

HALIFAX REGIONAL MUNICIPALITY

CHEBUCTO COMMUNITY COUNCIL
MINUTES

June 13, 2011

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

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

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1. CALL TO ORDER

The Chair called the meeting to order at 7:02 p.m. in the Keshen Goodman Library, Halifax.

2. APPROVAL OF MINUTES – May 2 & 24, 2011

MOVED by Councillor Wile, seconded by Councillor Mosher that the minutes of May 2 & 24, 2011 be approved as presented. MOTION PUT AND PASSED.

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

MOVED by Councillor Wile, seconded by Councillor Mosher that the agenda be approved as presented. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet

4.1.1 J.L. Ilsley High School – Campus Opportunity

As there was no update, Councillor Adams requested that this item remain on the Status Sheet.

4.1.2 Keefe Drive – Emergency Concerns Due to Road Construction and Lack of Seawall

Councillor Mosher stated, for the record, that she did not approve of staff making the decision to include all non-accepted/private roads in HRM in the staff report regarding Keefe Drive; noting that the report was being sent to the Transportation Standing Committee. She requested that staff separate Keefe Drive from that staff report and bring the matter forward to the Community Council.

Councillor Hum, a member of the Transportation Standing Committee, advised that she did ask that the report be forwarded to Community Council.

This item is to remain on the Status Sheet.

4.1.3 By-law A-300 – Continuous Dog Barking

An information report dated May 6, 2011 was before Community Council.

Councillor Wile accepted the information report and stated it was her understanding that staff was currently reviewing By-law A-300; noting she may move an additional motion at a later time.

This item is to be removed from the Status Sheet.

4.1.4 Whimsical Lake Crescent

As there was no update, Councillor Mosher requested that this item remain on the Status Sheet.

4.1.5 Sherbrooke Drive Update

As there was no update, Councillor Hum requested that this item remain on the Status Sheet.

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – NONE

8. HEARINGS

8.1 Public Hearings

8.1.1 Case 16678 – Amending Agreement – 368 Lacewood Drive, Halifax

A report dated May 11, 2011 was before Community Council.

Ms. Jillian MacLellan, Planner, provided the presentation on Case 16678 – Amending Agreement – 368 Lacewood Drive, Halifax.

The Chair reviewed the rules of procedure for Public Hearings and called for those speaking for or against Case 16678 – Amending Agreement – 368 Lacewood Drive, Halifax.

Mr. Gary Knickle, Licensee for the proposed Mr. Lube location, advised that he had formerly owned an automotive business for 13 years and that the proposed developed would be a nice site, with no environmental issues, which would employ between 10 and 12 people. He stated that the business would spend money on advertising during the first year of operation and would like to begin building this summer; otherwise, they would have to wait another year to begin. Mr. Knickle indicated that this was a needed service for the city and he planned to have three to five Mr. Lube locations in HRM

soon. In closing, he stated that he was looking forward to getting started as this had been a long process and he hoped it would continue quickly.

Ms. Jenifer Tsang, Planning Consultant for the applicant, Mr. Lube Canada, thanked Community Council for holding a special first reading so the public hearing could occur. She advised that Mr. Lube was proud of their work in Canada and that this would be their first location in Nova Scotia; noting they were pleased to be working with Mr. Knickle. Ms. Tsang indicated that Mr. Lube was known for being a clean, environmentally friendly site; noting that there was no gas on site and it was a very high tech and modern set up. She advised that they hoped to start construction this summer which would take five months. She also stated that this was stage one of the process and then paperwork would have to be done; requesting that if the development was approved, that Community Council consider holding a meeting in late July to help keep them on schedule. In closing, Ms. Tsang stated that she was happy to answer any questions.

Ms. Wendy MacDonald, Clayton Park West, wondered what the eye appeal of this development would be for the passer-by. She indicated that the new medical clinic on the same property had put in a pile of rock and let it roll down slope but had dumped soil on top recently so it would be more appealing. Ms. MacDonald hoped that any intrusion the property has on the other property's common lands would be maintained in a positive and well landscaped manner and wondered about the existing trees. She wondered if it be HRM or the Department of Environment who would be monitoring the environmental risk for issues such as run off. She requested that pollution in the neighbourhood be prevented.

