



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
May 19, 2016**

PRESENT: Councillor Lorelei Nicoll, Chair
Councillor Bill Karsten, Vice Chair
Councillor Tony Mancini
Councillor David Hendsbee

REGRETS: Councillor Gloria McCluskey

STAFF: Ms. Claire Gillivan, Solicitor
Ms. Cathy Collett, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to Harbor East Community Council are available online: <http://www.halifax.ca/Commcoun/east/index.php>

The meeting was called to order at 6:00 p.m. and adjourned at 6:58 p.m.

1. CALL TO ORDER

The Vice Chair called the meeting to order at 6:00 p.m.

The Vice Chair explained that he would Chair the meeting until after the public hearing, as the case before the Community Council is in Councillor Nicoll's district and she would like to speak the matter.

2. APPROVAL OF MINUTES – April 7, 2016

MOVED by Councillor Mancini, seconded by Councillor Nicoll

THAT the minutes of April 7, 2016 be approved as presented.

MOTION PUT AND PASSED.

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

MOVED by Councillor Mancini, seconded by Councillor Nicoll

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS - NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. NOTICES OF TABLED MATTERS – NONE

10. HEARINGS

10.1 PUBLIC HEARINGS

10.1.1 Case 19536: Development Agreement to expand an existing industrial use at 422 & 424 Caldwell Road, Cole Harbour

The following was before the Committee:

- A Staff Report dated February 16, 2016
- A Staff presentation regarding Case 19536

The Vice Chair invited staff to give a presentation regarding Case 19536.

Ms. Stephanie Norman, HRM Planner, outlined the information provided in the staff report. Ms. Norman explained that the application is on behalf of Metro Premier Properties Inc and that the requested expansion is to allow an additional building for storage and office space on the property. Ms. Norman displayed photographs of the proposed building area and outlined the proposed site plan.

Responding to questions of clarification, Ms. Norman explained that the rationale for the proposed new building is to move the majority of the materials that are currently being stored outside into the buildings.

The Vice Chair invited the applicant, Mr. Clark Wilkins, to address the Community Council.

Mr. Wilkins, property and business owner of Metro Premiere Properties Inc., commented that he appreciates that his neighbours do not want to see a mess in his yard and that the purpose of the buildings is to move the storage inside so that the mess can be cleaned up.

Responding to questions of clarification from Community Council members, Mr. Wilkins explained that the property was in much worse a condition before he purchased it.

The Vice Chair opened the public hearing.

Ms. Lorene Simpson commented that she lives on an abutting property and that Mr. Wilkins has done an excellent job of cleaning up the property compared to what it was before, but that there is a large amount of Japanese knotweed on the property that interferes with her ability garden and that she would appreciate it if it was removed during the proposed expansion. She indicated that an 8 foot fence would be better than the proposed 6 foot fence.

Ms. Helena McPhee commented that she also lives on an abutting property and that the downspouts drain towards her property and she would like this to be changed. She explained that part of her shed is on Mr. Wilkins' property and that she would like a resolution that allows her to be the sole owner of the shed. She indicated that her clothesline is attached to a pole on his property and that she would like to be able to continue using her clothesline.

Mr. Max Dooks commented that he lives on a neighbouring property and that when a public meeting was held to change the property from a non-conforming use to industrial use, (possibly in 1992), the residents who showed up for the meeting did not have the opportunity to speak regarding the matter and have not had a chance to provide input since then.

The Vice Chair called three times for speakers; there being none, he invited the applicant to come forward and address the comments made by residents.

Mr. Wilkins commented that he is happy to move the downspouts and that he plans to landscape the property. He indicated that he does not mind making the fence higher, if allowed. He commented that he would be willing to work out a solution to the part of the shed that is on his property and that he is anxious for the opportunity to improve the property and make it more pleasant for both himself and his neighbours.

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT the Public Hearing be closed.

MOTION PUT AND PASSED.

The Vice Chair invited staff to respond.

Ms. Norman explained that, with regards to the fence, anything higher than 6.5 feet would have to be approved by Regional Council and would require engineering. Responding to a question of clarification, Ms. Norman explained that fences typically go on the property line.

