



**HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES
June 12, 2014**

PRESENT: Councillor David Hendsbee, Chair
Councillor Gloria McCluskey, Vice Chair
Councillor Bill Karsten
Deputy Mayor Darren Fisher

REGRETS: Councillor Lorelei Nicoll

STAFF: Ms. Jennifer Weagle, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to Community Council are available online: <http://www.halifax.ca/Commcoun/east/140612hemdcc-agenda.php>

The meeting was called to order at 6:00 p.m. and adjourned at 6:56 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m., with the Invocation led by Councillor Karsten.

2. APPROVAL OF MINUTES – None

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

MOVED by Councillor McCluskey, seconded by Deputy Mayor Fisher, that the agenda be approved as circulated. 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 – None

8. HEARINGS

8.1 PUBLIC HEARINGS - None

8.2 VARIANCE APPEAL HEARINGS - None

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

9.3 Presentation - None

10. REPORTS

10.1 STAFF

10.1.1 Boundary Expansion – Downtown Dartmouth Business Commission

The following was before Community Council:

- A staff recommendation report dated May 20, 2014

Community Council waived the need for a staff presentation on the subject.

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Harbour East-Marine Drive Community Council:

- 1. Approve, for the purposes of conducting an area rate vote and public meeting pursuant to By-law B-700, the proposed Downtown Dartmouth Business Improvement District area rate, minimum levy, and maximum levy.**
- 2. Approve, for the purposes of conducting an area rate vote and public meeting pursuant to By-law B-700, the proposed Downtown Dartmouth Business Improvement District boundaries.**

At the request of Community Council, Mr. Scott Sheffield, Government Relations & External Affairs, clarified that recommendation no. 1 relates to the proposed area rate and levies, and recommendation no. 2 relates to the proposed boundary.

At the request of Councillor Karsten, Mr. Sheffield commented on the next steps required in the process, including the following:

- An updated list of all businesses in the area would be completed.
- A mail out would be generated to commercial property owners, and they would be asked to provide details of commercial tenants.
- A public meeting would then be scheduled, followed by a vote.
- The results of the vote, if in favour of the expansion, would then go to Regional Council for approval of the area rate.

Mr. Sheffield clarified, at the request of Councillor McCluskey, that the By-law allows for commercial property owners and commercial tenants to vote.

Councillor McCluskey indicated that she believes the boundary expansion to be a good thing, and although not many attended the public meeting, the Executive Director of the Downtown Dartmouth Business Commission, Mr. Tim Rissesco, has met with many of the businesses in the proposed expansion area.

MOTION PUT AND PASSED.

10.1.2 Case 18992: Rezoning and Development Agreement for Erindale Estates, Eastern Passage

The following was before Community Council:

- A staff recommendation report dated May 30, 2014

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that Harbour East-Marine Drive Community Council:

- 1. Give First Reading to the proposed rezoning of lands at Caldwell Road and Cow Bay Road from the R-1 and R-2 Zones to the CDD (Comprehensive development District) Zone as shown in Attachment A of the May 30, 2014 report and schedule a public hearing.**

- 2. Give Notice of Motion to consider the proposed development agreement as contained in Attachment B of the May 30, 2014 report to allow reduced frontage lots and schedule a public hearing. The public hearing shall be held concurrently with that indicated in Recommendation 1.**

The Chair clarified that the public hearing would be held on Monday, July 14, 2014, at the Dartmouth Sportsplex.

MOTION PUT AND PASSED.

10.2.1 Musquodoboit Harbour Watershed Studies

The following information was before Community Council:

- A report from the Regional Watersheds Advisory Board dated May 14, 2014, with attached staff report dated February 24, 2014.

Councillor Hendsbee asked that staff make arrangements to hold a public meeting in Musquodoboit Harbour to present these studies to the community, to which staff agreed.

Mr. Marcus Garnet, Senior Planner, Regional & Community Planning, presented the origin of the studies, noting that the Community Vision and Action Plan for Musquodoboit Harbour was endorsed in principle by Regional Council on October 30, 2007. Action Plan Goad I-1 is to explore options for the provision of water and sewer in the Musquodoboit Harbour village core, and further, that the 2006 Regional Plan Policy E-17 requires watershed studies prior to secondary planning, to determine the carrying capacity and meet water quality objectives.

Mr. Garnet advised that CBCL Limited was awarded the contract to undertake the study and introduced Mr. Gordon Smith of CBCL Limited. Mr. Smith presented an overview of the studies, including the following:

- Component Studies
- Survey Results
- Desirability Mapping
- Development Suitability
- First Study Conclusions
- Follow-up Study Conclusions

Mr. Garnet continued with his presentation at this time, reviewing the following:

- Location of three serviceable parcels of land identified
- Technical options for the land, including water and/or sewer servicing and sewage treatment plant options.

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- Potential servicing plan
- 2013 Estimated Minimum Capital Cost
- Operating Costs
- Challenges

Mr. Garnet's and Mr. Smith's presentations are available online and on file.

In response to a question from Councillor Karsten with regard to the number of watershed studies that have been undertaken as a result of Regional Plan policy E-17, Mr. Smith estimated that eight have been undertaken as preparation for work for secondary planning.

