

HARBOUR EAST COMMUNITY COUNCIL  
MAY 20, 1999  
MINUTES

PRESENT: Councillor Bruce Hetherington, Chair  
Councillor Ron Cooper  
Councillor Jack Greenough  
Councillor Condo Sarto  
Councillor Clint Schofield

REGRETS: Councillor Harry McInroy, Vice-Chair  
Councillor John Cunningham

STAFF: Mr. Barry Allen, Municipal Solicitor  
Mr. Stephen Feist, Planner  
Ms. Jackie Hamilton, Planner  
Mr. Dave McCusker, Traffic Authority  
Ms. Donna Davis-Lohnes, General Manager, Planning Services  
Ms. Lynne LeBoutillier, Assistant Municipal Clerk

TABLE OF CONTENTS

1.	INVOCATION .....	03
2.	APPROVAL OF MINUTES - April 8 and May 4, 1999 .....	03
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	03
4.	BUSINESS ARISING OUT OF THE MINUTES .....	04
5.	MOTIONS OF RECONSIDERATION - NONE .....	03
6.	MOTIONS OF RESCISSION - NONE .....	03
7.	CONSIDERATION OF DEFERRED BUSINESS .....	03
8.	PUBLIC HEARINGS	
8.1	Case 00009 - Proposed rezoning at the Corner of Lancaster Drive and Argus Drive, Dartmouth .....	03
8.2	Case 00047 - Application to rezone lands adjacent to Dartmouth Memorial Gardens Ltd., Westphal .....	05
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS .....	05
10.	REPORTS	
10.1	Terms of Reference - Dartmouth Common Committee .....	05
10.2	Terms of Reference - Public Participation Committee .....	06
10.3	PA-DAR-06-96 - MPS and Development Agreement Application - Craigwood Estates .....	06
10.4	Approval of Community Council 1999/2000 Capital Projects .....	07
10.5	Change in Capital Project - Councillor Cooper .....	07
11.	MOTIONS .....	07
12.	ADDED ITEMS .....	07
13.	NOTICES OF MOTION .....	07
14.	PUBLIC PARTICIPATION .....	08
15.	ITEMS FOR NEXT AGENDA .....	08
16.	NEXT MEETING .....	08
17.	ADJOURNMENT .....	08

**1. INVOCATION**

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

**2. APPROVAL OF MINUTES**

**MOVED by Councillors Greenough and Sarto that the minutes of April 8 and May 4, 1999 be approved as circulated. MOTION PUT AND PASSED.**

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

Additions

12.1 Christmas Cards - Councillor Schofield

**MOVED by Councillors Schofield and Cooper that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES - NONE**

**5. MOTIONS OF RECONSIDERATION - NONE**

**6. MOTIONS OF RESCISSION - NONE**

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

**8. PUBLIC HEARINGS**

**8.1 Case 00009 - Proposed Rezoning at the Corner of Lancaster Drive and Argus Drive, Dartmouth**

Mr. Stephen Feist, Planner, with the aid of overheads, presented the staff report noting this property was part of the Nova Scotia Department of Housing development of Lancaster Ridge and the site was originally planned to provide development of a 15 unit seniors complex. He advised the Department of Housing is requesting the R-3 zone be withdrawn and R-1 zoning be applied to enable the maintenance of the low density character of the neighbourhood. He advised it is also proposed that the property be divided into four single family lots.

Councillor Hetherington recognized Mr. Jerry Pye, MLA, Dartmouth-North.

### **Speakers in Favour**

Mr. Terence Drisdelle, Department of Housing and Municipal Affairs, advised the subject property has remained undeveloped for nine years and there has been no interest expressed by the public sector for the acquisition and development of this land for seniors housing or for conventional apartments. He noted Lancaster Ridge is now an established low density residential community and there is a strong market demand for both single family and semi detached lots and it is expected all remaining lots will be sold by the end of the year 2000. He advised the Department of Housing wishes to develop the site with the type of housing which conforms with the surrounding land uses and the rezoning is being requested to ensure that this site will be limited to the development of single family lots and therefore help ensure that the property values of the adjacent homes are protected and maintained.

Councillor Sarto clarified there would be three lots on Lancaster and one on Argus.

Mr. Gary Clark, Lancaster Ridge Subdivision, stated he would like to see the area rezoned to R-1 mainly because they are concerned with the potential for apartment building development. He submitted a petition containing sixty three signatures of residents in favour of the rezoning.

Mr. Fraser Kennedy, Lancaster Drive, stated he was in support of the rezoning as there was concern with what may be developed under the current zoning.

Mr. Robert Bonner spoke in favour stating he would like to see the property zoned R-1 as an apartment dwelling would generate additional traffic.

Ms. Elizabeth Blanchette stated she was in favour of the rezoning.

### **Speakers in Opposition**

Mr. Jerry Pye stated in his opinion this land should not go forward for development until it is released by the Department of Housing. He noted the representative of the Department of Housing had advised there has been no interest with regards to the development of this parcel of land since it was approved in 1990. Mr. Pye advised, to his knowledge, no proposal was put forward by the Department of Housing seeking expressions of interest. He requested Community Council give serious consideration to the intent and reason why this parcel of land was left in that particular area - for access to amenities such as public transportation by seniors.

