

HARBOUR EAST COMMUNITY COUNCIL
NOVEMBER 18, 1999
MINUTES

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

ALSO PRESENT: Mr. Gerry Goneau, Municipal Solicitor
Mr. Dave McCusker, Manager, Traffic and Transportation Services
Mr. Jim Donovan, Planner
Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order with an invocation.

At a later point in the meeting, Councillor Hetherington advised the application for a liquor license for 72 Portland Street had been rejected.

2. APPROVAL OF MINUTES

MOVED by Councillors McInroy and Sarto that the minutes of October 7, 26 and November 2, 1999 be approved as circulated. MOTION PUT AND PASSED.

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

Deletions

Item 9.1.3 - Deputy Chief Barrs - Police Station - Dartmouth

Additions

12.1 Dartmouth Museum - Transition to Community

MOVED by Councillors McInroy and Greenough that the Order of Business, as amended, be approved. 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

8. PUBLIC HEARINGS

8.1 Case 00131 - Application by K.B. Clarke Construction Limited to amend the Land Use By-Law for North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston to accommodate an expansion to an existing commercial building located at 14 Lake Major Road in Lake Major

Mr. Jim Donovan, Planner, with the aid of overheads, presented the proposal.

Representation from Public

Mr. David Mitchell, 7 Dahlia, received clarification on some of the public concerns that had been noted in the staff presentation.

Mr. Kevin Clarke, applicant, stated he is a resident of Lake Major Road and he had contacted and received no objections from neighbouring properties. He noted there were concerns expressed at the public information meeting as to what was being developed on the property but all concerns were addressed. He advised the property will be well maintained and there will be no outside storage.

Councillor Hetherington stated that a submission had been received from Mr. Hugh Porter of 45 Chamberlain Drive, Dartmouth.

MOVED by Councillors Schofield and Greenough that the public hearing close. MOTION PUT AND PASSED.

MOVED by Councillors Cooper and Greenough that the Harbour East Community Council approve the revised Development Agreement as attached to the memorandum dated November 16, 1999 and the By-Law amendment outlined in Attachment 4 of the staff report dated September 27, 1999. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 RATIFICATION OF IN CAMERA MOTION

MOVED by Councillors Schofield and Greenough that the In Camera motion be ratified. MOTION PUT AND PASSED.

Councillor Hetherington advised Community Council has decided that the First Reading of the Home Depot Development Agreement will be held on November 29, 1999 and the public hearing will be held on December 16, 1999.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Delegations

9.1.1 Alderney Landing - Bea MacGregor/Tom McInnis

Mr. Tom McInnis provided an update on Alderney Landing advising the inside of the building is now complete with some outside construction, consisting of awnings, outdoor stage and landscaping, to be finalized.

9.1.2 Feed Others of Dartmouth Society - Doug Livingstone

Mr. Doug Livingstone, 43 Wentworth Street, provided an overview of the society and the work it has undertaken to feed those less fortunate in the community. He stated it is a Municipal property and the Society is proposing a long term lease. He advised the Society is requesting the support of Community Council when the request comes before Regional Council.

MOVED by Councillor Greenough and Deputy Mayor Cunningham that the Harbour East Community Council endorse the request by the Feed Others of Dartmouth Society for a long term lease of the Wentworth Street facilities. MOTION PUT AND PASSED.

MOVED by Deputy Mayor Cunningham and Councillor Greenough that the Harbour East Community Council send a letter to the Province of Nova Scotia endorsing the work of the Society and funding for the organization. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.3 Deputy Chief Barrs - Police Station - Dartmouth

This item was deleted under the approval of the Order of Business.

9.2 Petitions - None

10. REPORTS

10.1 DARTMOUTH COMMON COMMITTEE

10.1.1 Dartmouth Common

- A report from the Dartmouth Common Committee was before Community Council for consideration.

MOVED by Deputy Mayor Cunningham and Councillor Greenough that the Harbour East Community Council support a request for funding to revise or develop a new plan so as to provide the Regional Operations Department and interested public with clear direction and objectives regarding the mid and long term opportunities for the total historic Dartmouth Common. MOTION PUT AND PASSED.

10.2 APPOINTMENTS

10.2.1 Harbour East Planning Advisory Committee

MOVED by Councillors McInroy and Cooper that the following persons be appointed to the Harbour East Planning Advisory Committee for a term to expire November, 2001: Mr. S. Jack Thomas, Mr. Ray DeRoche, Mr. Thomas Harmes, Mr. Harold Northrup and Mr. Bob Horne. **MOTION PUT AND PASSED.**

10.2.2 Dartmouth Common Committee

MOVED by Councillors Sarto and McInroy that the Dartmouth Common Advisory Committee be suspended for one year to November, 2000 when further appointments will be considered. **MOTION PUT AND PASSED.**

10.2.3 Appointment of Community Council Representative to Membership Selection Committee (1 year term)

MOVED by Councillors Greenough and Schofield that Councillor Cooper be appointed as the Harbour East Community Council member on the Membership Selection Committee. **MOTION PUT AND PASSED.**

10.3 DECISION OF THE HARBOUR EAST COMMUNITY COUNCIL RE: CASE 00174 - BILLBOARDS - ADDITIONAL INTERIM AMENDMENTS TO THE LAND USE BY-LAWS FOR THE FORMER CITIES OF DARTMOUTH AND HALIFAX

A joint Public Hearing was held on October 26, 1999 with Regional Council and Chebucto Community Council.

