

**CHEBUCTO COMMUNITY COUNCIL
MINUTES**

September 10, 2007

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

STAFF: Ms. Kirby Grant, Solicitor
Ms. Sheilagh Edmonds, Legislative Assistant

TABLE OF CONTENTS

1. CALL TO ORDER 4

2. APPROVAL OF MINUTES 4

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS
AND DELETIONS 4

 3.1 Reschedule October Meeting 4

4. BUSINESS ARISING OUT OF THE MINUTES 4

 4.1 Status Sheet Items: 4

 4.1.1 Bus Service - Stoneridge 4

 4.1.2 Welcome to Halifax Sign - St. Margaret's Bay Road 4

 4.1.3 Rock Pile -182 Milsom Street 4

 4.1.4 Appeal of Ralston Street Area Rezoning 4

5. MOTIONS OF RECONSIDERATION 5

6. MOTIONS OF RECISSION 5

7. CONSIDERATION OF DEFERRED BUSINESS: 5

8. HEARINGS: 5

 8.1 Public Hearings: 5

 8.2 Variance Appeal Hearings: 5

 8.2.1 Variance File No. 13905, Lot R3, R4, R5, R6
 Ravenscraig Drive, Halifax. 5

 8.2.2 Variance File No. 13906, 6 and 12 (Lot R14, R15)
 Dunniker Road, Halifax. 6

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS: 6

 9.1 Correspondence: 6

 9.2 Petitions: 6

 9.3 Presentations: 6

10. REPORTS: 6

 10.1 Staff: 6

 10.1.1 Case 00977: Stage II, Phase 1, Amending Agreement, Main
 Avenue, Halifax 7

 10.1.2 Case 01033: Development Agreement - 10 Berts Drive and 91
 Main Avenue, Halifax 7

11. MOTIONS: 7

12. ADDED ITEMS: 7

 12.1 Herring Cove Streetscape Study 7

 12.2 Item to add to Status Sheet - Councillor Adams 8

13. NOTICES OF MOTION: 8

14. PUBLIC PARTICIPATION 8

15. NEXT MEETING DATE: 9

16. ADJOURNMENT 9

1. **CALL TO ORDER**

The Chair called the meeting to order at 7:02 p.m.

2. **APPROVAL OF MINUTES**

MOVED by Councillor Hum, seconded by Councillor Wile that the minutes of July 30, 2007 be approved. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Herring Cove Streetscape Study
- 12.2 Item to add to Status Sheet - Councillor Adams

3.1 Reschedule October Meeting

MOVED by Councillor Adams, seconded by Councillor Walker that the October Meeting of Chebucto Community Council be rescheduled to October 15, 2007. MOTION PUT AND PASSED.

4. **BUSINESS ARISING OUT OF THE MINUTES**

4.1 **Status Sheet Items:**

4.1.1 **Bus Service - Stoneridge**

No update was provided. This item is to remain on the Status Sheet.

4.1.2 **Welcome to Halifax Sign - St. Margaret's Bay Road**

Councillor Adams expressed frustration that staff were not responding to repeated requests by Community Council for updates. He noted that this item has been on the Status Sheet for two years. It was agreed that the matter would be forwarded to the Chief Administrative Officer with a request that he contact Councillor Adams and Councillor Mosher directly.

4.1.3 **Rock Pile -182 Milsom Street**

No update was provided. This item is to remain on the Status Sheet.

4.1.4 **Appeal of Ralston Street Area Rezoning**

MOVED by Councillor Walker, seconded by Councillor Wile that the Legislative Assistant follow up on this matter and determine if the appeal can be dismissed due to the fact that it has been over a year since it was appealed, and that the Utility and Review Board have not yet set an appeal hearing date. MOTION PUT AND PASSED.

5. **MOTIONS OF RECONSIDERATION** - None
6. **MOTIONS OF RECISSION** - None
7. **CONSIDERATION OF DEFERRED BUSINESS**: None
8. **HEARINGS**:
 - 8.1 **Public Hearings**: None
 - 8.2 **Variance Appeal Hearings**:

8.2.1 Variance File No. 13905, Lot R3, R4, R5, R6 Ravenscraig Drive, Halifax.

A staff report dated August 28, 2007 was submitted.

