

HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES

February 13, 2014

PRESENT: Councillor David Hendsbee, Chair
Deputy Mayor Darren Fisher
Councillor Lorelei Nicoll

REGRETS: Councillor Gloria McCluskey, Vice Chair
Councillor Bill Karsten

STAFF: Mr. Josh Judah, Senior Solicitor
Ms. Jennifer Weagle, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 6:01 p.m., with the Invocation led by Deputy Mayor Fisher.

2. APPROVAL OF MINUTES – January 9, 2014

MOVED by Councillor Nicoll, seconded by Deputy Mayor Fisher, that the Harbour East-Marine Drive Community Council minutes of January 9, 2014, be approved as circulated. MOTION PUT AND PASSED.

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

Additions:

- 8.1.2 Correspondence – Soil & Water Conservation Society of Metro Halifax dated January 15, 2014 re: Lake Echo

MOVED by Deputy Mayor Fisher, seconded by Councillor Nicoll, that the order of business be approved, as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

There were no updates to the status sheet.

5. MOTIONS OF RECONSIDERATION/RECISSION – None

6. CONSIDERATION OF DEFERRED BUSINESS – None

7. HEARINGS

7.1 Public Hearings

7.1.1 Case 16674 – Rezoning of 58, 60, and 62 Jamieson Street, Dartmouth

A report dated December 19, 2014 was before Community Council.

Correspondence from R. Fritz dated February 10, 2014 was before Community Council.

Ms. Jennifer Chapman, HRM Planner, presented the application to rezone the lands from R-1 (Single Family Residential) Zone to TH (Town Housing) Zone to allow for the redevelopment of the lands with a row of 5 unit town houses.

Responding to a question from Deputy Mayor Fisher, Ms. Chapman clarified that the existing circa 1960 town houses across the street were never rezoned, and do have the

R-1 Zone designation. She noted that the property may have had a different zone at the time.

Responding to a question from Councillor Nicoll, Ms. Chapman clarified that should the rezoning be approved the development will go through as of right.

Responding to a question from Deputy Mayor Fisher, Ms. Chapman clarified that the proposal is located across the street from a former Shell Service Station and was affected by petroleum contamination from the service station. She advised that the remediation of the property took 10 years to get acceptance from the Nova Scotia Department of Environment.

Councillor Hendsbee inquired what were to happen if further contamination is discovered on the property. Ms. Chapman clarified that the Nova Scotia Department of Environment has accepted that the lands are no longer contaminated, and issued a Certificate of Compliance. She noted that over 3000 tonnes of soil was removed from the property and replaced.

The Chair opened the public hearing for those wishing to speak for or against the application.

Mr. Bill Campbell, consultant representing the owner, Earl Hickey, discussed the application, noting that the proposal for 5 town house units meets the requirements of the Land Use By-law. Mr. Campbell noted that all parking will be surface, with extra parking at the rear. He advised that all units will face on Jamieson Street with at-grade entrances. Mr. Campbell asked Community Council to support the staff recommendation.

Responding to a question from Councillor Nicoll, Mr. Campbell advised that the units will be put on the market at market value.

Responding to a question from Councillor Hendsbee, Mr. Campbell advised that there will be a buffer between the proposed town house units and the houses on Brookside Drive, although the details have not been defined at this point.

The Chair called three times for any further speakers. Hearing none, it was **MOVED by Deputy Mayor Fisher, seconded by Councillor Nicoll, that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Nicoll, seconded by Deputy Mayor Fisher, that Harbour East-Marine Drive Community Council approve the proposed rezoning of 58, 60, and 62 Jamieson Street, Dartmouth, from the R-1 (Single Family Residential) Zone to the TH (Town Housing) Zone, as shown in Attachment A of the December 19, 2014 report.

Deputy Mayor Fisher commented that the proposal is appropriate for the neighbourhood, given that there are town houses across the street. He noted that town houses are a good residential fit for the regional centre, close to commercial uses.

MOTION PUT AND PASSED.

7.2 Variance Appeal Hearings - None

8. CORRESPONDENCE, PETITIONS & PRESENTATIONS

8.1 Correspondence

8.1.1 Correspondence from the Soil & Water Conservation Society of Metro Halifax dated January 16, 2014 re: Select Archives from 1994, Nova Scotia Environment Department Commitments

Correspondence from the Soil & Water Conservation Society of Metro Halifax dated January 16, 2014 re: Select Archives from 1994, Nova Scotia Environment Department Commitments was before Community Council.

MOVED by Deputy Mayor Fisher, seconded by Councillor Nicoll, that the correspondence be forwarded to staff and the Regional Watersheds Advisory Board for their information. MOTION PUT AND PASSED.

8.1.2 Correspondence from the Soil & Water Conservation Society of Metro Halifax dated January 15, 2014 re: Lake Echo

Correspondence from the Soil & Water Conservation Society of Metro Halifax dated January 15, 2014 re: Lake Echo was before Community Council.

