

HARBOUR EAST COMMUNITY COUNCIL

MINUTES

May 1, 2008

PRESENT: Councillor Bill Karsten, Chair
Councillor Jim Smith
Councillor Andrew Younger
Councillor Gloria McCluskey
Councillor Jackie Barkhouse
Councillor Harry McInroy

STAFF: Ms. Roxanne MacLaurin, Senior Solicitor
Ms. Melody Campbell, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF MINUTES	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	3
4.	BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET	3
5.	MOTIONS OF RECONSIDERATION	3
6.	MOTIONS OF RESCISSION	3
7.	CONSIDERATION OF DEFERRED BUSINESS - None	3
8.	HEARINGS	4
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
	9.1 Correspondence	4
	9.2 Petitions	4
	9.3 Presentations	4
10.	REPORTS	5
11.	MOTIONS	5
12.	ADDED ITEMS	5
13.	NOTICES OF MOTIONS	6
14.	PUBLIC PARTICIPATION	6
15.	NEXT MEETING	6
16.	ADJOURNMENT	6

1. CALL TO ORDER

The Chair called the meeting of Harbour East Community Council to order at 7:03 p.m.

2. APPROVAL OF MINUTES - April 3, 2008

MOVED BY Councillor McCluskey, seconded by Councillor Smith that the minutes of Harbour East Community Council April 3, 2008, as presented, be approved. MOTION PUT AND PASSED.

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

Added Items:

- 12.1 Case 01079: Five Story Office Building in Dartmouth Crossing
- 12.2 Case 01009, 01010, 01011 Trinity Subdivision, Dartmouth
- 12.3 Report on Employee Parking at Car Dealerships - Councillor Younger

Change:

Item 8.1.1 moved to Item 7.1

Appeal of the Development Officer's decision to refuse a Variance at 84, 86, 88A and 88B Shore Road. The Hearing was held and closed on April 3rd, this evening is a continuation of that process to determine a decision on the Variance.

MOVED BY Councillor McCluskey, seconded by Councillor Younger, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

An update of the status report was discussed.

Councillor Karsten inquired as to the status of the information from the Dartmouth Lakes Advisory Board. The information has not been received although it was requested it be provided for the May 1st meeting.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Appeal of the Development Officer's decision to refuse a Variance at 84, 86,

88A & 88B Shore Road, Dartmouth

Mr. Sean Audas, Development Officer, presented the Supplementary Report dated April 18, 2008 to Council.

Councillor McCluskey expressed her concern on the poor treatment of Mr. Leo Pellerine, an abutter of the property, and the property damage he incurred. The only avenue Mr. Pellerine has for retribution is to go to Civil Court for damages. The Councillor added that there should be an investigation of the builder and land surveyor. On the other hand it is a lovely property and it adds to the neighbourhood. Many residents want residents in the property.

Councillor Smith and Councillor McInroy will be unable to vote on the variance as they were not in attendance at the Variance Hearing.

MOVED BY Councillor McCluskey, seconded by Councillor Barkhouse, that Harbour East Community Council overturn the Development Officer's decision and grant the variance for the side yard and lot coverage requirements. MOTION PUT AND PASSED.

8. HEARINGS - NONE

9. CORRESPONDENCE, PETITIONS AND PRESENTATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentations

Mr. Dave Reage, Planning and Project Delivery Coordinator, Metro Transit provided Council with a presentation of Metro Transit's plans for a new bridge terminal. Mr. Reage introduced Constable Wood and Constable Jenkins who will be addressing Council on issues as it relates to security.

In response to queries from members of Council, Constable Jenkins advised:

- Policing efforts will continue
- Many individuals use the Wilderness Park area to run and hide. Council members concurred this area could be cleaned out to make it safer.
- Most calls to police come in from cell phones, transit supervisors/drivers or from pay phones in the area. Some calls come in after the event when a person gets to his/her home.

MOVED BY Councillor Younger, seconded by Councillor Smith that Harbour East Community Council request that Mayor Kelly contact Premier Rodney MacDonald to have the required amendments to the Legislation passed at this sitting of the Legislature. The amendment to the Legislation has to be passed to enable the project to move forward. MOTION PUT AND PASSED.

Council added that this is a good use of the property and with continued growth, this terminal needs to move forward.

10. REPORTS - NONE

10.1 STAFF REPORTS

10.1.1 Case 00831: Rezoning 370 Windmill Road from R-2 to C-2

A report dated, March 10, 2008, was before Council.

Ms. Jennifer Chapman, Planner, presented the report to Council.

Ms. Chapman advised the drawing and a photo will be available for the public hearing.

MOVED BY Councillor McInroy, seconded by Councillor Younger that Harbour East Community Council:

- 1. Give First Reading for the rezoning of a portion of the subject lands, as shown on Map 1 of the report dated March 10, 2008 and schedule a public hearing.**

MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 01079: Five Story Office Building in Dartmouth Crossing

- A report dated April 18, 2008, Case 01079: Five Story Office Building in Dartmouth Crossing was before Council.

MOVED BY Councillor Smith, seconded by Councillor Younger that Harbour East Community Council recommend that Regional Council give First Reading to the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law as provided in Attachment "A" of the report dated April 18, 2008. MOTION PUT AND PASSED.

12.2 Case 01009, 01010, 01011 Trinity Subdivision - Dartmouth

- A report dated April 18, 2008, Case 01009, 01010, 01011 Trinity Subdivision, Dartmouth

Parcel 1 -

MOVED BY Councillor Younger, seconded by Councillor Barkhouse, that Harbour East Community Council move Notice of Motion to consider the proposed development agreement for an area of land (Parcel 1) off Nadia Drive, as provided in Attachment "A" of the report dated April 18, 2008, and schedule a public hearing

for June 5, 2008. MOTION PUT AND PASSED.

Parcel 2 -

MOVED BY Councillor Younger, seconded by Councillor Barkhouse, that Harbour East Community Council move Notice of Motion to consider the rezoning of a portion of Parcel 2 from C-3 (General Business) Zone to R-3 Multi-family Residential (Medium Density) Zone as outlined in Attachment "B" of the report dated April 18, 2008, and schedule a public hearing for June 5, 2008. MOTION PUT AND PASSED.

Parcel 2 -

MOVED BY Councillor Younger, seconded by Councillor Barkhouse, that Harbour East Community Council move Notice of Motion to consider the proposed development agreement for Parcel 2 as provided in Attachment "C" of the report dated April 18, 2008, and schedule a public hearing for June 5, 2008. MOTION PUT AND PASSED.

12.3 Parking of Employee Vehicles at Car Dealerships

MOVED BY Councillor Younger, seconded by Councillor McInroy, that Harbour East Community Council request a staff report from planning staff on the possibility of providing provisions for employee parking for car dealerships. MOTION PUT AND PASSED.

13. NOTICES OF MOTIONS - NONE

14. PUBLIC PARTICIPATION

Mr. Tim Olive, Executive Director of the Downtown Dartmouth Business Commission , addressed Council on Case 01079: Five Story Office Building in Dartmouth Crossing. He advised that he is disappointed to see this go to Regional Council without it being addressed at Harbour East Community Council. He advised that the recommendation has changed. There is concern that this will open the door to new requests for other buildings outside of the zone. He noted that this is not a minor request. Mr. Olive added that he hopes that Council members read all material and make an informed decision.

15. NEXT MEETING

Next scheduled meeting will be on Thursday, June 5, 2008 at 7:00 p.m.

16. ADJOURNMENT

The meeting adjourned at 8:06 p.m.

Melody Campbell
Legislative Assistant