

HARBOUR EAST COMMUNITY COUNCIL
MINUTES
MAY 4, 2000

PRESENT: Councillor Clint Schofield, Chair
Councillor Ron Cooper
Councillor Jack Greenough
Councillor Condo Sarto
Councillor Bruce Hetherington
Deputy Mayor John Cunningham

REGRETS: Councillor Harry McInroy

STAFF: Mr. Barry Allen, Municipal Solicitor
Mr. Roger Wells, Regional Coordinator Planning Applications
Mr. Dave McCusker, Manager, Traffic and Transportation Services
Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order at 7:00 p.m. with an invocation.

2. APPROVAL OF MINUTES - APRIL 6, 2000

MOVED by Councillors Sarto and Greenough that the minutes of April 6, 2000 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

13.1 District Capital Funds - Councillor Cooper

MOVED by Councillors Hetherington and Sarto that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Hetherington and members of the Community Council expressed displeasure that the public information meeting regarding the Canada Lands had been scheduled at the same time as the Community Council meeting. The Councillor noted staff would be aware of when Community Council meetings are held and that there are five members of this Council from the former City of Dartmouth.

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. PUBLIC HEARINGS

8.1 Case 00240: Application by Halifax Regional Municipality to amend the provisions of the C-1 (Local Business) zone of the Land Use By-Law for Eastern Passage/Cow Bay

- A staff report, prepared for Paul Dunphy, Director of Planning and Development, dated April 4, 2000, on the above noted, was before Community Council.
- First Reading had been given on April 17, 2000.

Mr. Roger Wells, Regional Coordinator Planning Applications, with the aid of overheads, presented the staff report, advising this amendment was to correct an inconsistency between a policy statement in the Municipal Planning Strategy and the implementation regulations in the Land Use By-Law.

Councillor Schofield called for members of the public wishing to speak either in favour of or against the recommendation. Hearing none, the following motion was placed before Community Council.

MOVED by Councillor Cooper and Deputy Mayor Cunningham that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Greenough and Sarto that the Harbour East Community Council approve the amendment to the Land Use By-Law for Eastern Passage/Cow Bay, to permit 2000 sq.ft. of commercial space excluding any floor area devoted to a permitted dwelling unit, as per Attachment #1 to the report dated April 4, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Petitions - None

9.2 Presentations

9.2.1 Ms Jennifer Tsang, Wallace MacDonald Lively - Update on Dartmouth Superstore and possible closure of Braemar Drive

Ms. Tsang circulated a site plan for the information of Community Council. She advised if the Superstore acquired Baemar Drive they would upgrade the road and grant a right-of-way easement to all the property owners from civic number 8 Braemar to civic number 336 Prince Albert Road.

After discussion regarding traffic and pedestrian patterns, the following motion was placed on the floor.

MOVED by Councillors Greenough and Hetherington that the issue of traffic patterns and pedestrian movement be referred to the HRM Traffic Authority for a report and presentation to the Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

10. REPORTS

10.1 Interim Report - Advancement of Clayton Development Limited Application for the Portland Hills CDD

Mr. Phil Elliott, Chairman, Portland Estates PPC, with the aid of overheads, tabled and outlined the interim report.

In response to Councillor Hetherington, Mr. Elliott confirmed that a local collector was being recommended for Caldwell Road. On further question, Community Council was advised staff was recommending a major collector for Caldwell Road.

Councillor Hetherington expressed concern with the process. He stated he has no problem with the interchange onto the Circumferential, Highway 111, through to Baker Street as it allows for the opening of lands. The Councillor noted that it is now being suggested that Portland Estates Blvd. West be opened without the completion of section 9 on the map through to the Caldwell Road. He stated that the public spoke against opening up that road until the Shearwater Connector Road was in place.

Mr. Elliott stated the way it was discussed in the committee was that if there was the need to develop parcels 9, 13 and 14 then that piece of road could be built but no connecting to a critical piece.

Councillor Hetherington indicated parcels 9 and 14 and noted this property is owned by DND which have to be negotiated as part of the negotiations for the Shearwater lands. At this point, this land is not for sale. The Councillor stated that HRM wants the right-of-way from the Caldwell Road through to the Circumferential Highway which is the land required for a highway. The Municipality is the only elected group that has tried to make this work. He stated the traffic problem on Portland Street has to be alleviated. Portland West cannot be done. Up to Baker Street can be done but then Phase II would be from the Caldwell Road through to Baker Street.

Councillor Hetherington stated Community Council had stated there would be no opening of Portland Estates Blvd. West until the Shearwater Connector Road was completed. He stated it was stated that the Shearwater Connector has to be completed before you can open up Portland Estates Blvd. West and, Caldwell Road will not feed into the subdivision.

