



**HARBOUR EAST COMMUNITY COUNCIL  
MINUTES  
December 3, 2015**

PRESENT: Councillor Gloria McCluskey, Chair  
Councillor Bill Karsten, Vice Chair  
Councillor Lorelei Nicoll  
Councillor David Hendsbee

STAFF: Mr. Josh Judah, 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/HEMDCC151203-agenda.php>*

*The meeting was called to order at 7:00 p.m. and adjourned at 8:06 p.m.*

**1. CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m.

**Election of Chair and Vice Chair**

The Chair turned the meeting over to the Legislative Assistant.

The Legislative Assistant called for nominations for the position of Chair of the Harbour East-Marine Drive Community Council.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

**THAT Councillor Nicoll be nominated Chair of the Harbour East-Marine Drive Community Council.**

**MOTION PUT AND PASSED**

The Legislative Assistant called three times for any further nominations. There being none, it was:

MOVED by Councillor McCluskey, seconded by Councillor Hendsbee

**THAT nominations for the position of Chair be closed.**

**MOTION PUT AND PASSED.**

The Legislative Assistant declared Councillor Nicoll Chair of the Harbour East-Marine Drive Community Council

Councillor Nicoll then assumed the Chair. Councillor Nicoll called for nominations for the position of Vice Chair of the Harbour East-Marine Drive Community Council.

MOVED by Councillor McCluskey, seconded by Councillor Hendsbee

**THAT Councillor Karsten be nominated Vice Chair of the Harbour East-Marine Drive Community Council.**

**MOTION PUT AND PASSED.**

The Chair called three times for any further nominations. There being none, it was:

MOVED by Councillor McCluskey, seconded by Councillor Hendsbee,

**THAT nominations for the position of Vice Chair be closed.**

**MOTION PUT AND PASSED.**

The Chair declared Councillor Karsten the Vice Chair of the Harbour East-Marine Drive Community Council.

**2. TABLING OF 2015 ANNUAL REPORT**

Committee members requested that the 2015 annual report contain the details of Darren Fisher's leave of absence, the date that the position became vacant, and the date of the upcoming by-election.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

**THAT the 2015 Annual Report be approved as amended.**

**MOTION PUT AND PASSED**

**3. PUBLIC PARTICIPATION RE: 2015 ANNUAL REPORT**

Mr. Shalom Mandeville provided commentary on the Preston Area Watershed and questioned what the future direction for this project will be.

Councillor Hendsbee responded that Preston Area rate payers will receive more information and status reports in the future.

**4. APPROVAL OF MINUTES – November 12, 2015**

MOVED by Councillor McCluskey, seconded by Councillor Karsten

**THAT the minutes of November 12, 2015 be approved as presented.**

**MOTION PUT AND PASSED.**

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

Additions:

18.1 Case 19859: Non-Substantive Amendment and Partial Discharge to Lake Loon Development Agreement - Westphal

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey,

**THAT the agenda be approved as amended**

Two-third majority vote required

**MOTION PUT AND PASSED.**

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

**7. CALL FOR DECLARATION OF CONFLICT OF INTERESTS**

**8. MOTIONS OF RECONSIDERATION – NONE**

**9. MOTIONS OF RESCISSION – NONE**

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

**11. NOTICES OF TABLED MATTERS – NONE**

**12. HEARINGS**

**12.1 PUBLIC HEARINGS**

**12.1.1 Case 20132: Rezoning a portion of Dartmouth Crossing, Dartmouth**

The following was before the Community Council:

- A staff recommendation report dated October 28, 2015
- Correspondence from E. Grant MacDonald re: The rezoning of a portion of Dartmouth Crossing

Mr. Matt Neville, Planner for the applicant (EDM, on behalf of Dartmouth Crossing Limited), explained that the request is to change the zoning of a portion of Phase 3 of Dartmouth Crossing from the BCDD (Burnside Comprehensive Development District) back to the previous zoning of I-2 (General Industrial). As he explained, the reason for this request is that in 2014, as part of the Regional Plan review exercise, the BDCC policies were moved from the Regional Plan to the Dartmouth Municipal Planning Strategy (MPS).

