



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
May 14, 2015**

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

STAFF: Ms. Jennifer Weagle, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/east/HEMDCCagenda150514.php>

The meeting was called to order at 6:00 p.m., and Community Council adjourned at 6:57 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

2. APPROVAL OF MINUTES – February 5, 2015

MOVED by Councillor Karsten, seconded by Councillor Fisher, that the minutes of the February 5, 2015 meeting be approved, as circulated. MOTION PUT AND PASSED.

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

Additions:

- 13.1 Information Item No. 2 Daylight River in Sawmill Creek

A 2/3 vote was required.

MOVED by Deputy Mayor Nicoll, seconded by Councillor Hendsbee, that the agenda be approved, as amended. 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. HEARINGS

8.1 PUBLIC HEARINGS - NONE

8.2 VARIANCE APPEAL HEARINGS - NONE

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

Correspondence was received regarding Information Item No. 2 – Daylight River in Sawmill Creek. This was circulated to Community Council.

9.2 Petitions - NONE

9.3 Presentation

9.3.1 Proposal for upgrades re: construction of new Eastern Passage High School - Community Education Enhancement Project (CEEP)

The following was before the Community Council:

- Copy of the presentation
- Proposal submitted by CEEP

Mr. Kevin Deveaux and Dr. Andrea Joy presented on behalf of the Community Education Enhancement Project (CEEP) with regard to a proposal for partnership with HRM for upgrades to the construction of a new high school in Eastern Passage for an artificial turf field and arts & culture space. The presentation is available online and on file.

Councillor Karsten thanked Mr. Deveaux and Dr. Joy for the presentation.

10. REPORTS

10.1 Staff Reports – None

10.2 Board & Committee Reports – None

10.3 Members of Community Council

10.3.1 Councillor Karsten – request for staff report – Artificial Turf – Eastern Passage High School

The following information was before Community Council:

- A Request for Community Council's Consideration form from Councillor Karsten

MOVED by Councillor Karsten, seconded by Councillor Fisher, that Harbour East-Marine Drive Community Council request a staff report in regard to proposed upgrades to the construction of the Eastern Passage High School; specifically, in relation to a proposed artificial turf and multi-purpose arts and culture space.

Councillor Hendsbee suggested that the report include a comparison with what the province and the municipality has done with the construction of other high schools such as Halifax West, Sir John A. MacDonald, and Bedford High, noting that he would like to see a consistent approach to provincial and municipal contributions for the construction of all high schools.

Councillor Fisher noted that Bedford High was in part funded by an area rate.

MOTION PUT AND PASSED.

10.3.2 Councillor Karsten – Request for staff report – Update – Shearwater/Mount Hope Connector Road

The following information was before Community Council:

- A Request for Community Council's Consideration form from Councillor Karsten

MOVED by Councillor Karsten, seconded by Deputy Mayor Nicoll, that Harbour East-Marine Drive Community Council request that Halifax Regional Council request a staff report, the purpose of which would be to provide a status update and go forward plan of action in regard to the Shearwater/Mount Hope Connector Road.

Councillor Karsten noted that this project has been discussed for several years through budget and strategic planning processes, and it has still not come to fruition.

Councillor Hendsbee noted that there were also plans for a connector in Woodside, for an alternative exit, west of the Baker Drive/Mount Hope alignment.

Deputy Mayor Nicoll commented that the data shows that Portland Street is at 46% capacity, and there is a moratorium on development in the Portland Valley as well as Caldwell Road. She suggested that this data should be reflected in the report coming forward.

MOTION PUT AND PASSED.

11. **MOTIONS - NONE**

12. **IN CAMERA - NONE**

13. **ADDED ITEMS**

13.1 **Daylight River in Sawmill Creek** (*Information Item No. 2*)

The following information was before Community Council:

- An information report dated May 1, 2015

Councillor McCluskey, as area Councillor, indicated that she would like this matter to go back to staff for a supplementary report with more information including a full costing of the potential daylighting of Sawmill River, and for the supplementary report to go directly to Council. She noted that it will have to go to the Audit and Finance Standing Committee to identify a funding source.

Councillor Fisher noted that if a full costing of the daylighting of Sawmill River were to be prepared, it would require funds to carry out that task, which is why it would have to go to the Audit and Finance Standing Committee.

MOVED by Councillor Fisher, seconded by Deputy Mayor Nicoll, that Harbour East-Marine Drive Community Council requests a supplementary staff report to Regional Council with a full costing of the potential Daylighting of Sawmill River in Dartmouth.

Councillor Fisher noted that there are various options that could be examined with regard to the daylighting, such as starting the daylighting at the cradle, as opposed to the pond, and requested that these options be examined in the report.

Community Council discussed potential contributions to the site in lieu of parkland pending commencement of a development approved for Irishtown Road.

Councillor Hendsbee noted that there are other studies done by Ekistics and CBCL that may be available to Council.

Deputy Mayor Nicoll noted that the CBCL study, commissioned by Halifax Water, is still in draft form, which is why it is not currently available. She encouraged staff and Council to work with other levels of government and government entities to respond to needs of residents.

MOTION PUT AND PASSED.

14. **NOTICES OF MOTION – NONE**

15. **PUBLIC PARTICIPATION**

Ms. Lindsay May, Dartmouth, inquired when the Audit and Finance Standing Committee meets, and when the supplementary report on Daylighting the Sawmill River would come forward. She also questioned whether Halifax Water plans to go ahead with the storm sewer replacement this year. Ms. May commented that the turbine plan for the Canal Greenway project was not in place when the development for Irishtown Road came forward.

Mr. Colin May, Dartmouth, commended recent provincial and municipal appointments to the Board of Police Commissioners.

