

EAST COMMUNITY COUNCIL
MINUTES

December 6, 2012

PRESENT: Councillor Darren Fisher, Chair
Councillor Bill Karsten, Vice Chair
Councillor David Hendsbee
Councillor Lorelei Nicoll
Councillor Gloria McCluskey

STAFF: Ms. Roxanne Maclaurin, Senior Solicitor
Ms. Jennifer Weagle, Legislative Assistant

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1. CALL TO ORDER

The Legislative Assistant called the meeting to order at 6:03 p.m., with the Invocation led by Councillor Karsten.

ELECTION OF CHAIR AND VICE CHAIR

The Legislative Assistant opened the floor for nominations for the position of Chair.

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Councillor Fisher be nominated Chair of East Community Council, for a term to expire November 30, 2013.

The Legislative Assistant called three times for any further nominations. There being none, it was **MOVED by Councillor Hendsbee, seconded by Councillor Nicoll, that nominations for the position of Chair cease. MOTION PUT AND PASSED.**

MAIN MOTION PUT AND PASSED.

Councillor Fisher was declared Chair of East Community Council.

The Chair opened the floor for nominations for the position of Vice Chair.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that Councillor Hendsbee be nominated Vice Chair of East Community Council, for a term to expire November 30, 2013.

The Chair called three times for any further nominations. There being none, it was **MOVED by Councillor Karsten, seconded by Councillor Nicoll, that nominations for the position of Vice Chair cease. MOTION PUT AND PASSED.**

MAIN MOTION PUT AND PASSED.

Councillor Hendsbee was declared Vice Chair of East Community Council.

2. APPROVAL OF MINUTES – None

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

Addition:

12.1 Case 17898: Rezoning – 60 Simmonds Drive, Dartmouth (first reading)

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the order of business be approved, as amended. 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 – Date**
8. **HEARINGS**
 - 8.1 **Public Hearings - None**
 - 8.2 **Variance Appeal Hearings - None**
9. **CORRESPONDENCE, PETITIONS & DELEGATIONS**
 - 9.1 **Correspondence - None**
 - 9.2 **Petitions - None**
 - 9.3 **Presentations - None**
10. **REPORTS**
 - 10.1 **Staff Reports**
 - 10.1.1 **Case 17640 – Telecommunication Tower at 149 Albro Lake Road, Dartmouth**

A staff report dated November 22, 2012 was before East Community Council.

Mr. Darrell Joudrey, Planner, presented the report.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that East Community Council:

1. **Inform Industry Canada that they object to the proposal by Bell Mobility to erect a new, 30 metre, self-supporting telecommunication tower and associated equipment cabinet at 149 Albro Lake Road, Dartmouth, as shown on Attachment A of this report; and**
2. **Forward a copy of this report to Industry Canada for background purposes and to inform them of the significant public concern regarding the proposal as contained in Attachments F and G of the November 22, 2012 staff report.**

Councillor McCluskey noted concern with the close proximity to a residential area. She suggested that the notification policy should be changed to ensure that people living in the larger area of a proposed tower be notified of an application and community meetings.

At the request of Councillor Hendsbee, Mr. Joudrey responded to questions regarding the approval process for telecommunication towers, noting that carriers can locate towers under 15 metres without any development permit or consultation with HRM. He clarified that rooftop antennae applications were being submitted to Planning Services, to determine if they were exempt under s. 6 of the Industry Canada Protocol, although they are much shorter than the stand alone towers such as this application. Mr. Joudrey advised that Bell Mobility did a study of buildings in the area to determine if a rooftop tower would be an option in this area, however no buildings had the structural integrity to hold the tower.

Mr. Joudrey further clarified at the request of Councillor Nicoll that the apartment owners were in agreement with allowing access to this tower.

MOTION PUT AND PASSED.

10.1.2 Case 17641 – Telecommunication Tower at Sheiling Lane and Delmac Court, Dartmouth

A staff report dated November 22, 2012 was before East Community Council.

Mr. Darrell Joudrey, Planner, presented the report.

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that East Community Council:

- 1. Inform Industry Canada that they have no policy-based objection to the proposal by Bell Mobility to erect a new 50 metre self-supporting telecommunication tower and associated equipment shelters off Sheiling Lane and Delmac Court, Dartmouth; and**
- 2. Forward a copy of this report to Industry Canada for background purposes and to inform them of the public concern regarding the proposal as contained in Attachment E of the November 22, 2012 staff report.**

Responding to questions from Councillor Karsten, Mr. Joudrey confirmed that the lands are owned by Halifax Water, and that the lease agreement was signed before the application came to Planning staff. He would like to see the contract.

Councillor Hendsbee advised for the record that he is a member of the Halifax Water Commission Board. He is not able to divulge contractual matters, although a confidential communication can be arranged to the Councillor.

Mr. Joudrey advised at the request of Councillor Nicoll, that the number of telecommunication towers forthcoming is unknown, and staff are not aware of their network plans.

Mr. Joudrey clarified at the request of Councillor Fisher that the plan for this tower has always been a lit tower. He also confirmed that the proposed tower and the existing tower on the property will be visually aligned.

Ms. Thea Langille, Supervisor, Planning Applications, Eastern Region, advised at the request of Councillor Fisher that staff are working on the telecommunication tower functional plan and internal protocol, which will be ready for Council review in early 2013. She clarified that Industry Canada has full authorization of these matters, and the functional plan and protocol will be about how HRM provides comment as a land use authority.

Councillor Hendsbee requested that for future telecommunication applications, staff indicate the location of any other towers in the area. Mr. Joudrey clarified at the request of Councillor Hendsbee that Industry Canada does encourage co-locating antennas with other towers, although Bell Mobility wouldn't get the required coverage for this site.

