

HARBOUR EAST COMMUNITY COUNCIL
FEBRUARY 3, 2000
MINUTES

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

STAFF: Mr. Roger Wells, Regional Coordinator, Planning Applications
Ms. Jacqueline Hamilton, Planner
Mr. Kurt Pyle, Planner
Mr. Austin French, Regional Coordinator, Planning Services
Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

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

Councillor McInroy recognized Mr. Jerry Pye, MLA, Dartmouth North who was present in the gallery.

2. APPROVAL OF THE MINUTES - January 6, 2000

MOVED by Councillors Cooper and Hetherington that the minutes of January 6, 2000 be approved, as circulated. MOTION PUT AND PASSED.

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

Additions

13.1 Billboards - CN Lands, Dartmouth - Councillor Hetherington

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

4. BUSINESS ARISING OUT OF THE MINUTE - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARINGS - NONE

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Petitions - None

9.2 Correspondence

Councillor Hetherington submitted correspondence from the residents of 3 Lakeside Terrace, Dartmouth, regarding paving and gutter work on their street.

MOVED by Councillors Hetherington and Greenough that Community Council acknowledge receipt of the letter. MOTION PUT AND PASSED.

10. REPORTS

10.1 Planning Advisory Committee Report re: Case 00016 - Proposed Rezoning and Development Agreement for Sobey's on Main Street, Westphal

- A report from Gail Foisy, PAC Coordinator, dated January 26, 2000, on the above noted, was before Community Council
- Supplementary staff report, from Paul Dunphy, Director, Development and Planning Services, dated February 1, 2000, was before Community Council
- Staff report, from Donna Davis-Lohnes, General Manager, Planning Services, dated December 22, 1999, was before Community Council

MOVED by Councillors Cooper and Greenough that the Harbour East Community Council give Notice of Motion/First Reading and set a public hearing date for March 2, 2000. MOTION PUT AND PASSED.

Councillor Sarto noted the report referenced the widening of Main Street. He requested information on the width of the addition and, is there a possibility of land being expropriated from the property owners that front on Langdon Drive. He requested staff provide this information to him.

10.2 Proposed Planning and Traffic Study, Micmac Blvd/Woodland Avenue Area

- A staff report, dated January 31, 2000, prepared for Paul Dunphy, Director, Planning and Development Services, was before Community Council.

MOVED by Councillors Greenough and Schofield that the Harbour East Community Council endorse the proposed planning study for the Micmac Blvd/Woodland Avenue area, as described in the staff report dated January 31, 2000, and forward its recommendation to Regional Council for approval. MOTION PUT AND PASSED.

10.3 Project #00095 - Proposed Downtown Dartmouth Plan

- A staff report, prepared for Paul Dunphy, Director, Planning and Development Services, dated January 19, 2000, was before the Community Council.
- The Secondary Planning Strategy and Land Use Bylaw for Downtown Dartmouth was before the Community Council.

Councillor McInroy advised this item was before Community Council to provide an

opportunity for public input and, any suggested revisions as a result of input, would come back to Community Council prior to forwarding the Planning Strategy and Land Use Bylaw to Regional Council.

Mr. Austin French, Regional Coordinator, Planning Services introduced the plan outlining the process expressing his thanks to those who contributed in the development of the plan.

Ms. Jacqueline Hamilton, Planner, presented an overview of the Secondary Planning Strategy and Land Use Bylaw outlining the following components:

- Why the Plan?
- The Process
- Vision in Year 2020
- The Main Ideas
 - ▶ Community Oriented Business District
 - ▶ Increased Residential development
 - ▶ Building upon Small Town Character
 - ▶ Enhanced Image and Safety
 - ▶ Vibrant Waterfront
 - ▶ Distinctive Neighbourhoods
- How the Plan is Implemented
- Land Use Bylaw Features
- Downtown Action Plan - Monitoring and Selling the Plan

Ms. Jody Wood, 16 Pine Street, Dartmouth, stated the process had allowed for community input, consultation and feedback through community and neighbourhood meetings. She stated that, in her opinion, the final report reflects both the vision and the need for each individual neighbourhood within Downtown Dartmouth as well as the broader vision and need for the total Downtown area.

Mr. Andy Williamson, stated he was pleased to see that the plan is interested in attracting small business of a marine nature to the waterfront. He advised that although the plan says it is supportive of the operation of small boats from the waterfront, the waterfront is under the jurisdiction of the Waterfront Development and they have designated the operation of the wharf space to Mr. Murphy of Murphy's on the Water. He stated he feels it is a conflict of interest to have to approach a competitor to rent dock space. He stated he was present to make the Community Council aware of this situation.

Ms. Lisa Snyder, 15 Pine Street, stated she feels the plan is very comprehensive and provides input to the community expressing her hope that it would be accepted. She noted the plan expresses the desire to retain the small town character and heritage stating, she would like to see that happen as it is not happening at the present time. She stated she

hopes the plan gets accepted and adopted by Halifax Regional Municipality.

