



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL  
MINUTES  
February 5, 2015**

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

REGRETS: Councillor Gloria McCluskey, Chair

STAFF: Ms. E. Roxanne MacLaurin, Senior Solicitor  
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/HEMDCC150205agenda.php>*

*The meeting was called to order at 6:02 p.m., and adjourned at 6:42 p.m.*

**1. CALL TO ORDER**

Vice Chair Councillor Bill Karsten called the meeting to order at 6:02 p.m., with the Invocation led by Councillor Fisher.

**2. APPROVAL OF MINUTES – January 8, 2014**

**MOVED by Councillor Fisher, seconded by Deputy Mayor Nicoll, that the minutes of the January 8, 2014 meeting be approved, as circulated. MOTION PUT AND PASSED.**

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

**MOVED by Deputy Mayor Nicoll, seconded by Councillor Hendsbee, that the agenda be approved as presented. MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES - NONE**

**5. MOTIONS OF RECONSIDERATION – NONE**

**6. MOTIONS OF RESCISSION – NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**8. HEARINGS**

**8.1 PUBLIC HEARINGS**

**8.1.1 Case 19266: Substantive Amendment and Discharge of Development Agreement at 174 Ochterloney Street, Dartmouth**

The following was before Community Council:

- A staff recommendation report dated December 22, 2014
- A supplementary report dated January 14, 2015

Mr. Darrell Joudrey, Planner, presented Case 19266: Substantive Amendment to the Development Agreement at 174 Ochterloney Street, Dartmouth, an application on behalf of the property owner, Imperial Oil, to enable the construction of an internally lit ground sign. A copy of Mr. Joudrey's presentation is on file.

Mr. Carl Brown, Applicant on behalf of the property owner, Imperial Oil, reviewed the location and historical use of the property. Mr. Brown noted that of the two existing Esso signs, one is at the end of the car wash, and the other is toward Prince Albert Road, and that both existing signs are internally lit. Mr. Brown advised that Imperial Oil is requesting permission for a single internally lit sign, to be located in place of the current sign at the end of the car wash, clarifying that the two existing signs would be removed. He indicated that the sign would match other Esso signs around the city, and would communicate the business much better. Mr. Brown explained that the sign will include the name of the convenience store "On the Run", the price of gas, and it will indicate that there is a car wash and bank machine. He clarified that there will be no drive thru at this location, although there will be a small, self-serve Tim Hortons express counter inside. Mr. Brown noted that the sign will be turned off when the business closes at 11:00 p.m. He indicated he is satisfied that Imperial Oil will be supportive of the changes being proposed in the agreement.

The Chair opened the floor to those wishing to speak for or against the application.

Ms. Anne Timmons, Prince Albert Road, indicated that Esso is a good neighbour and they are happy to have them in the neighbourhood. She asked for clarification of “primary site lighting” as indicated in section 2.7.4. of the development agreement. Ms. Timmons noted that currently the canopy sign lighting is turned off at 11:00 p.m., but the other LED lights stay on. She commented that although the LED lights are directed downward, they are still very bright. Ms. Timmons indicated that this is her only concern with the application.

Mr. Brown suggested that “primary site lighting” would be any lighting in place that is not for security. He commented that the LED lights must be part of the security system, but he would discuss lighting with the property owner to determine what is essential lighting.

The Chair called three times for any further speakers. Hearing none, it was **MOVED by Deputy Mayor Nicoll, seconded by Councillor Fisher, that the public hearing close. MOTION PUT AND PASSED.**

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

1. **Approve the proposed amending development agreement, as set out in Attachment A of the January 14, 2015 supplementary report, to permit the internal lighting of a ground sign at 174 Ochterloney Street, Dartmouth to take effect upon the registration of the confirmatory development agreement (Attachment B of the January 15, 2015 supplementary staff report); and**
2. **Require the amending development agreement be signed by the property owner within 120 days, or any extension therefore 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. Thea Langille clarified that the supplementary report was prepared to update Community Council that a number of inconsistencies were identified, which will be addressed by a confirmatory agreement.

Councillor Karsten commented that LED lighting can be bright, and confirmed through staff that this is not controlled through the development agreement. He encouraged the applicant to keep in mind that some LED lighting is too bright for streetscapes and noted that there have been instances where Halifax Traffic Management has had to intervene.

**MOTION PUT AND PASSED.**

**8.2 VARIANCE APPEAL HEARINGS - None**

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence**

**9.2 Petitions**

**9.2.1 Councillor Fisher**

Councillor Fisher submitted a petition signed by 23 residents requesting that the off leash dog area known as Sunrise Beach, Shubie Park be decommissioned. The petition will be submitted for a staff report.

**9.3 Presentation**

**9.3.1 Strategy to Advocate for Better Transit – *Main Street Dartmouth Area Business Improvement District***

Ms. Graziella Grbac, Executive Director, and Mr. Greg Fong, Director, Main Street Dartmouth Area Business Improvement District, presented to Community Council on their strategy for better public transit. The presentation included an invitation to the first of a series of community engagement session event on February 10, 2015 at 7:00 p.m. at the Garden View Restaurant community room. The topic will be Voice of Dartmouth Transit, and “will consider the It’s More Than Buses principals and Halifax Transit’s network goals as a backdrop for priority connections in Dartmouth and prepare for a strategic response to the city’s draft release”.

A copy of the presentation is on file and online.

Community Council thanked Ms. Grbac and Mr. Fong for the presentation.

**10. REPORTS**

**10.1 Staff Reports - None**

**10.2 Board & Committee Reports - None**

**11. MOTIONS - None**

**12. IN CAMERA - None**

**13. ADDED ITEMS - None**

**14. NOTICES OF MOTION - None**

**15. PUBLIC PARTICIPATION**

Mr. Carl Brown, Oakdale Court, Dartmouth, commented that he lives on a court (cul-de-sac), and has observed that it is a difficult area for clearing snow and picking up garbage. He noted a fire safety concern, that the plow has been pushing snow on a vacant lot, on top of a fire hydrant. There is a path along the property, and the snow from that path also gets pushed on top of the fire hydrant, as well as the snow cleared from a storm drain. Mr. Brown noted that the pole from top of the hydrant is missing, and the hydrant is completely covered and not visible.

The Vice Chair encouraged Mr. Brown to report this problem via email through [contactHRM@halifax.ca](mailto:contactHRM@halifax.ca) and his comments will be forwarded to a winter works supervisor to be addressed.

**16. DATE OF NEXT MEETING – March 5, 2015**

The next meeting of Harbour East-Marine Drive Community Council will be held on Thursday, March 5, 2015 at 6:00 p.m. in the Nantucket Room of the Dartmouth Sportsplex, 110 Wyse Road, Dartmouth.

**17. ADJOURNMENT**

The meeting was adjourned at 6:42 p.m.

Jennifer Weagle  
Legislative Assistant