HALIFAX REGIONAL MUNICIPALITY

CHEBUCTO COMMUNITY COUNCIL September 11, 2006

MINUTES

- **PRESENT:** Councillor Stephen D. Adams, Chair Councillor Debbie Hum, Vice- Chair Deputy Mayor Russell Walker Councillor Mary Wile Councillor Linda Mosher
- **STAFF:** Ms. Karen Brown, Solicitor Ms. Sheilagh Edmonds, Legislative Assistant

HALIFAX REGIONAL MUNICIPALITY2Chebucto Community Council

TABLE OF CONTENTS

1.	CALL TO ORDER 5
2.	APPROVAL OF MINUTES 5
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS
4.	BUSINESS ARISING OUT OF THE MINUTES 5 4.1 Status Sheet Items: 5 4.1.1 Kearney Lake Dam Construction Project/Lowered Lake Levels 5 4.1.2 Request for Zoning Change - 21 Kidston Road 5 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 5 4.1.4 Permission to Install a Sign on HRM Property at the Corner of Regency Park Drive / Lacewood Drive 6 4.1.5 Time Lines re: Re-Submission of Identical Planning Applications for Consideration by Community Council 6 4.1.6 Bus Service - Stoneridge 6 4.1.7 Welcome to Halifax Sign - St. Margaret's Bay Road 6 4.1.8 Rock Pile -182 Milsom Avenue 6
5.	MOTIONS OF RECONSIDERATION
6.	MOTIONS OF RECISSION 6
7.	CONSIDERATION OF DEFERRED BUSINESS
8.	PUBLIC HEARINGS:68.1Case 00834: Development Agreement for Phase 1 - Block F, Kelly Street.68.28.2Case 00845 - Zoning - Ralston Street Area8.3Case 00692: Rezoning of 438 and 440 Herring Cove Road, Halifax, and
	Amendment to the Halifax Mainland Land Use By-Law
9.	CORRESPONDENCE, PETITIONS AND PRESENTATIONS169.1Correspondence169.2Petitions169.3Presentations16
10.	REPORTS 16 10.1 STAFF REPORTS 16 10.2 MEMBERS OF COUNCIL 16
11.	MOTIONS
12.	ADDED ITEMS:

HALIFAX REGIONAL MUNICIPALITY Chebucto Community Council

	12.2 Building Communities Fund - Stratford Way Park	16
13.	NOTICES OF MOTION	16
14.	PUBLIC PARTICIPATION	16
15.	NEXT MEETING DATES	16
16.	ADJOURNMENT	17

3

1. CALL TO ORDER

The Chair called the meeting to order at 6:05 p.m. in the Cafetorium of Halifax West High School, 283 Thomas Raddall Drive, Halifax.

2. APPROVAL OF MINUTES

MOVED by Councillor Wile, seconded by Councillor Hum that the minutes of the special meeting of August 14, 2006 be approved. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Off Leash Dog Park in Mainland North Request for a Staff Report (Councillor Hum)
- 12. 2 Building Communities Fund Stratford Way Park (Councillor Wile)

MOVED by Deputy Mayor Walker, seconded by Councillor Mosher that 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 Annapolis has not responded to her letter. This matter is to be kept on the Status Sheet.

4.1.2 Request for Zoning Change - 21 Kidston Road

No update was provided. 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

Councillor Wile advised that staff is still negotiating on this matter. This item is to remain on the Status Sheet.

4

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

This matter had been referred from the June 12, 2006 meeting in order that the Solicitor could review the information report.

The Solicitor advised that she could respond to particular questions Community Council members may have.

Given that Community Council was under time constraints this evening with three public hearings, it was **MOVED by Councillor Mosher**, seconded by Deputy Mayor Walker that this item be deferred to the next regular meeting. MOTION PUT AND PASSED.

4.1.6 Bus Service - Stoneridge

Councillor Mosher asked that this item remain on the Status Sheet until such time as this application and the remaining phases have been dealt with.

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

Councillor Mosher requested that this item remain on the Status Sheet, adding that the area still does not look good, and that she wants capital improvements where the former Halifax sign was located.

4.1.8 Rock Pile -182 Milsom Avenue

No update was provided. Deputy Mayor Walker requested this item 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 Case 00834: Development Agreement for Phase 1 Block F, Kelly Street.

Notice of Motion for this matter was given at a meeting of Chebucto Community Council, held on June 12, 2006.

