

HALIFAX REGIONAL MUNICIPALITY

CHEBUCTO COMMUNITY COUNCIL

MINUTES

MONDAY, JANUARY 5, 2004

PRESENT: Councillor Linda Mosher, Chair
Councillor Russell Walker, Vice-Chair
Councillor Stephen D. Adams

REGRETS: Councillor Debbie Hum

STAFF PRESENT: Mr. Paul Sampson, Planner
Mr. Andrew Bone, Planner
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:00 pm at the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

2. APPROVAL OF MINUTES

2.1 Minutes of Regular Meeting December 1, 2003

MOVED BY Councillor Adams, seconded by Councillor Walker that the minutes of December 1, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

MOVE: Item 10.1.1 to before the public hearing.

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

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Items

4.1.1 Indoor Soccer Facility

Councillor Adams advised the information requested has been received from Soccer Nova Scotia. This item to be removed from the Status Sheet.

4.1.2 HRM Procurement - List of Vehicles 2003/04

An Information Report dated December 22, 2003 was before Community Council.

Councillor Walker advised the information requested has been received. This item to be removed from the Status Sheet. He further requested a copy of the information report be sent to Mr. William Phillips, member of the public who brought this issue forward.

4.1.3 Off-Leash for Districts 17 and 18

Councillor Adams advised this issue is also before Regional Council. He added this item is

to remain on Chebucto Community Council's status sheet until a report is received from staff.

4.1.4 HRM Clearing/Flooding Lakes for Skating

No further information to report. To remain on Status Sheet.

5. **MOTIONS OF RECONSIDERATION - None**

6. **MOTIONS OF RESCISSION - None**

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

10. **REPORTS**

10.1 **REPORTS FROM DISTRICT 16 - PAC**

10.1.1 Case 00608: Amendment to Stage II Development Agreement - Parcel BC - 2A Lacewood Drive, Halifax

A report dated December 10, 2003 was before the Community Council.

Mr. Paul Sampson, Planner, presented the report.

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

1. **Approve the amendments to the Stage II Development Agreement, presented as Attachment II to the report dated December 10, 2003, to permit commercial development on Parcel BC - 2A Lacewood Drive, Halifax;**
2. **Require that landscaping be maximized along Fairfax Drive and Parkland Drive to allow planting of additional trees/shrubs; and**
3. **Require that the development agreement be signed 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.**

Councillor Mosher clarified with Councillor Walker that his concerns were well expressed in

the motion. Councillor Walker also confirmed concern of blocked intersections was raised at the public information meetings and has been addressed by the completion of the interchange. **MOTION PUT AND PASSED UNANIMOUSLY.**

8. PUBLIC HEARINGS

8.1 Case 00606: Amendments to the Royale Hemlocks Stage I and Stage II Development Agreement

- ! A report dated November 21, 2003 from the District 16 - Planning Advisory Committee was before the Community Council
- ! A staff report dated November 6, 2003 was before the Committee.
- ! A letter dated December 31, 2003 from Medjuck & Medjuck was before the Community Council
- ! A proposed amendment to the motion from Councillor Walker was before the Community Council

Mr. Andrew Bone presented the staff report.

Councillor Mosher explained the procedures for the public hearing then called for speakers for or against this proposal.

PUBLIC PRESENTERS:

Ernestine MacDonald, 50 Amireault Court

- ! bought a property based on a proposal of what the neighbourhood would be. The developers are trying to maintain a pristine neighbourhood out of respect of wishes and views of area residents in keeping Royale Hemlocks a very natural, uncrowded environment.
- ! Ask everyone, including the Councillors to drive up Nelson's Landing and look at the townhouses. They (townhouses) ghettoize a neighbourhood, they are tacky and look rundown but are only five or six years old. She will be the first to put her house on the market if the townhouses are included in the proposal.
- ! We have bought in this area, we have made an investment, we are over 100 voices who want to have these amendments go ahead to make what we have even better.

Councillor Adams asked for clarification of whether she was for or against the present proposal. Ms. MacDonald responded she is for the current proposal to eliminate the townhouses and have six apartment buildings. She added the proposal (drawings) she saw when she first bought in the area, did not show any townhouses.