Ms. Kenna MacKenzie, Development Engineer with Halifax Water, advised that they have a pollution prevention control group for any release from a property that gets into a ditch or sewer system that Halifax Water maintains; noting they monitor these areas to ensure things stay within the appropriate level. She stated that Halifax Water relies on the public to alert them if they see an issue. Ms. MacKenzie also advised that Halifax Water has clean up equipment and can vacuum storm systems; indicating that once a spill reaches a water course, it becomes the responsibility of the Department of Environment. In closing, she advised that when a business such as Mr. Lube connects to the Halifax Water system, they require a sampling manhole which Halifax Water is able to collect samples from.

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

MOVED by Councillor Wile, seconded by Councillor Adams that the Public Hearing be closed. MOTION PUT AND PASSED.

MOVED by Councillor Wile, seconded by Councillor Mosher that Chebucto Community Council:

1. **Approve an application by Sunrose Land Use Consulting to further amend the development agreement for the property at 368 Lacewood, Halifax.**
2. **Require that the Development Agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval shall be void and any obligations arising hereunder shall be at and end.**

MOTION PUT AND PASSED.

8.2 Variance Appeal Hearings - None

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentations

9.3.1 Ujamaa Initiative

This item was deferred to an upcoming meeting.

10. REPORTS

10.1 Staff

10.1.1 Case 16217: Heritage Development Agreement – 10 Kirk Road, Halifax

A report dated May 5, 2011 was before Community Council.

MOVED by Councillor Mosher, seconded by Councillor Adams that Chebucto Community Council give Notice of Motion to consider the development agreement contained in Attachment A of the staff report dated May 5, 2011 and schedule a Public Hearing for July 4, 2011. MOTION PUT AND PASSED.

10.1.2 Case 16333: Amending Development Agreement – Halifax Water Operations Centre, 450 Cowie Hill Road, Halifax

A report dated May 26, 2011 was before Community Council.

MOVED by Councillor Mosher, seconded by Councillor Wile that Chebucto Community Council give Notice of Motion to consider the amending agreement contained in Attachment A of the report dated May 26, 2011 to allow for an addition to the existing administrative building at 450 Cowie Hill Road, Halifax, and schedule a Public Hearing for July 4, 2011.

Councillor Mosher advised that she had met with the Urban Forester and HRM Planning staff and advised that she would like to meet with Halifax Water staff prior to the public hearing to initiate some recommendations she had related to this matter.

MOTION PUT AND PASSED.

- 11. MOTIONS - NONE**
- 12. ADDED ITEMS – NONE**
- 13. NOTICES OF MOTION - NONE**
- 14. PUBLIC PARTICIPATION**

Councillor Mosher requested the Solicitor provide guidelines for Public Participation for the next meeting.

Mr. Keith Wells, Willet Drive, advised that he was representing the Fairview Clayton Park Community Action Network. He submitted information on June 13, 2011 to the Community Council and reviewed that correspondence for the record. He expressed the group's concern regarding the former Halifax West High School property and their request that the site be given another full review based on confusion in the community; noting there was enough concern from residents to incorporate them in the process and hold a public information meeting to address the situation.

The Chair advised that the staff report regarding this matter had not been written yet and resident's issues would be addressed during the Public Hearing process.

Ms. Ria Tienhaara, Fairview, expressed concern regarding the former Halifax West High School property plans; noting she and her husband had moved to Ashdale and were part of a wave of young families who have moved to the area. She stated that Fairview was changing as were property values and the United Gulf proposed development undervalues the property; indicating that property taxes have been increasing every year. She stated that constructing the proposed high density commercial development in an area that has always been low density should not occur and that it ignores the public outcry at a meeting in 2009 which called for well maintained parkland. Ms. Tienhaara advised that the pressing need for commercial buildings would be best met by building up the existing commercial areas on Dutch Village Road and Lacewood Drive as there were many vacant buildings and lots there

needing commercial revitalization. She stated that residents have been vocal about the need for parkland so children have safe greenspace on publically maintained parkland. Ms. Tienhaara indicated that at the Imagine Fairview meeting held on May 11, 2011 it noted that Fairview needs a community centre as public infrastructure was currently non-existent in the area. She expressed concern that selling public land to any corporation means setting the leasing costs for community groups too high which neglects the future needs for the community in Fairview. In closing, she requested that Council look at this matter again and keep the land as park and institutional.