A staff report dated May 23, 2006 was before Community Council for consideration.

Ms. Randa Wheaton, Senior Planner, addressed Council and outlined the application by Killam Investments Incorporated to enter into a Development Agreement to permit, as Phase 1, a seventy unit residential building on Block F, Kelly Street, between Alton Drive and Osborne Street.

HALIFAX REGIONAL MUNICIPALITY 6 Chebucto Community Council

In her remarks, Ms. Wheaton pointed out that this project is phase 1 of a proposal to develop a residential complex, including multiple unit residential assisted living facilities and townhouses which was the subject of a Plan Amendment that was approved by Halifax Regional Council at its June 17, 2003 meeting. She advised that staff feel the proposal is compatible with the area and it is supported in the Municipal Planning Strategy.

The Chair asked anyone wanting to speak on this matter to come forward.

Mr. Robert Lambert, Halifax, addressed Community Council and expressed concern about traffic associated with this proposal, and that further development will impact Kelly Street with this proposal.

In response, Ms. Wheaton pointed out that currently, the Municipal Planning Strategy allows for 25% development to proceed without any changes to Kelly Street, and she noted that the proposed apartment building represents 25% or less of the proposed development. She explained that for the developer to proceed further they would have to address the issue of whether Kelly Street will be connected or not. Ms. Wheaton also advised that an updated traffic study has been done, and that she could make this available to anyone if they wished to stop by her office.

In response to a question by Councillor Mosher, Ms. Wheaton advised that the traffic study represents the original traffic study which was done in 2001, and it agrees that the parameters that were needed to do the original study were accurate and it also agrees with the conclusions of the original study. In fact, it was determined that some of the estimated quantities of traffic were higher than in 2006. Ms. Wheaton indicated that it will not have a significant impact on the community in terms of cut through traffic.

Mr. David Gates, Halifax, addressed Community Council and noted that he had a copy of the traffic study and impact study. Mr. Gates pointed out that there has been much development in the area since 2001, and he suggested that the new traffic report was useless. He added that he has asked Councillor Mosher to request a new traffic study.

Mr. Stewart Creaser, Halifax, advised that he did not have an issue with the proposed apartment building, but he expressed concern with regard to traffic with this proposal. He noted that the roads were very narrow and cannot be widened. Mr. Creaser advised that if the road is connected the impact will be significant.

The Chair called three times for anyone wishing to speak; there being none, it was **MOVED** by Councillor Wile, seconded by Deputy Mayor Walker that the public hearing be closed. MOTION PUT AND PASSED.

Ms. Wheaton responded to questions of Community Council.

In response to a question by Councillor Mosher, Ms. Wheaton advised that the proposed building does not necessitate the connecting of Kelly Street.

Councillor Mosher indicated she was not satisfied that the traffic study for this proposal was a good comparison of the study done in 2001. In this regard she advised that she was prepared to defer this matter for one month and request that a complete traffic study be carried out.

MOVED by Councillor Mosher, seconded by Councillor Wile that this matter be deferred for a month and that a complete traffic study done, and report back to Community Council. MOTION PUT AND PASSED.

8.2 Case 00845 - Zoning - Ralston Street Area

First Reading of this matter was given at a meeting of Community Council held on June 12, 2006.

A supplementary staff report dated May 30, 2006 was before Community Council for consideration.

The following residents submitted correspondence in support of this application was submitted:

Robert Milson, Jeffrey Fehr, Jessie McCurdy, Judi Vincent, Sandra Wells, Hal Greenwood, Maureen Fehr, Irene Lane, J. and Virginia Walzak, Harold Murphy, G. Miller, Charles S. McCurdy, Paul Conrod, Sheila Reid, Errol W. Caseley, Faith Daley, Jamie Ferguson, Cathie Mulroy, Wanda O'Neil, Alexis Meagher, Patricia Cassidy, Audrey Eisnor, Stephen Penny, Heather Leonard, Ruby E. Gillis, Chris Meagher, Judi Fishman, Jill Thomson, Bill Andrecyk, John C. and Mary Manning, Mary D. Earle, Dennis J. and Shirley G. Day, Anne Baccardax, Christina Andrecyk, A.M. Humble, Marjorie M. Leahey, David Stevens, Catherine McDonald, Greta and Russell Lester, Angus Swantee, Melissa Trenbirth, Pauline Sturmey, Ed Cain, Pauline Forwell, Kingsley Brown, J. Woods, Joanne and Julian Marchant, D Parmer, and Kathleen Jefferson.

