

HARBOUR EAST COMMUNITY COUNCIL  
JULY 12, 2001  
MINUTES

PRESENT: Councillor Bruce Hetherington, Chair  
Councillor Ron Cooper  
Councillor Harry McInroy  
Councillor Ron Cooper  
Councillor Brian Warshick  
Councillor Condo Sarto  
Councillor Jim Smith  
Councillor John Cunningham

STAFF: Ms. Julia Horncastle, Assistant Municipal Clerk

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

**2. APPROVAL OF MINUTES - June 14 (regular session) and June 19 (special session), 2001**

**MOVED by Councillor Sarto, seconded by Councillor McInroy, that the minutes of June 14 (regular session) and June 19 (special session), 2001 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

- 12.1 Councillor Cooper - Streetscapes
- 12.2 Councillor Cunningham - Natal Day Reception
- 12.3 Councillor Hetherington - 25 Arthur Street Rezoning
- 12.4 Councillor Warshick - Shubenacadie Park Funding

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

**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 00347: Application to rezone Belmont Avenue and Carlton Street in Dartmouth from R-3 (Multiple Family Residential) to R-2 (Two Family Residential) Zone**

Ms. Maria Jacobs, Planning Technician, presented the staff report.

Councillor Hetherington called three times for those wishing to speak either in favour of or against the rezoning. Hearing none, the following motion was placed.

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

**MOVED by Councillor Sarto, seconded by Councillor Cooper, that the Harbour East Community Council approve the proposed rezoning of the residential lands abutting Belmont Avenue and Carlton Street, Dartmouth, from R-3 (Multiple Family Residential) to R-2 (Two Family Residential) Zone, as shown on Map 1 of the staff report, dated June 6, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2            Case 00319: Request for amendments to the Land Use By-Laws for Cole Harbour/Westphal, Eastern Passage/Cow Bay, and Dartmouth with respect to height, size and location of accessory buildings in residential areas**

Ms. Maria Jacobs, Planning Technical, with the aid of overheads, presented the staff report. She noted the memorandum circulated to Community Council outlines changes to the supplementary staff report dated May 29, 2001.

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

**MOVED by Councillor Cunningham, seconded by Councillor Sarto, that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor McInroy, seconded by Councillor Cooper, that the Harbour East Community Council approve the amendments to the Cole Harbour/Westphal, Eastern Passage/Cow Bay, and Dartmouth Land Use By-Laws, as per Attachments I to IV of the supplementary staff report dated May 29, 2001, inclusive of the minor amendments, to address concerns regarding the height and location of accessory buildings within residential areas and to retain the existing size of accessory buildings as presently stated in the three Land Use By-laws. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.            CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1            Presentations**

**9.1.1.        Concerned Parents of Collins Grove Condominiums**

Ms. Andree Gracie, speaking on behalf of the concerned parents of Collins Grove

Condominiums, addressed Community Council regarding the lack of recreation and play area for the children of the Collins Grove area and the possibility of developing a portion of HRM owned land adjacent to 75/79 Collins Grove as a play area.

Mr. Jim Major, 93 Collins Grove, stated he would not want to see the entire area developed into recreation uses.

**MOVED by Councillor Sarto, seconded by Councillor McInroy that the presentation be forwarded to staff and staff requested to provide a report to Community Council and to Councillor Sarto regarding this issue. MOTION PUT AND PASSED UNANIMOUSLY.**

## **9.2            Petitions**

### **9.2.1        Councillor McInroy**

Councillor McInroy submitted a petition on behalf of the residents of Eastern Passage/Cow Bay in support of the proposed application for a development agreement to permit a laundromat within the existing variety store at 388 Cow Bay Road (Item 10.1).

## **10.           REPORTS**

### **10.1        Case 00346: Application for a Development Agreement to permit a Laundromat within an existing variety store at 388 Cow Bay Road, Eastern Passage**

Mr. Roger Wells, Coordinator of Planning Application, presented the staff report advising the owner is applying to convert a portion of the existing building into a new laundromat use which is required to be approved by way of a development agreement. He advised there is not enough area to provide adequate on site parking during full use of both facilities which may result in a danger to pedestrians if vehicles are parked along the roadway. He advised the proposed development could not meet the requirements of the Land Use By-Law. He noted the PAC is advising that there may be avenues by which this could be readdressed. He advised Community Council could refer the matter back to staff for a further look at some of the points raised by the PAC and provide a subsequent report including a development agreement. If Community Council chose not to accept the advice of PAC then the Community Council could reject the application.

**MOVED by Councillor McInroy, seconded by Councillor Cooper, that the Harbour East Community Council refer the matter back to staff for a further look at some of the points raised by the Planning Advisory Committee and subsequently provide a report and development agreement back to the Community Council.**

Councillor McInroy noted there is no landscaping currently on the site and there is adequate parking available on the adjacent property. The Councillor submitted a petition on behalf of the residents of Eastern Passage/Cow Bay in support of the proposed development.

Councillor Cunningham expressed concern that no public information meeting had been held regarding this proposal.

In response to Councillor Warshick, Mr. Wells advised the total existing footprint of the building, devoted to commercial space, is 2400 sq. ft. The wording of the policy is such that for commercial uses to be considered by development agreement, the maximum size be 2000 sq.ft. He noted that this was an existing structure and had commercial uses associated with it prior to this rule coming into effect.

In response to Councillor McInroy, Mr. Wells advised the owner is permitted to apply for a development agreement for a laundromat use. The MPS policy enables commercial uses to be considered by development agreement. Mr. Wells advised staff will look at the suggestions made by the PAC and the option of using HRM property as a parking venue in the development agreement noting, staff may still be recommending against a development agreement for this property.

