

CHEBUCTO COMMUNITY COUNCIL

SPECIAL MEETING MINUTES

Monday, August 14, 2006

PRESENT: Councillor Stephen D. Adams, *Chair*
Councillor Debbie Hum, *Vice-Chair*
Deputy Mayor Russell Walker
Councillor Mary Wile

**ABSENT WITH
REGRETS:** Councillor Linda Mosher

STAFF: Mr. Andrew Faulkner, Development Officer
Mr. Randolph Kinghorne, Municipal Solicitor
Ms. Chris Newson, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF MINUTES	3
3.	APPROVAL OF AGENDA - ADDITIONS/DELETIONS	3
4.	BUSINESS ARISING OUT OF THE MINUTES.....	3
5.	MOTIONS OF RECONSIDERATION	3
6.	MOTIONS OF RECISSION	3
7.	CONSIDERATION OF DEFERRED BUSINESS	3
8.	PUBLIC HEARINGS	4
8.1	Variance Appeal	4
8.1.1	Appeal of the Development Officer's declaration to refuse an application for a variance - 17 Auburn Avenue, Halifax, Variance 13011	4
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	4
10.	REPORTS	5
10.1	STAFF REPORTS	5
10.1.1	Case 00692: Rezoning of 438 and 440 Herring Cove Road, Halifax, and Amendment to Halifax Mainland Land Use By-Law.	5
10.2	MEMBERS OF COUNCIL	5
10.2.1	Driveway at 10 Abrams Way - Councillor Adams	5
11.	MOTIONS	5
12.	ADDED ITEMS	5 & 6
12.1	Kearney Lake Dam Construction Project/Lowered Lake Levels	5
12.2	Mainland Common Ballfield	5
13.	NOTICES OF MOTION	6
14.	PUBLIC PARTICIPATION	6
15.	NEXT MEETING DATES	6
16.	<u>ADJOURNMENT</u>	<u>6</u>

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES - June 12, 2006 and August 1, 2006

MOVED BY Deputy Mayor Walker, seconded by Councillor Wile that the minutes of June 12, 2006 be approved as presented. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED BY Councillor Hum, seconded by Councillor Wile that the minutes of the August 1, 2006 special meeting be approved as presented. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS

Additions: 12.1 Kearney Lake Dam Construction Project / Lowered Lake Levels -
Councillor Hum
12.2 Mainland Common Ballfield - Councillor Wile

MOVED BY Deputy Mayor Walker, seconded by Councillor Wile that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING FROM THE MINUTES

4.1 Status Sheet Items

- 4.1.1 Rock Pile - 182 Milsom Avenue
- 4.1.2 Welcome to Halifax Sign - St. Margaret's Bay Road
- 4.1.3 Bus Service - Stoneridge
- 4.1.4 Time Lines re: Re-Submission of Identical Planning Applications for Consideration by Community Council
- 4.1.5 Permission to Install a Sign on HRM Property at the Corner of Regency Park Drive / Lacewood Drive
- 4.1.6 Request for a Trail in Hemlock Ravine Park and other HRM Parkland Areas to be Named in Memory of Mr. Colin Stewart.
- 4.1.7 Captain William Spry Centre (*Staff presentation scheduled for September 11, 2006*)
- 4.1.8 Rezoning of 21 Kidston Road

No updates available on the status sheet items. To remain on the Status Sheet.

5. MOTIONS OF RECONSIDERATION - None

6. MOTIONS OF RECISSION - None

7. CONSIDERATION OF DEFERRED BUSINESS - None

8. PUBLIC HEARINGS

8.1 Variance Appeal

8.1.1 Appeal of the Development Officer's Decision to Refuse an Application for a Variance - 17 Auburn Avenue, Halifax, Variance 13011.

- A staff report dated August 8, 2006 was before Community Council.

Mr. Sean Audas, Development Officer and Mr. Steven Croft, Development Technician presented the report.

Mr. Croft responded to Councillor Wile's concern indicating that a letter could be sent advising the owners of 15 Auburn Avenue that permits would be required to construct a deck on their property. Councillor Adams clarified that it would be Chebucto Community Council who would make the final decision regarding a similar variance for 15 Auburn Avenue.

Ms. Doreen Walsh, property owner of 17 Auburn Avenue, responded to Councillor Wile that she would remove the deck if it were an issue should the neighbours at 15 Auburn Avenue choose to sell their home.

