

# HALIFAX REGIONAL MUNICIPALITY

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## HARBOUR EAST COMMUNITY COUNCIL MINUTES June 3, 2004

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

STAFF: Mr. Karen Brown, Municipal Solicitor  
Ms. Sherryll Murphy, 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**

Councillor Cunningham noted a correction to the spelling of Dennie Sullivan-Fraser on Page 8 of the minutes.

**MOVED by Councillor Cooper, seconded by Councillor Cunningham that the minutes of May 6, 2004 meeting of the Harbour East Community Council, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**Additions**

9.2.2 City of Lakes Chorus - Ian Ferguson

12.1 Thank you to Eric Whebby - Morris Lake and Russell Lake Master Plan Area Public Participation Committee

12.2 Status Report - Case 00453: Development Agreement - Provident Development, Starr Manufacturing Site, Dartmouth

Community Council **agreed** to move agenda item 9.2.1 up immediately following Status Sheet Items.

At the request of Councillor Cooper, Community Council **further agreed** that Wayne Mercer be permitted to speak during Presentations in connection with item 10.2 and that immediately following Mr. Mercer's presentation item 10.2 be dealt with.

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

**4.1 Status Sheet Items**

**4.1.1 Wood Doctor**

- A staff report dated May 28, 2004 submitted by Chief Director Mike Eddy, Fire Services, was before Community Council for consideration.

**MOVED by Councillor Smith, seconded by Councillor Warshick that consideration of this matter be deferred to the next meeting of the Harbour East Community Council in order to provide an opportunity for members of Community Council to fully review the report. MOTION PUT AND PASSED UNANIMOUSLY.**

Note was made that item 12.2. Correspondence re: Implementation of the Secondary MPS - Dartmouth Lakes of May 6, 2004 , did not appear on the agenda as a status sheet item. This item is to be included on the agenda for the next meeting.

#### **4.1.2 Safety Issues on Highfield Park Drive**

As per an e-mail from Taso Koultroulakis, staff is planning to bring forward a report for the July meeting of Harbour East Community Council.

#### **4.1.3 Dartmouth Players**

Councillor Cunningham advised that Mr. Anstey has indicated that since the Sign By-law has not yet been approved, legislation approved by the former City of Dartmouth which permits sandwich boards is still in effect. Consequently, the Dartmouth Players can advertise using the sandwich boards.

This matter is to be **removed** from the status sheet.

#### **4.1.4 Eastern Passage/Cow Bay Community Wall of Honour (Tallahassee School)**

Councillor McInroy advised an area for the wall of honour has been identified and nominations for individuals who should be placed on the wall are in process.

This matter is to be **removed** from the status sheet.

#### **4.1.5 Dedication of Flagstone One Ballfield in Memory of Dan MacDonald**

Councillor McInroy advised that the dedication plaque is being prepared.

This matter is to be **removed** from the status sheet.

#### **4.1.6 Main and Brigadoon Intersection**

No information received. This matter is to remain on the status sheet.

**4.1.7 Servicing Plan for Ball and Sports Fields in the HECC area**

No information received. This matter is to remain on the status sheet.

**4.1.8 Beazley Field Upgrades**

No information received. This matter is to remain on the status sheet.

**4.1.9 Wilderness Park, Dartmouth**

No information received. This matter is to remain on the status sheet.

**4.1.10 Proposed Industrial Park, South Woodside**

No information received. This matter is to remain on the status sheet.

**4.1.11 Powers of Community Council**

The Chair noted that HRM routinely requests amendments to Provincial Legislation and consequently there is no requirement to maintain this item on the status sheet.

This matter is to be **removed** from the status sheet.

**4.1.12 Subdivision of Lot 41 Ritcey Crescent**

No information received. This matter is to remain on the status sheet.

**9.2.1 Special Presentation - Presentation of Certificates - Canadian Canoe Association**

Councillor Hetherington presented certificates of appreciation to Steve Giles, Frank Garner, Kim Cochrane, Dennis Rodgers for their assistance in developing criteria for a wind study on Lake Banook. In his introductory remarks, Councillor Hetherington noted that these four outstanding citizens had done a service to all the citizens of Dartmouth in protecting Lake Banook. He further indicated these criteria were the first of their kind in Canada.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS** - None

**8. PUBLIC HEARINGS**

**8.1 Case 00631 - Substantial Amendment to the Development Agreement for the Home Depot/Portland Street Honda Project, Baker Drive, Dartmouth**

- First Reading regarding this matter was given at the May 6, 2004 May 6, 2004 meeting of Harbour East Community Council.

