

CHEBUCTO COMMUNITY COUNCIL

MINUTES

APRIL 3, 2000

THOSE PRESENT: Councillor Stephen D. Adams, Chair
Councillor Graham Read
Councillor Bill Stone
Councillor Russell Walker

ALSO PRESENT: Paul Morgan, Planner
Mitch Dickey, Planner
Gerard Donahoe, Development Services
Phil Townsend, Facilities
Sandra Shute, Assistant Municipal Clerk

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1. **INVOCATION**

The meeting was called to order with an Invocation at 7:00 p.m. at 2750 Dutch Village Road, Halifax.

2. **APPROVAL OF MINUTES - MARCH 6, 2000**

MOVED by Councillors Walker and Stone to approve the Minutes of meeting held on March 6, 2000 as circulated. MOTION PUT AND PASSED.

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

Added Item: Case 00235 - Stage II Development Agreement Application, Phase 4A, Glenbourne Subdivision

MOVED by Councillors Read and Stone to approve the Order of Business as amended. MOTION PUT AND PASSED.

4. **BUSINESS ARISING FROM THE MINUTES**

4.1 **Status Sheet Items**

4.1.1 **Improvements to Kearney Lake Road**

Waiting for cost sharing with the provincial government to proceed. To be left on the Status Sheet.

4.1.2 **Request for Two-Car Garage with Attic - District 17**

Councillor Read advised that the applicant is out of town. To be deferred to next meeting.

4.1.3 **Oil/Gas Spill - McIntosh Run**

An Information Report dated March 29, 2000 was before Community Council advising what had transpired with the oil spill and what has been done to rectify the situation.

4.1.4 **Traffic Signals on Prospect Road**

An Information Report dated March 7, 2000 was before Community Council advising that traffic volumes on Evergreen Court are insufficient to warrant signalization.

4.1.5 MPS Dispensation re Provincial and Federal Governments

Awaiting a report from staff.

4.1.6 Wheelchair Access After Normal Hours - 2750 Dutch Village Road

An Information Report dated March 2, 2000 was before Community Council. There was insufficient funds in the budget for any significant changes; however, staff would utilize a buzzer system.

Mr. Phil Townsend, Facilities advised that 90% of what was planned is completed. A new buzzer has been installed at the lower level inside the lobby which will ring in the Council Chambers - standard doorbell chime. There will be a sign placed indicating nighttime use. Arrangements will have to be made to have the outside exterior door open to allow wheelchair access and ensure that the building is secure after the meeting. The wheelchair access was considered a lift, not an elevator, meaning that it requires a second person to be present.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS** - None

8. **PUBLIC HEARINGS** - None

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None

10. **REPORTS**

10.1 **Case 00236 - Application for Amendment to a Stage II Development Agreement, Clayton Park West, Parcel BC-1**

A Staff Report dated March 20, 2000 was before Community Council. Paul Morgan, Planner provided an overview of the application and submitted an architectural rendering for illustrative purposes. Staff was recommending approval of the amending agreement attached to the Staff Report which changes the schedules to the initial agreement. All other terms of the agreement would remain the same.

MOVED by Councillors Stone and Walker to approve the amending agreement presented as Attachment IV to the Staff Report dated March 20, 2000, in order to permit the construction of a revised office/commercial building design on Parcel BC-1, Clayton Park West.

Further, require the agreement to 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 whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

10.2 Case 00216 - Application for a Stage II Development Agreement, Clayton Park West, Phase 4F, Parcel BC-3B

A Staff Report dated February 28, 2000 was before Community Council. Mitch Dickey, Planner provided an overview of the application and advised that staff is recommending approval.

Councillor Stone referred to page 4 re erosion and sedimentation control and storm water management and asked for clarification. In response, Mr. Mike Willett, Clayton Developments advised that there was a ditch behind running along the BiHi draining back to the intersection and eventually to Susie Lake.

Councillor Stone asked how many bedrooms would be in each apartment. In response, Mr. Mike Willett advised that there would be 90 units of two-bedroom equivalents which allows for a mixture of three, two, one bedroom apartments and bachelors. The majority, however, are two bedroom.

MOVED by Councillors Stone and Read to approve the Stage II Development Agreement for Parcel BC-3B, Phase 4F, Clayton Park West, as attached in Appendix A of the Staff Report dated February 28, 2000 to permit the construction of a 90-unit residential building.

Further, require the agreement to 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 whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

10.3 Fence Permit Application, 156 Old Sambro Road

A Staff Report dated March 24, 2000 was before Community Council with regard to the above, recommending that Community Council listen to all interested parties and either approve or refuse the permit.

Mr. Gerard Donahoe, Development Services advised that the permit request was for a 10' high, 50' long fence. Section 10 of the Building By-law states that anything in excess of 6.5' requires the approval of Community Council.

Ms. Hilary Marentette, 156 Old Sambro Road provided her reasons for applying for the permit. The abutting new house is built on an 8' basement so that the deck, which runs almost the full length of the house, overlooks her property and affords no privacy at all because the deck is 6' above ground. There would be vines planted along the proposed chain link which would eventually screen her property. 10' was the minimum that would allow any privacy.

Councillor Adams asked where the fence would be built. In response, Ms. Marentette advised it would be built along the property line.

Councillor Stone asked if the fence would end at the corner of the house or extend to the retaining wall. In response, Ms. Marentette advised the abutter had a retaining wall. It would go to the end of the retaining wall at the back of her house and at the start of their deck. The retaining wall was 5' high.