Mr. Randolph Kinghorne, Municipal Solicitor commented that the setback requirement is from the foundation not the exterior of the home. He added that in this instance the abutting property owner was in agreement with the setback variance but in another case the abutting property owners may not be in agreement. Chebucto Community Council would make the final decision.

Public Speakers:

Ms. Doreen Walsh, owner of 17 Auburn Avenue

Ms. Walsh advised that:

- She decided to add a deck while replacing the side stairs which were in need of repair. The former steps were the same width as the new stairs (without the deck).
- The side-door was pre-existing.
- She was not aware a permit was required to construct the steps/deck at the side of her property. Once she was aware of the policies, construction work stopped and she acquired the appropriate permits.
- Her neighbours have advised, in writing, that they have no objections to the deck. At their request, she confirmed with her neighbours that she would have no objections if they wished to build a deck on their property.

MOVED BY Deputy Mayor Walker, seconded by Councillor Hum that Chebucto Community Council overturn the Development Officer's decision and grant the variance at 17 Auburn Avenue, Halifax. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS, DELEGATIONS - None

10. REPORTS

10.1 STAFF REPORTS

10.1.1 Case 00692: Rezoning of 438 and 440 Herring Cove Road, Halifax and Amendment to Halifax Mainland Land Use By-Law.

- A staff report dated June 29, 2006 was before Community Council.

MOVED BY Deputy Mayor Walker, seconded by Councillor Wile that Chebucto Community Council give first reading to the proposed rezoning and schedule a public hearing for Monday, September 11, 2006. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED BY Deputy Mayor Walker, seconded by Councillor Wile that the Chebucto Community Council meeting of Monday, September 11, 2006 commence at 6:00 pm.

Councillor Adams advised that the September 11, 2006 meeting will be held in the Halifax West High School Cafetorium, 283 Thomas Raddall Drive, Halifax.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 MEMBERS OF COUNCIL

10.2.1 Driveway at 10 Abrams Way

Councillor Adams advised that there is an easement through the driveway at 10 Abrams Way. Recently, repairs to the sewer laterals were done and in the course of that work a portion of the driveway was disturbed and subsequently repaired. A cold join was placed between the new and old portion of the driveway making the two sections very obvious. Councillor Adams requested that the driveway be repaired to its original, or better condition, by placing a coating of asphalt over the entire driveway. He added that it may be difficult to obtain easements in future if a driveway is not returned to its original or better condition.

MOVED BY Deputy Mayor Walker, seconded by Councillor Hum that Chebucto Community Council request HRM staff repair the driveway at 10 Abrams Way to its original condition, prior to the sewer lateral repair, by placing a coat of asphalt over the driveway. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

12. ADDED ITEMS

12.1 Kearney Lake Dam Construction Project / Lowered Lake Levels

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

1. Send a letter to Annapolis Group Inc., with copies to the Department of Fisheries and Oceans, the Nova Scotia Department of Environment and Labour, MLA Len Goucher and MP Geoff Regan, regarding the drastic 2' reduction in water level at Kearney Lake in a 24 hour period occurring on August 12-13th.
2. Request a written response from Annapolis Group Inc. explaining:
 - Why there was no public notification prior to the commencement of the Kearney Lake dam construction project.
 - Why the reduction in water level to Kearney Lake occurred and what mitigation measures have been implemented.
3. Request that Annapolis Group Inc. provide notification to Kearney Lake area residents as soon as possible and that other concerns brought forward by the public, to be outlined in the correspondence, be addressed.

MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Mainland Common Ballfield

MOVED BY Councillor Wile, seconded by Deputy Mayor Walker that HRM Staff ensure that the following issues in regard to the Mainland Common Ballfield be rectified by Friday, August 18th:

1. Scoreboard to be installed.
2. Lights to be lowered.
3. Drainage problems around first and second base to be resolved.
4. Repairs to dugout to prevent wind from blowing in on the players.

MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

14. PUBLIC PARTICIPATION

- 15. NEXT MEETING DATES -** Monday, September 11, 2006 (*Halifax West High School Cafetorium, 283 Thomas Raddall Drive, Halifax*)
Monday, September 18, 2006 (*Joint meeting with the North West Community Council*)

- 16. ADJOURNMENT** - The meeting adjourned at 7:27 p.m.

Chris Newson
Legislative Assistant