Bob Curran, Moirs Mill Road, Bedford

- ! concerned with the view planes. The diagrams do not show much elevation. Do the

view planes play a part in your decision to approve this.

Mr. Andrew Bone advised there are only a few areas in the municipality that have protected view planes; Citadel Hill, Dartmouth Commons and the Bedford Waterfront. He added this area has no protection of view planes however it does come into consideration on analysis on whether it is a quality development. HRM Staff work with developers to minimize the impact of any building on the street scape and the developer in this case has worked to minimize the impact of the buildings by grouping them together (one hiding behind another) and trying to maintain some space between the buildings. As for the buildings on Larry Uteck Boulevard, little is able to be done to minimize their impact on the view plane from that angle. He advised the view planes are considered but it is difficult from a policy perspective to turn down a proposal due to the view planes.

Mike JeBailee, Starboard Drive

! in favour of the six storeys instead of the townhouses

David Holding, New purchaser in four storey high building

! townhouses would take away from the look as you come up the hill.
! proposal by developer to put in the trail would be nice for the community.
! in favour of the six storey building and no townhouses.

John Cornick, Recent purchaser in existing Condominium.

! townhouses would be horrendous.
! In support of new scheme.
! proposal for trail is an excellent idea and will add to the area.

Craig Snow, 173 Starboard Drive

! in favour of amendments to the development
! great that townhouses will be removed from Larry Uteck Boulevard as it would be an eyesore.
! in favour of the steps the developer is taking in allowing for the trail.

Alex Angelopoulos, 188 Starboard Drive

! Minimal impact of adding two additional storeys to the five remaining buildings is a good tradeoff as the skyline would not have nearly the impact of the townhouses.
! Commend Pinnacle Homes for coming to residents and asking what we feel/think.

Darren MacDonald, 96 Starboard Drive

! in favour of amendments
! townhouses would take away from our neighbourhood and would be a real eyesore
! thank Pinnacle Homes for involving the community and keeping us on track of what is going on.

Chris Rafuse, Condo owner (four storey building)

- : In total support of development at this point.
- : Removal of townhouses would be beneficial to the area.
- : Many residents moved to area because of the Park.
- : Million tons of rock, how can you build townhouses/condos without blasting. Not a rational idea the way the road has gone in and the townhouses would be an eyesore and do not fit in to the present plan.
- : Raise two storeys to get rid of the townhouses is not a problem.
- : It would be terrifying to live in the townhouse with a 30'-50' drop.

Brenda Kervin, have bought in the first building

- : If you look at all of Clayton Park, six storeys have been approved by Council for most of the cement buildings and I don't see why it wouldn't be approved for this development.

Norsaid Lori, own a unit in existing building

- : Plan is a brilliant idea and should go ahead

Brian Croucher, Azida Court, Bedford

- : No problem with going to six storeys, this is one of the best views in Halifax, buildings could be higher - fifteen storeys even.

Debbie MacInnis, moving into four storey building

- : Do not want to see the townhouses, it will take away from the look.
- : The trail and green space is great, the developer is giving to the community instead of taking away.

Wayne Inglis, 33 Kent Avenue

- : Concerned with trail going into park. Had hoped park would be protected from that side but it doesn't look like it will be.

Mr. Bone advised HRM Parkland Planning have a proposed plan for trails in this area and have suggested a trail connection from Larry Uteck Boulevard to the Old Coach Road is an appropriate connection.

Craig Zwicker, Planner with Terrain Group

- : A complete landscaping plan instituted which was not required
- : Six concerns raised have been addressed: 1) pedestrian connection, 2) public parkland - donated to HRM, 3) six parking stalls by public access to Old Coach Road, 4) safety requirement for fence along cliff or between the buildings, rose bushes planted as a buffer, 5) access to park - public access - easement documents drafted to give HRM right of way from the street into the park, 6) views and heights of buildings.
- : Anyone may contact me at any time with their questions/concerns.

Ms. Leader, Rosemount Drive

- : Want to remind Council that we approved four storeys. We are trading off townhouses for an extra two storeys which is not right as the townhouses cannot be built.
- : Wish to be put on record for four storeys.

