

HARBOUR EAST COMMUNITY COUNCIL
MINUTES
MARCH 1, 2001

PRESENT: Councillor Bruce Hetherington, Chair
Councillor Ron Cooper
Councillor Harry McInroy
Councillor Brian Warshick
Councillor Condo Sarto
Councillor Jim Smith

REGRETS: Councillor John Cunningham

STAFF: Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

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

2. APPROVAL OF MINUTES - February 1, 2001

MOVED by Councillor Sarto, seconded by Councillor Cooper that the minutes of February 1, 2001 be approved as circulated. MOTION PUT AND PASSED.

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

Additions

12.1 Request to Rezone Carleton and Belmont Streets, Dartmouth, from R-3 (Multiple Family Residential) to R-2 (Two Family Residential) - Councillor Hetherington

MOVED by Councillor McInroy, seconded by Councillor Smith, 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

10.4 Case 00319: Request for amendments to the Dartmouth, Eastern passage/Cow Bay, and Cole Harbour/Westphal Municipal Planning Strategies and Land use By-Laws with respect to commercial vehicles parked in residential areas

- A memorandum from Maria Jacobs, Planning Technician, dated February 21, 2001, on the above noted, was before Community Council.

Ms. Maria Jacobs, Planning Technician, overviewed the options presented in the memorandum.

Councillor Cooper noted that ½ and ¾ ton vehicles was acceptable in the community. It was also understood that things like buses, large fuel oil delivery vehicles, tow truck, cube vans, etc. were not considered by the community to be acceptable in the community. He stated those that are used personally or a small home business vehicle which may be a ¾

or ½ ton vehicle would be acceptable in the community.

Councillor McInroy suggested Option 1, 3 and 4 would address all concerns. He suggested Community Council does not need to look at curb and shipping weight.

Councillor Warshick noted that what Community Council is looking at is cube vans and vehicles with attachments such as trailers but not those trailers that would be used to tow jet skis and recreational vehicles such as snowmobiles.

Councillor Cooper suggested vehicles such as cube vans and larger vehicles are the ones that complaints are normally receive about. The ½ and ¾ ton vehicles don't seem to pose a problem.

Councillor Hetherington questioned what would happen in an apartment building that is zoned commercial but one of the tenants has an eighteen wheeler. In response, Mr. Roger Wells advised this would apply to commercial vehicles in residential zones.

Councillor Hetherington requested staff look at this type of situation.

MOVED by Councillor McInroy, seconded by Councillor Cooper, that the Harbour East Community Council would like to see regulations affect registered vehicles which would be those with yellow license plates, those in excess of 5 tons with the exception of ½ ton and ¾ vehicles. Further vehicles such as cube vans and those with attachments such as commercial trailers be excluded. MOTION PUT AND PASSED UNANIMOUSLY.

8. PUBLIC HEARINGS - NONE

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Presentations

9.1.1 Nova Scotia Power - Customer Operation re responsibility for street lights, tree trimming, building and maintenance of power lines - Allan Sullivan and Judy Balch

Mr. Allan Sullivan and Ms. Judy Balch, representatives of Nova Scotia Power, made a presentation to Community Council addressing the issues of street lighting, tree trimming and building and maintenance of power lines.

Following the presentation, the following motion was placed.

MOVED by Councillor Warshick, seconded by Councillor Cooper, that the Rules of

Order be suspended in order to open Community Council up to questions. MOTION PUT AND PASSED.

In response to Councillor Warshick, Mr. Sullivan advised he would provide the stats on price stability as well as the cost per kilowatt hour in comparison to other provinces.

Councillor Cooper noted that lights that are out are still being paid for even though, in some instances, they are not replaced for long periods of time. He noted there are 23 lights out in the Portland Street area from the Circumferential Highway to Caldwell Road.

In response to Councillor Smith, Mr. Sullivan advised he would provide an answer to the question of how many hours natural gas has been burnt since the Tufts Cove plant has been hooked up.

Councillor Hetherington requested information on how much is saved per bulb is HRM changes them versus the power corporation doing it.

Councillor Hetherington stated there are a lot of areas where the bulbs are not getting replaced. He stated it is not the responsibility of the Councillor or residents to check which lights are out and report them. The Councillor noted that there is no preventative maintenance carried out on transformers and they are not replaced until they blow.

9.1.2 Youth Alternative Society re Youth Justice Dialogue Project - Angela Richard

Ms. Angela Richard, Community Education Coordinator, made a presentation to Community Council regarding the Youth Justice Dialogue Project under the Youth Alternative Society.

9.2 Petitions - None

10. REPORTS

10.1 Reconstitution of the Dartmouth Common

- A report prepared for Mr. Peter Bigelow, Manager, Parks and Recreation Services, on the above noted, was before Community Council.

MOVED by Councillor Sarto, seconded by Councillor Cooper, that the report be received and tabled. MOTION PUT AND PASSED.

10.2 Powers of Community Council

- A report prepared by Barry Allen, Manager, Legal Services, dated January 25, 2001, on the above noted was before Community Council

MOVED by Councillor Cooper, seconded by Councillor Sarto, that the CAO and Deputy CAO's be requested to look at ways of enhancing the powers of Community Councils. MOTION PUT AND PASSED.

10.3 Case 00019: Application to amend Development Agreement, 95 Montebello Drive (Cascade Pizza), Dartmouth

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated February 13, 2001, on the above noted, was before Community Council.

MOVED by Councillor Warshick, seconded by Councillor Cooper, that:

1. Harbour East Community Council discharge the existing 1985 development agreement, attached as Appendix A to the staff report dated February 13, 2001;
2. Harbour East Community Council approve the new development agreement, attached as Appendix B to the staff report dated February 13, 2001;
3. Community Council requires that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4 Case 00319: Request for amendments to the Dartmouth, Eastern Passage/Cow Bay, and Cole Harbour/Westphal Municipal Planning Strategies and Land Use By-Laws with respect to commercial vehicles parked in residential areas

This item was deal with earlier on the agenda. (See page 4)

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Request to Rezone Carleton and Belmont Streets, Dartmouth, from R-3 (Multiple Family Residential) to R-2 (Two-Family Residential)

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated February 21, 2001, on the above noted, was before Community Council.

MOVED by Councillor Sarto, seconded by Councillor Smith, that staff be requested to start the rezoning process. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor Cooper

Take notice that at the next regular meeting of the Harbour East Community Council to be held on Thursday, April 5, 2001, I intend to introduce a motion that the Development Officer be requested to advise Harbour East Community Council when the Development Officer approves changes, alterations and expansions under a development agreement falling within the geographical area of the Harbour East Community Council.

14. PUBLIC PARTICIPATION - NONE

15. NEXT MEETING

The next meeting is scheduled for Thursday, April 5, 2001 at 7:00 p.m.

16. ADJOURNMENT

MOVED by Councillor Cooper, seconded by Councillor Sarto, that the meeting be adjourned at 9:25 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

**Julia Horncastle
Assistant Municipal Clerk**