

HARBOUR EAST COMMUNITY COUNCIL
MINUTES
June 14, 2007

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

REGRETS: Councillor Harry McInroy

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

TABLE OF CONTENTS

1.	CALL TO ORDER	04
2.	APPROVAL OF MINUTES - May 3, 2007	04
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	04
4.	BUSINESS ARISING OUT OF THE MINUTES	
4.1	STATUS SHEET ITEMS	
4.1.1	Accessible Playground - Dartmouth	03
5.	MOTIONS OF RECONSIDERATION -NONE	03
6.	MOTIONS OF RESCISSION - NONE	03
7.	CONSIDERATION OF DEFERRED BUSINESS	03
7.	PUBLIC HEARINGS	
8.1	Case 01023: Rezoning, Main Street/Tacoma Drive, Dartmouth	03
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
9.1	Correspondence	03
9.2	Petitions	03
9.3	Presentations	
9.3.1	Marine Slips Project Update - Margot Young, EDM	03
10.	REPORTS	
10.1	Case 00781 - Notting Village: Rezoning & Development Agreement .	03
10.2	Case 00817: Development Agreement, 32 Primrose Street	03
10.3	Case 00881 - Rezone Various HRM Owned Lands to Park	03
10.4	Case 01016 - Broom Road Rezoning (Titans Gym)	03
11.	MOTIONS - NONE	03
12.	ADDED ITEMS	03
13.	NOTICES OF MOTION	03

14.	PUBLIC PARTICIPATION	03
15.	NEXT MEETING	03
16.	ADJOURNMENT	03

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES - May 3, 2007

MOVED by Councillor McCluskey, seconded by Councillor Younger, that the minutes of May 3, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 12.1 Case 00998: Downtown Dartmouth Land Use By-Law Amendment - Limiting Institutional Uses
- 12.2 Case 01006: Public Participation Program for MPS Amendment concerning Heritage Properties in the Dartmouth Plan Area
- 12.3 Personnel Matter - Appointments to PPC - Shearwater Land Use Study
- 12.4 Councillor McCluskey - Street Closure - Pine Street Extension

MOVED by Councillor Younger, 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 Accessible Playground - Dartmouth

Staff requested to provide information as to when a report on this issue will be coming forward.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARINGS

8.1 Case 01023: Rezoning, Main Street/Tacoma Drive, Dartmouth

- A report dated April 17, 2007, on the above noted, was before Council.

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

Councillor Smith called for those wishing to speak either in favour of or opposition to the proposed rezoning.

Mr. Lloyd Robins, Dartmouth, spoke in favour of the rezoning stating, in his opinion, it is appropriate for this area.

Ms. Heather Johnson, Smitty's Restaurant, spoke in favour stating the new residential would add some additional customers which is a positive.

Mr. Greg Fong, Garden View Restaurant spoke in favour of the rezoning which would improve the area.

Councillor Smith called three times for any additional speakers. 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.

MOVED by Councillor Younger, seconded by Councillor Karsten, that the Harbour East Community Council approve the rezoning of the Main Street/Tacoma Drive commercial area from C-3 (General Business Zone) to C-2 (General Business Zone) as shown on Map 1 of the April 17, 2007 staff report.

Councillor Younger stated there has been extensive public consultation including surveys and meetings with residents and businesses. He stated this is something that residents and businesses have indicated their overwhelming support for. He stated this will allow control over the type of developments in the area ensuring they are not warehouses.

Councillor Karsten stated this is envisioning what the community will look like in the future and is the right step.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentations

9.3.1 Marine Slips Project Update

Ms. Margot Young, EDM, made a presentation, noting:

- The project has not been cancelled,
- A traffic study is underway,
- Streets will be public streets,
- They are looking at sewer and water services,
- They are consulting with both the Port and Waterfront Development Corporation,
- There is a marina and breakwater as part of the proposal.

In response to Councillor McCluskey, Council was advised the water lot which extends to the peace tower is where they are proposing to place the marina. It was noted there is no proposal for building there.

Councillor Younger suggested the developer have a dialogue with the Shubie Canal Commission.

10. REPORTS

10.1 Case 00781 - Notting Village: Rezoning and Development Agreement

- A report dated March 15, 2007, on the above noted, was before Council.

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

- 1. Approve the development agreement as provided in Attachment C of the March 15, 2007 staff report.**
- 2. Require 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 of said agreement by Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise, this approval shall be void and any obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Case 00817: Development Agreement, 32 Primrose Street

- A report dated May 30, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Younger, that the Harbour East Community Council:

- 1. Approve the proposed development agreement as provided in Attachment A of the May 30, 2007 staff report; and,**
- 2. Require 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 of said agreement by Council and any other bodies as necessary, whichever is later, including applicable appeal periods. Otherwise this approval shall be void and any obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 Case 00881 - Rezone Various HRM Owned Lands to Park

- A report dated May 25, 2007, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that the Harbour East Community Council give first reading for the rezoning of the subject lands as shown on Map 1, 2 and 3 of the report dated May 25, 2007 and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

10.4 Case 01016 - Broom Road Rezoning (Titans Gym)

- A report dated May 30, 2007, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor Younger, that the Harbour East

Community Council give first reading to the proposed rezoning as shown on Map 1 of the report dated May 30, 2007 and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 00909: Downtown Dartmouth Land Use By-Law Amendment - Limiting Institutional Uses

- A report dated May 31, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Harbour East Community Council give first reading to the proposed amendment to the Downtown Neighbourhood (DN) Zone of the Downtown Dartmouth Land Use By-law as shown on Attachment "A" of the May 31, 2007 staff report and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Case 01006 - Public Participation Program for MPS Amendment Concerning Heritage properties in Dartmouth Plan Area

Ms. Hanita Koblents, Planner, provided an update to Council on the process going forward.

Councillor McCluskey suggested that there be a meeting with the residents wherever one of these heritage properties is located.

12.3 Personnel Matter - Appointments to PPC - Shearwater Land Use Study

- This item was addressed at an earlier In Camera session and was now before Council for ratification.

MOVED by Councillor Karsten, seconded by Councillor Younger, that Community Council appoint Mr. J. Bryson Elson, Mr. Basil Kilgar, Mr. Tom Harmes and Mr. Earle Gosse to the PPC for the Shearwater Land Use Study. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Councillor McCluskey - Street Closure - Pine Street Extension

MOVED by Councillor McCluskey, seconded by Councillor Younger, that staff initiate the process for street closure for the Pine Street Extension. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Clyde Mason, Dartmouth, addressed Council expressed concern with the infill and height of the buildings within the Dartmouth shipyards,

15. NEXT MEETING

The next meeting is scheduled for July 5, 2007.

16. ADJOURNMENT

The meeting was adjourned at 7:55 p.m.

Julia Horncastle
Legislative Assistant