The following correspondence, either in opposition to the application or requesting special provisions, were submitted:

Evelyn Regimbal, Lena M. Diab, and Lois Bowser.

Mr. Richard Harvey, Senior Planner, addressed Community Council and outlined the proposal to rezone the area of Ralston Avenue/Pearson Avenue from the present R2 General Residential to R1 Single Family Dwelling designation.

In his presentation, Mr. Harvey highlighted the following:

- With the proposed rezoning, new homes would be limited as single detached dwellings; no conversion ability or any second unit.
- For existing R-2 units, there is the ability to expand but not in the number of dwelling units
- Three and four unit dwellings will not be able to increase in dwelling units or volume.

• Three and four unit dwellings, if destroyed at more than 75% market value above the foundation, would not be able to be rebuilt or repaired. Only a single detached dwelling may be constructed.

The Chair then advised that anyone wanting to speak to this application, either for or against, could address Community Council at this time.

The following people addressed Community Council:

Ms. Lena Diab, Ralston Avenue, advised that she did not object to the rezoning but pointed out that she owned a three-unit building and that the rezoning would make her building a nonconforming use, and that this was not acceptable to her. She requested that special consideration in this regard be given to buildings within the area that are more than one unit.

Ms. Susan Hayes, Hemlock Street, spoke in favour of the proposed rezoning. She raised three points in support of this application, i.e., it allows the neighbourhood to maintain status quo as a single family neighbourhood; when the neighbourhood was built over 50 years ago, the infrastructure was designed to support a single family neighbourhood; and any additional units would mean additional vehicles and this would result in parking concerns and shortcutting concerns.

Mr. Steve Jamison, Hemlock Street spoke in support of the staff recommendation. He advised that he moved to the area in 1954 and at that time was told it was an R-1 area, and he would like to see it remain as such.

Mr. Ed Fitzpatrick, Ashburn Avenue spoke in support of the staff recommendation. He advised that he was a 30-year resident of the area, and that Community Council owes to the families of the area, to maintain this as a single family neighbourhood.

Ms. Anne Gannon, Ralston Avenue advised that she owned a triplex and that she would like to see additional protection for the current owners of multi-unit buildings so they do not end up with a nonconforming status.

Mr. Paul Conrod, Mayfield Avenue, addressed Community Council and read his submission supporting the staff recommendation. He advised that he and his wife are strongly in favour of an R-1 zone in this area. Mr. Conrod advised that he was a lifelong resident of the area and he strongly encouraged Community Council to listen to the concerns and wishes of the residents of the area.

Mr. Paul MacNeil, Pennington Street expressed concern that there was no policy or procedure for establishing boundaries, and he suggested that Pennington Street which has a lot of multi-unit buildings should be excluded. He also suggested that the recommendation include some type of clause that would grandfather the dwellings on Pennington Street.

In response to the Chair's request for clarification with regard to Pennington Street, Mr. Harvey advised that area is geographically part of the rest of the area under consideration

and that is why it is included; and, like the other streets in the area, there are mixed uses on this street.

Ms. Maureen Fehr, a resident of the area, spoke in support of the proposed rezoning, for the following reasons: infrastructure, traffic, parking, and safety of the residents of the neighbourhood.

Mr. Don O'Brien, Mayfield Avenue advised that although he was not in favour of four-unit buildings, he would like to have the option of creating a basement apartment if he wanted to do so.

Mr. Peter Foley, a resident of the area addressed Community Council and pointed out that Ralston Street was originally called Ralston Avenue, and added that he would like to see it revert to its original name.

Ms. Janet Bent, Hemlock Avenue, addressed Community Council and indicated she supported the rezoning recommendation.

Mr. Jim Earle, Abbott Drive, spoke in support of the rezoning proposal. He advised that he grew up on Abbott Drive and moved back to the same area because it was primarily single family homes.

Mr. Richard Morris, Hemlock Avenue, indicated he supported the staff recommendation.

Ms. Connie McLaren, Hemlock Avenue, advised that she moved to the area three years ago and that she supported the idea of the neighbourhood remaining as a single family neighbourhood.

Ms. Dawn Forgeron advised that she supported the staff recommendation because she would like to see this neighbourhood preserved.

Ms. Sherry Daigle spoke in support of the staff recommendation and she encouraged Community Council to approve it.

