

**HARBOUR EAST COMMUNITY COUNCIL  
MINUTES  
December 1, 2005**

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

REGRETS: Councillor Jim Smith

STAFF: Mary Ellen Donovan, 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 THE MINUTES - October 18, 2005**

**MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the minutes of October 18 and November 3, 2005 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

- 12.1 Correspondence - Russell Lake Residents Association - Councillor McCluskey
- 12.2 Supplementary Report - Case 00635: Development Agreement - 3 Bruce Street
- 12.3 Personnel Matter - Ratification of appointments to HEPAC

**MOVED by Councillor Karsten, seconded by Councillor McInroy, that item 12.1, Correspondence - Russell Lake Residents Association be removed from the agenda. MOTION PUT AND PASSED.**

**MOVED by Councillor McInroy, seconded by Councillor Karsten, 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 Burnside City of Lakes Business Park**

No Information received. To remain on status sheet.

**4.1.2 Independent Traffic Study - Burnside Park**

No Information received. To remain on status sheet.

**4.1.3 Rezone Institutional Zoned Lands to Park - Dartmouth Plan Area**

Report received. To be removed from status sheet.

**4.1.4 Petition - Councillor McCluskey - Request for Lighting at Brownlow Park, Dartmouth**

Report received. To be removed from status sheet.

**4.1.5 Request for Traffic Light - Councillor Smith**

No Information received. To remain on status sheet.

**4.1.6 Presentation - Trans Canada Trail - Revised Proposal**

No Information received. To remain on status sheet.

**4.1.7 Unightly Vessels Anchored in Dartmouth Cove**

No Information received. To remain on status sheet.

**4.1.8 Community Planning Advisory Committee - Eastern Passage/Cow Bay**

No Information received. To remain on status sheet.

**4.1.9 Brightwood Golf Course - Petition**

No Information received. To remain on status sheet.

**4.1.10 Service Building - Cole Harbour Commons**

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. HEARINGS**

**8.1 PUBLIC HEARINGS**

**8.1.1 Case 00783: Rezone Montague Road, Westphal**

- A report dated October 14, 2005, on the above noted, was before Council.

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

Councillor Kent called for those wishing to speak either in favour of or in opposition to the proposed rezoning. Hearing none the following motion was placed.

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

### **DECISION OF COUNCIL**

**MOVED by Councillor McInroy, seconded by Councillor Younger, that the Harbour East Community Council approve the rezoning of the subject lands from C-4 (Highway Commercial) Zone to R-1 (Single Unit Dwelling) Zone, as shown on Map 1 of the October 14, 2005 staff report. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **8.1.2 Case 00824: Application for Rezoning - 91 Tacoma Drive**

- A report dated October 5, 2005, on the above noted, was before Council
- A supplementary report dated November 4, 2005, on the above noted, was before Council.

Ms. Hanita Koblents, Planner, presented the staff report to Council.

Councillor Kent called for those wishing to speak either in favour of or in opposition to the proposed rezoning. Hearing none, the following motion was placed.

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

### **DECISION OF COUNCIL**

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

- 1. Approve the rezoning of a portion of 91 Tacoma Drive in the Commercial Designation from R-2 (Two Family Residential) to C-3 (General Business Zone), as shown on Map 1 of the October 5, 2005 staff report.**
- 2. Approve the discharge of the development agreement registered against a**

portion of 91 Tacoma Drive by entering into the discharging agreement shown as Attachment A of the November 4, 2005 supplementary staff report.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2 APPEAL HEARINGS - NONE**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**9.3 Presentations**

**9.3.1 Cultural Plan**

Mr. Dan Norris, Coordinator, Culture and Heritage made a presentation providing an update on the Cultural Plan to Community Council.

Members of Council thanked Mr. Norris for his presentation.

**10. REPORTS**

**10.1 STAFF REPORTS**

**10.1.1 Proposed Meeting Dates for 2006**

**MOVED by Councillor Younger, seconded by Councillor McCluskey, that the Meeting Dates for 2006, as outlined in the report dated November 25, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.2 Case 00728 - Development Agreement - Horizon Court, Dartmouth**

- A report dated November 16, 2005, on the above noted, was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Younger, that the Harbour East Community Council give Notice of Motion to consider the development agreement and schedule a public hearing for January 5, 2006. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.3 Case 00855 - Amendments to Heritage Hills CDD (Trails), Eastern Passage**

- A report dated November 18, 2005, on the above noted, was before Council.

**MOVED by Councillor Younger, seconded by Councillor McCluskey, that the Harbour East Community Council give Notice of Motion to consider the amending agreement and schedule a public hearing for January 5, 2006. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.4 Case 00846 - Public Participation Committee - Phases 4 & 5, Portland Hills**

- A report dated November 18, 2005, on the above noted, was before Council.

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

- Invite a subcommittee of the Morris Russell Lake Public Participation Committee (PPC) as described in the November 18, 2005 report, to reconvene as a PPC to guide development of detailed concept plans for lands zoned Comprehensive Development District as identified as PH4 and PH5 of the Portland Hills Subdivision within the Morris Russell Lake Secondary Plan Area.**
- Approve the Terms of Reference for the Public Participation Committee as contained in the November 18, 2005 staff report.**
- Dennis Richards be the only required member for the Innishoen area.**

**MOTION PUT AND PASSED.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Correspondence - Russell Lake Residents Association - Councillor McCluskey**

This item was deleted under the approval of the Order of Business.



**12.2            Case 00635: Development Agreement - 3 Bruce Street, Dartmouth**

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

- 1.     Approve the attached Amending Agreement, as contained in Attachment “A”, to permit an addition to the existing building at 3 Bruce Street in Dartmouth for the purposes of a warehousing and distribution use.**
- 2.     Require that the Amending 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, including applicable appeal periods, whichever is later; otherwise, this approval will be void and obligations hereunder shall be at an end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.3            Personnel Matter - Appointments to the Harbour East Planning Advisory Committee**

- The following item was discussed at an In Camera session held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor McCluskey, seconded by Councillor Younger, that the following persons be appointed to the Harbour East Planning Advisory Committee:**

- District 4     Mr. Ray DeRoche
- District 5     Mr. Toby Balch
- District 6     Mr. Tom Rissesco
- District 7     Mr. Norman Wiechert
- District 8     Mr. Thomas Harmes

**Councillors Younger, Kent and Smith to be appointed as Council representatives. Further, the position of a representative from District 9 be readvertised.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13.            NOTICES OF MOTION - NONE**

**14.            PUBLIC PARTICIPATION - NONE**

**15.           NEXT MEETING**

The next meeting is scheduled for January 5, 2006.

**16.           ADJOURNMENT**

The meeting was adjourned at 7:40

Julia Horncastle  
Legislative Assistant