

**CHEBUCTO COMMUNITY COUNCIL**

October 2, 2006

**MINUTES**

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

**STAFF:** Mr. Randolph Kinghorne, Senior Solicitor  
Ms. Sheilagh Edmonds, Legislative Assistant

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**1. CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m. in the Keshen Goodman Library, Halifax.

**2. APPROVAL OF MINUTES - None**

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

Councillor Mosher noted that she had proposed an added item pertaining to facilities and maintenance of Northcliffe Recreation Centre, however, she did not want to add the item at this time. The Councillor explained that she has spoken with Deputy Mayor Walker and staff about an issue which a group of women brought to her attention. Councillor Mosher advised that with the concurrence of Community Council, she would like to leave the matter with staff for this month, and will place it on the agenda next month, **to which it was agreed.**

Deletion:

9.3.1 Presentation - Captain William Spry Centre - Staff Presentation

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

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

**4.1 Status Sheet Items:**

**4.1.1 Kearney Lake Dam Construction Project/Lowered Lake Levels**

Councillor Hum advised that the water in Kearney Lake has dropped significantly again. She added that she received photos from residents of Kearney Lake which she has forwarded to staff at Environmental Management Services and to the Annapolis Group. This item is to remain on the Status Sheet.

**4.1.2 Request for Zoning Change - 21 Kidston Road**

Councillor Adams advised that he has received correspondence from the property owner indicating they are willing to proceed. This item is to remain on the Status Sheet.

**4.1.3 Request for a Trail in Hemlock Ravine Park and other HRM Parkland Areas to be Named in Memory of Mr. Colin Stewart**

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

**4.1.4 Permission to Install a Sign on HRM Property at the Corner of Regency Park Drive/Lacewood Drive**

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

**4.1.5 Time Lines re: Re-Submission of Identical Planning Applications for Consideration by Community Council**

Councillor Mosher advised that this item can be removed from the Status Sheet.

**4.1.6 Bus Service - Stoneridge**

Councillor Mosher noted that this matter is pending further development applications and public information. This item is to remain on the Status Sheet.

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

Councillor Mosher noted that, because this item is not being dealt with by staff in an acceptable manner, she has spoken with the Coordinator in the Deputy Chief Administrative Officer this evening, and he has given assurance that the appropriate staff will remove the sign and, in the next budget session, the matter will be given consideration for capital budget improvements. This item is to remain on the Status Sheet.

**4.1.8 Rock Pile - 182 Milsom Avenue**

Deputy Mayor Walker advised that this matter has not been resolved and he requested it remain on the Status Sheet.

**5. MOTIONS OF RECONSIDERATION - None**

**6. MOTIONS OF RECISSION - None**

**7. CONSIDERATION OF DEFERRED BUSINESS:**

**7.1 Public Hearing: Case 00834 - Development Agreement for Phase 1 - Block F, Kelly Street**

This public hearing was deferred from the September 11, 2006 meeting with a request by Community Council that a complete traffic study be carried out, i.e. one that could be compared to the 2001 traffic study.

An information report dated September 19, 2006 was submitted.

Councillor Mosher provided a brief history of this application and advised that, at her request, Community Council agreed to ask for an updated traffic study.

Ms. Randa Wheaton, Senior Planner, addressed Community Council and in reference to the Information Report noted that an additional traffic study was done and was attached

to the information report. She noted that two traffic studies were carried out in relation to the proposed apartment building and the results showed that the traffic counts were nominal, and would have a minimal impact.

**MOVED by Councillor Mosher, seconded by Deputy Mayor Walker that Chebucto Community Council:**

- 1. Approve the proposed Development Agreement, presented as Attachment A of the May 23, 2006 staff report, to permit a seventy unit residential building as Phase 1 on Block F, Kelly Street, Halifax.**
- 2. Require that the Development Agreement be signed and returned 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 is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Mosher advised that at the original public information meeting in 2001, concern was raised about the proposed parkland. She added that the design audit has been completed and, with the developer's agreement, she has a one-page sheet that can be made available to the public, through the Clerk's Office. Councillor Mosher explained that HRM's Community Response Team conducted the audit and have made recommendations for safety, and she noted that she will ensure they are included in any further phases of this development.

Councillor Mosher also noted that there were concerns about the mailing list and notification for the public hearing. She advised that the notification was mailed to 517 addresses and she pointed out that this was considerably more than the usual notification. Councillor Mosher explained that if anyone believes they did not receive notification, and want to confirm, she would leave the list of addresses with the Clerk and residents can check with the Clerk to see if a notice letter was sent to them. Councillor Mosher advised that the concern about park location has been addressed and she has requested the full audit; but if anyone wanted the one page summary by Gordon Ratcliffe Landscape Architects she could provide this. Councillor Mosher added that the recent traffic study could be obtained by contacting either herself or the Clerk's Office, pointing out that it indicates that the 70-unit apartment building will not have a significant impact.

**MOTION PUT AND PASSED.**

**8. HEARINGS**

**8.1 Variance Appeal**

**8.1.1 Case No. 13235 - Civic No. 18 Flamingo Drive, Halifax**

A staff report dated September 25, 2006 was submitted.