Mr. Bruce Miller advised he supported the staff recommendation. He noted that the composition of neighbourhood is very comfortable, and if the area were to continue to allow additional units, he would be concerned with on-street parking and an overall change in neighbourhood.

Mr. Don Grant, Hemlock Avenue advised that most of the homes in the area are single family homes, and the majority of the homeowners want to maintain the integrity of the neighbourhood. He requested that Community Council listen to the residents and support the rezoning to R-1.

Mr. Greg MacDonald, Stanford Street, advised that he bought his property 14 years ago, and that he supports the change to R-1 but would like to see a caveat in the recommendation so that if his place burned down he could put two units back.

Ms. Clare Westhaver, Ernst Avenue, spoke in support of the staff recommendation. She indicated that although she and her family could use more space, they do not want to move from the area. She indicated that allowing multiple units to increase would not enhance the community.

Mr. Rob Batherson, Mayfield Avenue, spoke in favour of the staff recommendation and urged Community Council to listen to the overwhelming view of the neighbourhood.

A resident of Hemlock Street spoke in support of the staff recommendation. In his comments he noted that he has similar concerns as those that have already been expressed. Additionally, he suggested that there should be some mechanism to enable a cap on density in a neighbourhood.

Mr. Bill Bent, Hemlock Street, advised that the community is overwhelming in support of the proposed rezoning. He referred to a petition which was circulated in 2005 in regard to preventing developers from turning single family homes into apartments, and noted that over 80% of home owners signed it in support. Mr. Bent also advised that the community showed strong support again, at a public meeting held in January 2006. He advised that, in short, the residents of the area want to maintain the character of their neighbourhood.

Ms. Janet Stevens, Ralston Avenue, spoke in support of the proposed R-1 zoning.

Mr. Andy Gallant, Ashburn Avenue, spoke in support the proposed rezoning.

A resident of the area advised that he has owned his home since 1962, and that he did not want to see any changes to the neighbourhood.

A resident of Abbott Drive addressed Community Council and advised that she would like to see the R-2 zone remain. She advised that she bought a multi-family dwelling, and noted that a lot of young families can't afford to live in this area.

Mr. Frank Hubley, Abbott Drive, advised that he and his wife support the proposed rezoning.

Ms. Pauline Forewell, Hemlock Avenue, advised that she has lived at this location since 1961 and that she was in favour of changing the zoning to R-1. She indicated that if the zoning was to remain as R-2, she has a concern about the on-street parking.

Ms. Elaine Grant, Joseph Howe Drive spoke in support of the staff recommendation, advising that rental properties are not suited for the area.

Ms. Mary Ann Crowley, Abbott Drive, spoke in support of the rezoning to R-1. She advised that she has lived in the area for 30 years, and her main concern the interruption of the integrity of the neighbourhood.

The Chair called three times for anyone wishing to speak; there being none, it was **MOVED** by Councillor Wile, seconded by Councillor Mosher that the public hearing be closed. MOTION PUT AND PASSED.

MOVED by Deputy Mayor Walker, seconded by Councillor Mosher that Chebucto Community Council approve the proposed rezoning of the subject lands, identified on Map 1 of the May 30, 2006 staff report, from the R-2 General Residential Zone to the R-1 Single Family Zone. MOTION PUT AND PASSED.

Community Council recessed at 7:27 p.m. and reconvened at 7:41 p.m. with the same members present.

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

First Reading of this matter was given at a meeting of Chebucto Community Council held August 14, 2006.

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

The following correspondence regarding this matter was submitted:

A letter dated September 11, 2006 from the occupant of civic #435 Herring Cove Road, expressing concern with the proposal.

Mr. Paul Sampson, Planner, outlined the application by the Municipality, on behalf of the Society of St. Vincent de Paul, to rezone Civic #438 and 440 Herring Cove Road from R-4 and RC-1 respectively, to P (Park and Institutional) to allow for lot consolidation and construction of the Society's new community service centre ("community facility").

In his remarks, Mr. Sampson noted that the Society proposal is to construct a two storey building which will include:

- a Hand in Hand store displaying used merchandise and other goods on ground level
- ground-floor receiving bay with storage, laundry and washroom facilities
- second-level offices, boardroom and staff facilities; and parking area in front of the building, accessed off Herring Cove Road.

