations in order to obtain a license to expand and create a childcare facility, however, she was surprised when she was not allowed to do so as she was within 200 feet of herself. She indicated that she appealed and no one would listen. In closing, Ms. Bliziotis reiterated that she opposed the approval of the variance.

Mr. Alex Halef, Applicant, Banc Properties Limited, clarified the parking issue, noting that 96 spots were required for the commercial structure; an amount which the Developer was actually exceeding. He advised that they were not trying to change the zoning of the property as R4 zoning was permitted in a C1 use; adding that changing the zoning of the property would require a whole different set of appeals. Regarding the 80 degree line, he stated that developers were allowed to have that line anywhere around the property line as depicted in the Land Use By-law. Mr. Halef provided drawings in an attempt to depict what the building was going to look like. He indicated that the building now had a nice stone face, however, they would have to cut off a corner in order to make the building meet the variance if it was not granted; noting that this would be a major disruption to the neighbourhood as well as a defamation to the building and a 50 to 100 year old tree that abuts Mr. Yabsley's property. He stated that all of this would be done unnecessarily as the use was permitted as the IWK had the right to move into the building and would do so no matter what. In closing, Mr. Halef

stated that Banc Properties Limited believed that the appeal should be rejected as nothing would change as a result and hoped for the support of Community Council.

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

MOVED BY Councillor Wile, seconded by Councillor Hum, that the Variance Appeal Hearing be closed. MOTION PUT AND PASSED.

MOVED BY Councillor Adams, seconded by Councillor Wile, that Chebucto Community Council uphold the Development Officer's decision to approve the variance.

Councillor Adams stated that it was clear from the neighbours that they were not happy with the use that was being proposed for the building. He advised that Community Council was bound by the Municipal Government Act (MGA) and had guidelines they were required to follow. He indicated that the three parameters they had been told to look at had been satisfied, therefore, based on policy rather than the subjective component of liking or disliking what was going there he had to support the variance.

Councillor Mosher requested some leeway on the matter as there was a history of mistrust towards the city in this neighbourhood. She stated that in 2000, a week after she was elected, however, prior to being sworn in, the building in question was sold in an unsolicited offer. She advised residents that In Camera emails regarding that matter were now with HRM's Auditor General. Councillor Mosher indicated that in 2000 the building was to be sold to Maritime Life for \$1,500,000 and rezoned to heavy industrial use with no height limitations or lot lines and the community felt it was done behind their back. She stated that she worked with the community and asked Council to not approve the changes and requested a report; noting that the commercial aspect was not the problem, it was the height and there had been no mention of R4 zoning. Councillor Mosher expressed concern that if this building was deemed R4 then it could be connected underground to another building and still be considered one building, similar to the Waterton property. She stated that this was not a minor variance as it allowed for something much more intensive in the area and, therefore, she could not support the variance on principle. She indicated that there would be a change in use; noting that there were no C1 properties in the area which should mean the property was not compatible. Councillor Mosher referred to section 2.2 of the Municipal Planning Strategy regarding Residential Environments which states that the integrity of residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity or the usual and present neighbourhood development pattern is related to the needs or characteristics of the neighbourhood and this shall be accomplished by implementation of 3.1 and 3.2 as appropriate. She further noted that subsection 2.4 discusses neighbourhood stability and that the city encourages the retention of the existing residential character of stable neighbourhoods and will seek to ensure that any changes be controlled and compatible. Councillor Mosher also advised that while the Land Use By-law, under section 2.4.2, does permit

special care homes in residential areas it also allows for regulations to be put in place to ensure neighbourhood compatibility.

The Chair requested to know how Councillor Mosher believed the building did not conform.

Councillor Mosher stated that it was not in keeping with the Land Use By-law as it was not compatible with the community. She requested that the Solicitor bring forward all appeal letters from the community in order to discuss the points that had been raised.

Ms. Brown reiterated that the issues Community Council ought to consider had been set out in section 250, subsection 3 of the Municipal Charter. She noted that a number of the submitted letters raised a variety of issues, some of which were relevant and some of which were not; noting that the relevant letters related to those three criteria set out in the Municipal Charter. For example, Ms. Brown stated that one issue was clearly an indication by a number of residents that the planned use was a problem for the neighbourhood, however, she advised that the use was permitted whether the building stays in the form it is in or if it is changed. She provided the following issues outlined in the letters which were not relevant to the variance as follows:

- The permit issuing process
- Issues regarding whether the developer could lease to another tenant
- 24/7 operation
- Sale of property

Councillor Mosher advised that she could also not support the variance as it did not meet the setback or angle control requirements as outlined on page 3 of the staff report dated May 28, 2010.

Councillor Hum stated that she appreciated residents attending to express their concerns, however, Community Council was there specifically to address a variance appeal. She advised that she did not take resident concerns lightly, however, Community Council could only look at the three outlined criteria.

