

HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES

April 4, 2013

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

STAFF: Ms. Jennifer Weagle, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m., with the Invocation led by Councillor Karsten.

2. APPROVAL OF MINUTES – March 7, 2013

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the Harbour East-Marine Drive Community Council minutes of March 7, 2013 be approved as circulated. MOTION PUT AND PASSED.

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

MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that the order of business be approved, as circulated. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.1 Councillor Nicoll – Open Spaces – Cole Harbour Basin Plan

This matter originated under Policy E-19 of the 2006 Regional Municipal Planning Strategy: “HRM shall prepare an Open Space Functional Plan to determine an economically and environmentally sustainable strategy for the equitable maintenance and distribution of parks and open spaces throughout the Municipality.”

A staff report was presented to Harbour East Community Council (HECC) on June 9, 2011 at which time HECC approved the staff recommendation to “direct staff to prepare an Open Space Plan for the Cole Harbour Estuary Study Area”.

Councillor Nicoll explained that all HRM matters pertaining to ‘Open Spaces’ have been categorized under the purview of the Environment & Sustainability Standing Committee (ESSC), and this plan (which is still being prepared by Real Property Planning staff) should go through the ESSC for recommendation to Regional Council, although it was initiated by HECC.

MOVED by Councillor Nicoll, seconded by Councillor Karsten, that Harbour East-Marine Drive Community Council direct staff to bring forward the Open Spaces – Cole Harbour Basin Plan directly to the Environment & Sustainability Standing Committee for recommendation to Regional Council. MOTION PUT AND PASSED.

5. MOTIONS OF RECONSIDERATION/RECISSION – NONE

6. CONSIDERATION OF DEFERRED BUSINESS – NONE

7. HEARINGS

7.1 Public Hearings - None

7.2 Variance Appeal Hearings - None

8. CORRESPONDENCE, PETITIONS & PRESENTATIONS

8.1 Correspondence - None

8.2 Petitions - None

8.3 Presentations - None

9. REPORTS

9.1 Staff Reports

9.1.1 Case 18118 – Time Extension to Development Agreement on Nadia Drive, Dartmouth

A staff report dated March 7, 2013 was before Community Council.

Mr. Mitch Dickey, Planner, presented the staff report for a time extension to the development agreement for Case 18118 at Nadia Drive, Dartmouth.

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Harbour East-Marine Drive Community Council:

- 1. Approve, by resolution, the proposed Amending Agreement as set out in Attachment A of the March 7, 2013 report to extend the date for the commencement of construction for the development of two multiple unit dwelling buildings on Nadia Drive Dartmouth; and**
- 2. Require the Amending Agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Hendsbee, noting that he is in favour of this time extension, requested an update on the Trinity Avenue extension connection requested by Council. He noted that this will help with traffic flow as the area grows.

Mr. Dickey clarified that a connection from Nadia Drive to Yorkshire Avenue had been looked at. A staff report was provided to Council that indicated the road would cost about one million dollars, and the benefits would not merit the cost. Councillor Hendsbee indicated that he believed there to be a motion passed by Regional Council directing staff to acquire the land for the road reserve. The Chair asked for a brief update on this matter at a future meeting.

Mr. Dickey responded to further questions from members of Community Council, clarifying that any request for changes to the completion date would also be a non-substantive amendment to the development agreement that would require the approval of Regional Council.

MOTION PUT AND PASSED.

9.2 Boards & Committees - None

10. MOTIONS - None

11. ADDED ITEMS - None

12. NOTICES OF MOTION – None

13. PUBLIC PARTICIPATION

Ms. Elizabeth Kennedy, Fernhill Drive, Dartmouth, indicated that she had previously mis-understood that the development on Nadia Drive would be a mix of condos and rentals and noted that she thinks Fernhill Drive residents will be pleased to learn that it will be condos. Ms. Kennedy commented that their road is in poor condition after the construction that has been taking place, and this will add further construction damage to the street. She asked that something be done about the road, noting that construction crews have been very respectful in the neighbourhood. Ms. Kennedy advised that at the back of Fernhill Drive there is a large empty lot which is eroding and fills with water. She noted that this is a danger for children and pets, and should be fenced. Ms. Kennedy suggested that Fernhill Drive residents should be alleviated of their taxes for putting up with the construction for so long.

Mr. Steven Thompson, Fernhill Drive, Dartmouth, indicated that he has noticed traffic starting to flow heavier now than ever. He suggested that Fernhill Drive is getting beat up from construction traffic and should be paved with a sidewalk. Mr. Thompson further suggested that there should be a road out onto Victoria Road with a stop light.

Mr. Steve Wars, Fernhill Drive Dartmouth, suggested that the fence be opened up at the off-ramp on Victoria Road, near Highfield Park Drive, to allow pedestrian traffic. Mr. Wars indicated that blasting that has been taking place from construction has been

shaking his house and has caused damage to walls, the foundation, and the porch at his property. He inquired if there will be any more blasting.

Mr. Glen MacNight, Nadia Drive, Dartmouth, noted that he purchased his property three years ago, at which time Austin Contracting told him that buildings B and C would be retirement buildings. He also indicated that Austin Contracting told him that the lane next to his property would only be used as a fire lane.

At the request of Councillor Hendsbee, Mr. Dickey clarified that the lane would be used as a two way driveway for vehicular access. Mr. Dickey also clarified that the triangle of property between buildings A and B, along Victoria Road, is owned by HRM. He further clarified that Building A is being built by a different developer than buildings B and C.

14. NEXT MEETING DATE – Thursday, April 18, 2013 – 7:00 p.m.

The next Harbour East Community Council meeting is scheduled for Thursday, April 18, 2013 at 7:00 p.m. at the Lake Echo Community Centre (gymnasium), 3168A Hwy #7, Lake Echo.

15. ADJOURNMENT

The meeting was adjourned at 6:25 p.m.

Jennifer Weagle
Legislative Assistant