Mr. Sampson added that since the public information meeting held on September 2, 2004 the Society has re-evaluated its needs and the plans have been changed to reflect a smaller building footprint/floor area and parking/driveway access from Herring Cove Road only. He indicated that staff feel the proposed rezoning meets the policies of the Municipal Planning Strategy, and that an amendment to the definition of community facility would be desirable in order to clarify that the proposal could be considered a permitted use under the Park and Institutional Zone.

Mr. Sampson responded to questions of Community Council, clarifying the following points:

• the current proposal has access from Herring Cove Road only, and it is a fair distance from the intersection.

- the setback of the building will enable vehicles to turn around, and staff do not have any concerns about the setback
- the proposal is in the conceptual stage at this time; the details of the proposal will be worked out during the permitting stage; the focus this evening is the use and the change in zoning.
- staff will provide Community Council a list of all uses permitted under the Park and Institutional designation.
- staff have no information to suggest a half-way house will be located in the area.

The Chair then asked anyone who wanted to speak on this matter to come forward at this time.

Ms. Linda MacLean, addressed Community Council and advised that she was a business owner at 357 Herring Cove Road and Chair of the Spryfield and District Business Commission. Ms. MacLean advised that she is pleased with the proposed changes by Hand in Hand, but has a few concerns with the proposed rezoning. She explained that the rezoning does not comply with some recommendations in the approved streetscape study, in particular, the recommendation for higher density housing and better commercial space along that area of Spryfield. The rezoning will remove two properties from future development which does not appear to match the intent put forward in the streetscape study. The study also suggests that the building should be closer to the sidewalk to allow the community to be pedestrian friendly and village-like; and they do not want parking lots in front of the building. Ms. MacLean advised that if the parking lot were moved to the back of the building this would resolve that issue. Another concern Ms. MacLean noted was that once the rezoning occurs, Hand in Hand would not be required to construct the building that is outlined in the staff report. She advised that she would like a guarantee that the building that has been proposed, will be the building built. Ms. MacLean referred to the existing buildings or outbuildings on the property at 436 Herring Cove Road and advised that nothing has been mentioned about these, and added that she would like to know what the plans are for those buildings.

Mr. David Joyce, a resident of Drysdale Avenue, advised that he owned a four-unit apartment building 50 feet from the area under consideration this evening. He requested a building certificate for the lot. He explained that he was concerned about the proposed driveway, noting that it would better, for safety reasons, to have it accessed from Herring Cove Road. The other concern Mr. Joyce expressed was in regard to property elevation. He explained that the elevation on the property is probably a one foot drop to every ten feet, and he was concerned about water runoff onto his property.

Mr. David LeBlanc, Meadowview Drive in Bedford, advised that he was Chairman of Hand in Hand. Mr. LeBlanc pointed out that he was not aware of the streetscape study, therefore, they did not include any of the recommendations of the study in their plan. He explained that the plan was developed solely on the use they would require, and they believed it would be safer to push the building back and having parking in front. Mr. LeBlanc also noted that no large trucks will be coming on the property, and that the kind of vehicles they anticipate are pickup-size trucks. Mr. LeBlanc indicated that he is open to the suggestions and concerns expressed here this evening because the proposal is still in the developmental stage. He advised that the containers at 436 Herring Cove Road will be removed if they proceed with the change they are proposing. In conclusion, Mr. LeBlanc explained that the reason for their application is that Hand in Hand has outgrown their current facility, and his organization wants to proceed with their plans, and they are trying to work with the community in doing so.

Mr. Randy Rolse, Herring Cove Road, addressed Community Council and advised that he was on the Board of Hand in Hand. He indicated that he, too, was concerned about water runoff, privacy, and landscaping and pointed out that the Board will ensure these matters are dealt with. Mr. Rolse pointed out that as a Board member he is very aware of the good work Hand in Hand does and is very supportive of their application.

Ms. Eileen Gilbert, Herring Cove Road, indicated that she lived near the Hand in Hand property and that she currently has a water problem and is concerned about how the proposal will impact on this. Other concerns she noted were that many children use the side of the sidewalk where the Hand and Hand is situated and that she does not want to see a half-way house on the property. She also suggested that the parking lot should be located in back of the building and accessed from Drysdale Avenue.

In response to a comment by the last speaker, the Chair clarified that there is no proposal for a half-way house.

Ms. Mary Brown, a resident of Tower Road, advised that she is the Executive Director of Hand and Hand. For Community Council's information, she provided a brief overview of the work that Hand in Hand does and responded to questions of Community Council.

