

HARBOUR EAST COMMUNITY COUNCIL
MINUTES
APRIL 6, 2000

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

REGRETS: Councillor Ron Cooper
Councillor Bruce Hetherington

STAFF: Mr. Barry Allen, Municipal Solicitor
Mr. Kurt Pyle, Planner
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

MOVED by Deputy Mayor Cunningham and Councillor Greenough that the minutes of February 17, 2000 (special session) be approved as circulated. MOTION PUT AND PASSED.

MOVED by Councillors Greenough and Sarto that the minutes of March 2, 2000 (regular session) be approved as circulated. MOTION PUT AND PASSED.

MOVED by Councillor Schofield and Deputy Mayor Cunningham that the minutes of March 21, 2000 (special session) be approved as circulated. MOTION PUT AND PASSED.

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

Additions

13.1 Memorandum from Councillor Ron Cooper requesting deferral of item 10.2 - Downtown Dartmouth Plan.

Deletions

Item 10.3 - Interim Report - Advancement of Clayton Developments Limited Application for the Portland Hills Subdivision was deferred to the May 4th meeting.

Information Items

Information Report - Wharfage at Dartmouth Ferry Terminal Property.

MOVED by Councillors Greenough and Schofield 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 - NONE

8. PUBLIC HEARINGS

8.1 Case 00219 - Application by Len Neal, on behalf of Allsco Building Products Limited, to amend the development agreement at 1376-1380 Cole Harbour Road

- A report from the Harbour East Planning Advisory Committee, dated March 9, 2000, on the above noted, was before Council
- A staff report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated February 22, 2000, on the above noted was before Council
- Notice of motion to consider the proposed amending agreement was given on March 21, 2000

Mr. Kurt Pyle, Planner, with the aid of overheads, presented the staff report outlining the proposed application, advising staff and the PAC recommends approval of the application.

Councillor McInroy called three times for those wishing to speak either in favour of or opposition to the application. Hearing none, the following motion was placed for consideration:

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

MOVED by Councillors Sarto and Greenough that the Harbour East Community Council:

- approve the amending development agreement attached as Appendix #2 of the staff report dated February 22, 2000, to permit the existing house on the lot to be subdivided off and discharged from the agreement;**
- require the applicant to sign the amending agreement within 120 days from the date of approval by the Community Council, or the date of any other approvals required by other bodies as the case may be, unless an extension thereof is granted by the Community Council at the request of the applicant, otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Petitions - None

9.2 Presentations

9.2.1 Mr. Bob Frame re: Starr Manufacturing

- A proposal entitled "Starr Site Redevelopment Scenario" was circulated to members of Community Council

Mr. Bob Frame made a presentation to Community Council providing information on various scenarios for use and development of the Starr Manufacturing property including such features as:

- Multi use trail connecting Sullivan's Pond to the harbour
- Space for new residential/commercial/professional office development
- Building B rehabilitated to accommodate new uses
- All visible remains of canal works accessible to the public
- Power house structure reconstructed to interpret link between canal and Starr Manufacturing
- View plane through the site preserved
- Opportunities for open space/parking
- Pedestrian link to Ochterloney Street

Councillor McInroy thanked Mr. Frame for his presentation.

9.2.2 Prince Andrew High School re: Dartmouth Extravaganza

Mr. Craig King, Prince Andrew High School, addressed Council providing information on work being done by the students in commemoration of the Dartmouth 250th.

Mr. David Wilkie, student, outlined some of the initiatives being undertaken by the students as part of the legacy to be left by the graduating students.

Councillors congratulated the students and commended the school on the proposed initiatives.

10. REPORTS

10.1 Case 00177 - Request by BARWIL Developments Limited to amend the

Municipal Planning Strategy for Cole Harbour/Westphal and Halifax County Subdivision By-Law

- A Harbour East Planning Advisory Committee report, dated March 9, 2000 was before Community Council
- A staff report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated February 24, 2000, on the above noted, was before Community Council

Mr. Kurt Pyle, Planner, with the aid of overheads, presented the proposal, advising the application is for the transfer for sewer capacity from five lots situated on Sapphire Street to lots situated on Carlisle Drive and Pearl Drive.

MOVED by Deputy Mayor Cunningham and Councillor Greenough that the Harbour East Community Council recommend Regional Council set a public hearing to approve the amendments to the Municipal Planning Strategy for Cole Harbour/Westphal and the Subdivision By-Law for the former Halifax County Municipality, as outlined in Attachments I and II of the staff report dated February 24, 2000, to permit the removal of five lots located on Sapphire Street from the Service Boundary in exchange for the inclusion of five lots located on Pearl Drive and Carlisle Drive Extension within the Service Boundary. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Project #00095 - Proposed Downtown Dartmouth Plan

- A staff report prepared for Austin French, dated March 30, 2000, on the above noted was before Community Council.
- Community Council was in receipt of a request by Councillor Cooper for a deferral of this item.

MOVED by Councillors Sarto and Greenough that the item be deferred to Thursday, April 17, 2000 at 7:00 p.m.

Deputy Mayor Cunningham noted that this item has been deferred a number of occasions and Community Council has had public input. The Deputy Mayor expressed concern that a delay may result in a public hearing by Regional Council may not being scheduled until after the summer recess.

MOTION PUT AND PASSED.

10.3 Interim Report - Advancement of Clayton Developments Limited

Application for the Portland Hills Subdivision

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

11. MEMBERS OF COUNCIL

11.1 Councillor McInroy

11.1.1 Cow Bay Road Water and Sewer Charges

- A submission by the Cow Bay Residents Association was submitted to Community Council.

Councillor McInroy requested residents be provided and opportunity to provide Community Council with background information on this issue. The Councillor noted he had asked, through Regional Council, for information on the financial burden placed on the Cow Bay Road property owners.

Mr. Mike Myers, representing the affected residents, and reading from prepared text, outlined the process to date which resulted in the exorbitant costs to the homeowners along the Cow Bay Road, between Civic number 434 and the Smelt Brook.

Mr. Thomas Harmes expressed his concerns with the impact of the water and sewer charges on the land owners on the Cow Bay Road and requested Councillors consider the following when the issue comes forward to Regional Council:

- Eliminate the lateral charge for each property owner that is registered with one. The second and/or any other laterals will be subject to an additional charge(s)
- Acreage charges on lands over one acre be deferred until such time that current owners wish to subdivide, for the purpose of development
- That a reasonable interest rate, not 10.5%, be applied to this Local Improvement Tax after a grace period of a reasonable pay back period.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Information Report - Wharfage at Dartmouth Ferry Terminal Property

Mr. Simpson McLeod advised HRM contracted the management of the wharfage to the Waterfront Development Corporation who in turn subcontracted to Murphy on the Water. He advised Murphy on the Water does not have any exclusive rights to the wharfage and

applications for berthing locations are dealt with by the Waterfront Development Corporation and HRM. He advised the Alderney Landing Corporation will be taking over the responsibility for the management of wharfage by June 1, 2000.

14. NOTICES OF MOTION - NONE

15. PUBLIC PARTICIPATION

No speakers.

16. NEXT MEETING

The next regular meeting is scheduled for Thursday, May 4, 2000

17. ADJOURNMENT

MOVED by Councillors Greenough and Sarto that the meeting be adjourned at 8:35 p.m. MOTION PUT AND PASSED.

**Julia Horncastle
Assistant Municipal Clerk**