Mr. Andrew Faulkener, Development Officer, addressed Community Council and outlined his reasons for refusing a request for variance for the front yard setback requirements of the Halifax Mainland Land Use Bylaw to construct four single-unit dwellings on four recently created lots on Ravenscraig Drive, Halifax. He advised that the request is to reduce the front yard setbacks from 20 feet to a range of 13.7 to 14 feet.

In his presentation Mr. Faulkener advised that the application violated the intent of the land use bylaw as the lots were approved under the current Regional Subdivision Bylaw and Land Use Bylaw for Halifax Mainland; and that the lots can accommodate a building which can meet the applicable zoning requirements.

Mr. Faulkener responded to questions of Community Council.

The Chair reviewed the Rules of Procedure for Appeal Hearings and opened the hearing.

Mr. Peter Polley, the applicant, addressed Community Council and using architectural renderings and site plans of his development proposal, he indicated that his main reason for requesting the variance was to maintain the watercourse buffer which runs behind the homes. Mr. Polley explained that although he could meet the front yard setback requirement, it would mean that he would not be able to maintain a 20 foot buffer between the homes and the watercourse. He added that he would rather place the homes closer to the road, than compromise the watercourse. Mr. Polley suggested that there would be no appreciable impact on area residences or the streetscape if the variance were granted.

Mr. Polley and Mr. Faulkener responded to questions from Community Council.

In response to a question by Councillor Wile regarding setbacks from watercourses, Mr. Faulkener advised that this development is a grandfathered development, and has no particular setback requirements.

In response to a question by Councillor Hum, Mr. Polley advised that his development involves a 26 acre site, and that the closest house would currently be 200-300 feet away.

Further, he noted that there will be a heavily-treed screen around the community, and that the houses will be developed by the time anyone buys into the neighbourhood.

Ms. Fern MacPherson addressed Community Council and advised that she lived near the proposed development. She advised that she has lived in the area for 39 years, and was very supportive of Mr. Polley's proposal.

The Chair called three times for anyone else wishing to address Community Council; there being none, it was **MOVED by Councillor Adams, seconded by Councillor Hum that the hearing close. MOTION PUT AND PASSED.**

Councillor Adams indicated his support for granting the variance, advising that this application provided an opportunity to move the development away from a watercourse.

MOVED by Councillor Adams, seconded by Councillor Wile that the decision of the Development Officer be overturned and the variance be granted. MOTION PUT AND PASSED.

8.2.2 Variance File No. 13906, 6 and 12 (Lot R14, R15) Dunniker Road, Halifax.

A staff report dated August 30, 2007 was submitted.

Mr. Andrew Faulkener, Development Officer addressed Community Council and, referring to the submitted staff report, indicated that this matter was similar to the previous application but with different lots. He added that his issues and recommendations were the same with this variance as with the previous variance appeal.

There were no questions by Community Council.

The Chair called three times for anyone wishing to speak to this matter; there being none, it was **MOVED by Councillor Adams, seconded by Councillor Walker that the hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Adams, seconded by Councillor Walker that the decision of the Development Officer be overturned and the variance be granted. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS:

- 9.1 Correspondence:** None
- 9.2 Petitions:** None
- 9.3 Presentations:** None

10. REPORTS:

- 10.1 Staff:**

10.1.1 Case 00977: Stage II, Phase 1, Amending Agreement, Main Avenue, Halifax

A supplementary staff report dated August 15, 2007 was submitted.

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

- 1. Approve the proposed amending Stage II Development Agreement for Mount Royale, Phase 1, as provided in Attachment A of the August 15, 2007 staff report, to allow a 92 unit multiple residential building, and a church on Lot MU-10 and generally update the 133 unit multiple residential building on Lot MU-9 to reflect the most current information; and**
- 2. Require the Stage II amending agreement be signed within 120 days, or extension thereof granted by Council on request of the applicant, from the date of final approval of said agreement by Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

10.1.2 Case 01033: Development Agreement - 10 Berts Drive and 91 Main Avenue, Halifax

A staff report dated August 17, 2007 was submitted.