The Chair called three times for members of the public wishing to speak, hearing none it was MOVED by Councillor Karsten, seconded by Councillor Hendsbee

**THAT the Public Hearing close.**

**MOTION PUT AND PASSED**

MOVED by Councillor McCluskey, seconded by Councillor Karsten

**THAT the Harbour East-Marine Drive Community Council:**

**Approve the proposal to rezone a portion of Phase 3 within Dartmouth Crossing from the BCDD (Burnside Comprehensive Development District) Zone to the I-2 (General Industrial) Zone, as contained in Attachment A of this report.**

**MOTION PUT AND PASSED**

**12.2 VARIANCE APPEAL HEARINGS - NONE**

**13. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**13.1 Correspondence**

**13.1.1 Correspondence from Mr. E. Grant MacDonald Re: Case 20132 Rezoning of Dartmouth Crossing.**

The following was before the Community Council:

- A letter from Mr. E Grant MacDonald Re: Case #20132 – Rezoning of Dartmouth Crossing

The correspondence was received by members of the Community Council.

**13.2 Petitions**

**13.3 Presentation**

**14. INFORMATION ITEMS BROUGHT FORWARD – NONE**

**15. REPORTS**

**15.1 STAFF**

**15.1.1 Public Boat Launch – Dartmouth Shoreline**

The following was before Community Council:

- A staff recommendation report dated November 2, 2015.

MOVED by Councillor Karsten, seconded by Councillor Hendsbee

**THAT the Harbour East-Marine Drive Community Council request that Halifax Regional Council, by way of the Transportation Standing Committee, direct staff to incorporate public boat launch opportunities into planning considerations of future private or public land developments along the Dartmouth shore.**

Mr. Peter Bigelow, Manager of Real Property and Planning, responded to questions of clarification from Community Council members regarding parking, signage, and usage at the Alderney Marina (currently the only public Harbour access in Dartmouth).

**MOTION PUT AND PASSED.**

**15.1.2 Harbour East-Marine Drive Community Council Proposed 2016 Meeting Schedule**

The following was before Community Council:

- *The proposed Harbour East-Marine Drive Community Council 2016 Meeting Schedule*

Councillor Karsten noted that the February meeting date conflicts with the Federation of Canadian Municipalities Conference on Sustainable Communities.

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey

**THAT the Harbour East-Marine Drive Community Council approve the proposed meeting schedule as presented.**

**MOTION PUT AND PASSED**

**16. MOTIONS**

**17. IN CAMERA (IN PRIVATE) - NONE**

**18. ADDED ITEMS**

**18.1 Case 19859: Non-Substantive Amendment and Partial Discharge to Lake Loon Development Agreement – Westphal.**

The following was before the Community Council:

- A Staff recommendation report dated November 20, 2015

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

**THAT the Community Council waive Notice of Motion and hear a staff presentation on Case 19859 – Non-Substantive Amendment and Partial Discharge to Lake Loon.**

**MOTION PUT AND PASSED.**

Two-third majority vote required.

Mr. Shayne Vipond explained that Lake Loon Developments Ltd has applied for a non-substantive amendment and partial discharge to their existing development agreement that enables a mixed

residential development on lands formally identified as civic number 661 Highway 7. The reason for the request is that this part of the existing lot frontage is no longer required for the development; therefore the applicant wishes to amend the existing development agreement to reduce the lot frontage for the development and to discharge the excess frontage from the agreement.