Councillor Mosher gave third and final call for speakers for or against this proposal. Hearing none, **the public hearing was closed** on a motion by Councillor Adams.

Councillor Walker asked staff to comment on the letter received from Mr. Medjuck regarding this development and the concerns with the site lines. He added that not all properties have been clear cut and there are trees on the property which are not shown on the site plans.

Mr. Bone advised the adjacent property owned by Emscout Ltd, shows a number of buildings on the Emscout site and the site lines taken in various directions appear to be generally accurate except for site line 6 which had the basement floor elevation at 213.96' which should be 190.28' and would remove that building from having any impact. He further advised the cross section does not show any vegetation as shown on the site plan shown with the letter. When the trees are fully grown it will likely remove most of the impact of any of the buildings on the Pinnacle site from the adjacent properties.

Councillor Walker requested clarification on site line 7, as the building is shown as 10' higher than building on site line 6 and that discrepancy should also be pointed out for its accuracy. Mr. Bone responded he did not notice the discrepancy but it has now been noted.

Councillor Walker clarified that contrary to some comments made this evening that the townhouses could not be built, they can. The townhouses could be built if this development agreement is turned down.

Councillor Walker requested the following amendment be added to the motion: ***That trees be planted along Larry Uteck Boulevard between the sidewalk and the cliff.***

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

1. **Approve the amending Stage I Development Agreement for Royale Hemlocks, presented as Attachment 4 to the report dated November 6, 2003, to permit apartment buildings to be built to a height of six storeys;**
2. **Approve the amending Stage II Development Agreement for Royale Hemlocks, Phases IA and 2, presented as Attachment 5 to the report dated November 6, 2003, to permit changes to design criteria for the**

multi-unit site, with an amendment to require fencing and plantings to restrict access to the steep slopes;

- 3. Request trees be planted along Larry Uteck Boulevard between the sidewalk and the cliff.**
- 4. Require that the amending development agreements be signed 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.**

Councillor Mosher requested clarification that the additional parking spaces were included. Councillor Walker confirmed the parking spaces were included.

Councillor Walker commented he will meet with Mr. Moine regarding the entrance to the Park.

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS - None

10. REPORTS

10.1 REPORTS FROM DISTRICT 16 - PAC

- 10.1.1 Case 00608: Amendment to Stage II Development Agreement - Parcel BC - 2A Lacewood Drive, Halifax

This item dealt with earlier in meeting. See page 5.

10.2 AMENDMENT TO DISTRICT 16 - PLANNING ADVISORY COMMITTEE TERMS OF REFERENCE

- 10.2.1 Amendment to Terms of Reference - Appointment of District 16 Councillor to the District 16 - Planning Advisory Committee

A report dated December 18, 2003 was before the Community Council.

MOVED BY Councillor Walker, seconded by Councillor Adams that Chebucto

Community Council;

1. **Approve an amendment to the Terms of Reference for the District 16 - Planning Advisory Committee to revise Membership from 1 Community Council Member to the District 16 Councillor.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 MEMBERSHIP HALIFAX WATERSHED ADVISORY BOARD

10.3.1 Membership: Appointment of Representative from District 15

A report dated December 24, 2003 was before Community Council.

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

1. **Approve the appointment of Mr. Derrill C. Hynick to the Halifax Watershed Advisory Board for a term of three years to November 2006.**

MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS - None**

12. **ADDED ITEMS - None**

13. **NOTICES OF MOTION - None**

14. **PUBLIC PARTICIPATION**

Mr. David Copp, 12 Armshore Drive

concern with structure built on infilled water lot on Armshore Drive
definition of street - issue to
Important to keep in contact with MP Geoff Regan who is now Minister of Fisheries and Oceans. Perhaps contact him again as Minister.

Mr. Paul Hubert, 18 Armshore Drive

View of North West Arm is important to all people who travel daily down Dutch Village Road, Quinpool Road and the views ought to be protected.
Construction on the infilled water lot by Armshore Drive resident is an outrage.

15. **NEXT MEETING DATE - Monday, February 2, 2004**

16. ADJOURNMENT

The meeting adjourned at 8:20 pm.

Chris Newson
Legislative Assistant