

HALIFAX REGIONAL MUNICIPALITY

HARBOUR EAST COMMUNITY COUNCIL MINUTES May 2, 2002

PRESENT: Councillor John Cunningham, Chair
Councillor Ron Cooper
Councillor Brian Warshick
Councillor Condo Sarto
Councillor Jim Smith

ABSENT
WITH REGRETS: Councillor Harry McInroy
Councillor Bruce Hetherington

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

TABLE OF CONTENTS

1.	INVOCATION	04
2.	APPROVAL OF MINUTES - April 4 and 16, 2002	04
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	04
4.	BUSINESS ARISING OUT OF THE MINUTES	04
5.	MOTIONS OF RECONSIDERATION - NONE	04
6.	MOTIONS OF RESCISSION - NONE	04
7.	CONSIDERATION OF DEFERRED BUSINESS	04
8.	PUBLIC HEARINGS	
8.1	Case 00469 - Application by Halifax Regional Municipality to rezone 105 Pinecrest Drive, Dartmouth, from dual zone R-3 (Multiple Family Residential) and S (Institutional) to R-3 (Multiple Family Residential) zone	04
8.2	Case 00422 - Rezoning Application, Highfield Park Drive	05
8.3	Case 00443 - Development Agreement for Esso, 174 Ochterloney Street, Dartmouth	06
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
9.1	Petitions	07
9.2	Delegations	
9.2.1	MicMac Mall Traffic Study	07
9.2.2	Nantucket Avenue Closure	07
10.	REPORTS	
10.1	On Street Parking Policy for Residential Streets	07
10.2	Review of Status Sheet Items	08
11.	MOTIONS	09
12.	ADDED ITEMS	09
13.	NOTICES OF MOTION	10
14.	PUBLIC PARTICIPATION	10

15. NEXT MEETING 10

16. ADJOURNMENT 10

1. **INVOCATION**

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

2. **APPROVAL OF MINUTES - April 4 & 16, 2002**

MOVED by Councillor Cooper, seconded by Councillor Sarto, that the minutes of April 4 and 16, 2002 be approved as circulated. **MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

12.1 Case 00434: Land Use By-law Amendments, Shipping Containers

MOVED by Councillor Sarto, seconded by Councillor Smith, that the Order of Business, as amended, be approved. **MOTION PUT AND PASSED UNANIMOUSLY.**

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 00469 - Application by Halifax Regional Municipality to rezone 105 Pinecrest Drive, Dartmouth, from dual R-3 (Multiple Family Residential) and S (Institutional) to R-3 (Multiple Family Residential) zone**

- First Reading had been given on April 16, 2002
- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated April 11, 2002, on the above noted, was before Community Council.

Ms. Susan Corser, with the aid of overheads, presented the staff report advising the property had been rezoned to facilitate the relocation of the Dartmouth Family Resource Center. The Resource Center has advised it will not be relocating to the building; therefore, the property is being rezoned back to its original zoning.

Councillor Cunningham called for those wishing to speak either in favour of or opposition to the rezoning.

Mr. Jerry Pye

Mr. Jerry Pye, MLA, noted concern had been expressed with the property having a dual zoning and the possibility of other types of institutional uses being developed in the community and thanked Community Council on rezoning the property back to it's original zoning.

Councillor Cunningham called three times for any additional speakers wishing to speak either in favour of or opposition to the rezoning. Hearing none, the following motion was placed.

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

Decision of Council

MOVED by Councillor Smith, seconded by Councillor Sarto, that the Harbour East Community Council approve the rezoning of 105 Pinecrest Drive, Dartmouth, from dual-zone R-3 (Multiple Family Residential) and S (Institutional) to R-3 (Multiple Family Residential) zone, as shown on Map 1 of the staff report dated April 11, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 Case 00422 - Rezoning Application, Highfield Park Drive

- First Reading was given April 16, 2002
- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated April 10, 2002, on the above noted, was before Community Council.

Mr. Mitch Dickey, Planner, with the aid of overheads, presented the staff report, advising the property is being rezoned to allow for the building of a fire station to replace the existing one on Windmill Road and to cover a portion of the area now covered by the King Street station which is also slated for closure.

In response to Councillor Smith, Mr. Dickey advised:

- the building will be a brick structure with a mansard roof which will be lower than the adjacent buildings and will be screened by trees;
- the main exposure would be across the lot and some commercial buildings across the street;
- there will be some office space provided on the ground floor which could be used by the police or other municipal staff;

- there will be classroom space upstairs;
- there will be a six foot fence as well as buffering;
- HRM Parks and Recreation would be responsible for the parkland portion of the property.

Councillor Cunningham called for those wishing to speak either in favour of or in opposition to the rezoning. Hearing none, the following motion was placed.

MOVED by Councillor Cooper, seconded by Councillor Sarto, that the public hearing close. MOTION PUT AND PASSED.

Decision of Council

MOVED by Councillor Smith, seconded by Councillor Warshick, that the Harbour East Community Council approve the proposed amendment to the Land Use By-law for Dartmouth as shown of Map 1 of the staff report dated April 10, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

8.3 Case 00443 - Development Agreement for Esso, 174 Ochterloney Street, Dartmouth

- First Reading was given on April 16, 2002.
- A report prepared for Mr. Paul Dunphy, Director of Planning and development, dated April 10, 2002, on the above noted, was before Community Council.
- A supplementary report dated May 2, 2002, was circulated to Community Council.

Mr. Mitch Dickey, Planner, with the aid of overheads, presented the staff report.

Councillor Cooper expressed concern with the amendments contained in the supplementary staff report and placed the following motion.

MOVED by Councillor Cooper, seconded by Councillor Warshick, that this issue be deferred for one month to provide opportunity for the Community Council to give adequate consideration to the proposed amendments.