Mr. Steven Croft, Development Technician, addressed Community Council and outlined the Development Officer's decision to approve a variance to reduce the right side yard setback to 7.7 feet (7 feet, 8 inches) for a proposed single unit dwelling, from a setback requirement of 8 feet at 18 Flamingo Drive, Halifax. Mr. Croft advised that the owners at 20 Flamingo Drive and 6 Skylark Street have appealed the decision.

Mr. Croft responded to questions from Community Council.

The Chair then advised that anyone who received notification could come forward and speak to this matter.

Mr. John Tolson, Shore Drive, Bedford, advised that he was approached as a builder by the property owner who previously owned 20 Flamingo Drive. Mr. Tolson explained that the lot was subdivided with frontage on Skylark Street and Flamingo Drive. Mr. Tolson added that he advised the applicant that if he were to proceed to construct his house as is, the residents at 20 Flamingo Drive will not have a view plane, so he suggested that the house be made smaller. To do so, they had to request the variance of less than a foot. Mr. Tolson indicated that, overall, it was his idea to request the variance in order that the owners of 20 Flamingo Drive would have a view plane.

In response to a question by Councillor Hum, Mr. Tolson explained that the owner of 20 Flamingo Drive owned the whole property and it was subdivided and, eventually, he sold the house to the gentleman who has put in the variance request. Mr. Tolson pointed out that as-of-right he could have built a house 84 feet in length and it would have met all the setback requirements, but it would have blocked the view of 20 Flamingo Drive.

Mr. Barry Wingo, addressed Community Council and advised that he was the property owner of 18 Flamingo Drive and he owned the home at 19 Flamingo Drive. Mr. Wingo advised that when he sold 20 Flamingo Drive, the buyers were aware of his plans to construct a house and that it would partially block the view. He added that when he purchased 20 Flamingo Drive, he was told by the owner that the lot could be subdivided, and his plan for the last two to three years was to subdivide and construct a home. Mr. Wingo added that he explained the plans to the property owners at 6 Skylark Street and they had no issues with his plan. In addition, he spoke with the property owner of 20 Flamingo Drive and the only concern he had was that he wanted to ensure the builder had liability insurance.

There were no further persons wishing to address Community Council regarding this matter.

**MOVED by Councillor Hum, seconded by Deputy Mayor Walker that Chebucto Community Council uphold the Development Officer's decision to approve the variance for 18 Flamingo Drive, Halifax.**

Councillor Hum advised that she was onsite with HRM traffic services and engineering construction staff in regard to another issue on Skylark Street, however she asked staff to take a look at this property. Councillor Hum explained that the property owner of 6 Skylark Street has corresponded about water issues in their driveway, and they are concerned about possible further issues. She noted that staff installed a lip at end of driveway to help

alleviate concerns. Councillor Hum advised that she is concerned about the grade of the property in question, as it appears to be a challenge to build a home on it. Councillor Hum advised that, in moving the motion to uphold the Development Officer's decision, should would like HRM Engineering staff to speak with the resident at 6 Skylark to address any potential runoff issues from the property at 18 Flamingo Drive. In concluding her remarks, Councillor Hum expressed appreciation for the clarification provided on the property subdivision; and the efforts to address the view plane; particularly, given that the owner is not required to protect the view.

**MOTION PUT AND PASSED.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**9.3 Presentations:**

**9.3.1 Captain William Spry Centre - Staff Presentation**

This item was deleted from the agenda during the approval of the order of business.

**9.3.2 Healthy Housing, Healthy Community Project - Update by Marjorie Willison and Kate Thompson**

Ms. Marjorie Willison, addressed Community Council and advised that she was the Project Manager for the Healthy Housing Healthy Community Project in Spryfield. She and Ms. Kate Thompson, using a Power Point presentation, updated Community Council on their project which focuses on making development as healthy for a community as possible. Their presentation reviewed research which showed that the form and design of communities affects quality of life; and it noted the various groups of people they have been working with and who are helping to bring this issue forward. The presenters concluded their remarks by advising of a community get-together from October 15 - 17 in Spryfield, with a Community Pancake Breakfast to open the event on October 15, 2006.

**9.3.3 Halifax North West Trails Association - Presentation on the Regional Trails Plan - Gordon Ratcliffe and Bob McDonald**

Mr. Bob MacDonald and Mr. Gordon Ratcliffe provided a presentation on the Integrated Master Plan for Trails on the Western Side of Bedford Basin. The Master Plan was commissioned by the Halifax North West Trails Association and includes District 10, 15, 16 and part of District 21.

Mr. MacDonald, a member of the Executive of Halifax North West Trails Association thanked Mr. Ratcliffe for the work he did on the Plan and advised that the Association believes the Plan can be used as a model for community based trail planning and construction with the community groups working in conjunction with HRM Parkland

Planners. He went on to note that the most significant feature of the document is the Trail Planning and Construction Check List which could assist with the planning and design, evaluation and acceptance of future trails projects.

