

HARBOUR EAST COMMUNITY COUNCIL
MARINE DRIVE, VALLEY AND CANAL COMMUNITY COUNCIL
MINUTES

January 10, 2008

PRESENT: Councillor Bill Karsten, Chair
Councillor Andrew Younger
Councillor Harry McInroy
Councillor Jim Smith
Councillor Gloria McCluskey
Councillor Jackie Barkhouse
Councillor Krista Snow
Councillor David Hendsbee

REGRETS: Councillor Steve Streach

STAFF: Mr. Randolph Kinghorne, Solicitor, Legal Services
Ms. Melody Campbell, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF MINUTES	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	3
4.	BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET	3
5.	MOTIONS OF RECONSIDERATION	3
6.	MOTIONS OF RESCISSION	3
7.	CONSIDERATION OF DEFERRED BUSINESS - None	3
8.	HEARINGS	3
8.1	Hearings	3
8.1.1	Case 01093 - Planning District 14 and 17 Land Use By-law Amendment - Parking Standards	3
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	4
10.	REPORTS	4
10.1	Regulating Driveway Widths	4
10.2	Members of Council	5
10.2.1	Request to Endorse Plebiscite - Main Street BID	5
11.	MOTIONS	6
12.	ADDED ITEMS	6
13.	NOTICES OF MOTIONS	6
14.	PUBLIC PARTICIPATION:	6
15.	NEXT MEETING	6
16.	ADJOURNMENT	6

1. CALL TO ORDER

The Chair called the meeting of Harbour East Community Council and Marine Drive, Valley and Canal Community Council to order at 7:00 p.m.

2. APPROVAL OF MINUTES - December 6, 2007 and December 11, 2007

Councillor Younger clarified the following in the minutes of December 6, 2007; In regard to the Dartmouth Lakes, Harbour East Community Council does not require a letter of request, it requests an update of activities, confirmation of eligibility and review to come back to HECC.

MOVED BY Councillor McCluskey, seconded by Councillor Younger that the minutes of Harbour East Community Council December 6, 2007 and December 11, 2007, as amended, be approved. MOTION PUT AND PASSED.

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

Added Items:

12.1 Councillor Smith - Cabaret and Pawn Shop Amendments

MOVED BY Councillor McInroy, seconded by Councillor Younger that the agenda, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARINGS

8.1.1 Case 01093 - Planning District 14 and 17 Land Use By-law Amendment - Parking Standards

A staff report dated December 1, 2007, was before Community Council.

Mr. Andrew Bone, Planner, Senior Planner, presented Case 01093 - Planning District 14 and 17 Land Use By-law Amendment - Parking Standards.

Councillor Karsten called for those wishing to speak either in favour of or in opposition to the proposed By-law.

Dr. Greg MacDonald, a dentist from Fall River thanked Councillor Snow, Council and HRM staff for moving this forward quickly. This amendment improves parking in the area that will enable more health professionals an opportunity to open and provide services.

Councillor Karsten called three times for any additional speakers. Hearing none, the following motion was placed.

MOVED BY Councillor McInroy, seconded by Councillor McCluskey that Harbour East Community Council:

- 1. Approve the proposed amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law as provided in Attachment A. MOTION PUT AND PASSED.**

MOVED BY Councillor Snow, seconded by Councillor Hendsbee that Marine Drive, Valley and Canal Community Council:

- 1. Approve the proposed amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law as provided in Attachment A. MOTION PUT AND PASSED.**

MOVED BY Councillor McCluskey, seconded by Councillor Younger, that Marine Drive, Valley and Canal Community Council be adjourned. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS - NONE

10. REPORTS

10.1 Regulating Driveway Widths, Dartmouth

Discussion was held by Council members in regard to regulating driveway widths in Dartmouth.

Councillor McInroy advised that he does not support the recommendation as it stands. There has to be some regulations in place. No regulation could have a negative impact on neighbourhoods. Councillor McInroy advised that he would like to have staff respond with more details with the practicality of the options. A lot of new dwellings have secondary dwellings, and according to these options, they could pave the whole front yard. If there is a legal or illegal business on the site, some homes will use much of their property as parking. There is a need for some type of restrictions.

Councillor McCluskey stated she does not support the recommendation. This can ruin the look of the neighbourhood and allow some residents to use much of their property as a parking area.

Councillor Smith stated he supports the recommendation although he requested to have some clarification on the options. He requested more information on the options in order to control driveway size as well as whether there is a percentage of a property that must be sod.

MOVED BY Councillor Younger, that Harbour East Community Council not initiate a process to establish regulations to set maximum driveway width for residential dwellings. THE MOTION WAS NOT SECONDED, MOTION IS LOST.

MOVED BY Councillor McInroy, seconded by Councillor McCluskey, that Regulating Driveway widths move forward once a staff report is received providing additional details and clarification on the practicality of the options on the report. MOTION PUT AND PASSED.

The discussion that was held requested additional details on:

1. legality issues
2. is there a percentage of sod that is required
3. esthetics
4. how to distinguish between driveway (parking) and landscaping.

Councillor Karsten added that according to the report, a paved front yard may not negatively impact street scapes due to lack of green space, however if a number of properties on the street have paved properties, it may affect the esthetics, Councillor Karsten inquired who would make that decision if residents may feel that the esthetics have been altered. Councillor Karsten informed Council that a by-law officer advised that there is a limitation in Cole Harbour, and HECC may want to look at that scenario. Councillor Karsten advised that one property had been altered by a resident by paving a portion HRM property and staff will be sending a letter notifying the resident that he must restore the HRM right of way to its previous condition.

Councillor Younger stated he does not agree with regulating driveways. Many residents have hard landscaping, and it has to be distinguished what is landscaping. Some residents do park on grass and HRM does not have the right to tell residents what to do with their property, which could become a concern because of private property rights. Some areas have their parking so close to the road, they are unable to have their driveways any other way. Restrictions will lead to numerous variances coming forward for Council to address. Driveway regulation would very difficult to enforce.

Councillor McCluskey added that HRM only cuts a certain width from the curb. Councillor Younger noted that HRM sometimes does make an exception to the rule. Councillor Karsten advised he had requested some areas to have a wider cut which was done.

Councillor McInroy added that parking is the emphasis of the report, not landscaping, and this should be noted.

10.2 Members of Council

10.2.1 Request to Endorse Plebiscite - Main Street BID

Councillor Younger advised that there is no cost implication with this request but it does require Harbour East Community Council support.

MOVED BY Councillor Younger, seconded by Councillor McInroy, that Harbour East Community Council endorse a plebiscite by registered mail to determine interest of businesses in the proposed Main Street Business Improvement District, as per HRM policy and in accordance with the Municipal Government Act Section 56. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Councillor Smith - Cabaret and Pawn Shops - Amendments

Councillor Younger requested clarification on the difference between a cabaret and a pub. Councillor Smith advised that the difference is in the hours of operation.

MOVED BY Councillor Smith, seconded by Councillor McCluskey, that Harbour East Community Council request staff initiate a process to amend the C2 zone along Wyse Road to restrict operation of cabarets and pawn shops as is in place in the Downtown Dartmouth Business District. MOTION PUT AND PASSED.

13. NOTICES OF MOTIONS - NONE

14. PUBLIC PARTICIPATION

No members of the public came forward at this time.

15. NEXT MEETING

Next scheduled meeting will be on Thursday, February 7, 2008 at 7:00 p.m.

16. ADJOURNMENT

The meeting adjourned at 7:41 p.m.