Councillor Nicoll commented that this is a difficult situation and that while she has nothing against the plans of the current property owner, the importance of making sure that the property in question does not continue to become a problem in the future requires that more attention is given to the evolution of the uses of the property.

MOVED by Councillor Nicoll, seconded by Councillor Mancini

THAT Harbour East-Marine Drive Community Council defer Case 19536 and request a supplementary report to provide information with regard to the specific types of uses that fall under the scope of general contracting and how the operation of these types of uses could be mitigated so as not to conflict with adjacent residential properties and that this report also include information of how this property became identified as industrial use.

Councillor Hendsbee commented that he would like to know what came first, the subdivision or this property and that he would like the historical context for industrial use on this property. He also commented that he would like more information on the meeting referenced by Mr. Max Dooks.

Responding to a question from Community Council members, Ms. Thea Langille, Principle Planner, explained that staff will do their best to get the report ready for a June meeting, but that there may be a lot of research involved, so it might not be possible.

Councillor Karsten suggested that the Motion include direction to have the supplementary report back by the next meeting after the June meeting, at the latest.

Councillor Nicoll indicated that this is a friendly amendment and thus the Motion now reads:

THAT Harbour East-Marine Drive Community Council defer Case 19536 and request a supplementary report to provide information with regard to the specific types of uses that fall under the scope of general contracting and how the operation of these types of uses could be mitigated so as not to conflict with adjacent residential properties and that this report also include information of how this property became identified as industrial use; and that this report comes back to the Community Council by the first meeting held after the June meeting.

MOTION PUT AND PASSED.

10.2 VARIANCE APPEAL HEARINGS - NONE

11. CORRESPONDENCE, PETITIONS & DELEGATIONS

11.1 Correspondence - None

11.2 Petitions - None

11.3 Presentations

11.3.1 Presentation from Main Street Dartmouth Business Improvement District

This presentation was not provided as the presenter decided not to present at this time.

12. INFORMATION ITEMS BROUGHT FORWARD – NONE

13. REPORTS - NONE

14. MOTIONS - NONE

15. IN CAMERA (IN PRIVATE) - NONE

16. ADDED ITEMS - NONE

17. NOTICES OF MOTION - NONE

18. PUBLIC PARTICIPATION

Ms. Rita May MacDonald of the United Church Women of Presbyterian explained the “Bread Not Stones” Child Well Being Initiative to eliminate child poverty in Canada. She gave a doll to every member of the Community Council and explained that the dolls are a talking piece to raise awareness and the attention of government to the children who are currently living in poverty. Ms. MacDonald and the members of the Community Council and their dolls had their picture taken by a member of the group, and Ms. MacDonald noted that there is a picture of Prime Minister Justin Trudeau and the doll given to him on the group’s website <http://www.endchildpoverty.ca/>.

Mr. Dave Harrison, District 5, expressed concern regarding the lack of social planning involved in the Centre Plan. He commented that densification should not mean gentrification and that he is also concerned that the development that will come about because of the Centre Plan will damage the lakes in Dartmouth. He questioned if there would be opportunities to participate in age-friendly community planning and provided a handout to the members of the Community Council.

Ms. Cathy MacCormack commented that she was born and raised in Porter’s Lake and that she is very concerned about Case 19800, which proposes putting a processing facility in the area. She explained that this type of a facility does not fit in this residential neighbourhood and that the related truck noise would be a disruption to residents and that the trucks would also put children at risk as they come to a from school. She concluded that she hopes the Community Council will consider an alternate location.

Mr. Warren Wesson commented that he is concerned about the number of people living in poverty in HRM and that Halifax has dropped 40 places on the livability index. He noted that social planning is a serious issue.

19. DATE OF NEXT MEETING – June 9, 2016 – Harbour East-Marine Drive Community Council Meeting Space, Alderney Landing, Dartmouth.

The Chair announced that this meeting will be rescheduled and that the revised date will be announced on the HRM upcoming meetings calendar.

20. ADJOURNMENT

The meeting adjourned at 6:58 p.m.

Cathy Collett
Legislative Assistant