Councillor Karsten asked whether there will be a watershed study for the Eastern Passage/Cow Bay area, in preparation for secondary planning in 2016. Mr. Garnet indicated he would have to follow up on this inquiry.

At the request of Councillor Karsten, Mr. Garnet clarified that the three serviceable parcels of land are 69, 22 and 67 hectares.

Mr. Garnet clarified that under a piped water only scenario, cluster subdivision design would be used, similar to the Seven Lakes development. He further clarified that if sewer and water service were available, a much higher density could be achieved. Mr. Garnet advised that the findings of these studies were important to and played a role in the shape that the Regional Plan review has taken regarding rural communities, and resulted in the downgrading of the area from District Centre to Local Centre.

Councillor Hendsbee commented that the issue of no external funding is yet to be determined with new infrastructure programs being announced. He noted that with regard to the stand alone utility rate, the NSUARB is reviewing some of their decisions in this regard.

Mr. Garnet commented that Regional Council passed a motion 12-18 months ago that if there were to be any infrastructure funding, it would be applied for piping within the existing serviceable area, suggesting that Regional Council may have to revisit that motion.

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that Harbour East-Marine Drive Community Council:

- 1. Accept the Musquodoboit Harbour Watershed Study Final Report and the Musquodoboit Harbour Follow-Up Study Final Report as background for future community planning.**
- 2. Recommend that the Environment & Sustainability Standing Committee request a staff report to consider the following further recommendations, including identifying any policy changes that would be required, financial implications associated, or jurisdictional issues that may arise through these recommendations:**

- a) **The Musquodoboit Harbour area study area be considered as a wastewater management district in order to improve the assimilative capacity of the Musquodoboit and Little Rivers. This wastewater management district is to include both the Musquodoboit and Little River watersheds.**
- b) **HRM conduct a floodplain mapping study of the Musquodoboit and Little River watershed.**
- c) **Discharges from all constructed wastewater treatment plants and stormwater management systems be routinely sampled and tested to ensure no net impact on receiving waters including all HRM owned and operated facilities.**
- d) **HRM develop a plan for regular maintenance of on-site septic systems, to include a schedule for mandatory septic tank pump-outs.**
- f) **HRM consider water quality monitoring within the Musquodoboit and Little River.**
- g) **HRM write a letter to the Province of Nova Scotia recommending that they upgrade the water systems on their properties to meet current standards.**

Responding to an enquiry from Deputy Mayor Fisher with regard to whether HRM has authority to develop a plan for maintenance of on-site septic systems, the Chair indicated that HRM has the ability to implement wastewater management districts through the *Halifax Regional Municipality Charter*.

MOTION PUT AND PASSED.

Councillor Hendsbee left the meeting at 6:42 p.m., at which time Councillor McCluskey took the Chair.

- 11. **MOTIONS - None**
- 12. **IN CAMERA - None**
- 13. **ADDED ITEMS – None**
- 14. **NOTICES OF MOTION - None**
- 15. **PUBLIC PARTICIPATION**

Mr. Shalom Mandaville, Soil & Water Conservation Society of Metro Halifax, circulated a submission to Community Council members. Mr. Mandaville reviewed his submission, which included a letter from the Honourable Robert Harrison, Minister of Environment, from February 1994; an invitation from a lecture Mr. Mandaville gave at the NS Department of Environment in

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1994 on the topic of lake investigations; a section of a study from 1998 on Settle and Bissett Lakes; a photo of two other members of the Soil & Water Conservation Society of Metro Halifax, Dr. Jack Burney and Julie Circom; an excerpt of the Canadian Water Quality Guidelines for the Protection of Aquatic Life – Recommended Assessment Tools; and undated correspondence from Genevieve Tkalec to the Honourable Robbie Harrison on the condition of Bissett Lake. Mr. Mandaville commented on the difficulty of attracting younger people to his organization. He pointed out an error in the Community Council minutes of December 12, 2013, correcting that he made a presentation to students at Prince Andrew Junior High School on identifying organisms within water systems, which can tell about the health of that water system.

Ms. Laurie Cook, Chair of the Musquodoboit Harbour Community Visioning Committee, addressed Community Council, commenting on the difference between community visioning and the secondary planning process. She indicated that visioning is about dreaming, and secondary planning is about zoning and building the supports for implementing the dream. She encouraged Community Council members to keep this in mind when considering revisions to the Regional Plan. Ms. Cook introduced Community Council to a new community newspaper, The Eastern Shore Cooperator (easternshorecooperator.ca). She brought to the attention of Community Council a breaking news story on the Eastern Shore, where the area MLA Kevin Murphy announced at a public meeting that he is looking at ways to move the Birches retirement home, the high school, and the rink/community centre from Musquodoboit Harbour to provincially owned land in Chezzetcook. She noted that this is of great concern to the community. Ms. Cook commented that the water studies presented earlier at this meeting indicate that things are not looking good for piped water or water and sewer service in the area without growth. She noted that if the community loses these three key facilities, they will never reach the vision planned for by the community. Ms. Cook inquired what steps have to be taken for the community to move forward with the community vision.

16. DATE OF NEXT MEETING – Thursday, July 31, 2014, 6:00 p.m.

17. ADJOURNMENT

The meeting was adjourned at 6:56 p.m.

Jennifer Weagle
Legislative Assistant