Ms. Susan Guppie, Harbourview Residents Association, congratulated the committee. She advised the concerns of the Residents Association, with respect to the waterfront zone immediately adjacent to the Harbourview area, have been brought to the attention of the committee.

Ms. Sheila Sperry, Downtown Development Corporation, stated the plan responds to the vision that was adopted by the Corporation of a safe, healthy and vibrant community with a mix of residents and business people. She indicated there is one area of the plan that needs some serious reexamination, the five residential development sites identified in the Downtown. She noted one of these has been set apart with exceptional guidelines and stated the rules for residential development need to be uniform. She stated no one site should have parameters set which are either too restrictive or too accommodating. Developers deserve a level playing field and a message should be sent to developers that we want your presence in our community. She suggested developers be allowed to present their ideas for public input with each being considered on its own merit with no prior conclusions by either residents or council. She requested, on behalf of the Downtown Development Corporation, that Community Council approve this plan for submission to Regional Council with the proviso that the guidelines for the five residential development sites be consistent allowing room for creativity from the development community.

Mr. Tom McInnes, representing the owner of 1 Park Avenue, thanked staff and the MPS committee for their work and dedication. He stated everyone agrees that the most critical issue with regards to the revitalization of the Downtown Dartmouth is to increase the number of people living there and a need to attract good developers who have the interest and ability to purchase and develop residential properties. He stated there is now opportunity to construct a good residential development on the lands at 1 Park Avenue because of its zoning. He stated Dartmouth needs to open its doors to developers and queried why the Park Avenue site has been singled out and given special status. He stated this site is being sacrificed in return for an overall downtown plan. He stated the correct zoning decision was not made and asked Council make the decision to remove the zoning proposing that the development agreement process be utilized to assess the 1 Park Avenue site.

Ms. Brenda Gorman-Wright, 11 North Street, Dartmouth, advised the Park Avenue land has been vacant for thirty years even though the owner could have developed the site through a development agreement process. She stated in order to grow, the neighbourhoods need new families. She advised the process has been ongoing for two years and the owner of 1 Park Avenue has not been in contact with the committee at any point throughout the process.

Mr. Blair MacKinnon, 92 Ochterloney, queried the proposed use of the Starr Manufacturing lands and suggested staff reconsider the proposed downzoning on the opposite side of Prince Albert Road from Pine Street to Eaton Avenue. He noted it is now zoned commercial and it is being proposed that it be downzoned to residential. He said that change in zoning would be determined by what happens with the Starr Manufacturing lands and how they are developed.

Ms. Patricia Richards, Connor Architects, stated they have recently been hired to examine possible developments for 1 Park Avenue. She stated it will be a public process and they will work with the community. Ms. Richards provided a written submission to Community Council.

Mr. James Bradbury, representing the owner of 1 Park Avenue, advised the developer is a taxpayer in the community and wishes to explore the development of the site. He stated downtown Dartmouth needs residential development and his company is prepared to make that happen but they cannot develop under the proposed restrictions and controls presently in place on this particular site. He suggested the committee revisit and make changes to the proposed plan that would enable the development of 1 Park Avenue to become a reality.

Mr. Bernie Dockrill, 19 Eaton Avenue, he advised his aunt owns one of the sites on Prince Albert Road selected as a designated infill site and are in support of staff's recommendation. He said consideration has to be given to the fact that the population is aging and there won't be the same need for schools in the future. He suggested the portion of the plan regarding cladding with brick or wood siding should be reexamined and perhaps amended as the cost would be prohibitive and make development unaffordable. He advised the majority of the homes surrounding this area have vinyl siding.

Mr. Don Chard, 85 Newcastle Street, stated there is a need to address some of the social problems in the downtown. Minimum housing standards and better enforcement of them would be a help. He stated there are a lot of people who live in and around the downtown who have special needs and there has not been recognition of those needs and adequate support in place for people who are living in poverty. He said in planning for the revitalization of the community these needs need to be recognized. He said he would like to see the addition of a social component that at least brings out the nature of these problems even if the kind of planning we do makes it difficult to put forward solutions in a document like this. He stated that the new noise bylaw is not adequate to address issues that the people around Alderney Dive and Dartmouth Cove area have to contend with. He stated whatever is done with the 1 Park Avenue site has to be consistent with and complement the rest of the neighbourhood and not be the kind of development that is going to destabilize that area which would not contribute to the revitalization of the downtown.

Mr. Danny Chedrawe, stated this is a community based process and if you are going to develop in the community you have to be involved and meet with the community and hear them out. He stated there was no input from the owner of 1 Park Avenue throughout the process.

Mr. Neil Black, 59 Prince Albert Road, stated he had consulted four commercial property owners on Prince Albert Road and they are all prepared to swear an affidavit that they had had not consultation prior to his speaking with them and were not aware there was a proposal to downzone their properties from commercial to residential. He requested the proposed plan be deferred to allow opportunity to ascertain the benefits of going from a commercial zone to multi residential or residential and how it ties into what is going to happen with the Starr Manufacturing property.