Mr. Sam Austin, Dartmouth, thanked Community Council for keeping the dream of the daylighting of Sawmill River alive and moving it forward for further analysis. He noted that he hopes there will be a public component to plans for the site.

Ms. Jocelyn Rankin, Ecology Action Centre, thanked Community Council for moving the Daylighting of Sawmill River forward to Regional Council. Ms. Rankin spoke of process issues with the staff report, including the unavailability of the CBCL study from Halifax Water, suggesting that this study is still in draft form to keep it from the public. She noted that she had made a Freedom of Information request to obtain the report, which was refused. Ms. Rankin advised that she requested to meet with the report author in December 2014 and was refused a meeting. She voiced concern that staff are not interested in meeting with stakeholders, noting that scientists from neither the Department of Fisheries and Oceans nor the Bedford Institute of Oceanography were consulted in the report. Ms. Rankin suggested that the section on fish passage casts doubt on the validity of the report, noting concerns that what is suggested would not be following Federal law. She indicated that although the motion from Community Council specifically requested a full costing analysis, this was not provided in the report. Ms. Rankin suggested that daylighting the river now would save costs in the long run, considering the new pipe will have to be replaced again in 40-50 years. She commented that although this project would have challenges, it has been done around the world; however, none of these locations were referenced in the staff report.

Mr. Charlie Burnett, Dartmouth, commented that he is a homeowner and long-time resident of downtown Dartmouth. Mr. Burnett indicated that his neighbours are passionate about the daylighting of Sawmill River and he believes the daylighting will not interfere with the canal interpretation at the park. He stated that the park area needs a portion of the Sawmill River daylighted and a children's playground built for area residents. Mr. Burnett indicated that the same plan and vision was approved by Community Council in 2008, for which consultants were paid to prepare studies and community consultations were held. He suggested that without notice to the public those approved plans have been amended to exclude daylighting and the playground. He requested that corrective action be taken.

Mr. Trevor Parsons, Dartmouth, commented that given the amount of work residents and the Ecology Action Centre (EAC) put into the daylighting initiative, the staff report is not defensible. He indicated that staff should have met with the EAC and looked at both sides of the issue. Mr. Parsons suggested that when Council sees staff putting out a flawed report, it is fair and reasonable to make note of that.

Mr. Robert Mazzerole, Dartmouth, spoke in support of the daylighting of Sawmill River. He noted that he is concerned and puzzled by the issues relating to disclosure and consultation raised by the Ecology Action Centre. Mr. Mazzerole asked Council is to stay vigilant and open minded.

Ms. Moira Donovan, Dartmouth, commented that she is stunned that it was suggested that staff shouldn't meet with a non-profit organization closely aligned with the issue.

Mr. Bernie MacKenna, Dartmouth, advised that he had sent an email to Councillor McCluskey on the topic of the daylighting of Sawmill River. Responding to comments earlier by Councillor McCluskey about the volume of emails received on this topic, he commented that sending an email to one's area Councillor is easier than reaching them by phone. Mr. MacKenna concurred with the comments and concerns raised by speakers this evening on the topic of daylighting of Sawmill River, and indicated that this would be a positive project for a growing community. Mr. MacKenna referenced other areas internationally where daylighting has been achieved, and suggested that the municipality could pay for a concrete stormwater sewer pipe or for something the community wants.

Mr. Darrell McGrath, planning student at Dalhousie University, commented on the staff report, noting that it does not deliver appropriate information on the prospect of daylighting Sawmill River, and has a very negative tone. He indicated that since there are no experts on fish passage on HRM staff, he finds it negligent that staff did not consult with an expert on the topic. He noted several typographical errors in the report. Mr. McGrath suggested that Council should take this issue seriously given the tremendous public feedback on this topic. He noted that within the Downtown Dartmouth Secondary Planning Strategy (DDSPS), there are several opportunity sites identified directly adjacent to the Sawmill River site,

which as per the DDSPS are “an excellent opportunity for a major infill project with landmark architecture which could be vital to achieving the plan’s goals and increasing the area resident base and supporting local businesses development” and “with regard to any projects adjacent to that area, Council shall consider that the project address the site’s historical context as part of the former Subenacadie Canal and Starr Manufacturing sites, to allow restoration of a naturalized open stream bed to replace the piped waterway, formerly the mill stream that flows beneath a portion of the site.” Mr. McGrath suggested that this is specifically relevant to any commentary on this project, yet the staff report did not even mention that these provisions exist. He noted that he would be pleased to meet with Community Council or staff to further discuss concerns he has with the content and format of the report. Mr. McGrath indicated that he emailed Mr. Gallagher a school report he had done on this topic, including costs, but he did not receive a response.

Councillor Karsten acknowledged the presence of Joyce Treen, MLA, Cole Harbour – Eastern Passage.

Mr. Doug Rigby, Wyse Society for Sensible Urban Development, spoke in support of the daylighting of Sawmill River, commenting that it would bring together the community with the historic canal interpretation project. Mr. Rigby encouraged the support of the fish that want to come up the Gaspereau River, and the water that wants to flow.

Deputy Mayor Nicoll clarified that Community Council has asked for a report, and that staff have to stay within the approved direction and budget of Council.

16. DATE OF NEXT MEETING – June 4, 2015

The next meeting of Harbour East-Marine Drive Community Council will be held on Thursday, June 4, 2015 at 6:00 p.m. in the Nantucket Room, Dartmouth Sportsplex, 110 Wyse Road, Dartmouth.

17. ADJOURNMENT

The meeting was adjourned at 6:57 p.m.

Jennifer Weagle
Legislative Assistant