

HARBOUR EAST COMMUNITY COUNCIL  
MINUTES  
JANUARY 6, 2005

PRESENT:                   Councillor Harry McInroy, Chair  
                              Councillor Gloria McCluskey  
                              Councillor Andrew Younger  
                              Councillor Becky Kent  
                              Councillor Jim Smith  
                              Councillor Bill Karsten

STAFF:                     Ms. Angela Jones-Rieksts, Municipal Solicitor  
                              Ms. Julia Horncastle, Legislative Assistant

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**1. CALL TO ORDER**

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

**2. APPROVAL OF MINUTES - November 18, 2004**

Councillor McCluskey noted two spelling errors in the minutes and requested these be amended.

**MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the minutes of November 18, 2004, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

- 12.1 Case 00634: Rezoning Application - 1226 Cole Harbour Road, Cole Harbour
- 12.2 Presentation - Dartmouth Harbour Trails Association
- 12.3 Councillor Kent - Integration Funds for Dartmouth Harbourfront Trails
- 12.4 Councillor Smith - Policy re: Illegal Apartment

**MOVED by Councillor Younger, seconded by Councillor McCluskey, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**4.1 STATUS SHEET ITEMS**

**4.1.1 Rehabilitation and Improvement Plan for Cole Harbour Commons**

No information received. To remain on status sheet.

**4.1.2 Implementation of Secondary MPS - Dartmouth Lakes**

No information received. To remain on status sheet.

**4.1.3 Servicing Plan for Ball and Sports Fields in the HECC area**

No information received. To remain on status sheet.

**4.1.4 Main Street Business District Revitalization**

No information received. To remain on status sheet.

**4.1.5 Establishment of a Dartmouth Planning Advisory Committee**

No information received. To remain on status sheet.

**5. MOTIONS OF RECONSIDERATION - NONE**

**6. MOTIONS OF RESCISSION - NONE**

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

**8. PUBLIC HEARINGS**

**8.1 Case 00713: Housekeeping Amendments to the Downtown Dartmouth Land Use By-Law**

C A staff report dated November 9, 2004, was before Council.

Mr. Shayne Vipond, Planner, presented the report to Council.

Councillor McInroy called three times for those wishing to speak either in favour of or in opposition to the proposed amendments. Hearing none, the following motion was placed.

**MOVED by Councillor McCluskey, seconded by Councillor Kent, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the Harbour East Community Council approve the proposed housekeeping amendments provided in Attachment 1 of the staff report dated November 9, 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2.3 Case 00642 - Amendments to Heritage Hills CDD, Eastern Passage**

C A report dated December 14, 2004, from the Harbour East PAC was before Council.

C A staff report dated November 26, 2004, was before Community Council.

**MOVED by Councillor Kent, seconded by Councillor Younger, that this item be referred back to staff and the developer to consider a change in the decrease in the**

length of the cul-de-sac back to the existing development agreement with a report back to Community Council at the earliest opportunity. **MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE AND DELEGATIONS**

**9.1 Correspondence from residents of Dartmouth regarding the Gentleman's Club, 70 Windmill Road**

C Correspondence and a petition from the residents of the Harbourview area in District 5 was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Younger, that a report be requested as to the status of the situation. MOTION PUT AND PASSED UNANIMOUSLY.**

**10. REPORTS**

**10.1 MEMBERS OF COUNCIL**

**10.1.1(i) Councillor Younger - Winter Maintenance - Shubie Park**

Councillor Younger noted that there is no winter maintenance in Shubie Park such as provision of garbage cans, debris pickup nor track maintenance.

**MOVED by Councillor Younger, seconded by Councillor Smith, that staff provide a report on the possibility of a level of winter maintenance in Shubie Park. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.1(ii) Hazardous Materials Disposal for Eastern HRM**

**MOVED by Councillor Younger, seconded by Councillor Kent, that staff provide a report on the possibility of the establishment of a mobile hazardous materials disposal site in the Dartmouth area on a monthly basis. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.2 Councillor McCluskey - Annual Meeting with Residents**

At the request of Councillor McCluskey, Community Council agreed to hold an annual meeting with the residents later in 2005.

