

HARBOUR EAST COMMUNITY COUNCIL
MINUTES
January 4, 2007

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

REGRETS: Councillor Jim Smith

STAFF: Ms. Julia Horncastle, Legislative Assistant

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1. CALL TO ORDER

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

At this time Community Council observed a moment of silence in memory of Mr. Larry Drummond.

2. APPROVAL OF MINUTES - December 7, 2006

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the minutes of December 7, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

12.1 Councillor McCluskey - Request for Amendments to the Dartmouth Land Use By-Law

MOVED by Councillor Younger, seconded by Councillor McInroy, 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 Traffic Concerns - No Right Turn off Thistle on to Slayter, School Street changed to one way, methods to reduce short cutting through School Street

No information received. To remain on status sheet.

4.1.2 Amendment to Dartmouth LUB to add to list of prohibited occupations (recycle or scrap metal collection)

No information received. To remain on status sheet.

4.1.3 Installation of Speed Bumps or Two sets of Stop Signs at Kingston Cres. & Birchwood Terr. and at Frederic St. & Birchwood Terr.

- An information report dated December 18, 2006 was before Community Council.
Councillor McCluskey advised the item can now be removed from the status sheet.

4.1.4 Beazley Field Stands

No information received. To remain on status sheet.

4.1.5 Accessible Playground - Dartmouth

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 - NONE

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

10. REPORTS

10.1 Case 00784 - Time Extension to Sign Development Agreement

- A report dated December 12, 2006, on the above noted, was before Community Council.

MOVED by Councillor McInroy, seconded by Councillor McCluskey, that the Harbour East Community Council require the signing of the Twin Lakes Ltd. Development Agreement within 120 days following the land acquisition of the Bartlin Road right-of-way and portion of the Alderney School property as described in the December 12, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Case 00988 - Amendment to Russell Lake West Development

Agreement

- A report dated December 20, 2006, on the above noted, was before Council.

Mr. Paul Morgan, planner, presented the report to Council noting:

- The interchange was originally intended to be finished by October 2006,
- The province has advised they don't expect the interchange to be opened until June due to deficiencies;
- Clayton has an extension to coincide with the opening of the interchange.

In response to Councillor McCluskey, Mr. Morgan advised the work had been contracted out to Dexter Construction.

Councillor Younger expressed concern with the number of occupancy permits and how HRM is going to ensure that people will not move into the homes until the interchange is completed and suggested staff flag this issue.

MOVED by Councillor Karsten, seconded by Councillor Younger, that the Municipality enter into the amending agreement, presented as Attachment A to the December 20, 2006 report, which would:

- 1. Grant Clayton Development Ltd. an extension from October 31, 2006 until December 31, 2006 to July 1, 2007 to complete all other required work associated with this road extension in accordance with the terms of the Russell Lake West development agreement provided that financial security for completion of the work is provided in a form and amount acceptable to the Development Officer;**
- 2. Require 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 whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Karsten noted there is no anticipation of completion until June or July of 2007. He noted that it is his understanding that where a mortgage company is involved an occupancy permit may be required as part of that process.

Councillor McInroy advised he was in support of the request by Clayton Developments.

At the request of Councillor Kent, Mr. Morgan advised staff would provide an information report outlining the deficiencies.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 Case 00734 - Development Agreement for 124 Albro Lake Road, Dartmouth

- A report dated December 14, 2006, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Younger, that the Harbour East Community Council give first reading to consider the proposed Development Agreement to permit a 5 unit multiple dwelling at 124 Albro Lake Road, Dartmouth, and to schedule a public hearing. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Councillor McCluskey - Request for Amendments to the Dartmouth Land Use By-Law

MOVED by Councillor McCluskey, seconded by Councillor Younger, that staff provide a report on amendments to the Dartmouth Land Use By-Law that limit the type of uses permitted as "Institutional Uses" within the Downtown Neighbourhood Zone. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Tom Tonery, Dartmouth requested HRM undertake a feasibility study for the construction of an ocean aquarium in the Dartmouth area.

15. NEXT MEETING

The next meeting is scheduled for February 1, 2007.

16. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Julia Horncastle
Legislative Assistant