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey

**THAT Harbour East-Marine Drive Community Council**

- 1. Approve, by resolution, the proposed amending development agreement as contained in Attachment A of the report dated November 20, 2015 to replace schedules B, C, D, E, and E-1 of the existing development agreement with new schedules B-1, C-1, D-1, E-1A and E1-1A for a mixed residential development on lands formally identified as civic number 661 Highway 7, Westphal, as shown on Map 1; and**
- 2. Require that the amending development 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 proposed partial discharge agreement as contained in Attachment B of the report dated November 20, 2015 for a portion of the lands that are the subject to an existing development agreement on the lands formally identified as civic number 661 Highway 7, Westphal as shown on Map 1 and is subject to the registration of the proposed amending development agreement; and**
- 4. Require that the proposed partial 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.**

Responding to questions of clarification from Community Council members, Mr. Vipond agreed to look into whether or not the poles on the property would need to be reset and informed the Community Council that there is still enough room left for signage on the property.

**MOTION PUT AND PASSED.**

**19. NOTICES OF MOTION**

**18. PUBLIC PARTICIPATION**

The Chair opened the floor for public participation.

Mr. Colin May of Dartmouth thanked the members of the Community Council for another year of hard work and commented that it has been just over thirty years since Councillor McCluskey was sworn in as Mayor of Dartmouth. Mr. May thanked Councillor McCluskey for her continued dedication to the whole of Dartmouth and called on all present to join him in a round of applause.

Mr. Tim Risseco of the Downtown Dartmouth Business Commission commented that they receive support from fire services for fireworks and that the board has passed a motion that they would like Station 13 to be fully staffed with professional firefighters 24/7. He continued that there are a lot of small business, wooden structures, seniors' manors, and new growth in the area and that he supports maintaining the fire station for the area.

Mr. Brendan Marr, Vice President of Halifax Professional Firefighters, commented that the new plan for Fire services in HRM reduces staff coverage and is essentially a semantic way of closing the fire stations that Council directed the chief to keep open. He continued to explain that the call frequency for urban volunteers at night will be an unfair demand. He commented that the direction from the 2006 review to hire 81 new staff was not followed and Fire Administration was criticized for not doing these hires. He explained that Council had directed the chief to keep the stations open and start hiring and did not specify that this would be cost-neutral, yet it was a factor in the report. He concluded that he would like to meet with the members of the Community Council to discuss this matter further.

Mr. Matt Spurway, Woodlawn, commented that he will be running for the position of Councillor for District 6 in the municipal by-election. He questioned why people were not made aware of the public hearing regarding the animal by-law before it was passed. He commented that Council and Staff do not reach out to residents and stakeholders and do not actively engage them in the matters that are relevant to them. He commented that advertising in the Chronicle Herald and on the HRM website is not enough. He concluded that the subject of tonight's public hearing – rezoning a portion of Dartmouth Crossing – will affect property owners in the area, but no one showed up to speak on the matter. He suggested that notice for the public hearing should have been given to more property owners in the area, specifically those impacted across Lake Charles.

Mr. Warren Wesson, Woodside, echoed what Mr. Spurway said about community engagement, adding that residents are often put in a reactive, not a pro-active position. He asked why the city does not use Facebook groups to make residents aware of public meetings. He commented that he supports the firefighters and that services should not be cut. He concluded that there should be a sign in Downtown Dartmouth, near the public Harbour access, marking it as public land.

Mr. Shalom Mandeville provided commentary on septic systems, commenting that while he knows they are monitoring and have results, treatment plants don't remove 100% of phosphorus. He commented that the graphs demonstrate that 95% is removed and that Eagle Lake use to be pristine, just like Mic Mac Lake. He commented that HRM needs a qualified staff member. He concluded by wishing the best to Councillor McCluskey and stating that he hopes she runs for office again.

Ms. Janet McCarthy provided commentary on the closing of fire stations and the Halifax Branding policy.

**19. DATE OF NEXT MEETING – January 7, 2016 – Harbour East-Marine Drive Community Council Meeting Space, Alderney Landing, Dartmouth.**

**20. ADJOURNMENT**

The meeting adjourned at 8:06 p.m.

Cathy Collett  
Legislative Assistant