MOVED by Councillors Sarto and Schofield to approve the amendments to the City of Dartmouth Zoning By-Law C-357, as set forth in Attachment 1 of the Staff Report dated September 30, 1999. **MOTION PUT AND PASSED.**

10.4 DOGS OFF LEASH

- A report from Mr. Barry S. Allen, Legal Services, on the above noted was before Community Council.
- A letter from Ms. Joyce MacAskill, Cole Harbour Parks and Trails Association, was circulated to the Community Council.

Councillor McInroy noted the Community Council had passed a motion that no parks be

designated as off leash areas within its jurisdiction.

MOVED by Councillors McInroy and Cooper that the Harbour East Community Council write the Department of Natural Resources conveying Councils opposition to the ROLE proposal in having the Cole Harbour Heritage Park designated as an off leash exercise park for dogs.

Councillor Cooper stated the use of the park as an off leash exercise park would have a detrimental effect on public use of the park and the wildlife in the area. He suggested the leash law be maintained until there is a fenced park in the Municipality.

Deputy Mayor Cunningham noted this letter would reaffirm the position of the Community Council with regards to off leash parks. The Councillor referenced the letter from ROLE and noted he had not been the Councillor who was quoted in the letter.

Councillor Greenough referenced the report from Mr. Allen and indicated that the Municipality does not have jurisdiction over provincial parks. He further requested the letter from Ms. MacAskill be included with the letter to the Department of Natural Resources.

MOTION PUT AND PASSED UNANIMOUSLY.

10.5 INTERIM RECOMMENDATION - MASTER DEVELOPMENT PLAN - MORRIS/RUSSELL LAKE PUBLIC PARTICIPATION COMMITTEE

- A report from the Morris - Russell Lake Public Participation Committee, on the above noted, was before Community Council.

Mr. Phil Elliott, Chair of the PPC, outlined the report and the recommendation contained therein for Community Council. He advised this recommendation is as a result of the continuous traffic concerns in the area outlining the rationale for the recommendation coming forward at this time.

Mr. Dave McCusker, Manager, Traffic and Transportation Services, advised staff has concerns as HRM requires the approval of the Province in doing anything in this location.

Councillor Greenough stated the traffic volumes on Portland Street have to be addressed. He stated he has safety concerns with the proposal being put forward for a signalized intersection as this is a high speed traffic area.

Mr. McCusker advised the cost of constructing a signalized intersection would be approximately \$120,000.00 not including the cost of extending Baker Drive. He advised

an interim measure would be to construct the on and off ramps, which would be a part of the interchange, so the cost would be part of the interchange. He stated once staff is confident that an interchange could be built then the interim step would have some value.

Councillor Hetherington stated there needs to be long term planning as there is proposed development for that area.

Councillor Greenough noted that the Municipality will not be able to do anything unless there is an agreement by the Province and suggested this be referred to the Traffic Authority to take to the anticipated meeting with the Province to determine if there can be an agreement.

MOVED by Councillors Greenough and Sarto that the Harbour East Community Council recommend Halifax Regional Municipality undertake to establish, by the spring of 2000, a temporary traffic light controlled intersection at Gaston Road Extension and the Circumferential Highway, together with the southward extension of Baker Drive to the Gaston Road Extension.

Councillor Cooper suggested the Community Council indicate to the Province through the Traffic Authority that the Harbour East Community Council is very supportive of an alternate access from that area onto Highway 111 to alleviate traffic concerns in a way that can be done in a safe manner.

MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Dartmouth Museum - Transition to Community

- A report prepared for Mr. Lew Rogers, General Manager of Tourism, Culture & Heritage, on the above noted, was before Community Council.

MOVED by Councillor Cooper that this item be deferred to the next meeting to provide an opportunity for review by the Councillors.

In response to Councillor Hetherington, Mr. Dan Norris, advised this would allow staff to enter the next step of a process that is already underway and is fulfilling Step #3 of the February 9, 1999 report approved by Regional Council.

MOTION OF DEFERRAL DEFEATED.

MOVED by Deputy Mayor Cunningham and Councillor Greenough that:

- 1. Harbour East Community Council recognize the Dartmouth Heritage Museum Society as the legitimate community-based successor which has evolved from the Public Participation Committee;**
- 2. Harbour East Community Council recognize the Dartmouth Heritage Museum Society as a non-profit Museum Society established to provide community based management for the collection of the former Regional Museum (fulfilling Step #3 of the February 9, 1999 Report to Regional Council);**
- 3. Harbour East Community Council authorize staff to enter into negotiations with the Dartmouth Heritage Museum Society for the express purpose of entering a Cultural Tourism Agreement (fulfilling Step #4 of the February 9, 1999 Report)**

Councillor Hetherington indicated the noted attachments had not been circulated with the report and requested they be circulated at the next meeting as well as a follow up report.

MOTION PUT AND PASSED.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION - NONE

15. ITEMS FOR NEXT AGENDA

None at this time.

16. ELECTION OF CHAIR AND VICE CHAIR

MOVED by Councillors Schofield and Cooper that Councillor McInroy be nominated as Chair to November, 2000.

MOVED by Councillors Cooper and Greenough that nominations cease. MOTION PUT AND PASSED.

Councillor McInroy was appointed as Chair.

MOVED by Councillors McInroy and Sarto that Councillor Schofield be nominated as Vice Chair to November, 2000.

MOVED by Councillor Greenough and Deputy Mayor Cunningham that nominations cease. MOTION PUT AND PASSED.

Councillor Schofield was appointed as Vice Chair.

17. NEXT MEETING

The next regular meeting is scheduled for Thursday, December 16, 1999 and a Special Session is scheduled for Monday, November 29, 1999.

18. ADJOURNMENT

**MOVED by Councillors Sarto and Cooper that the meeting be adjourned at 9:15 p.m.
MOTION PUT AND PASSED.**

**Julia Horncastle
Assistant Municipal Clerk**