Councillor Sarto stated he was supporting the deferral as the proposed amendments will have an impact on the overall proposal.

Councillor Smith spoke in support of the deferral.

Councillor Warshick stated he was supporting the deferral and requested that staff request Imperial Oil to withdraw point #1 of the amendments as presented in Attachment #1 of the Supplementary Report.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Petitions

A petition was served at a later point in the meeting under item 9.2.2.

9.2 Delegations

9.2.1 MicMac Mall Traffic Study

This item was deferred to a future meeting.

9.2.2 Nantucket Avenue Closure

Mr. David McCusker provided an update on the Nantucket Avenue Closure advising:

- this project was approved in the 2001/02 Capital Budget;
- Nantucket Avenue is the best way to carry traffic from the bridge to Victoria Road;
- the projects has been tendered;
- residents on School Street are concerned with traffic increases but staff is not anticipating any increase in traffic;
- there are currently restrictions on the street and those will remain in place thus avoiding any increase in the use of the street for short cutting;
- Victoria Road residents have expressed concern with their ability to access and exit their driveways if the traffic is queued at the traffic signals.

Mr. Blair Blakeney advised this has opened up the potential for the development of a youth park in the area and presented a petition on behalf of the residents regarding the development of a skatepark in the area.

Councillor Cunningham thanked staff for their presentation.

10. REPORTS

10.1 On Street Parking Policy for Residential Streets

- An information report from Rick Paynter, A/Director, Public Works & Transportation Services, dated April 29, 2002, on the above noted, was before Community Council.

Ms. Kenda McKenzie, with the aid of a PowerPoint presentation, outlined the staff report and proposed parking policy advising the policy deals primarily with existing local streets and will provide:

- The ability of residents to find and provide parking on their street if they require it;
- A sense of community and neighbourhood identity;
- A sense that their street is not being used as a parking lot;
- The ability to achieve a balance of parking between local and non-local residents throughout HRM;
- A reduction in the incidence of blocked driveways by all day parkers on local streets;
- Non-local residents with valid parking in high demand areas without having a negative effect on residential neighbourhoods;
- A balance of parking between local and non-local residents.

In response to Councillor Cunningham, Ms. MacKenzie advised most of the concern is with parking in Halifax rather than Dartmouth noting, residents of Dartmouth can still obtain parking exemptions.

On further question, Ms. MacKenzie advised that there are presently thirty exemptions in Dartmouth noting, there is no charge in Dartmouth at the present time but there is a \$30.00 per year fee in Halifax.

Mr. McCusker advised that staff will be holding public sessions and there may also be a public consultation process.

Councillor Smith suggested staff look at areas where you have a business on a residential street that may have residential units within the building and the permit may change from the residents to the owners of the business so that they can park business related vehicles on the street.

In response, Ms. MacKenzie advised the permits will be issued to a license plate and not to a specific person.

In response to Councillor Smith, Ms. MacKenzie advised there will be one permit per dwelling unit.

Councillor Cooper expressed concern that all day parkers may move from street to street and noted there may be a need for additional enforcement personnel.

Councillor Cunningham thanked staff for their presentation.

10.2 Review of Status Sheet Items

Councillor Cunningham requested the members of the Community Council advise the Community Council Clerk of any items that have been addressed and can be removed.

Councillor Warshick noted that requested report regarding the Natal Day Reception was still outstanding from July 12, 2001 and requested staff be asked to provide a report to the June 6th meeting.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Case 00434: Land Use By-Law Amendments, Shipping Containers

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated April 25, 2002, on the above noted, was before Community Council.

Mr. Dickey, Planner, advised that the issue was raised by a number of Councillors regarding the use of shipping containers as storage sheds and these amendments would restrict their use as accessory buildings.

MOVED by Councillor Warshick, seconded by Councillor Smith, that the Harbour East Community Council give First Reading to the proposed amendments to the Land Use By-laws for Cole Harbour/Westphal, Dartmouth, Downtown Dartmouth, and Eastern Passage/Cow Bay as shown in Attachments 1, 2, 3 and 4 of the staff report dated April 25, 2002 and schedule a public hearing for June 6, 2002.

Councillor Smith stated he would like to see more protection for screening as some to them are on a hill and cannot be screened from surrounding residences. The Councillor also stated he would like to see them banned from commercial strip areas and commercial zoned areas and only permitted in industrial areas.

MOVED by Councillor Smith, seconded by Councillor Cooper, that the amendments apply to commercial zones that abut residential zones. MOTION PUT AND PASSED.

MOVED by Councillor Cooper, seconded by Councillor Warshick, that the amendments include the residential plan designation/area in the Lake Major Plan area. MOTION PUT AND PASSED.

The motion as amended.

MOVED by Councillor Warshick, seconded by Councillor Smith, that the Harbour East Community Council:

- 1. give First Reading to the proposed amendments to the Land Use By-laws for Cole Harbour/Westphal, Dartmouth, Downtown Dartmouth, and Eastern Passage/Cow Bay as shown in Attachments 1, 2, 3 and 4 of the staff report**

dated April 25, 2002 and schedule a public hearing for June 6, 2002.

2. the amendments apply to commercial zones that abut residential zones.
3. the amendments include the residential plan designation/area in the Lake Major Plan area.

MOTION PUT AND PASSED.

13. **NOTICES OF MOTION - NONE**

14. **PUBLIC PARTICIPATION**

No speakers came forward.

15. **NEXT MEETING**

The next meeting is scheduled for June 6, 2002.

16. **ADJOURNMENT**

The meeting was adjourned at 9:10 p.m.

Julia Horncastle
Assistant Municipal Clerk