

HARBOUR EAST COMMUNITY COUNCIL  
MINUTES

July 5, 2012

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

REGRETS: Councillor Jackie Barkhouse, Chair

STAFF: Mr. Randy Kinghorne, HRM Senior Solicitor  
Ms. Jennifer Weagle, Legislative Assistant

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**1. CALL TO ORDER**

Councillor Fisher, Vice-Chair, called the meeting to order at 6:00 p.m., with the Invocation led by Councillor McCluskey.

**2. APPROVAL OF MINUTES – June 14, 2012**

**MOVED by Councillor McCluskey, seconded by Deputy Mayor Karsten, that the Harbour East Community Council minutes of June 14, 2012 be approved as circulated. MOTION PUT AND PASSED.**

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

**Deferred:**

- 10.1.1 Case 17224: Municipal Planning Strategy & Land Use By-law Amendments and Development Agreement for 1948 Shore Road, Eastern Passage (notice of motion and first reading)

Item 10.1.1 was deferred to a special Harbour East Community Council meeting to be held on Tuesday, July 10, 2012 at 9:30 a.m. in the Media Room, 1<sup>st</sup> Floor, City Hall, 1841 Argyle Street, Halifax.

**MOVED by Deputy Mayor Karsten, seconded by Councillor Nicol, that the order of business be approved, as amended. MOTION PUT AND PASSED.**

**4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET**

**4.1 Status Sheet**

**4.1.1 Sculpture Park - Dartmouth Waterfront**

No update received, this item will remain on the status sheet.

**4.1.2 Project 1286: Dartmouth Main Street Plan Review**

The Dartmouth Land Use By-law Housekeeping Amendments are targeted for the August 9, 2012 HECC meeting, and the Main Street Plan is targeted for the September 13, 2012 HECC meeting. This item will remain on the status sheet.

**4.1.3 Dartmouth MPS Water Policy Review – DLAB report on policy alternative for water quality preservation**

Councillor McCluskey asked that the Clerk look into whether a report from the Dartmouth Lakes Advisory Board is forthcoming for the August meeting. Item to remain on the status sheet.

**4.1.4 Dartmouth MPS Water Policy Review – Staff report on immediate remediation of Russell Lake**

Deputy Mayor Karsten asked that the Clerk follow up with staff on this matter. This item will remain on the status sheet.

**4.1.5 Petition – Councillor Nicoll – Heavy Truck Traffic Route – Clayton Developments Colby South Phase II**

An information report on this matter is anticipated for the September 13, 2012 HECC meeting. This item will remain on the status sheet.

**5. MOTIONS OF RECONSIDERATION – NONE**

**6. MOTIONS OF RESCISSION – NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS – NONE**

**8. HEARINGS**

**8.1 Public Hearings**

**8.1.1 Case 17143: Development Agreement - Horizon Court, Dartmouth**

The following information was before Community Council:

- A staff report dated June 4, 2012;
- Correspondence from Meggan Tanner, Dixel Developments, dated July 5, 2012;
- Correspondence from Otto Gaspar, President, Can-Euro Investments Ltd., dated March 26, 2012.

Mr. Darrell Joudrey, Planner, presented Case 17143 Application by Can-Euro Investments to enter into a development agreement to permit the development of a 27 storey residential and commercial mixed use building at Horizon Court, Dartmouth.

At the request of Councillor Smith, Mr. Joudrey responded to the issue relating to the provision of parkland raised in the letter from Dixel Developments. He clarified that the intent of the policy was to recapture the parkland, because it was originally parkland. The development agreements on the two previous buildings made requirements of the owner to contribute to the community park. The owner was also required to develop a master plan for Maybanks Field, and made a cash contribution towards the park. In this

application, since it is a new development agreement, the development of parkland in the area is focused on a private park for the residents of the building.

The Vice Chair invited a representative of the developer to present at this time.

**Nicolas Fudge, Geoff Keddy Architect & Assoc.**, presented an overview of the proposal to Community Council.

Responding to questions from members, Mr. Fudge clarified that there is a waiting list for residential tenants, although there are no commercial tenants secured yet.

