



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
August 7, 2014**

PRESENT: Councillor David Hendsbee, Chair
 Councillor Gloria McCluskey, Vice Chair
 Deputy Mayor Darren Fisher
 Councillor Bill Karsten
 Councillor Lorelei Nicoll

STAFF: Ms. Jennifer Weagle, 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 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 6:38 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m., with the Invocation led by Councillor Nicoll

2. APPROVAL OF MINUTES – June 12, 2014

MOVED by Councillor Nicoll, seconded by Councillor Karsten, that the minutes of the June 12, 2014 meeting be approved, as circulated. MOTION PUT AND PASSED.

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

Additions:

- 13.1 October Community Council meeting agenda - 2014 Municipal Boundary Review & 2015-16 Budget Consultation
- 13.2 Request for Report – Public Boat Launch – Councillor Karsten

MOVED by Councillor Nicoll, seconded by Councillor Karsten, that the agenda be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

5. MOTIONS OF RECONSIDERATION – NONE

6. MOTIONS OF RESCISSION – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – NONE

8. HEARINGS

8.1 PUBLIC HEARINGS - NONE

8.2 VARIANCE APPEAL HEARINGS - NONE

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - NONE

9.2 Petitions

9.2.1 Municipal Clerk

Petition received from Ms. Elaine Jeffrey, signed by 50 residents of Admiralty Place regarding concerns with proposed changes to the King's Wharf development.

Community Council acknowledged receipt of the petition, which will be forwarded to staff.

9.3 Presentation - NONE

10. REPORTS

10.1 STAFF

10.1.1 Case 18849, Non-Substantive Amendment for 959 Cole Harbour Road, Cole Harbour

The following was before Community Council:

- A staff recommendation/information report dated July 7, 2014

Ms. Erin MacIntyre, Planner, Development Approvals, presented Case 18849, an application by KWR Approvals Inc. for non-substantive amendments to existing development agreements to allow all land uses permitted by the C-2 zone, as well as changes to the parking lot layout.

MOVED by Councillor Nicoll, seconded by Councillor Karsten, that Harbour East-Marine Drive Community Council:

- 1. Approve, by resolution, the proposed Amending Agreement as contained in Attachment A of the July 7, 2014 report to enable additional commercial uses and changes to the parking lot layout at 959 Cole Harbour Road, Cole Harbour;**
- 2. Require the Amending Agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later, otherwise this approval will be void and obligations arising hereunder shall be at an end;**
- 3. Approve, by resolution, the Discharging Agreement as contained in Attachment B of the July 7, 2014 report; and**
- 4. Require the Discharge Agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later, otherwise this approval will be void and obligations arising hereunder shall be at an end.**

At the request of Councillor Hendsbee, Ms. MacIntyre clarified that drive thru restaurants are not permitted within the C2 zone, and would require another application to amend the development agreements, which would be brought back before Community Council. She noted that there was no indication from the applicant that this was planned.

Responding to a further question from Councillor Hendsbee, Ms. MacIntyre clarified that the height limitations in the Land Use By-law would apply to the site. She added that the property owner would be held to location, size, and footprint of the building, and there could be an interpretation of the development agreement that could allow them to add to the building, although this would have to be looked into further.

In response to a question from Councillor Hendsbee with regard to signage, Ms. MacIntyre advised that signage regulations would be as per the Land Use By-law. She noted that only one ground sign would be permitted at a maximum size of 25 square feet as per the LUB, and there are limitations on the size of fascia signage, depending on the size of the building.

Councillor Hendsbee noted concern with the redefined driveway, commenting that there may be maintenance problems with not having the concrete expanded or extended. Ms. MacIntyre indicated that the current development agreement does not require that, although she can discuss that with the development engineer.

Councillor Nicoll commented that these are non-substantive amendments to a property that is central to the community and she is pleased with the landscaping proposal. She commented that there is a desire to see the driveway on Cole Harbour Road become an exit only, because of the proximity to the intersection.

At the request of Councillor Nicoll, Ms. MacInryre clarified that property owners within 500 feet of the site were informed by mail of the proposed non-substantive amendments being considered, as per a requirement of the existing development agreement.

MOTION PUT AND PASSED.

10.1.2 Case 18809 – Development Agreement for Harbour Isle, Dartmouth (*First Reading/Notice of Motion & Schedule Public Hearing*)

The following was before Community Council:

- A staff recommendation/information report dated July 21, 2014.

MOVED by Deputy Mayor Fisher, seconded by Councillor Nicoll, that Harbour East-Marine Drive Community Council:

1. **Give First Reading to the proposed rezoning from I-2 (General Industrial) to R-3 (Medium Density) as shown in Attachment A of the July 21, 2014, report and schedule a public hearing.**
2. **Give Notice of Motion to consider the proposed development agreement as contained in Attachment B of the July 21, 2014, report to enable two 16 storey residential buildings on the lands at Marketplace Drive and schedule a public hearing. The public hearing shall be held concurrently with that indicated in Recommendation 1.**

MOTION PUT AND PASSED.