MOTION PUT AND PASSED.

10.1.3 New Community Council Structure – Administrative Matters

A report dated November 23, 2012 was before Community Council.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee, that East Community Council approve the following administrative direction for the operation of East Community Council:

- 1. To set a standard meeting start time of 6pm for regular meetings of East Community Council.**
- 2. That the proposed schedule of Community Council meetings which includes a set monthly meeting date and a date for an additional meeting per month (as/if required).**
- 3. That the regular monthly meeting be held at fixed location and any additional meetings required due to public hearings be held at a location within the community that facilitates public access.**

Responding to questions regarding the necessity for a second monthly meeting, the Legislative Assistant advised that due to the decreased number of Community Councils, it is anticipated that the workload for the three new Community Councils may increase. As a result a second monthly meeting is proposed on an "if required" basis.

MOTION PUT AND PASSED.

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that East Community Council request that Regional Council amend Administrative Order 48 to change the name of East Community Council to Harbour East Community Council.

Councillor Hendsbee proposed a friendly amendment to the motion to include Marine Drive in the name. The amended motion now reads as follows:

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that East Community Council request that Regional Council amend Administrative Order 48 to change the name of East Community Council to Harbour East-Marine Drive Community Council.

At the request of Community Council, Ms. Thea Langille, Supervisor, Planning Applications for the Eastern Region, explained that there would not be sufficient time to give first reading for a public hearing at the first monthly meeting, and meet notification requirements to hold the public hearing at the second monthly meeting.

Councillor Hendsbee added that meetings taking place in rural areas should start at 7:00 p.m. to allow residents time to get there after work. He also noted that he has additional meeting locations he will provide for reference.

AMENDED MOTION PUT AND PASSED.

10.2 Boards and Committees - None

11. MOTIONS - None

12. ADDED ITEMS

12.1 Case 17898: Rezoning – 60 Simmonds Drive, Dartmouth (First Reading)

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that East Community Council give First Reading to the proposed rezoning of 60 Simmonds Drive, Dartmouth, from the I-2 (General Industrial) Zone to the I-4 (Salvage) Zone, as shown in Attachment A of the November 22, 2012 report and schedule a public hearing. MOTION PUT AND PASSED.

The public hearing for this matter will be scheduled for the January 10, 2013 meeting.

13. NOTICES OF MOTION

13.1 Councillor Fisher

“Take notice that at the next regular meeting of East Community Council I intend to introduce a motion to request that Regional Council contact the Province to inquire about maintaining the area at the entrance to Lakeshore Park Terrace/Lakemist Court on the Circumferential Highway, particularly with regard to overgrown grass and weeds, and the clean-up of a substantial amount of litter.”

14. PUBLIC PARTICIPATION

Mr. Shalom Mandaville, Soil & Water Conservation Society of Metro Halifax, addressed Community Council and submitted a memo re: “Proper determination of trophic status and indicator lakes of Nova Scotia” for circulation. Mr. Mandaville showed a photo of Bissett Lake in Cole Harbour that was taken a few years ago, noting that the issue with weed growth has not improved. He noted that many people have showed an interest in remediating the lake, including dredging the lake, that were never carried out. Mr. Mandaville advised that Bob Wetzel (now deceased) was a highly regarded limnologist that was a part of his group, and defined that “Trophy of a lake refers to the rate at which organic matter is supplied by or to the lake per unit time.” He noted concern that weeds in lakes are not being taken into account when determining the trophic state of lakes, and that a study was recently completed by Stantec Consultants, although he is unsure whether any of them are limnologists. Mr. Mandaville advised that the Soil & Water Conservation Society has studied over 2000 lakes (HRM has 1100) and that 1/3 of their reports are available in the Killam Library.

Ms. Graziella Grbac, Main Street Business Improvement Association, provided members of Community Council with the Main Street BIA 2013 calendars, which includes advertising from businesses within the Main Street Area. She noted that the 3rd Wednesday of each month a networking event is held for area businesses. Ms. Grbac also advised that the annual parade was held on November 2nd honouring veterans who served.

Mr. Colin May, Dartmouth, commented on the Council priority discussion that took place at Committee of the Whole earlier that week, in particular comments on development application delays. Mr. May noted that some of the fault of delayed development applications must lie with applicants that submit incomplete applications or provide written statements not based on studies. He encouraged applicants to make as much information available to the public as early in the process as possible, and to engage the community. Mr. May also suggested that renters should also be included in the notification process, as they also have an interest in their community.

Mr. Tim Chestnut, Dartmouth, and Event Director of Epic Dartmouth. Mr. Chestnut thanked staff and Councillors for supporting the successful Epic Dartmouth race event held this past July. Mr. Chestnut spoke to the organization and planning that went into the event, the excitement and commitment of volunteers involved and the local impact on the community. Mr. Chestnut also spoke of plans for the next event in 2013 including a floating coffee bar in Lake Banook, a triathlon for children, guest speakers, a

team event, fundraising events for the Dartmouth General Hospital, and fireworks. Mr. Chestnut encouraged everyone to get involved, through participation, volunteering, and spreading the word.

Councillor Hendsbee suggested that Mr. Chestnut look into grants for annual events.

15. NEXT MEETING DATE – January 10, 2013

The next East Community Council meeting is scheduled for Thursday, January 10, 2013 at 6:00 p.m. in the Chamber at 90 Alderney Drive, Dartmouth.

16. ADJOURNMENT

The meeting was adjourned at 7:05 p.m.

Jennifer Weagle
Legislative Assistant

INFORMATION ITEMS - None