

HARBOUR EAST COMMUNITY COUNCIL
MINUTES
April 3, 2003

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

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

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1. **CALL TO ORDER**

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

2. **APPROVAL OF MINUTES - March 6, 2003**

MOVED by Councillor Sarto, seconded by Deputy Mayor McInroy, that the minutes of March 6, 2003 be approved as circulated. **MOTION PUT AND PASSED UNANIMOUSLY.**

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

MOVED by Deputy Mayor McInroy, seconded by Councillor Cunningham, that the Order of Business be approved. **MOTION PUT AND PASSED UNANIMOUSLY.**

4. **BUSINESS ARISING OUT OF THE MINUTES**

4.1 **STATUS SHEET ITEMS**

4.1.1. **Wilderness Park, Dartmouth**

A report from Frank Beazley, Acting Chief of Police, dated March 24, 2003, was received on the above noted. A further report was requested from Recreation Services. To remain on Status Sheet.

4.1.2 **Hardman Group Parking Facility**

No information received. Item to remain on status sheet.

4.1.3 **Powers of Community Council**

No information received. Item to remain on status sheet.

4.1.4 **Subdivision of Lot 41 Ritcey Crescent**

No information received. Item to remain on status sheet.

4.1.5 **Presentation - Concerned Parents of Collins Grove Condominiums**

A report from Mike Labrecque, Director Real Property and Asset Management, dated March 5, 2003, was received on the above noted. Item to be removed from status sheet.

4.1.6 Servicing Plan for Ball and Sports Fields in the HECC area

No information received. Item to remain on status sheet.

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARING

8.1 Case 00515: Rezoning Application - Woodland Avenue, Dartmouth

- A report prepared for Mr. Paul Dunphy, Director of Planning and Development Services, dated February 7, 2003, on the above noted, was before Community Council.

Ms. John MacPherson, Planner, with the aid of overheads, presented the staff report.

In response to Councillor Smith, Mr. MacPherson advised that the six units per acre applied to the entire 23 acres. He noted that with the reduction in acreage, six units per acre would still apply. There would be potential for more units but density would not be extended.

In response to Councillor Smith as to what type of accessory building would be permitted under the R-1 zoning if the church decides to expand at some future point, Mr. MacPherson advised a recreational facility and/or gymnasium could be added on noting, it would be up to the development officer as it would be an as of right situation. He stated that in the R-1 zone single unit dwelling is the only form of residential development permitted.

In response to Councillor Sarto, Mr. MacPherson stated the developer would be responsible for the costs associated with the extension of the sewer and water.

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

Mr. Peter Connor

Mr. Peter Connor, Connor Architects, advised he has been involved with this property and site for approximately three years both on behalf of Canada Lands and First Baptist Church, Dartmouth. He stated he believes the proposal to be an appropriate and good land use for this location and encouraged Council to approve the rezoning.

Mr. Bob Young

Mr. Bob Young, 2 Mount Royal, spoke in favour of the rezoning and recommended Council approve the application for the rezoning. He advised he is a member of the church and they have outgrown their current location.

Mr. Jerry Pye, MLA

Mr. Jerry Pye, MLA, Dartmouth North, advised the church has a good reputation and as the residents on Sea King Drive have had concerns with traffic flows, this would have a minimal impact on traffic. He stated it is his opinion that the church would blend in with the residential development presently in the community.

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

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

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that the Harbour East Community Council:

- 1. approve the rezoning of an 8 acre portion of Parcels B & C, Dartmouth from CDD (Comprehensive Development District) to R-1 (Single Family Residential) Zone, as shown on Map 2 of the staff report dated February 7, 2003.**
- 2. Revise Schedule V “Lands Subject to a DA” of the Dartmouth Land Use By-Law as shown on Attachment III of the staff report dated February 7, 2003.**

Councillor Cunningham noted that a church would generate minimal traffic and any traffic generated would be at off peak times.

Councillor Smith stated the community is in favour of the proposed use and the church would be an asset to the community. The Councillor noted all criteria has been met in the recommendations. He noted one of the public concerns was traffic and this use will not

generate as much traffic as a residential development. Another concern was whether or not Sobey's was a partner with the church and it has been clarified that they are not.