Ms. Wendy MacDonald, Clayton Park West, indicated that she had attended a provincial volunteer conference earlier that day and was impressed with the dedication volunteers were giving across Nova Scotia; noting that recognition has not been given to the resource of volunteers in District 10. She stated that these volunteers recently helped clean up the Willet Street passive recreation reserve. She requested Community Council consider a visioning process for mainland Halifax as well as new bus routes; noting the community did not want a new transit terminal yet as a policy has not been developed to assure them the process would be done appropriately. Ms. MacDonald indicated that residents liked Communities in Bloom and requested that Councillors create a column in the Community News. She encouraged Councillors to speak out about the Auditor General's report at Council the following day and to urge a police review of the matter as citizen's tax money had been wasted and every one of the Chebucto communities could have benefited from such funding.

Ms. Tamara Lorincz, Fairview, advised that an Imagine Fairview meeting had been held since the last Community Council meeting which was initiated as a result of resident concerns over inaccurate information regarding the former Halifax West High School site. She advised that two additional community meetings had been held and approximately 100 people attended. Ms. Lorincz shared the outcomes of those meetings and submitted a presentation which she reviewed for the record. In closing, Ms. Lorincz submitted a petition containing 200 signatures in opposition to the proposed development of the former Halifax West High School site located at 3620 Dutch Village Road, Case 01254.

The Chair advised that Ms. Lorincz's questions as submitted in her presentation had been sent to staff and would be included in their report.

Mr. Troy Sanders, Rosedale Avenue, reviewed his correspondence submitted to Community Council and Planning staff for the record regarding the proposed development of the former Halifax West High School site. He stated that there was the opportunity in this case for the seven acres of land to be shared with the public and the developer as making Fairview a better community meant making it better for residents and future development.

Mr. Andrew Feenstra, Ashdale Avenue, stated that he had spoken about the proposed development of the former Halifax West High School site at the May Community Council meeting as well. He indicated that residents have been told by the Chair that they have to wait for the staff report, which they understood; however, residents were present to tell Councillors that there are multiple groups coming forward to say the proposal was the wrong way to develop the site as they did not want the proposed development in their backyard. Mr. Feenstra advised that there has been multiple times when Council has voted against a staff report and that residents elect Councillors to speak on their behalf and their behalf in Fairview was against the proposed development.

Councillor Hum advised, for the record, that Community Council has not seen the proposal in question.

Mr. Mike Shacklock, Walter Havill Drive, provided positive remarks regarding the production of the Hale Pond Trail and pointed out that, in some areas where the Trail has been punched through, it was not done with much regard for the small trees along North West Arm Drive; noting it would be nice if this area could be landscaped. Mr. Shacklock also suggested that Community Council request that United Gulf remove their sales trailers at the Waterton as he did not think it was necessary for the trailers to be left on site just in case they may be used for the Waterton II. He also suggested that United Gulf may be over extended and recommended HRM look at any proposal from them with scepticism.

Mr. Mike Hallett, Birkdale Crescent, stated that a fence was put around the field near his home and he did not know how it got there; noting that he heard it was installed as a result of dog feces and now residents could use the field. He indicated that he did not understand where planning was going and it was a great area but did not seem like things were being well thought out.

Councillor Wile stated that she did hear the fence was put in due to misuse; noting that she would get back to Mr. Hallett with further information.

Ms. Maureen Manuge, Westridge Drive, highlighted an article that was in the community paper regarding the Willet Street Reserve clean up the community had completed and thanked Councillor Wile for providing them with supplies; noting they would probably have to do it again. Ms. Minuche stated that she was also helping the trail group in the area and inquired as to the location of the port-a-potty key.

Councillor Wile advised that she was already investigating this matter and was waiting for a response.

In closing, Councillor Mosher invited everyone to the grand opening of the Chain of Lakes Trail on June 11, 2011.

Councillor Wile announced that two more HRP safety meetings would occur on June 15 and 22, 2011 at the Canada Games Centre.

15. NEXT MEETING DATE – July 4, 2011

16. ADJOURNMENT

The meeting was adjourned at 8:07 p.m.

Shawnee Gregory
Legislative Assistant