**MOVED by Councillor Mosher, seconded by Councillor Hum that the Trail Planning and Construction Check List be forwarded to staff for comment and report back on whether it could be incorporated into Development Agreements and HRM's standards. MOTION PUT AND PASSED.**

## **10. REPORTS**

### **10.1 STAFF REPORTS:**

#### **10.1.1 Case 00871: Amendment to Development Agreement, Lot C-301B Osborne Street, Stanley Park/Stoneridge Subdivision, Halifax**

A staff report dated September 18, 2006 was submitted.

**MOVED by Councillor Mosher, seconded by Deputy Mayor Walker that Notice of Motion be given to consider an application by W. M. Fares and Associates to amend the development agreement for Stanley Park/Stoneridge on the Park Subdivision, Halifax, and a public hearing be scheduled for November 6, 2006.**

Councillor Mosher referred to the staff report and pointed out three items she would like addressed prior to the public hearing. She noted the following:

- Schedule "B" of the staff report - Osborne Street is spelled incorrectly;
- The April 13, 2006 PIM minutes attached to the report (pg. 12., para. 5) attribute the following sentence to Councillor Mosher: "This would boost the value of homes on North West Arm Drive" - Councillor Mosher advised that she did not state this and asked that the minutes be corrected to reflect this;
- Staff provide detailed drawings and designs, in particular, as it relates to the fence.

**THE MOTION WAS PUT AND PASSED.**

### **10.2 MEMBERS OF COUNCIL**

#### **10.2.1 Appointment of Community Council Representative to the Grants Committee**

**MOVED by Councillor Mosher, seconded by Councillor Hum that Deputy Mayor Walker be appointed as Chebucto Community Council's representative on the Grants Committee, for a term to expire November 2008. MOTION PUT AND PASSED.**

#### **10.2.2 Appointment of Community Council Representative to the Membership Selection Committee**

**MOVED by Deputy Mayor Walker, seconded by Councillor Hum that Councillor Mosher be appointed as Chebucto Community Council's representative on the Membership Selection Committee, for a term to expire November 2008. MOTION PUT AND PASSED.**

11. **MOTIONS - None**
12. **ADDED ITEMS - None**
13. **NOTICES OF MOTION - None**
14. **PUBLIC PARTICIPATION:**

Mr. Alan Ruffman, Ferguson's Cove

Mr. Ruffman raised the following points:

- HRM has finally stopped using crushed asphalt on the shoulders of roads in his area and is paving them instead. However, when the work that was being done near his property was almost complete, the workers put down whatever asphalt they had left. Mr. Ruffman added that staff promised to meet with him on this matter, however, he has not yet been contacted and he asked that someone from HRM contact him.
- In Ferguson's Cove, north on the seaward side of Stan Hatfield's Bed and Breakfast, there is a noxious weed on the property that should be eradicated.
- In the area of his property, 202 Ferguson's Road, there are two streetlights that have been burned out for several years, and he requested that these be fixed.

Councillor Adams advised that he would follow-up on these issues.

Ms. Wendy MacDonald, Warwick Lane:

Ms. MacDonald referred to the 2005 HRM Annual Report and advised that it was unfortunate there was no mention about the contribution of the volunteers in HRM. She also referred to the Communities in Bloom program and indicated that there has been nothing in this regard for the Mainland North area and suggested that the Library should be involved. She also noted she would be willing to volunteer for this program. She asked that if Community Council had an opportunity to have input in future reports, that they recognized the work of volunteers.

In response, Councillor Hum noted that she was a member of the Library Board and that at the next Board meeting she would bring forward her suggestion concerning the Communities in Bloom program and the Library.

Mr. Michael Jatlock, Walter Havill Drive:

Mr. Jatlock raised the following points:

- He supported the Regional Trails Plan recommendation for maintenance of trails. He noted that on Walter Havill Drive, around Hail Pond there is supposed be a trail developed. He is not pleased with the way the developer built this trail, and has concerns with the way the developer will continue to put the trail around the Pond, as it probably does not connect directly to any of the parks.
- He spoke in support of the Checklist presented by the Trails group and was surprised that HRM did not have standards.
- He referred to the Kelly Street proposal and suggested that if a bus route was going to go through this area at some time in the future, that the Number 14 route be used rather than the Number 6 route.

Mr. William Phillips, Crestview Drive:

Mr. Phillips raised the following points:

- He advised that the Old Sambro Road, from Rockingstone to the junction of Leiblin Drive has been in terrible condition for the past several years and, in particular, the outbound lane. He commended staff on the recent paving, noting that it was a marvellous job.
- In Harrietsfield, there is a property on the left hand side of the road, which he believes is in an area zoned R-2. It has previously been a private home but has been expanded into commercial operation--Russell Landscaping. Mr. Phillips noted that there have been huge changes to the property and he questioned whether this business meets the appropriate standards.

Councillor Adams advised that he would look into this.

**15. NEXT MEETING DATE - November 6, 2006**

**16. ADJOURNMENT**

The meeting adjourned at 8:20 p.m.

Sheilagh Edmonds  
Legislative Assistant