Councillor Hetherington reiterated that this public hearing was specifically for the eight acres only.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE AND DELEGATIONS

9.1 Correspondence - None

9.2 Presentations

9.2.1 Wilderness Park, Dartmouth

Mr. Phil Legere, Principal, Dartmouth High, addressed Community Council regarding the Dartmouth Wilderness Park advising that the land behind the school is not being used for what it was intended and the students do not feel safe using the pathways. He stated this land needs a better healthier use than how it is currently used and it is not being used as it was intended.

Councillor Cunningham noted these concerns have been ongoing and more input is required from Parks and Recreation before any decision is made on what direction to take.

Deputy Mayor McInroy suggested the underbrush should be cleared.

Community Council agreed to forward a request to Recreation Services with regards to the situation and how it will be addressed. Concern that this is an ongoing safety concern for the students and the schools in the area.

MOVED by Councillor Cunningham, seconded Deputy Mayor McInroy, that a report be requested from Recreation Services to address the concerns regarding the Dartmouth Wilderness Park. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.2 Proposed Industrial Park, South Woodside

Mr. Doug Lake, 42 Belmont Avenue, Dartmouth, addressed Community Council regarding a proposed industrial park in South Woodside, Dartmouth, noting concerns relative to retention of the tree buffer, replacement of the Belmont/Carleton Neighbourhood Park, and the potential for industrial truck traffic on Belmont Avenue.

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that the submission be forwarded to Parks and Recreation Staff and Engineering Services for a response. MOTION PUT AND PASSED UNANIMOUSLY.

10. REPORTS

10.1 Annual Update - Alderney Landing

Ms. Bea MacGregor, Executive Director, Alderney Landing, addressed Community Council providing information on the following:

- Cultural Performing Arts performances;
- Event days for Cultural Events;
- The number of event days to Broad Community and Provincial Events;
- Capital Campaign donations;
- Cultural/Community Clients;
- Alderney Landing Operating revenue;
- Client Box Office Sales.

A copy of Ms. MacGregor's presentation was circulated to members of the Community Council.

Councillor Hetherington thanked Ms. MacGregor for her presentation.

10.2 Case 00502 - Amendments to the Heritage Hills CDD, Eastern Passage

- A copy of the Harbour East Planning Advisory Committee report and attached staff report dated March 5, 2003 was before Community Council.

Mr. Mitch Dickey, Planner, presented the staff report advising staff was recommending going forward to public hearing.

MOVED by Deputy Mayor McInroy, seconded by Councillor Cooper, that the application not proceed to public hearing and the amendment request be refused for the following reasons:

1. **Policy UR-5, page 3, paragraph 3, applies to the entire Eastern Passage/Cow Bay area and not just the Heritage Hills CDD. It does not imply that every development must contain a full range of housing mix.**

2. This policy was in place in 1994 when the CDD was entered into by the developer.
3. The CDD has always been in compliance with Policy UR-5. The CDD was put in place so that lot sizes, housing mix, sideyard and setback clearances normally required in Eastern Passage could be altered to increase housing density with single and semi detached units.
4. The developer sought to do a large scale development with small lot development and gave an undertaking that there would be no townhouses or apartment buildings in the CDD development.
5. This proposal is in conflict with what was made as a commitment by the developer and Halifax County (new HRM) at the time the CDD was approved.
6. This proposal is not acceptable to the community.
7. HRM and the community have an understanding that the development would be a single family homes and two unit dwellings, and townhouses upset the original intent. The intentions were laid out to the community and this would introduce a housing type that was not expected, and was intentionally excluded from the CDD.

MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS - NONE**
12. **ADDED ITEMS - NONE**
13. **NOTICES OF MOTION - NONE**
14. **PUBLIC PARTICIPATION**

Mr. Gerald Marshall, Cole Harbour, received clarification that sewer service boundary extension to Atholea Drive was being examined by the Director of Planning and Development Services and would be forthcoming at a future meeting.

15. **NEXT MEETING**

The next meeting is scheduled for Thursday, May 1, 2003

16. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Julia Horncastle
Legislative Assistant