Sister Patricia Wilson, addressed Community Council and advised that she was on the board of Hand and Hand and spoke in support of the application.

The Chair called three times for anyone wishing to speak; there being none, it was **MOVED** by Councillor Walker, seconded by Councillor Hum that the public hearing be closed. MOTION PUT AND PASSED.

Councillor Adams advised that the property in question this evening was in his district. Referring to an earlier comment that the amount of available business properties in the area were scarce, the Councillor pointed that this particular property has been owned by the City since 1990, zoned minor commercial, and in August of 2004, the applicants expressed and interest in the property. Councillor Adams emphasized that for 10 years the property was available, but there was no interest shown. Additionally, he noted that if the present zoning were so desirable, then it would have been purchased previously. Councillor Adams also explained that the recommendations in the Herring Cove Streetscape Study are not meant to dictate specifics along the Herring Cove Road.

Councillor Adams questioned staff on the next steps in process in regard to water, privacy, and traffic (i.e driveway).

In response Mr. Sampson advised that unless there is a policy requiring a Development Agreement, staff's hands are tied, as specific details could only be handled in this way.

He added that, issues of water runoff during construction would be handled in a civil manner. Mr. Sampson commented that, typically, staff would not be reviewing lot grading plans for applications like this and that lot grading plans are required for residential homes.

In response to the Chair for further clarification, the Solicitor advised that there was nothing further that she could add to what Mr. Sampson has said, and suggested that this was something that would have to be looked at on a case by case basis.

In response to an additional question by Councillor Adams, Mr. Sampson advised that #436 is currently zoned Park and Institutional.

Councillor Adams indicated that he supported the staff recommendation and, noting that he was in the Chair, asked if another member of Community Council would move a motion on his behalf.

MOVED by Deputy Mayor Walker, seconded by Councillor Wile that Chebucto Community Council approve the rezoning of 438 Herring Cove Road from R-4 (Multiple Dwelling) zone to P (Park and Institutional) zone, the rezoning of 440 Herring Cove Road from RC-1 (Neighbourhood Commercial) zone to P (Park and Institutional) zone and an amendment to the Halifax Mainland Land Use By-law, as contained in Attachment A of the June 29, 2006 staff report, to revise the definition of "Community Facility".

Councillor Mosher advised that a development agreement in this situation would provide the neighbourhood much more protection.

In response, Mr. Sampson advised that a change to the Municipal Planning Strategy would be required in order to have a development agreement.

Councillor Mosher further addressed the application making the following points:

- She hoped that Hand in Hand would provide landscaping that fits with the neighbourhood.
- In response to her concern about water issues, Councillor Adams advised that he would speak with the residents about this, particularly, as it is important to prevent anything before it happens.
- HRM's Environmental Engineer should be contacted about a potential water issue at Civic #'s 430, 434 and 433 and that it be discussed with the builder prior to the commencement of construction; and that Hand in Hand have a proper landscape plan and use appropriate building materials.

Mr. Sampson responded to further questions from Community Council members.

THE MOTION WAS 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 REPORTS None
- 10.2 MEMBERS OF COUNCIL None
- 11. MOTIONS None
- 12. ADDED ITEMS:

12.1 Off Leash Dog Park in Mainland North - Request for a Staff Report

This item was added at the request of Councillor Hum.

Councillor Hum advised that since the time she requested this item be added to the agenda, she has been informed by staff that a report on off-leash dog parks and the Master Plan in HRM will be coming to Regional Council in late fall. In light of this information, Councillor Hum advised that she would not be requesting a staff report at this time.

12. 2 Building Communities Fund - Stratford Way Park

This item was added at the request of Councillor Wile.

MOVED by Councillor Wile, seconded by Deputy Mayor Walker that Chebucto Community Council approve the expenditure of \$25,000 from the District 10 Building Communities Fund to be allocated to the Stratford Way Park. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

No members of the public brought forward issues during public participation.

15. NEXT MEETING DATES

The Chair advised that on September 18, 2006 Chebucto Community Council will be holding a joint public hearing with North West Community Council at Basinview School Cafeteria, in Bedford. The Chair and Councillor Mosher provided regrets for this meeting.

The next regular meeting date of Chebucto Community Council will be October 2, 2006.

16. ADJOURNMENT

The meeting adjourned at 8:42 p.m.

Sheilagh Edmonds Legislative Assistant