(Deputy Mayor Cunningham left the meeting at 8:00 p.m.)

Councillor Greenough stated the committee was recommending that the Community Council receive and table the draft transportation plan as required by policy ML8A and authorize Clayton Developments Ltd. to proceed with the CDD application for the 93 acres

of the Portland Hills Development. He stated that the Community Council has to confirm that that particular connection to Portland Estates Blvd. West is not going to occur until such time as the connector road is constructed through to Caldwell Road.

Mr. Wells advised it is his understanding that the recommendations of the committee are consistent with the policies that were adopted which stated there was to be no connection from Portland Estates Blvd West to the Shearwater Connector until the Shearwater Connector is completed between the Circumferential Highway and Caldwell Road.

In response to Councillor Schofield, Mr. Wells advised it would be developed part way to allow access to a number of additional development parcels.

Councillor Cooper suggested the road be allowed to be developed as far as the western side of lot 13 which would allow the western side of the lake to open up as well as allowing the development of internal streets in 12 and 15 which would have the effect of opening up 90% of the undeveloped area.

In response to Councillor Sarto, Mr. Elliott advised the first phase would be to develop the interchange up to Baker Drive.

Mr. McCusker noted there is a traffic plan in place for the 93 acres. The issue being debated is whether Community Council agrees with the future plan.

Councillor Hetherington advised the overall plan stated that the 93 acres could not be developed until the overall plan was looked at. He stated he did not have a problem with the 93 acre plan at the present time nor a traffic plan up to Baker Street. He stated once you get past the Baker Street interchange you are coming into residential development. The Councillor stated he agreed with the overall concept but take it to Baker Drive only.

MOVED by Councillors Hetherington and Greenough that the extension go from the Circumferential Highway to Baker Drive, allowing development of the 93 acres, but Baker is the last interchange into this area until there is a connection from Caldwell Road to Baker Drive. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Case 00218: Amendment to Development Agreement for 35 Andover Street, Dartmouth

- A report prepared for Paul Dunphy, Director of Planning and Development Services, dated April 28, 2000, on the above noted was before Community Council.

MOVED by Councillors Greenough and Sarto that the Harbour East Community Council move first reading to consider the proposed amendments to the development agreement for 35 Andover Street, Dartmouth and schedule a public

hearing for May 25, 2000.

Councillor Greenough noted the number of children allowed in the play area at one time was to remain the same yet the development agreement states "not more than 37 being permitted in the play area at the same time". Mr. Wells advised he would clarify the permitted number.

Councillor Cooper noted the original agreement allowed for a day care and one dwelling unit or two dwelling units. The new agreement as written allows for a day care and a one dwelling unit or a day care and a two dwelling unit. The Councillor requested clarification be provided on how many dwelling units are permitted in conjunction with the day care.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MEMBERS OF COUNCIL - NONE

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 District Capital Funds - Councillor Cooper

Councillor Cooper suggested district capital projects be tabled through the Community Council.

13.2 Starr Manufacturing Site - Councillor Hetherington

Councillor Hetherington noted there was an information item regarding the Starr Manufacturing Site and expressed concern that this could become an ongoing issue. He requested staff attend the May 25th meeting to provide information on how this building is going to be demolished as per motion of Regional Council.

Councillor Cooper requested staff be requested to cover the windows.

14. NOTICES OF MOTION - NONE

15. PUBLIC PARTICIPATION

Ms. Cathy Hunt, PERA, addressed Community Council regarding the traffic plan and the proposed downtown parking facility and stated downtown will die if there is less and less parking available to the public.

Mr. Phil Elliott addressed Community Council stating the plan does not include the concept

of the Shearwater Connector yet the Bedford Connector is there. The “at grade” intersection that the Harbour East Community Council and Regional Council has approved is not mentioned. Nothing in the traffic plan that was presented to Community Council tonight was included. He stated there are a few issues on the Dartmouth side that need to be addressed to make sure the traffic plan gets incorporated into what is being undertaken by the Portland Estates PPC.

MOVED by Councillors Cooper and Hetherington that a letter be drafted stating that if there is going to be an interim traffic plan it should include what has already been approved. MOTION PUT AND PASSED.

Mr. Peter Majeau provided Community Council with an update on events planned for June 10th on the Dartmouth waterfront in conjunction with the Trans Canada Relay.

16. NEXT MEETING

The next meeting is scheduled for Thursday, May 25, 2000 at 7:00 p.m.

17. ADJOURNMENT

MOVED by Councillors Greenough and Cooper that the meeting be adjourned at 8:50 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

**Julia Horncastle
Assistant Municipal Clerk**