Councillor Wile stated that she appreciated the resident's concerns, however, she believed they had a problem with the building tenant; noting that she was sure the IWK would ensure that they were safe.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Councillor Mosher

Councillor Mosher submitted a petition containing 109 signatures on behalf of the residents of Purcell's Cove requesting the prevention of the construction of a 40 metre free standing self support telecommunication tower and associated equipment shelter on land adjacent to 451 Purcell's Cove Road, Purcell's Cove.

9.2.2 Councillor Mosher

Councillor Mosher submitted a petition containing 126 signatures on behalf of the residents of Stoneridge Subdivision requesting that Halifax Regional Council, Community Council District 17 and Metro Transit reconsider the existing planned route to run in both directions on Walter Havill Drive by having Route 22 stop at Northwest Arm Drive and Walter Havill Drive then travel directly to Osborne Street.

9.2.3 Councillor Mosher

Councillor Mosher submitted a petition containing 130 signatures was submitted on behalf of residents of Stoneridge on the Park in support of the introduction of bus service to the community.

MOVED BY Councillor Mosher, seconded by Councillor Adams, that Chebucto Community Council request a staff report from Metro Transit be submitted for the July 5, 2010 meeting assessing all letters and information included with petitions 9.2.2 and 9.2.3 and consideration for altering the route off of Walter Havill Drive. MOTION PUT AND PASSED.

9.3 Presentations - None

10. REPORTS

10.1 Staff

10.1.1 Case 16023: Non-substantive Amendment, Neighbourhood B of Wentworth/Bedford South Master Plan Area

- A staff report dated May 10, 2010 was before Community Council.

Mr. Andrew Bone, provided the presentation on Case 16023: Non-substantive Amendment, Neighbourhood B of Wentworth/Bedford South Master Plan Area. Highlights were as follows:

- The Bedford South area was a master plan community of about 625 acres
- The interchange was currently under construction and expected to be completed in the summer of 2010
- The proposed amendment would improve public access to the road
- The proposal was to allow construction to begin, however, the 300 units would not be occupied until the interchange is completed
- Granting this amendment has little or no risk to HRM

- Construction time would be at least 18 months

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

1. Approve, by resolution, the proposed amending agreement, as set out in Attachment A of the report dated May 10, 2010, to permit the issuance of Development and Building permits for the remaining multiple unit dwellings within Cresco Holdings Limited Lands in Neighbourhood B prior to the interchange at Highway 102 and Larry Uteck Boulevard being connected to Larry Uteck Boulevard and open to vehicular traffic; and
2. Require the agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at and end.

MOTION PUT AND PASSED.

10.1.2 Case 01302: MPS and LUB Amendment for a Development Agreement - 3473 Dutch Village Road, Halifax

- A staff report dated May 13, 2010 was before Community Council.

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

1. Move Notice of Motion to consider approval of the proposed Development Agreement contained in Attachment B of the report dated May 13, 2010 to allow for a mixed use building, and schedule a joint public hearing with Halifax Regional Council;
2. Recommend that Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law contained in Attachment A of the report dated May 13, 2010 and schedule a joint public hearing with Chebucto Community Council; and
3. Recommend that Regional Council approve the amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law in Attachment A of the report dated May 13, 2010.

MOTION PUT AND PASSED.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Case 01205 - MPS/LUB Amendments and DA - 50 Bedford Highway, Halifax

- A supplementary staff report dated May 31, 2010 was submitted.

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

- 1. Approve the proposed development agreement as contained in Attachment A of the supplementary staff report dated May 31, 2010 to allow for a mixed use building;**
- 2. Require the agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

12.2 Case 15951: Development Agreement - 3109 Joseph Howe Drive

- A staff report dated May 13, 2010 was submitted.

MOVED BY Councillor Mosher, seconded by Councillor Wile, that Chebucto Community Council give Notice of Motion to consider an application to allow for a day care facility for 20 children in conjunction with the single unit dwelling at 3109 Joseph Howe Drive, Halifax, and schedule a public hearing for July 5, 2010. MOTION PUT AND PASSED.

12.3 Case 15976: Amendments to Development Agreement, Rockcliffe Village, Mainland South, Halifax

(i) Report Dated May 19, 2010 from the Halifax Watershed Advisory Board

- A staff report dated May 27, 2010 was submitted.

MOVED BY Councillor Mosher, seconded by Councillor Wile, that Chebucto Community Council give Notice of Motion to consider an application by RV Atlantic Holdings Ltd. to amend the development agreement for "Rockcliffe Village" on lands at Northwest Arm Drive and Cowie Hill Road extension, Halifax, and schedule a public hearing for July 5, 2010. MOTION PUT AND PASSED.

12.4 Bedford Highway Bike Way and Street and Road Concerns - Councillor Hum

Councillor Hum stated, for the record, that she requested an email report from staff regarding this issue.