Councillor Stone asked if Ms. Marentette had any opinion when the abutter built the deck. In response, Ms. Marentette advised the abutter asked permission to build the house and then asked for permission to build the deck.

The Chair called three times for speakers for or against the application.

Councillor Adams advised he visited the site. The fence was a 5' fence from the perspective of 158 Old Sambro Road. He supported the application.

MOVED by Councillors Read and Walker to approve a permit to construct a 10' high chain link fence adjacent to the property line between 156 and 158 Old Sambro Road as outlined in the Staff Report dated March 24, 2000. MOTION PUT AND PASSED.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Case 00235 - Stage II Development Agreement Application, Phase 4A, Glenbourne Subdivision**

A Staff Report dated March 20, 2000 together with a Memorandum from Paul Morgan, Planner dated April 3, 2000 regarding mail box locations was before Community Council. He provided a colour copy of an architectural rendering as well.

Paul Morgan, Planner provided an overview of the Staff Report and an explanation for the proposed amendment to Clause (d) of Section 3.2. Included in his presentation was an explanation regarding the mail box issue which resulted in the proposed amendment as outlined in the Memorandum for a mail box to be located as proposed on the site plan. Annapolis suggested there might be a better location and two alternative locations were proposed as indicated on Attachment 6 to the Staff Report. Even two sites could be used to spread out traffic. The final decision would be made by the Municipality before any permits are issued with consultation with Traffic Services and Councillor Stone.

Councillor Stone stated that the locations of mailboxes on Parkland and Farnham Gate were selected because they are off HRM parks or entrances to parks and both streets are oversized streets. If they were all in one place, there could be 400 mailboxes; therefore, two locations were more desirable.

Councillor Stone expressed pleasure that utility boxes, etc. will be screened and that erosion control has been included in the agreement.

With regard to signage, Councillor Stone expressed concern that there might be a proliferation of signs at this location and asked if there was anything included for one ground sign with the names of all the commercial businesses included rather than everyone having their own separate sign. In response, Mr. Morgan said that the agreement does not specify but normally with a building of this nature there would be one.

Councillor Stone also expressed concern with having a number of mobile signs located at this location as well. In response, Mr. Morgan advised that there was no one in attendance representing Annapolis Group Inc. but he felt that the representative would be willing to have Councillor Stone's concerns introduced as an amendment. If there was a problem, then Annapolis Group would have to come back next month.

Councillor Stone said he did not object to a mobile sign being located for a grand opening or something similar but he had problems with mobile signs being there continuously and the proliferation of same.

Councillor Stone asked for information on sidewalks, trees and landscaping. In response, Mr. Morgan advised there would be a sidewalk on both sides of Parkland Drive, which have been cost shared. With regard to landscaping, the application would have to provide more detailed plans before getting an occupancy permit.

Councillor Stone asked for clarification as to why the entrance was not in and out opposite Farnham Gate Road instead of having two entrances. In response, Mr. Morgan advised that Engineering advised this was deliberate as the Traffic Engineers did not want the entrance right at Farnham Gate Road.

MOVED by Councillors Stone and Read that the agreement include an amendment to the agreement for only one ground sign permitted on the property and that the use of temporary mobile signs not exceed two weeks. MOTION PUT AND PASSED.

MOVED by Councillors Stone and Walker to approve the Stage II Development Agreement, presented as Attachment VII to the Staff Report dated March 20, 2000 along with the addition of an amendment to clause (d) of Section 3.2 with regard to mailbox locations included in the Memorandum dated April 3, 2000, to permit a commercial building on Parkland Drive in Glenbourne Subdivision.

FURTHER, the agreement include an amendment to the agreement for only one ground sign permitted on the property and that the use of temporary mobile signs not exceed two weeks.

FURTHER, the applicant be required to sign the agreement within 120 days, or any extension thereof granted by Community Council on the request of the applicant, from the date of final approval by Chebucto Community Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

13. **NOTICES OF MOTION** - None

14. **PUBLIC PARTICIPATION**

Mr. Hiram Tiller, 4 Thackeray Close raised the following points:

- Referring to the office building development for Lacewood and Parkland which Community Council approved, even though it might be pedestrian friendly, it was not motorist friendly. He indicated his concerns with traffic in the area and asked when there would be traffic lights at this location. In response, Councillor Stone advised that traffic lights would be installed soon.
- Referring to the shopping centre for Glenbourne, because there would be no traffic lights, he expected there would be rear enders.

- He asked the status of the 102 ramp and Lacewood. In response, Councillor Stone advised that HRM has cost shared the design and it has been completed. HRM was prepared to install the sidewalk but Department of Transportation might not have the money this year. HRM might decide to put the sidewalk in regardless. There were supposed to be two more lanes, improvements to the ramps and two sets of lights, all Department of Transportation responsibility. Home Depot will necessitate a set of lights which will be installed very soon and paid for by Home Depot. A second set of lights at Parkland and Lacewood are in the planning stages.
- He asked when traffic lights would be installed on Lacewood at Sobeys. In response, Councillor Stone advised that cost sharing has been agreed upon and the lights should be in before the summer ends.
- He suggested that the 102 ramp and Lacewood should be listed on Community Council's Status Sheet. If it were on, it might make HRM staff put pressure on Department of Transportation to do something about it. In response, Councillor Stone said there was only so much pressure you could put on Department of Transportation; it was a budget issue with them. He suggested that Mr. Tiller call his MLA.

15. **NEXT MEETING DATE** - Monday, May 1, 2000.

16. **ADJOURNMENT**

On a motion from Councillor Read, the meeting adjourned at 8:00 p.m.

Sandra M. Shute
Assistant Municipal Clerk