Mr. Colin May, 10 Dahlia Street, stated there is a need for residential development to increase the number of elementary students into the school. He stated development should be a mix so that it would bring families as well as older people into the downtown. He stated there is a higher proportion of people over the age of 65 in downtown Dartmouth than anywhere else in the city. He stated a successful community is one that has a mix of ages and incomes. He advised the Park Avenue property can be developed economically as townhouses. He stated there is a need to attract younger people to the downtown.

Mr. Ross Cantwell, 15 Fairbanks Street, stated his neighbourhood has been involved and has provided input and feel that their concerns have been listened to. He stated they agree with the plan in terms of long term goals of removing the shunting grounds from downtown while recognizing that the tracks are necessary to serve the autoport. He said they are very happy with the proposed plan and look forward to the revitalization of the downtown.

Mr. Alastair MacKay, stated that from 1969 to 1979 there was nothing to stop the developer, as of right, to build on the 1 Park Avenue site. He stated the comment that the zoning has stopped development on that site for thirty years is misinformation.

Ms. Jill Brogan, 58 Hazelhurst Street, stated the residents have worked closely with staff and have made a number of compromises which are reflected in the plan. She urged staff and Council to try and encourage the businesses currently located in Dartmouth Cove along the Canal and Maitland Street area to clean up their acts.

Deputy Mayor Cunningham thanked those who were in attendance. He noted this had been a long process involving many meetings with tremendous community participation. He stated this is the first step in the process with it being anticipated that the plan be forwarded to Regional Council sometime in the spring. He commended the members of

the steering committee for their work.

MOVED by Deputy Mayor Cunningham and Councillor Greenough that the Harbour East Community Council adopt the Downtown Dartmouth Plan, in principle, with referral to staff to consider submissions by the public. Further, any amendments to the plan be brought to the Community Council for final approval before recommendation to Regional Council.

Councillor Hetherington stated it will be a good plan and blueprint for the community to have input so that whatever follows they will take partnership in and will be on side. He noted a regional plan also needs to be addressed to avoid a piece meal process.

Councillor Schofield stated he is supporting the motion with the understanding that it will be going back to staff for revisions before being forwarded to Regional Council. He stated downtown Dartmouth needs people and, if people come, then many of the other problems will be resolved. He expressed concern with 1 Park Avenue noting, development should be good for the community as well as for the developer. He referenced the downzoning of Prince Albert Road and requested this be reviewed. He noted downzoning leads to lower assessments.

Councillor Cooper referenced the five residential sites as noted in the plan and expressed concern that there was so little reference to them. He suggested staff look at the wording or lack thereof in those sections. He noted there was little argument for the special treatment being afforded the 1 Park Avenue site.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MEMBERS OF COUNCIL

11.1 Capital Project, Cole Harbour Place - Councillor Cooper

Councillor Cooper submitted a project for Cole Harbour Place to be cost shared between Cole Harbour Place and District 4 Capital Funds and requested the information be forwarded for inclusion as a part of the District Capital Funds projects for District 4.

MOVED by Councillors Cooper and Hetherington that the request be forwarded to staff for inclusion as part of the District Capital Fund projects for District 4. MOTION PUT AND PASSED.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Billboards, CN Property, Dartmouth - Councillor Hetherington

Councillor Hetherington noted two billboards have been erected on the CN lands on Alderney Drive. He stated they are contrary to the Dartmouth Land Use By-Law. He requested a letter be sent to CN asking them to revoke any lease that would be entitled on those two billboards as they contravene what if being proposed for the downtown waterfront.

Deputy Mayor Cunningham stated these new billboards are in a prime location where they affect the views to the Halifax skyline. He advised a bylaw had been introduced where the double stacked ones are strictly prohibited. The areas specifically named were the waterside, the harbourside of Alderney Drive and throughout the downtown area. He stated staff have advised these billboards legal in that the footings in within six months after the bylaw was passed and the application had been submitted before the bylaw was passed. He advised it has been brought to his attention that the footing were put in place in December. He requested the letter be also forwarded to Pattison Signs telling them of the concerns and request they remove the signs.

Councillor Hetherington stated the building permits were issued in October of 1998 and the billboards did not go up until December of 1999.

MOVED by Councillor Hetherington and Deputy Mayor Cunningham that CN and Pattison Signs be advised of the concerns with regards to the location of the billboards on Alderney Drive and request appropriate steps be taken by CN to have any lease for the location of these signs revoked so as to result in their removal by Pattison. MOTION PUT AND PASSED.

14. NOTICES OF MOTION - NONE

15. PUBLIC PARTICIPATION

No speakers.

16. NEXT MEETING

The next meeting is scheduled for Thursday, March 2, 2000, at 7:00 p.m.

17. ADJOURNMENT

MOVED by Councillors Hetherington and Sarto that the meeting be adjourned at 8:45 p.m. MOTION PUT AND PASSED.

Julia Horncastle
Assistant Municipal Clerk