10.1.3 Cases 18288 and 18684 – Cole Harbour/Westphal MPS and LUB Amendments and Development Agreement for a mixed residential development adjacent to Lake Loon, Westphal (*First Reading/Notice of Motion & Schedule Joint Public Hearing*)

The following was before Community Council:

- A staff recommendation/information report dated July 7, 2014.

MOVED by Councillor Nicoll, seconded by Councillor Karsten, that Harbour East-Marine Drive Community Council:

1. **Recommend that Regional Council give First Reading to consider the proposed amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law as contained in Attachments A and B of the July 7, 2014 report and schedule a Joint Public Hearing with Harbour East-Marine Drive Community Council; and**
2. **Give Notice of Motion to consider the proposed development agreement as contained in Attachment C of the July 7, 2014, report to allow for a 7 storey multiple unit building and a 6 storey multiple unit building and 44 townhouse units on the lands at 661 and the rear portion of 667, Highway #7 in Westphal, as shown on Map 1 of the July 7, 2014, report. The public hearing for the development agreement shall be held concurrently with that indicated in Recommendation #1.**

At the request of Councillor Hendsbee, Ms. Erin MacIntyre, Planner, Development Approvals, clarified that the joint public hearing will be held between Regional Council and Harbour East-Marine Drive Community Council. She clarified that the subject lands indicated on Maps 1 and 2 of the staff report, representing both Cases 18288 and 18684 are being considered for policy amendments under the Cole Harbour/Westphal Municipal Planning Strategy (MPS) and Land Use By-law (LUB), although only the lands included in Case 18288 are being considered for a development agreement at this time. Ms.

MacIntyre further indicated that she was not aware of the development being connected to Panavista Drive.

At the request of Councillor Nicoll, Ms. MacIntyre clarified that the joint public hearing would be to consider both the MPS and LUB amendments, as well as the development agreement. She further clarified that the opportunity for the public to speak on either the MPS amendments, LUB amendments, or the development agreement would be at the joint public hearing. Ms. MacIntyre advised that the development agreement would come back directly to Community Council for final approval following ministerial approval of the MPS and LUB amendments.

MOTION PUT AND PASSED.

11. MOTIONS - None

12. IN CAMERA - None

13. ADDED ITEMS

13.1 October Community Council meeting agenda – 2014 Municipal Boundary Review & 2015-16 Budget Consultation

The following was before Community Council:

- A memorandum from the Legislative Assistant dated August 6, 2014.

Councillor Hendsbee commented that the meeting should be located in a more geographically central location, and suggested that the meeting be held in Cole Harbour.

MOVED by Councillor Karsten, seconded by Deputy Mayor Fisher, that Harbour East-Marine Drive Community Council hold the 2014 Municipal Boundary Review public hearing, and the 2015-16 Budget Consultation at their regular meeting of Thursday, October 2, 2014, at 6:00 p.m. in the Nantucket Room of the Dartmouth Sportsplex, 110 Wyse Road, Dartmouth. MOTION PUT AND PASSED.

Note: Since this meeting, the October 2, 2014 meeting has since been moved to the Westphal Room, Cole Harbour Place, 51 Forest Hills Parkway, Cole Harbour, due to meeting space availability.

13.2 Request for Report – Public Boat Launch – Councillor Karsten

MOVED by Councillor Karsten, seconded by Deputy Mayor Fisher, that Harbour East-Marine Drive Community Council request a staff report on the feasibility of a municipally owned public boat launch on the Dartmouth side of the Halifax Harbour.

Councillor Karsten commented that he has had a number of enquires over the summer about having a public boat launch in the harbor. He noted that there are several public boat launches in lakes, but nothing the public can easily access on the Dartmouth side of the Halifax Harbour. He further noted he would be open to partnerships, such as with the yacht club.

MOTION PUT AND PASSED.

14. NOTICES OF MOTION - None

15. PUBLIC PARTICIPATION

Mr. Victor Matthews, Eastern Passage, addressed Community Council, noting that there are no community signs on Highway #7, Highway #118, Windmill Road, or on Pleasant Street in Woodside.

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Councillor Karsten suggested that Mr. Matthews call 311 with the locations mentioned.

Councillor Hendsbee noted that there is an ongoing project to define community boundaries, at which time community signage will be erected. He gave Mr. Matthews the contact information for the Civic Addressing department.

16. DATE OF NEXT MEETING - Thursday, September 11, 2014, 6:00 p.m., Nantucket Room, Dartmouth Sportsplex

17. ADJOURNMENT

The meeting was adjourned at 6:38 p.m.

Jennifer Weagle
Legislative Assistant

INFORMATION ITEMS - None