#### **MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2        Case 00179: Application by HRM (Real Estate Services) to amend the MPS and LUB for Dartmouth to enable rezoning of lands in Wright's Cove area from I-3 (Harbour Oriented Industrial) to I-2 (General Industrial)**

Mr. Roger Wells, Coordinator of Planning Services, advised this is an application by HRM to amend it's own MPS regarding certain lands in the Wright's Cove area. Community Council is being requested to make a recommendation to Regional Council to set a public hearing date to hear the application. With the aid of an overhead presentation, Mr. Wells outlined the subject property.

He advised staff is proposing to introduce an updated map 3 which will be inserted into the MPS document which outlines the areas of industrial development within the former City of Dartmouth and will make a distinction between those areas that are designated the Harbour Related uses versus those that are in the I-2 zone. A new policy will be introduced with regards to more clearly establishing the residential zone and to enable the establishment of zone provisions within the industrial zone.

He noted there are existing homes in the Wright's Cove area which have been in existence for many years and are zoned industrial which makes them non conforming uses. The

proposed amendments are recommending that those remain non conforming uses but, in the case of fire, they be enabled to be repaired, renovated, expanded and replaced.

Councillor Smith expressed concern with the process and requested a further public information meeting be held as the original meeting was held in March, 1999. In response, Mr. Wells advised those people who attended the first public information meeting could be notified of the public hearing and provided copies of the report being forwarded to Regional Council. Alternatively, a public information meeting could be held between now and when first reading is held.

Staff agreed to hold a public information meeting between now and when first reading is held on August 21, 2001 and to provide a supplementary report for the August 21, 2001 Regional Council session.

**MOVED by Councillor Smith, seconded by Councillor Sarto, that the Harbour East Community Council recommend that Halifax Regional Council move first reading and set a public hearing date for September 11, 2001, to consider amendments to the Municipal Planning Strategy and Land Use By-Law for Dartmouth.**

In response to Councillor Warshick, Mr. Tom Rath, Director, Real Estate Services, advised the lands that front on Windmill Road would be developed for commercial purposes.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Councillor Cooper - Streetscape**

Councillor Cooper there has been an increase in traffic from the outlying areas into Cole Harbour and advised he would request that staff prepare a report on the process to have improvements made on the #7 Highway from Ridgecrest to Ross Road. He noted there are green areas along the Forest Hills Parkway and asked that the report examine the possibility of planing and providing some park benches along that section of road. He advised Cole Harbour Road from Caldwell Road to Bissett Road there may be opportunity for planting of flowers as there was no room left for the planting of trees when that portion of road was widened. The Councillor also noted that there may be additional signage provided indicating how to access Cole Harbour if you are coming in from outside communities along the #7 Highway.

**MOVED by Councillor Cooper, seconded by Councillor McInroy that a staff report be requested, for the September 6, 2001 meeting, outlining a plan and process for**



**beautification of the streetscapes on the #7 Highway from Ridgecrest to Ross Road; the Forest Hills Parkway and, Cole Harbour Road from Caldwell Road to Bissett Road. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.2 Councillor Cunningham - Natal Day Reception**

Councillor Cunningham noted that prior to amalgamation, Dartmouth was host to a Natal Day Reception.

**MOVED by Councillor Cunningham, seconded by Councillor Sarto, that staff be requested to provide a report on how the Natal Day reception for the former City of Dartmouth was dealt with in the years prior to amalgamation. MOTION PUT AND PASSED.**

**12.3 Councillor Hetherington - Rezoning of 25 Arthur Street, Dartmouth**

Councillor Hetherington noted there is a 68 unit apartment building next to the Coast Guard base in Dartmouth which is zoned I-3 (Harbour Orientated). The MPS has it listed as residential and the zoning has it listed as I-3. The Councillor requested a staff report regarding the rezoning of the property.

**MOVED by Councillor Smith, seconded by Councillor Sarto, that staff be requested to examine the rezoning of the property located at 25 Arthur Street. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4 Councillor Warshick - Shubenacadie Park**

Councillor Warshick advised the Province has cut all funding out for the Shubenacadie Park and placed the following motion.

**MOVED by Councillor Warshick, seconded by Councillor Sarto, that the Harbour East Community Council send a letter to the Minister responsible and local MLA's requesting emergency funding to maintain the Shubenacadie Park.**

Councillor Cooper requested staff provide a report, for the September 6, 2001, regarding the discontinuation of funding for the Trails personnel on the Harbour East side of the Regional Municipality.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13. NOTICES OF MOTION**

**13.1 Councillor Cunningham**

Take notice that at the next regular Harbour East Community Council meeting to be held on Thursday, September 6, 2001, I intend to introduce a motion requesting staff draft a Lot Grading By-Law for the former City of Dartmouth.

**14. PUBLIC PARTICIPATION**

Mr. Peter Harrison addressed Community Council regarding the Woodland area report that would be coming forward at the September 6, 2001 Community Council. Councillor Hetherington suggested Mr. Harrison put forward a request to speak at the September 6, 2001.

Mr. Reg Jones addressed Community Council expressing concern with the condition of the railway crossing in the vicinity of the Dartmouth Ferry Terminal. Councillor Hetherington advised the Municipality does not have the authority to fix them and bill the costs back to CN nor can the Municipality force them to do it.

**15. NEXT MEETING**

The next meeting is scheduled for Thursday, September 6, 2001 at 7:00 p.m.

**16. ADJOURNMENT**

**MOVED by Councillor Cooper, seconded by Councillor Smith, that the meeting be adjourned at 9:40 p.m. MOTION PUT AND PASSED UNANIMOUSLY.**

**Julia Horncastle  
Assistant Municipal Clerk**