MOVED by Deputy Mayor Fisher, seconded by Councillor Nicoll, that the correspondence be forwarded to staff and the Regional Watersheds Advisory Board for their information. MOTION PUT AND PASSED.

8.2 Petitions - None

8.3 Presentations - None

9. REPORTS

9.1 Staff Reports

9.1.1 Case 18978: Discharge Development Agreement for 301 and 303 Main Street, Dartmouth

A report dated January 13, 2014 was before Community Council.

MOVED by Deputy Mayor Fisher, seconded by Councillor Nicoll, that Harbour East-Marine Drive Community Council:

1. **Approve, by resolution, the discharge agreement, presented as Attachment A to the January 13, 2014 report, for the lands located at 301 and 303 Main Street, Dartmouth; and**
2. **Require the discharge agreement be signed by the property owner within 120 days, or an extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

Councillor Nicoll noted that she is pleased with how quickly this application went through.

Councillor Hendsbee noted a correction to the spelling of Lake Lamont.

MOTION PUT AND PASSED.

9.1.2 Case 17061: Classic Open Space Design Development Agreement, Bissett Road, Cole Harbour (Notice of Motion)

A staff report dated January 29, 2014 was before Community Council.

MOVED by Councillor Nicoll, seconded by Deputy Mayor Fisher, that Harbour East-Marine Drive Community Council give Notice of Motion to consider approval of the proposed Development Agreement for a classic open space design development at Bissett Road, Cole Harbour, as contained in Attachment A of the January 29, 2014 report, and schedule a public hearing. MOTION PUT AND PASSED.

A public hearing will be scheduled for Thursday, March 6th at 6:00 p.m. at 90 Alderney Drive, Dartmouth.

9.1.3 Case 18675: Telecommunication Tower – 26 Cherry Brook Road, Cherry Brook

A staff report dated January 13, 2014 was before Community Council.

MOVED by Councillor Nicoll, seconded by Deputy Mayor Fisher, that Harbour East-Marine Drive Community Council:

1. **Inform Industry Canada that they have no policy-based objection to the proposal by Bell Mobility to erect a new, 40 metre (131 feet) self-supporting telecommunication tower at 26 Cherry Brook Road, Cherry Brook, as show on Attachment A of the January 13, 2014 report; and**
2. **Forward a copy of the January 13, 2014 report to Industry Canada for background purposes.**

At the request of Councillor Nicoll, Mr. Darrell Joudrey, Planner, clarified with the use of the site plan the location of Humber Park. Councillor Nicoll commented that it was unfortunate to not have a rendering of the telecommunication tower from Humber Park.

Councillor Hendsbee noted disappointment that this application and the following application could not be co-located.

MOTION PUT AND PASSED.

9.1.4 Case 18497: Telecommunication Tower – 341 Cherry Brook Road, Lake Loon

A staff report dated February 3, 2014 was before Community Council.

MOVED by Councillor Nicoll, seconded by Deputy Mayor Fisher, that Harbour East-Marine Drive Community Council:

1. **Inform Industry Canada that they have no policy-based objection to the proposal by Halifax Water to erect a new, 50 metre (164 foot), self-supporting telecommunication tower at 341 Cherry Brook Road, Lake Loon, as show on Attachment A of the February 3, 2014 report; and**
2. **Forward a copy of the February 3, 2014 report to Industry Canada for background purposes.**

At the request of Councillor Hendsbee, Mr. Joudrey indicated that this application is for the use of a remotely operated Halifax Water security system.

MOTION AND PUT AND PASSED.

9.2 Boards & Committees - None

10. MOTIONS - None

11. ADDED ITEMS - None

12. NOTICES OF MOTION - None

13. PUBLIC PARTICIPATION

Mr. Tim Chestnut, updated Community Council on plans for the 2014 EPIC Dartmouth event. He commented that there is an additional challenge this year with a similar event being hosted in New Brunswick at the same time as the EPIC Dartmouth event, and competitors and sponsors will have to choose. He discussed the goals of extending the reach of EPIC Dartmouth, noting partnerships with Key West, Grand Rapids, Oklahoma, and North Carolina. Mr. Chestnut discussed the EPIC Canadian contest, to nominate 10 of the most Epic Canadians annually, in association with the event. He encouraged members of Community Council to register for the 2014 EPIC Dartmouth event, noting that you can run or walk the event, and each registrant gets two free passes to two other EPIC events. Mr. Chestnut advised that the dates of the 2014 EPIC events are June 28th & 29th.

Deputy Mayor Fisher advised that he will be registering for the 5km event.

14. NEXT MEETING DATE – March 6, 2014

The next Harbour East-Marine Drive Community Council meeting is scheduled for Thursday, March 6, 2014 at 6:00 p.m. at 90 Alderney Drive, Dartmouth.

15. ADJOURNMENT

The meeting was adjourned at 6:34 p.m.

Jennifer Weagle
Legislative Assistant

INFORMATION ITEMS - None