**10.2 HARBOUR EAST PLANNING ADVISORY COMMITTEE**

**10.2.1 Appointment to Planning Advisory Committee**

**MOVED by Councillor Kent, seconded by Councillor Younger, that the Terms of Reference for the PAC be amended to include all members (districts) of Community Council with an MPS and LUB falling under the purview of the Planning Advisory Committee. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2.2 Case 00696 - Development Agreement for a Day Care at 527 Cow Bay Road, Eastern Passage (Give first reading and set public hearing date)**

C A report from the Harbour East Planning Advisory Committee, dated December 14, 2004, was before Council.

**MOVED by Councillor Kent, seconded by Councillor Karsten, that the Harbour East Community Council give notice of motion to consider the development agreement attached to the staff report dated November 22, 2004 and schedule a public hearing for February 3, 2005. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2.3 Case 00642 - Amendment to Heritage Hills CDD, Eastern Passage**

This item was addressed earlier in the meeting (see page 5).

**10.3 Tentative Meeting Dates for 2005**

**MOVED by Councillor McCluskey, seconded by Councillor Younger, that the meeting dated for 2005 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

It was noted that Special Sessions of Community Council would be called on an "as needed" basis.

**10.4 Case 00547 - 10 Springhill Road Rezoning and Development Agreement**

C A report from Jill Justason, Planner I, dated December 20, 2004, was before Council.

**MOVED by Councillor Karsten, seconded by Councilor Younger, that Harbour East Community Council:**

**1. Approve the development agreement as set out in Attachment "A" of the**

memorandum dated December 20, 2004.

2. **Require that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED.**

**10.5 Morris/ Russell Lake PPC**

- C A report from Paul Dunphy, Director of Planning and Development Services, dated December 21, 2004, was before Council
- C A report from the Morris/Russell Lake Public Participation Committee, dated December 22, 2004, was before Council
- C Correspondence from Henri Charest, dated December 30, 2004, was circulated to Council.

Mr. Phil Elliott, Chair of the committee addressed the Community Council outlining the report and recommendations.

Mr. Paul Morgan, Planner, with the aid of a PowerPoint presentation, presented the details of the report to Community Council.

Councillor McCluskey stated no lakefront should be privately owned and would like to see more work being done relative to lake protection.

**MOVED by Councillor McCluskey, seconded by Councillor Kent that the public participation committee report be referred to staff for a report at the next meeting of the Community Council on February 3, 2005.**

Councillor Younger stated he has concerns with the Imperial Oil issue and the issue of the lakes. He stated he is also hearing concern with regards to the connector to the 111 interchange. He also noted that the way the report it is currently written ties the municipality to expenditures in future years and the wording should in some way reflect that all expenditures are subject to capital and operating budgets.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - NONE**



**12. ADDED ITEMS**

**12.1 Case 00634: Rezoning Application - 1226 Cole Harbour Road, Cole Harbour**

**MOVED by Councillor McCluskey, seconded by Councillor Kent, that the item be deferred to the next meeting of Community Council. MOTION PUT AND PASSED.**

**12.2 Presentation - Harbour Trails Association**

The Chairperson of the Harbourfront Trails Association, with the aid of PowerPoint, made a presentation to Community Council.

**12.3 Councillor Kent - Integration Funds to Dartmouth Harbourfront Trails**

**MOVED by Councillor Kent, seconded by Councillor Younger, that a staff report to Regional Council be requested regarding the release of \$500,000 from Community Integration Funds for the Dartmouth Sewage Treatment Plant, for development of the Harbourfront Trail from Cuisack Street to the trail head at Tupper Street. Specific detail should be given to substantiating the request for funds; co-ordinating with STP systems and a motion to Regional Council to approve the expenditure. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4 Councillor Smith - Policy re Illegal Apartments**

Councillor Smith noted there are a number of illegal apartments in his district and requested staff provide a report regarding a policy on how to address the issue of illegal dwellings as well as what steps may be taken to protect the Tufts Cove neighbourhood area.

**13. NOTICES OF MOTION**

**13.1 Councillor Smith**

Take Notice that at the next regular meeting of the Harbour East Community Council to be held on Thursday, February 3, 2005, I intend to introduce a motion to request that staff start the process to change the zoning on 10 Springhill Road back to R-2.

**14. PUBLIC PARTICIPATION**

No speakers.

**15.           NEXT MEETING**

The next meeting is scheduled for Thursday, February 3, 2005.

**16.           ADJOURNMENT**

The meeting was adjourned at 8:55 p.m.

Julia Horncastle  
Legislative Assistant