The Chair reviewed the rules for the public hearing, and opened the public hearing for those wishing to speak for or against the proposal.

**Bruce Bowser , 272E Waverley Road, Dartmouth**, indicated that he is in favour of the development. There are already two high-rises there, so this one will fit in nicely. He noted that it sounded like the developer and HRM had studied the proposal thoroughly and he thinks there will be no traffic issues associated with the development.

**Meggan Tanner, Dixel Developments**, noted that she submitted a letter to Community Council on this proposal. She thanked Mr. Joudrey for addressing her comments in the letter, and for providing clarification through information that she did not have earlier.

**May Huckle, Lakeshore Terrace**, noted that she is not against the building, but has some questions. She inquired why the lot was subdivided, if there is a possibility for another building on the site and if there are visitor parking areas. She noted that she would like to see parking areas divided, to create a boulevard between. She also inquired whether there were unit plans available for perusal?

Mr. Joudrey indicated that the lands were subdivided at the request of the owner, for financing purposes. He noted that there will be no space on the subdivided lands for any more buildings. The remaining land would have to be looked at closely to determine whether another building would be permitted, considering density regulations. There will be adequate parking for guests. Underground parking will be provided at a ratio of one space per unit, which is more than what is required under the Land Use By-law. Mr. Joudrey commented on landscaping features, such as greening and a fountain feature, as well as buffering along the northern edge of the property.

The Chair called three times for any further speakers. Hearing none, it was **MOVED by Councillor McCluskey, seconded by Deputy Mayor Karsten, that the public hearing close. MOTION PUT AND PASSED.**

**MOVED by Councillor McCluskey, seconded by Deputy Mayor Karsten, that Harbour East Community Council:**

1. **Approve the proposed development agreement, as provided in Attachment A of the June 4, 2012 report, for a 27 storey mixed use building on Horizon Court;**
2. **Require the 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; and**
3. **Approve, by resolution, the discharging agreement, as provided in Attachment B of the June 4, 2012 report, for that portion of the existing development agreement and all subsequent amending agreements that apply to the subject lands.**

Deputy Mayor Karsten encouraged the developer to put in trees, keeping with the Urban Forest Master Plan.

Councillor Smith commented on the intersection at Woodlawn Road and Lancaster Drive, noting safety issues with drivers turning left onto MicMac Blvd. He also noted the shortage of rental housing in HRM, the need for a grocery store in the area, and the importance of walkable communities.

Councillor Nicoll encouraged the use of impervious asphalt to control runoff.

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

#### **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 17224: Municipal Planning Strategy & Land Use By-law Amendments and Development Agreement for 1948 Shore Road, Eastern Passage**

This item was deferred to a special Harbour East Community Council meeting to be held on Tuesday, July 10, 2012 at 9:30 a.m. in the Media Room, 1<sup>st</sup> Floor, City Hall, 1841 Argyle Street, Halifax.

**10.2 Boards & Committees - None**

**11. MOTIONS - NONE**

**12. ADDED ITEMS - NONE**

**13. NOTICES OF MOTION - NONE**

**14. PUBLIC PARTICIPATION - NONE**

**15. NEXT MEETING DATE**

A special meeting of Harbour East Community Council will be held on Tuesday, July 10, 2012 at 9:30 a.m. in the Media Room, 1<sup>st</sup> Floor, City Hall, 1841 Argyle Street, for Case 17224: Municipal Planning Strategy & Land Use By-law Amendments and Development Agreement for 1948 Shore Road, Eastern Passage .

The next regular meeting of Harbour East Community Council will be held on Thursday, August 9, 2012, 6:00 p.m., Dartmouth Chamber, 1<sup>st</sup> Floor, 90 Alderney Drive, Dartmouth.

**16. ADJOURNMENT**

The meeting was adjourned at 6:50 p.m.

Jennifer Weagle  
Legislative Assistant

**INFORMATION ITEMS - None**