Ms. Jaime Smith, Planner I, briefly reviewed the application for a substantial amendment to the Development Agreement for the Home Depot/Portland Street Honda project to permit a pylon sign and two outdoor automobile display courts on the Portland Street Honda Property, as found in the April 20, 2004 staff report. Ms. Smith advised that staff was recommending approval of the application.

Ms. Smith then responded to questions from members of Community Council.

Councillor Warshick noted that as there was not sufficient room for the second pad, it would not be installed.

The Chair called three times for persons wishing to speak in favour of or against the proposal.

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 Warshick that Harbour East Community Council:**

- 1. Approve the amendments to the Development Agreement as shown in Attachment 1 to permit a second pylon sign and one automobile display court on the Portland Street Honda property at 36 Baker Drive.**
- 2. Require that the Amending Agreement be signed within 120 days or any extension thereof granted by Community Council on request of the application from the date of final approval by Community Council and any other bodies as necessary whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2 Case #00661: Amendment to Development Agreement - Horizon Court, Dartmouth**

- First Reading regarding this matter was given at the May 6, 2004 meeting of Harbour East Community Council.

Mr. John MacPherson, Planner, briefly reviewed the application to amend the existing development agreement for the second high rise apartment building tower on Horizon Court, Dartmouth, to permit six additional units for a total of 148 apartment units, as found in the April 26, 2004 staff report. Mr. MacPherson advised that staff is recommending approval of the application.

Mr. MacPherson and the architect for the proposal then responded to questions from members of Community Council.

The Chair called three times for persons wishing to speak in favour of or against the proposal.

Hearing none, the following motion was placed.

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

**MOVED by Councillor Cunningham, seconded by Councillor Warshick that Harbour East Community Council:**

- 1. Approve the amending Development Agreement, found in Attachment 1 of the April 26, 2004 staff report, to allow for six additional apartment units for a total of 148 apartment units in the proposed apartment building, changes to parcel consolidation requirements and minor changes to the elevations of the building on lands located on Horizon Court, Dartmouth.**
- 2. Require that the amending Development Agreement be signed within 120 days or any extension thereof granted by Community Council on request of the application from the date of final approval by Community Council and any other bodies as necessary whichever approval is later, including applicable appeal periods, otherwise, this approval will be void and obligations arising hereunder shall be at an end.**



**MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2.3 Cole Harbour Ball and Soccer Associations- Presentation re HRM support of a Bunker for the Cole Harbour Commons**

- This matter was added to the agenda during the setting of the agenda.

Mr. Wayne Mercer, on behalf of the Cole Harbour Ball and Soccer Associations, made a presentation seeking support from HRM for the installation of a bunker (washroom facilities) for the Cole Harbour Commons. Mr. Mercer's presentation included the following key points:

- he represented the players and the parents of the Cole Harbour Ball and Soccer Associations
- these two groups embody 1900 users of the Cole Harbour Commons
- the Cole Harbour Ball Association has excelled in providing programs for youth from ages 12 to 20
- the Cole Harbour Commons does not have the proper facilities to service the members of the two Associations nor the other users
- the community is in need of your support to enhance the commons
- the Associations are requesting that HRM support the location of a bunker (washroom facilities) on the commons
- the Associations would develop ancillary facilities for all users (e.g. locker rooms)
- the Association has a proven track record in the Community
- they have improved the fields in the Cole Harbour area and as an Association has reduced the cost to HRM and put the youth of our Community to work
- over the years HRM has provided the source materials and the Association has enhanced fields in the area
- the Associations have a strong commitment to the community

In conclusion, Mr. Mercer urged the Harbour East Community Council to support the request for a bunker, thereby, providing the amenities to all users.

The Chair thanked Mr. Mercer for his presentation.