MOVED by Councillor Walker, seconded by Councillor Wile that Chebucto Community Council give Notice of Motion and schedule a public hearing to consider the proposed development agreement, as described in Attachment "A" of the August 17, 2007 staff report to enable a residential development consisting of 16 townhouse units and a 14-unit apartment building at 10 Berts Drive and 91 Main Avenue, Halifax for October 15, 2007. MOTION PUT AND PASSED.

11. MOTIONS: None

12. ADDED ITEMS:

12.1 Herring Cove Streetscape Study

Councillor Mosher asked Councillor Wile to assume the Chair in order that she could address this item.

Councillor Mosher advised that over the past few months she has received numerous phone calls and some e-mails regarding the Herring Cove Streetscape Study. During

previous meetings, and in newsletter and in local newspaper articles, she and Councillor Adams have stressed that the recommendations in the document are simply that, i.e. recommendations. Councillor Mosher added that many people feel that everything contained in the Streetscape Study is going to be done, regardless of whether Council has approved any specific project. She advised that she was proposing a motion to provide clarification around this item.

MOVED by Councillor Mosher, seconded by Councillor Adams that the Herring Cove Road Streetscape Study, when referenced on the internet, through staff, or any other medium, contain a disclaimer that only a few of these recommendations will be implemented. The criteria will include, but not limited to engineering principles and practices, funding availability and practicality of the recommendations. MOTION PUT AND PASSED.

Councillor Mosher assumed the Chair.

12.2 Item to add to Status Sheet - Councillor Adams

Councillor Adams advised that at the May 7, 2007 meeting of Community Council, he had asked for a staff report back the possibility of installing traffic lights at the intersection of Old Sambro Road and North West Arm Drive. He asked that this matter be moved to the Status Sheet.

13. NOTICES OF MOTION: None.

14. PUBLIC PARTICIPATION

Mr. H. Tiller, Clayton Park West. Mr. Tiller addressed Community Council with the following traffic concerns:

- the right-turn ramp from Lacewood Drive to the 102 highway was not adequate, as sometimes traffic gets backed up on Lacewood Drive, as far as Radcliffe Drive. He suggested that the whole area from Fairfax Drive to the 102 ramp should be made a right-hand turn.
- in reference to the upgrades being carried out on Kearney Lake Road near the 102 exit, he suggested that the ramp coming down to the Kearney Lake Road should be widened in order that cars can turn left and right at the same time. Mr. Tiller advised that currently, if there are two cars lined up to make a left turn, no one behind them is able to make a right turn.
- the left turning lane on Dunbrack Street, at Lacewood Drive, proceeding south, should be lengthened, as the traffic lights are not synchronized and the left lane gets full before the light turns green.

The Chair advised Mr. Tiller that his concerns would be forwarded to the Traffic Authority.

Mr. Bob Zinck, Halifax, addressed Community Council with the following concerns:

- the right-turning lanes onto Highway 102 from the Bayers Lake Business Park are only half-plowed in winter and therefore become useless.
- referring to the amount of road construction and delays going on this summer, he noted that no work was being carried out on the weekends.
- he advised that last week he tried to contact HRM's '4000' number but was put on speaker phone for half an hour on one occasion, and was then disconnected, and then tried again in the afternoon and the same thing occurred.

In response to a question from the Chair concerning HRM's '4000' number, Mr. Zinck indicated that he could not recall the exact day and time this happened, but believes it was about a week ago, and in the middle of the week.

The Chair advised that the issue with the '4000' number would be forwarded to staff.

15. **NEXT MEETING DATE:** October 15, 2007

16. **ADJOURNMENT**

The meeting adjourned at 7:54 p.m.

Sheilagh Edmonds
Legislative Assistant

The following information item was submitted:

1. Information Report dated July 20, 2007 RE: Brigadier Court