

HARBOUR EAST COMMUNITY COUNCIL
MINUTES
JUNE 14, 2001

PRESENT: Councillor Bruce Hetherington, Chair
Councillor Brian Warshick
Councillor Jim Smith
Councillor John Cunningham

REGRETS: Councillor Ron Cooper
Councillor Harry McInroy
Councillor Condo Sarto

STAFF: Mr. Barry Allen, Municipal Solicitor
Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

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

2. APPROVAL OF MINUTES - May 3, 2001

MOVED by Councillor Smith, seconded by Councillor Warshick, that the minutes of May 3, 2001 be approved. MOTION PUT AND PASSED.

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

Additions

12.1 Case 00347: Application to rezone Belmont Avenue and Carlton Street in Dartmouth from R-3 (Multiple Family Residential) to R-2 (Two Family Residential) Zone (Give First Reading and set public hearing date for July 12th)

12.2 Ratification of In Camera recommendation re: Lyle Street Lands, Dartmouth

MOVED by Councillor Cunningham, seconded by Councillor Warshick, 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

7.1 Case 00359: Establishment of setback requirements within Dartmouth's Land Use By-Law for front, side and rear yards

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated June 7, 2001, on the above noted, was before Community Council.

Mr. Kurt Pyle, Planner, with the aid of overheads, presented the staff report outlining the recommended setbacks.

In response to Councillor Hetherington, Mr. Pyle advised that new development at the present

time would have to comply with current setbacks.

In response to Councillor Warshick, Mr. Pyle advised that setbacks in Dartmouth are not in the Land Use By-Law but are governed by the building code.

Councillor Warshick recommended the requirements be standardized as much as possible.

In response to Councillor Smith, Mr. Pyle advised the requirements would only affect development in Lancaster Ridge for those lots that would be created after the amendments are put in place.

MOVED by Councillor Warshick, seconded by Councillor Cunningham, that Harbour East Community Council initiate the process to amend the Land Use By-Law for Dartmouth, as per Attachment 1, of the staff report dated June 7, 2001, to establish side and rear yard setback requirements for new lots zoned R-1 and R-2. MOTION PUT AND PASSED.

8. PUBLIC HEARINGS

8.1 Case 00336: Application to Rezone 10 Celtic Drive in Dartmouth from R-2 (Two Family Residential) to TH (Townhouse) Zone

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated April 26, 2001, on the above noted, was before Community Council.
- First Reading of the proposed rezoning was given on May 3, 2001.
- Correspondence from Mr. Gregory P. Sperry, Celtic Drive, was circulated to Community Council.
- Correspondence from Gay Kennedy, 14 Celtic Drive, was circulated to Community Council.

Mr. Kurt Pyle, Planner, with the aid of overheads, presented the staff report, advising this was the last parcel of the Jeep Eagle dealership property. He advised only 90% of the property is being rezoned with the remaining 10% being deeded to the adjacent property. He advised there is a requirement for two parking spaces per unit, one in front of the building and a garage. He advised the developer will have to extend the water services, relocate a fire hydrant and provide a sediment and erosion control plan.

In response to Councillor Cunningham, Mr. Pyle advised HRM does not want anything in the easement at the back of the property. He advised the culvert is not prone to flooding but rather controls on-site floods. He noted staff is requesting the developer keep flood proofing in mind during the development of the property.

Councillor Hetherington called for those wishing to speak either in favour of or against the proposed rezoning.

Mr. Drew Sperry

Mr. Drew Sperry, 11 Cranston Avenue, developer, spoke in favour of the rezoning advising this development is near his own property. He believes a townhouse development is a more appropriate solution and the scale of the development fits into the neighbourhood. He advised the setback for the development is approximately 40 feet.

Councillor Hetherington called three times for any additional speakers. Hearing none, the following motion was placed.

MOVED by Councillor Smith, seconded by Councillor Warshick, that the public hearing close. MOTION PUT AND PASSED.

Councillor Cunningham noted public meetings were held and there were some concerns with regards to traffic, drainage and view but the community was not opposed to the proposal.

MOVED BY Councillor Cunningham, seconded by Councillor Smith, that the Harbour East Community Council approve the proposed rezoning of 10 Celtic Drive, Dartmouth from R-2 (Two Unit Residential) to TH (Townhouse) Zone as shown on Map 1 of the staff report dated April 26, 2001.

In response to Councillor Hetherington as to whether the Traffic Authority had been involved in the process, Mr. Pyle advised there is a currently a traffic impact study being undertaken.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.2 Petitions - None

9.1 Presentations

9.1.1 Greenvale Update

Mr. Dan Norris, Manager, Culture and Heritage, provided Community Council with an update on the Greenvale School property. He advised the joint tenancy proposal for the Greenvale Arts and Culture group and the Dartmouth Heritage Museum may not be taking place. He

advised NSCAD is looking for a second campus, preferably in Dartmouth, and would like to partner with HRM. He advised there may be an opportunity for funding under the Culture Infrastructure portion of the Canadian Heritage Grant Program. He advised that the College of Art and Design would take the lead role. He advised the Greenvale Art and Culture group had not meet its fund-raising goals. He noted NSCAD would be providing funding to refurbish the building as they would be looking at a long term commitment.

Councillor Hetherington thanked Mr. Norris for his presentation and requested Community Council be kept informed.

10. REPORTS - NONE

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 00347: Application to rezone Belmont Avenue and Carlton Street in Dartmouth from R-3 (Multiple Family Residential) to R-2 (Two Family Residential) Zone

MOVED by Councillor Warshick, seconded by Councillor Cunningham, that the Harbour East Community Council give first reading of the proposed rezoning and schedule a public hearing for July 12, 2001. MOTION PUT AND PASSED.

12.2 Ratification of In Camera Recommendation re: Lyle Street Lands, Dartmouth

MOVED by Councillor Cunningham, seconded by Councillor Smith, that staff be requested to amend the I-3 zone as well as permitted uses and site standards and to examine options for the Fader property. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Jack Thomas, Westphal, expressed concern with the golf course development on Montague Road advising there were trucks using Montague Drive to access the site and the erosion control did not seem to be effective as there were signs of runoff into Lake Loon.

Councillor Hetherington advised the concerns would be forwarded to Ms. Cathy Spencer, Development Officer.

15. NEXT MEETING

The next meeting is scheduled for Thursday, July 12, 2001 at 7:00 p.m.

16. ADJOURNMENT

MOVED by Councillor Warshick, seconded by Councillor Smith, that the meeting be adjourned at 8:20 p.m. MOTION PUT AND PASSED.

**Julia Horncastle
Assistant Municipal Clerk**