**10.2.1 Councillor Cooper - Service Building - Cole Harbour Commons**

Councillor Cooper addressed Community Council stressing that there has been a strong partnership between the Association and HRM over the years. The Councillor pointed out noted that the Cole Harbour Commons was used by many residents outside of his area. Referring to the request from the Cole Harbour Ball and Soccer Associations, it was **MOVED by Councillor Cooper, seconded by Councillor McInroy prepare a rehabilitation and improvement plan for the Cole Harbour Commons in concert with the Cole Harbour Ball and Soccer Associations to include a bunker and ancillary facilities and further that this report come forward to Community Council with a view to including these works in the 2005-2006 budget deliberations. MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE AND DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Presentations**

**9.2.1 Special Presentation - Presentation of Certificates - Canadian Canoe Association**

This matter was dealt with earlier in the meeting.

**9.2.2 City of Lakes Chorus - Ian Ferguson**

Mr. Ian Ferguson, member of the City of Lakes Barbershop Chorus addressed Community Council advising that in August of 2003 the Chorus was successful in securing the 2005 Fall District Convention and Competition. Mr. Ferguson went on to note that this is the first time this Convention and Competition has been held in the Sunrise Division (the four Atlantic Provinces). Mr. Ferguson provided a brief background to the event and reviewed with Community Council the various activities which would be taking place. In conclusion, Mr. Ferguson outlined the work being undertaken and the next steps. A copy of Mr. Ferguson's presentation is on file.

Mr. Ferguson agreed that the proposal should be circulated to all members of Regional Council.

**9.2.3 Cole Harbour Ball and Soccer Associations- Presentation re HRM support of a Bunker for the Cole Harbour Commons**

This matter was dealt with earlier in the meeting.

**10. REPORTS**

**10.1 Case 00686 - Discharge of Development Agreement, 82-84 Ochterloney Street, Dartmouth**

- A staff report dated May 21, 2004 prepared for Paul Dunphy, Director of Planning and Development, was before Council for consideration.

Mr. Kurt Pyle, Planner, briefly reviewed the application by Lori Laderoute to discharge the development agreement applied to 82-284 Ochterloney Street, Dartmouth as found in the May 21, 2004 staff report. Mr. Pyle advised that staff is recommending approval of the application.

Mr Pyle then responded to questions from members of Council.

**MOVED by Councillor Cunningham, seconded by Cooper that Harbour East Community Council:**

- 1. Discharge that portion of the Development Agreement applied to 82-84 Ochterloney Street, Dartmouth, as illustrated on Map 1 of the May 21, 2004 staff report.**
- 2. Approve the Discharging Agreement as shown on Attached 1 of the May 21, 2004 staff report.**
- 3. Require that the Discharging Agreement be signed within 120 days or any extension thereof granted by Council on request of the applicant from the date of the motion approved by Council and any other bodies as necessary whichever approval is later, otherwise this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 MEMBERS OF COUNCIL**

**10.2.1 Councillor Cooper - Service Building - Cole Harbour Commons**

This matter was dealt with earlier in the meeting.

**11. MOTIONS - None**

**12. ADDED ITEMS**

**12.1 Thank you to Eric Whebby - Morris Lake and Russell Lake Master Plan Area Public Participation Committee**

Noting that as Mr. Whebby was no longer a property owner in the area of the Morris Lake and Russell Lake Master Plan, the Chair suggested that a letter of appreciation be forwarded to Mr. Whebby, to which Community Council **agreed**.

**12.2 Status Report - Case 00453: Development Agreement - Provident Development, Starr Manufacturing Site, Dartmouth**

- An information report dated May 31, 2004 submitted by Paul Dunphy, Director of Planning and Development, was before Community Council for consideration.

This matter is for the information of the Community Council.

**13. NOTICES OF MOTION - None**

**14. PUBLIC PARTICIPATION**

**A representative of Dartmouth Players** thanked the Community Council for its support of the Dartmouth Players. She invited members to attend the upcoming production of Little Shop of Horrors.

**Mr. Peter Mageau, Dartmouth** noted that Marilyn More, Local MLA was present this evening.

**15. NEXT MEETING**

The next meeting of the Harbour East Community Council will be held on July 8, 2004

**16. ADJOURNMENT**

There being no further business the meeting adjourned at 8:30 p.m.