**MOVED by Councillors Greenough and Schofield that the public hearing close. MOTION PUT AND PASSED.**

**MOVED by Councillors Schofield and Sarto that the Harbour East Community Council approve the rezoning of the parcel of land at the corner of Argus Drive and Lancaster Drive (40 Lancaster Drive) in Dartmouth from R-3 (Multiple Unit Residential) Zone to R-1 (Single Family Residential) Zone. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Schofield advised he would continue to work with the seniors to provide seniors housing in that area.

**8.2 Case 00047 - Application to Rezone Lands Adjacent to Dartmouth Memorial Gardens Ltd., Westphal**

Ms. Jacqueline Hamilton, Planner, with the aid of an overheads, presented the staff report advising staff is recommending approval of the rezoning to R-1.

In response to Councillor Cooper regarding the applicant having waived his right of appeal, Ms. Hamilton advised this means the appeal period has expired and the applicant has not lodged an appeal. She advised the appeal period had expired on April 30, 1999.

**Speakers in Favour**

No speakers.

**Speakers in Opposition**

No speakers.

**MOVED by Councillors Cooper and Schofield that the public hearing close. MOTION PUT AND PASSED.**

**MOVED by Councillors Cooper and Schofield that the Harbour East Community Council approve the proposed rezoning from P-2 (Community Facility) Zone to R-1 (Single Unit Dwelling) Zone for lands adjacent to Dartmouth Memorial Gardens Ltd., on Montague Road as show on Map 1 as attached to the supplementary staff report dated May 4, 1999. MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS - NONE**

**10. REPORTS**

**10.1 Terms of Reference - Dartmouth Common Committee**

**MOVED by Councillors Greenough and Schofield that the Terms of Reference for the Dartmouth Common Committee be approved. MOTION PUT AND PASSED.**

**10.2 Terms of Reference - Public Participation Committee - Morris/Russel Lake**

**MOVED by Councillors Sarto and Cooper that the Terms of Reference for the Public Participation Committee be approved with #6 being amended to state “Councillor from District 8, ex-officio member” and under Appointment, #3 be amended to include, after “The Committee shall elect a Chair and Vice-Chair but not alternates”.**

Councillor Cooper received clarification that the committee could request the appointment of additional members through Community Council.

**MOTION PUT AND PASSED.**

**10.3 PA-DAR-06-96 - MPS and Development Agreement Application - Craigwood Estates**

Ms. Donna Davis-Lohnes, General Manager, Planning Services, presented the staff report outlining the proposal for development of the site as submitted by the proponent.

Councillor Greenough spoke in favour of the proposal.

With regards to traffic concerns, Mr. Dave McCusker, Traffic Authority, advised staff is satisfied with each and every one of the proposed access points. He stated he is of the opinion that there are advantages to crossing the Montague Road. He noted there is some concern with regards to the property available to make the connection as it is somewhat off set from Montague Road. Mr. McCusker stated he is of the opinion that it will make a reasonable intersection that will operate quite satisfactorily.

Councillor Greenough stated that he was in favour of the proposal with the understanding that there will be a firm development agreement in place which will ensure that this particular development proceeds as has been proposed.

**MOVED by Councillors Greenough and Cooper that the Harbour East Community Council recommends Halifax Regional Council:**

- (a) amend the Dartmouth Municipal Planning Strategy by extending the development boundary to include the lands of Craigwood Estates and adopt proposed Policy H-15 to require development of these lands by development agreement;**

- (b) amend the Dartmouth Land Use By-law to specify that development of lands of Craigwood Estates proceed by means of development agreement;
- (c) approve the development agreement as presented as Attachment I to the staff report dated May 17, 1999 to permit the development of the Craigwood Estates lands for 79 large single unit residential lots; and
- (d) the applicant be given on hundred and twenty (120) days, or an extension thereof granted by Council on the request of the applicant, from the date of final approval by Halifax Regional 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.

**MOTION PUT AND PASSED.**

**10.4 Approval of Community Council 1999/2000 Capital Projects**

**MOVED by Councillors Greenough and Schofield that the Community Council 1999/2000 Capital Projects be approved and submitted. MOTION PUT AND PASSED.**

**10.5 Members of Council**

**10.5.1 Change in Capital Project - Councillor Cooper**

**MOVED by Councillors Cooper and Sarto that the Clock requested for the Sir Robert Borden Junior High School in the 1998-1999 District Capital Budget be changed to Computer Equipment. MOTION PUT AND PASSED.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Christmas Cards - Councillor Schofield**

Councillor Schofield advised he had been contacted by the Shearwater Aviation Museum with regards to the possibility of the museum providing Christmas Cards for the Councillors in Harbour East for the upcoming year.

Community Council agreed that Councillor Schofield would pursue the matter through the Councillors Support Office.

**13. NOTICES OF MOTION - NONE**

**14. PUBLIC PARTICIPATION**

**15. ITEMS FOR NEXT AGENDA**

15.1 Auxiliary Buildings - Storage Sheds - Residential Lots - Request for update

15.2 Parking of Commercial Vehicles - Residentially zoned areas

**16. NEXT MEETING**

The next meeting is scheduled for Monday, May 31, 1999 at 7:00 p.m., 90 Alderney Drive, Dartmouth.

**17. ADJOURNMENT**

The meeting was adjourned at 9:00 p.m.

Lynne LeBoutillier  
Assistant Municipal Clerk