MOVED BY Councillor Hum, seconded by Councillor Mosher, that Chebucto Community Council request that the email staff report be forwarded to Community Council and the Active Transportation Advisory Committee as information. MOTION PUT AND PASSED.

12.5 Dunbrack Street Rose Bushes - Councillor Wile

Councillor Wile advised residents that the removal of the Dunbrack Street rose bushes would continue and staff would also be continuing on with the street scaping plan.

12.6 Turnmill Playground - Councillor Wile

Councillor Wile stated that the old Turnmill playground equipment had been removed for safety reasons, however, a tender would go out for new equipment to be installed later in the summer.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Mike Bonin, Walter Havill Drive, stated that he wished to address the proposed bus service on Walter Havill Drive and the subsequent letter from Councillor Mosher regarding this matter. He indicated that this issue had come up at meetings when the first phase of the subdivision was built; noting that residents were not in favour of this bus service. He suggested rerouting the proposed bus to provide service to condo residents. He noted that most parents living on Walter Havill Drive had two cars and had said they would not allow their children on the bus. Mr. Bonin wondered if it was the intention of Metro Transit to use the bus as a shuttle to get their staff home. He indicated that, with the new route, 68 busses would be going down Walter Havill Drive each day and that a real estate agent had told him that property values would go down as a result of the service. He indicated that this was a quiet area and that the bus would still require passengers to transfer at Mumford; noting that this would not be convenient for students attending elementary school or Halifax West school. Mr. Bonin advised that there were now five stops on the street, some less than 500 metres away from each other, which would encourage people to cut through yards. He expressed concern that people wanted this route pushed through the system.

Ms. Linda Bonin, Walter Havill Drive, stated that taxes would go up as a result of the new transit route and it would also cause ongoing residential maintenance with salting and over plowing. She stated that crews had installed bus signs on the Sunday of Victoria Day weekend and wondered if this cost HRM for overtime. She noted that the signs were erected prior to HRM tabling final approval of the budget. Ms. Bonin stated that rerouting a bus was a way to get taxes as it was her understanding that Metro Transit was happy with the level of service in the area. In closing, she advised that she did not want a bus route on Walter Havill Drive.

Councillor Mosher stated, for the record, that the letter she had sent residents indicating that she has transit service on her street was because residents had asked for that information. She advised that Regional Council had approved that any home owner within one kilometre of a transit stop would be taxed for bus service, therefore, the residents of Walter Havill Drive were being taxed already. Regarding signage, Councillor Mosher indicated that residents had requested this and, therefore, she provided signs. Regarding work on Sunday, she advised that Metro Transit had contracted this work out to HRM Public Works staff who work 24/7. In closing, Councillor Mosher stated that she had forwarded all resident emails to staff as well as two possibly defamatory emails that have been sent to the Solicitor.

Ms. Cathy Clark, , Walter Havill Drive, stated that she completely disagreed with a bus coming through Walter Havill Drive and thanked the Bonin's for doing a great job.

Ms. Melissa Metrie, Walter Havill Drive, stated that she opposed Councillor Mosher's statements contained in her letter to residents. Ms. Metrie noted that it was not true that residents would experience less congestion with buses in their neighbourhood as they had all said that they would still continue to use one or more cars for their daily commute. She stated that this would, therefore, create mote pollution and traffic in the area which would not reduce HRM's carbon footprint. She stated that in Councillor Mosher's letter the sound of buses was discussed and explained through decibels and compared to a lawnmower. Ms. Metrie advised that she would disagree with having a lawnmower run all week and stated that a bus should not be compared to a lawnmower.

Mr. Mike Shacklock, Walter Havill Drive, stated that he had lived in the area for two years and was in support of the approved bus route. He advised that he had recently retired and, being new to the area, he valued Metro Transit as he had been using the service for 13 years. He stated that he had been hoping that route 14 would be rerouted and that something would come closer so news of the proposed route 22 was welcome. He indicated that he was not going to get into a debate with his neighbours over this issue as he did live at the other end of the street, however, the service would make residents more able to use public transit. In closing, Mr. Shacklock stated that he would be disappointed if the proposed route would be cancelled and hoped some comodation could be made.

Mr. Bruce Thompson, Walter Havill Drive, stated that he had been a tax payer for over 30 years and this was the first time he had attended Community Council. He indicated that he was in support of a bus not going through Walter Havill Drive. He noted that most of the concern seemed to be coming from the condo residents. He suggested putting the route over to Osborne Street and through Northwest Arm Drive; noting that people would walk to catch it. He stated that he was not sure who was proposing this bus route as other options and solutions were available. In closing, Mr. Thompson stated that he was a member of NSGU and would picket to keep buses off the street.

The Community Council noted that this issue had been addressed under the petitions portion of the meeting and that all concerns would be forwarded to Metro Transit staff.

15. NEXT MEETING DATE

The next meeting was scheduled for July 5, 2010.

16. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Shawnee Gregory
Legislative Assistant